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COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1933 — 130th of the General Assembly

Vol. 15 — HARRISBURG, PA., TUESDAY, MARCH 21, 1933. — No. 34

SENATE

TUESDAY, March 21, 1933

The Senate met at 11 o'clock A. M.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

PRAYER

The Chaplain, Rev. George P. Donehoo, offered the following prayer:

Lord God of Hosts, be with us yet. Even if we do forget, help us to remember Thy dealing with Thy people, written in Thy word, and that we are following the same law, under the leadership of the same Infinite King of Kings and Lord of Lords. Help us not to be deceived by all the clamor of this country and of our times. Help us to think, to think as men and women, and to remember the lessons of history, which are the lessons of God. Guide us and be with us so that all of our pomp of yesterday may not be one with Nineveh and with Tyre. Be with us today. Guide us, keep our feet on the ground, but may our heads be in the stars. Guide us and keep us for Thy Name's sake. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. SORDINI, the further reading was dispensed with, and the Journal was approved.

PETITION

PROTESTING AGAINST THE ELIMINATION OF THE SHAMOKIN STATE HOSPITAL AS A STATE INSTITUTION

The Chair cleared his table and laid before the Senate petition from the pastors of the Catholic Churches of Shamokin and vicinity, protesting against the Shamokin State Hospital being eliminated as a State institution.

Which was referred to the Committee on Appropriations.

PROTESTING AGAINST IMPOSITION OF TAX ON COAL

The Chair cleared his table and laid before the Senate petition from Local Union No. 151, United Mine Workers of America, of Scranton, protesting against a tax being imposed on coal.

Which was referred to the Committee on Finance.

LEAVE OF ABSENCE

Mr. FAY asked and obtained leave of absence on official business, for the Senator from Centre, Mr. SCOTT.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency the Governor of the Commonwealth, which were read as follows and referred to the Committee on Executive Nominations:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 21, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for re-appointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

NORTHAMPTON COUNTY

Lee W. Sexton, Easton, March 21, 1933.

WASHINGTON COUNTY

Miss Virginia Brightwell, Washington, March 23, 1933.

ERIE COUNTY

H. M. Reinecke, Erie, March 24, 1933

ALLEGHENY COUNTY

D. K. Ferree, Pittsburgh, March 25, 1933.

BLAIR COUNTY

H. M. Sausser, Tyrone, March 25, 1933.

CLEARFIELD COUNTY

William P. Cornely, Madera, March 25, 1933.

ERIE COUNTY

Dan F. Schmid, Erie, March 25, 1933.

BRADFORD COUNTY

Harper H. Mercereau, Sayre, March 27, 1933.

GREENE COUNTY

L. W. Sayers, Waynesburg, April 8, 1933.

MONTGOMERY COUNTY

Mrs. Sarah M. Keinard, Norristown, April 13, 1933.

CENTRE COUNTY

Russell F. Stein State College, April 15, 1933.

CHESTER COUNTY

Miss Winifred A. Mason, West Chester, April 15, 1933.

ERIE COUNTY

William O. Morrow, Union City, April 29, 1933.

PHILADELPHIA COUNTY

John Marsden, Philadelphia, April 29, 1933.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 21, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Nellie E. Critchlow, Pittsburgh.
William Leicher, Millvale.
H. J. Pelzel, Pittsburgh.
Edward M. Seibert, Jr., Pittsburgh.
Miss Margaret Webster, Braddock.
Kenneth R. Whitaker, Dravosburg.

BERKS COUNTY

Paul J. D. Himmelreich, Reading.

CAMBRIA COUNTY

Ray J. Dumm, Spangler.

FAYETTE COUNTY

Miss Bertha Cunningham, Connellsville.

LUZERNE COUNTY

Miss Catherine Storz, Wilkes-Barre.

MONTGOMERY COUNTY

Mrs. Sara F. Hanes, Ambler.
Charles F. Powell, Ardmore.

PHILADELPHIA COUNTY

George Beck, Philadelphia.
J. Louis Barrick, Philadelphia.
Mrs. Margaret H. Moore, Philadelphia.
Russell W. Tucker, Philadelphia.

SUSQUEHANNA COUNTY

Edmund J. Tierney, Susquehanna.

GIFFORD PINCHOT.

REPORTS FROM COMMITTEE

Mr. EINSTEIN, from the Committee on Judiciary General, the following Resolution, which was laid on the table:

COURTS AUTHORIZED TO STAY EXECUTION OF WRITS OF POSSESSION UNTIL APRIL 3, 1933

In the House of Representatives, March 8, 1933.

Whereas, Constables are executing writs of possession throughout the Commonwealth, and

Whereas, Tenants are entitled to the same protection as execution debtors are given in Senate Resolution just adopted, now therefore

Be It Resolved (if the Senate concur), That the Senate and House of Representatives hereby authorize the several Courts of Common Pleas of the several counties of this Commonwealth to stay the execution of all writs of possession until a date not later than April 3, 1933, and be it further

Resolved, That the General Assembly hereby declares its purpose to enact legislation more fully to effectuate this Resolution, etc., as provided in said Senate Resolution, and be it further

Resolved, That this Resolution shall become effective immediately upon its final adoption.

Mr. MANSFIELD, from the Committee on Judiciary General, reported as amended, Senate Bill No. 629, entitled:

An Act to prohibit the employment by the Commonwealth and by counties, cities, boroughs, towns, townships, departments, boards, commissions, nd by certain corporations, hospitals, homes and institutions, of aliens who entered the United States unlawfully; and providing penalties.

BILLS INTRODUCED

Mr. GRAFF read in his place and presented to the Chair Senate Bill No. 703, entitled:

An Act requiring cities, boroughs, towns, townships, school districts and poor districts to issue serial bonds when incurring, increasing or refunding indebtedness and imposing powers and duties on the Department of Internal Affairs.

Which was committed to the Committee on Finance.

Mr. HUNSICKR read in his place and presented to the Chair Senate Bill No. 704, entitled:

An Act making an appropriation to the Philadelphia Orthopaedic Hospital and Infirmary for Nervous Diseases of Philadelphia.

Which was committed to the Committee on Appropriations.

Mr. PARKINSON read in his place and presented to the Chair Senate Bill No. 705, entitled:

An Act to amend section one of the act, approved the twenty-sixth day of April, one thousand nine hundred and seventeen (P. L. 102), entitled "A supplement to an act, entitled 'An act to provide for the incorporation and regulation of natural gas companies,' approved the twenty-ninth day of May, one thousand eight hundred and eighty-five; providing that corporations engaged in the business of supplying natural gas may manufacture or purchase, and transport and supply, manufactured fuel gas," by requiring the approval of the Public Service Commission to the furnishing of mixed natural and manufactured gas, and providing the procedure before such commission with reference thereto.

Which was committed to the Committee on Judiciary General.

Mr. ZIESENHEIM read in his place and presented to the Chair Senate Bill No. 706, entitled:

An Act to amend section one of the act, approved the twenty-sixth day of June, one thousand nine hundred and thirty-one (P. L. 1386), entitled "An act providing for the care, protection and maintenance of the brig Niagara, Commodore Perry's Flagship at the Battle of Lake Erie, and now the property of the State of Pennsylvania; creating a commission to be the Flagship Niagara Commission, and making an appropriation for such care, protection and maintenance," by providing for the appointment of a representative of some association connected with the War of 1812 as a member of the commission in place of a member of the Grand Army of the Republic.

Which was committed to the Committee on Military Affairs.

Mr. MANSFIELD read in his place and presented to the Chair, Senate Bill No. 707, entitled:

An Act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates, justices of the peace and aldermen, unless names and addresses of prosecutors, defendants and witnesses appear on the transcript thereof.

Which was committed to the Committee on Judiciary General.

TIME OF NEXT MEETING

Mr. THOMPSON, offered the following resolution, which was twice read, considered and agreed to:

In the Senate.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene Monday

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evening, March 27th, at nine o'clock; and when the House of Representatives adjourns this week it reconvene Monday evening, March 27th, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 385, entitled:

An Act providing for the fixing of salaries or compensation of all appointed officers, clerks and other employes paid from the county funds in counties of the third, fourth, fifth, sixth, seventh and eighth classes; and creating salary boards in certain counties.

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

RECONSIDERATION OF SENATE BILL No. 385

Mr. SONES. Mr. President, I move to reconsider the vote by which the bill passed third reading.

Mr. SONES. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. SONES. Mr. President, I voted "aye."

Mr. FRAZIER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. FRAZIER. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. SONES. Mr. President, I ask unanimous consent to amend title, page 1, line 4 of title, by striking out the words "third, fourth, fifth"; also section 1, page 1, line 4, by striking out the words "third, fourth, fifth"; also page 2, line 1, by striking out the words "Provided, That nothing"; also lines 2, 3, 4 and 5, by striking out all of said lines.

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL OVER IN ORDER

Mr. TRAINER. Mr. President, I ask unanimous consent that Senate Bill No. 336 (House Bill No. 1) on third reading, entitled:

An Act relating to baseball and football on Sunday prohibiting baseball and football on Sunday during certain hours and also during certain other hours unless the electors of the Commonwealth are in favor of the same and a license has first been secured from the municipal authorities providing for referendums to ascertain the will of the electors and for the enactment and repeal of licensing ordinances and resolutions in accordance therewith providing penalties and repealing inconsistent laws

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL OVER IN ORDER

Mr. ROBERTS. Mr. President, I ask unanimous consent that Senate Bill No. 388, on third reading, entitled:

An Act providing for the appointment, promotion, reduction, removal and reinstatement of paid officers, firemen and employes of fire departments and of fire alarm operators and fire box inspectors in the bureaus of electricity in cities of the first, second and third class; defining the powers and duties of civil service commissions for such purposes; and fixing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 474 (House Bill No. 528), entitled:

An Act providing for vacations and other time away from duty of policemen in cities of the second and third class.

And said bill having been read at length the third time,

On the question,

Shall the bill pass finally?

Mr. ARMSTRONG. Mr. President, I ask unanimous consent to amend title, page 1, line 3 of title, by striking out the words "and third"; also line 5, by striking out the words "and third."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 487, entitled:

An Act to amend section one thousand thirty-four of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," providing how executions on judgments against counties may be issued, the procedure thereon; authorizing the court to direct the levy of a tax to satisfy such judgments, and fixing the rate of interest which such judgments shall bear.

And said bill having been read at length the third time,

On the question,

Shall the bill pass finally?

Mr. BELL. Mr. President, I ask unanimous consent to amend section 1, page 2, line 11, by inserting after the word "or" the following: "the court"; also page 3, line 1, by striking out the word "then"; also line 1, by inserting after the word "year" the following: "in which such writ issued"; also page 4, line 14, by striking out the word "three" and insert in lieu thereof "six."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

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On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 538, entitled:

An Act prohibiting the publication printing or radio broadcasting of advertisements or notices of insurance companies, associations, exchanges or persons not authorized to do business in this Commonwealth; requiring certificates from the Insurance Department before accepting insurance or broadcasting the same by radio; and fixing penalties.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Shapiro,
Baumer,	Gelder,	Norton,	Snyder,
Bell,	Graff,	Owlett,	Sones,
Bennett,	Harris,	Parkinson,	Sordoni,
Boyd,	Harvey,	Pethick,	Staudenmeier,
Brandt,	Homsher,	Pierson,	Thompson,
Buckman,	Howell,	Prince,	Trainer,
Chapman,	Hunsicker,	Quigley,	Williamson,
Clark,	Krause,	Reed,	Woodward,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. SHAPIRO. Mr. President, I move that Senate Bill No. 603 (House Bill No. 320), on third reading, entitled:

An Act to amend clause (b) of section four article two of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred eighty-one), entitled "An act for the better government of cities of the first class of this Commonwealth" as amended changing the order in which officers of such cities shall act as mayor in case of a vacancy or disability of the mayor to act.

be recommitted to the Committee on Municipal Affairs.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

RECONSIDERATION OF SENATE BILL No. 538

Mr. GELDER. Mr. President, I move to reconsider the vote by which Senate Bill No. 538, entitled:

An Act prohibiting the publication printing or radio broadcasting of advertisements or notices of insurance companies, associations, exchanges or persons not authorized to do business in this Commonwealth; requiring certificates from the Insurance Department before accepting insurance or broadcasting the same by radio; and fixing penalties.

passed finally.

The PRESIDENT. How did the Senator vote?

Mr. GELDER. Mr. President, I voted "aye."

Mr. COYNE. I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. COYNE. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. GELDER. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. GELDER. Mr. President, I voted "aye."

Mr. COYNE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. COYNE. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

BILL OVER IN ORDER

Mr. GELDER. Mr. President, I ask unanimous consent that Senate Bill No. 538, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 639, entitled:

An Act relating to insurance companies, exchanges, associations, societies, orders and individuals under the supervision of the Insurance Department; authorizing the Insurance Commissioner during the existing emergency to suspend laws relating to certain payments by insurers and to impose conditions upon the conduct of the business of insurance; and providing penalties.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Shapiro,
Baumer,	Gelder,	Norton,	Snyder,
Bell,	Graff,	Owlett,	Sones,
Bennett,	Harris,	Parkinson,	Sordoni,
Boyd,	Harvey,	Pethick,	Staudenmeier,
Brandt,	Homsher,	Pierson,	Thompson,
Buckman,	Howell,	Prince,	Trainer,
Clark,	Hunsicker,	Quigley,	Williamson,
Coyne,	Krause,	Reed,	Woodward,
Ealy,	Lanius,	Rice,	Ziesenheim,

NAYS—1

Chapman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 320, as follows:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section seventeen

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article nine be amended by adding thereto section seventeen as follows

Section 17 The Governor the Auditor General and the State Treasurer immediately upon the adoption of this amendment by the electors may borrow an amount not exceeding twenty-five million dollars to defray the expenses of the State Government for the biennium beginning June first one thousand nine hundred thirty-three provided the General Assembly at its regular session of one thousand nine hundred thirty-three has authorized the borrowing of money for this purpose

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 548, entitled:

A Supplement to act number four-A, approved the fourteenth day of April, one thousand nine hundred thirty-one (Appropriation Acts of one thousand nine hundred thirty-one, page five), entitled "An act providing for the investigation and study of the effect of the diversion of water, for water supply purposes, upon the lower Delaware River, and the industries using water therefrom; imposing certain duties upon the Sanitary Water Board; and making an appropriation," making an appropriation to the Department of Health, for the use of the Sanitary Water Board, for the continuation of the investigation and study of the effect of the diversion of water for water supply purposes from the lower Delaware River and the industries using water therefrom.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of Twenty-five Thousand Dollars ($25,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Health for the use of the Sanitary Water Board for the two fiscal years commencing June one one thousand nine hundred thirty-three for the continuation of the investigation and study of the effect of the diversion of water from the tributaries of the upper Delaware River upon the lower Delaware River and the industries using water therefrom which was authorized by the act to which this act is a supplement The moneys hereby appropriated may be expended for the employment of such engineers experts draftsmen investigators and other assistants and employes as may be deemed necessary the purchase of supplies and automotive nautical and other equipment through the Department of Property and Supplies as purchasing agency the payment of traveling expenses and any incidental expenditures which the Sanitary Water Board with the approval of the Department of Health may deem advisable

Mr. McCLURE. Mr. President, I move to amend section 1, page 2, line 10, by inserting at the end of the line, after the word "supplement" the following: "and for the investigation and study of the effect of such diversion upon municipalities using water from such river and the effect of any other diversion of water from the Delaware River."

Mr. HARVEY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows:

A Supplement to act number four-A approved the fourteenth day of April one thousand nine hundred thirty-one (Appropriation Acts of 1931 page 5) entitled "An act providing for the investigation and study of the effect of the diversion of water for water supply purposes upon the lower Delaware River and the industries using water therefrom imposing certain duties upon the Sanitary Water Board and making an appropriation" making an appropriation to the Department of Health for the use of the Sanitary Water Board for the continuation of the investigation and study of the effect of the diversion of water for water supply purposes from the lower Delaware River and the industries using water therefrom

On the question,

Will the Senate agree to the title?

Mr. McCLURE. Mr. President, I move to amend title page 1, line 15 of the title by inserting at the end of the line, after the word "therefrom" the following: "and extending the scope of the investigation and study."

Mr. HARVEY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 638, as follows:

An Act providing for the appointment by the court of quarter sessions of the directors of the poor of the Erie County Poor District and abolishing the elected directors providing for the appointment and compensation of a director of welfare investigators assistants experts and employes and for the employment and compensation of elected directors whose terms have not expired and repealing existing laws

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the court of quarter sessions shall hereafter appoint the three directors of the poor of the Erie County Poor District and the election of directors of the poor in said poor district and county is hereby abolished The first appointment of directors under this act shall be made by the court on or before the first Monday of January one thousand nine hundred and thirty-four for the following terms one for three years one for two years and one for one year the respective terms to commence on the first Monday of January one thousand nine hundred and thirty-four Annually thereafter said court shall appoint one director for a term of three years to occupy the office of the director whose term expires All persons appointed by the court shall be citizens of the County of Erie and the persons appointed shall hold office until their

successors are duly appointed and qualified Vacancies in the office of director of the poor shall be filled by the court for the unexpired term

The directors of the poor so appointed shall serve without compensation but shall be entitled to all expenses necessarily incurred in the discharge of their duties which expenses shall be paid out of the funds of the poor district after approval by the court

Section 2 The appointed directors of the poor of the Erie County Poor District shall have power to appoint and fix the compensation subject to the approval of the court of quarter sessions of a director of welfare and such other investigators assistants and employes as may be deemed necessary to properly manage and administer the affairs of the poor districts All persons so appointed shall be removable at the pleasure of the directors of the poor The directors so appointed shall possess all the powers conferred and perform all the duties imposed by existing laws on directors of the poor and poor districts by the laws of the Commonwealth

Section 3 The elected directors of the poor of said poor district whose terms of office have not expired at the time the appointed directors take office shall become employes of the poor district until the expiration of their respective terms and shall be entitled to receive the same compensation as they were entitled to while acting as directors but such elected directors shall have no voice in the administration of the affairs of the poor district They shall perform such duties as the director of welfare may prescribe

Section 4 The following acts are hereby repealed

Sections one eleven and twelve of the act approved the twenty-fourth day of June one thousand eight hundred and thirty-nine (Pamphlet Laws four hundred twenty-three) entitled "An act to provide for the erection of a house for the employment and support of the poor in the County of Erie" and the amendments thereto

The act approved the sixth day of April one thousand eight hundred and seventy (Pamphlet Laws one thousand five) entitled "An act to authorize the court of common pleas of Erie County to appoint poor directors for said county"

All other acts and parts of acts general local or special inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. QUIGLEY. Mr. President, I ask unanimous consent that Senate Bill No. 643, on second reading, entitled:

An Act dedicating and setting aside certain lands in Lycoming, Cameron and Clinton Counties as a public park and pleasure-ground, to be known as "Bucktail State Park;" and imposing certain powers and duties in connection therewith upon the Department of Forests and Waters and the Department of Justice of the Commonwealth.

go over in its order.

The PRESIDENT. Is there objection? The Chair here none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 670, as follows:

An Act to amend section one of act number three hundred twenty-nine-A approved the fifteenth day of May one thousand nine hundred twenty-nine (Appropriation Acts of One Thousand Nine Hundred Twenty-nine page one hundred sixty-one) entitled "An act making an appropriation to the Department of Property and Supplies for the purchase or condemnation of additional lands for the Commonwealth of Pennsylvania" by extending the scope of the appropriation to the Department of Property and Supplies for the purchase or condemnation of additional lands for the State Military Reservation and ratifying certain expenditures heretofore made by said department

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of act number three hundred twenty-nine-A approved the fifteenth day of May one thousand nine hundred twenty-nine (Appropriation Acts of One Thousand Nine Hundred Twenty-nine page one hundred sixty-one) entitled "An act making an appropriation to the Department of Property and Supplies for the purchase or condemnation of additional lands for the Commonwealth of Pennsylvania" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of four hundred and sixty-seven thousand one hundred dollars ($467,100) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for the purchase or condemnation of additional lands for the Commonwealth of Pennsylvania namely

Department of Agriculture

For the purchase or condemnation of additional lands for the Department of Agriculture at Summerdale Cumberland County Pennsylvania the sum of nine thousand one hundred dollars ($9,100)

Department of Forests and Waters

For the purchase or condemnation of additional lands for state parks the sum of one hundred fifty thousand dollars ($150,000)

Department of Military Affairs

For the purchase or condemnation of additional lands to be used for [or] in connection with or as a substitute for the State Military Reservation at Mount Gretna the sum of three hundred thousand dollars ($300,000) but no expenditures shall be made for this purpose except with the approval of the Department of Military Affairs and the State Military Reservation Commission

Department of Welfare

For the purchase or condemnation of additional lands for the Nanticoke State Hospital at Nanticoke Pennsylvania the sum of two thusand five hundred dollars ($2,500)

For the purpose or condemnation of additional lands now owned by Joseph P Moran and Myrtle M Moran adjacent to the site of the New Eastern State Penitentiary at Gratersford the sum of five thousand five hundred dollars ($5,500)

Section 2 All expenditures by the Department of Property and Supplies for lands heretofore purchased for use in connection with the State Military Reservation at Mount Gretna located between Blue Mountain and Second Mountain and Manada Gap and Indiantown Gap also the land lying between Indiantown Gap and Swatara Gap immediately south of said Blue Mountain in Lebanon and Dauphin Counties are hereby ratified and approved

Section 3 This act shall be effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 682, entitled:

An Act authorizing and regulating the issue and sale of preferred stock by banks and trust companies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the powers conferred and notwithstanding any limitations imposed by existing law any bank or trust company incorporated under a general or a special Act of Assembly may with the written consent of the Department

of Banking and in the manner hereinafter provided in this act issue preferred shares upon such terms and conditions in such amounts and of such par value not less than ten dollars per share as shall be approved by the Department

Section 2 A Bank or a trust company shall be authorized to issue preferred shares only by resolution of its board of directors approved by the holders of a majority of its outstanding shares at any regular or special meeting called in the manner and after the notice required by law for such meeting of shareholders

Section 3 A preferred share shall not be issued until the par value of such share has been paid in full to the bank or trust company

Section 4 The holders of such preferred shares shall be entitled to cumulative dividends at a rate not exceeding six per centum per annum They shall be entitled to one vote for each such preferred share unless the articles of association or by-laws expressly provide otherwise and such provision has been approved in writing by the Department of Banking Upon liquidation by the Secretary of Banking by liquidating trustees or otherwise of the business and property of any bank or trust company which has issued preferred shares pursuant to the provisions of this act the holders of any other shares in such bank or trust company shall not be entitled to any payments in the distribution of its assets until the holders of such preferred shares have been paid in full the par value of their shares plus all accumulated dividends thereon

Section 5 Preferred shares issued pursuant to the provisions of this act may be redeemed and retired by the bank or trust company upon payment of the par value to the holders thereof together with accumulated dividends or upon the payment of any other amount specified or computed in the manner set forth in the share certificate representing such preferred shares or in the articles of association or by-laws and approved in writing by the Department

Section 6 The holders of preferred shares shall not be held individually responsible by reason of the ownership of such shares to pay any debts contracts or engagements of the bank or trust company

Section 7 The shareholders of a bank or a trust company which issues preferred shares pursuant to the provisions of this act shall not have any preemptive right to purchase such preferred shares The preferred shares may be sold at par or in excess of par in any manner which the bank or the trust company deems to its best interests and which the Department of Banking approves in writing

Section 8 Preferred shares issued pursuant to the provisions of this act may be sold to the Reconstruction Finance Corporation upon such terms and in such manner as the Reconstruction Finance Corporation shall prescribe

Section 9 If any part of this act shall be declared unconstitutional by any court the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

Section 10 The operation of any act or part of any act inconsistent herewith shall be suspended during the period this act shall continue to be effective

Section 11 This act shall become effective immediately upon its approval by the Governor and shall continue to be effective until the thirty-first day of March one thousand nine hundred thirty-five

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORT FROM COMMITTEE

Mr. BATCHELOR. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BATCHELOR, from the Committee on Judiciary General reported as amended, Senate Bill No. 656 (House Bill No. 1182), entitled:

An Act to authorize the Department of Highways and the county commissioners to occupy and relocate rights of way of public service companies in certain cases, and to acquire by purchase or condemnation the necessary land therefor.

RECESS

Mr. KRAUSE. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. BRANDT. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. HOMSHER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOMSHR, from the Committee on Finance, reported as committed, Senate Bill No. 605 (House Bill No. 490), entitled:

An Act to amend section one of the act approved the twenty-sixth day of August one thousand nine hundred and thirty-two (Pamphlet Laws one hundred) entitled "An act authorizing the abatement of penalties on local taxes" providing further for the abatement of tax penalties and providing for an extension of time for delivery of duplicates to collectors of delinquent taxes in certain cases.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Finance, reported as committed, Senate Bill No. 98, entitled:

An Act to amend section one thousand three hundred and five of, and to add section nine hundred and eleven to, the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," removing the administration of the law library and legislative document section from the Department of Public Instruction to the Department of Justice, providing where it shall be housed, and the hours it shall remain open.

Mr. FRAZIER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FRAZIER, from the Committee on New Counties and County Seats reported as committed, Senate Bill No. 558, entitled:

An Act to amend section five hundred and sixty-three of the act, approved the twenty-first day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh, and eighth classes; and revising, amending and consolidating

the laws relating thereto"; providing that in awarding certain contracts for the erection, construction and alteration of public buildings, separate bids shall be received for the structural steel and ornamental iron work.

BILL RECOMMITTED

Mr. FRAZIER. Mr. President, I move that Senate Bill No. 558, the bill just reported from Committee, be recommitted to the Committee on Municipal Affairs.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

REPORT FROM COMMITTEE

Mr. FRAZIER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FRAZIER, from the Committee on New Counties and County Seats reported as committed, Senate Bill No. 560, entitled:

An Act to amend section one thousand eight hundred and five of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto"; providing that in awarding certain contracts for the erection, construction and alteration of public buildings, separate bids shall be received for the structural steel and ornamental iron work.

BILL RECOMMITTED

Mr. FRAZIER. Mr. President, I move that Senate Bill No. 560, the bill just reported from Committee, be recommitted to the Committee on Municipal Affairs.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEE

Mr. FAY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FAY, from the Committee on Finance, reported as amended, Senate Bill No. 645, entitled:

An Act to amend section five of the act approved the nineteenth day of August, one thousand nine hundred and thirty-two (P. L. 92), entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors, as herein defined; prescribing the method and manner of collecting such tax; and providing penalties;" extending the time for payment of the emergency relief sales tax by extending the time of payment of said tax under certain circumstances.

Mr. OWLETT. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. OWLETT, from the Committee on Finance, reported as committed, Senate Bill No. 580 (House Bill No. 127), entitled:

An Act to amend section one thousand two hundred seven of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, three hundred forty-three), entitled "An act [to amend the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, three hundred forty-three) entitled "An act] relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth; and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State Government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," [] taking out of operation of the Fiscal Code questions relating to the lien and payment of liquid fuel taxes, and referring such questions to the provisions of the liquid fuels tax acts.

Also from the Committee on Finance, reported as committed, Senate Bill No. 601 (House Bill No. 126), entitled:

An Act to amend section one thousand four hundred one of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, three hundred forty-three), entitled "An act relating to the finances of the State Government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," limiting the lien, and procedure for collection of taxes, bonus and other moneys due the Commonwealth in certain cases.

Mr. REED. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. REED, from the Committee on Judiciary General, reported, as amended, Senate Bill No. 578, entitled:

An Act to amend section three of the act, approved the eighteenth day of April, one thousand nine hundred and nineteen (P. L. 70), entitled "An act declaring it a misdemeanor for any maker or drawer, with intent to defraud, to make or draw or utter or deliver any check, draft, or order, when such person has not sufficient funds in, or credit with, the depository upon which the same is drawn," by providing for the admission in evidence of the protest of nonpayment of checks, drafts and orders.

CONSIDERATION OF SENATE BILL No. 336 (HOUSE BILL No. 1)

Mr. TRAINER. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 336 (House Bill No. 1), entitled:

An Act relating to baseball and football on Sunday prohibiting baseball and football on Sunday during certain hours and also during certain other hours unless the electors of the Commonwealth are in favor of the same and a license has first been secured from the municipal authorities providing for referendums to ascertain the will of the electors and for the enactment and repeal of licensing ordinances and resolutions in accordance therewith providing penalties and repealing inconsistent laws

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 336 (House Bill No. 1), as follows:

An Act relating to baseball and football on Sunday prohibiting baseball and football on Sunday during certain hours and also during certain other hours unless the electors of the Commonwealth are in favor of the same and a license has first been secured from the municipal authorities providing for referendums to ascertain the will of the electors

Section 2 Penalty for Unlawful Baseball and Football on Sunday It shall be unlawful for any person copartnership association or corporation to conduct stage or engage in any baseball or football game regardless whether a charge or admission thereto is made or whether labor or business is necessary to conduct manage stage or operate the same on the first day of the week commonly called Sunday before the hour of two o'clock post meridian or after the hour of six o'clock post meridian

It shall be unlawful for any person, copartnership, association or corporation to conduct, stage or engage in any baseball or football game, regardless whether a charge or an admission thereto, or incidental thereto, is made, or whether labor or business is necessary to conduct, manage, stage or operate the same on the first day of the week commonly called Sunday, between the hours of two o'clock post meridian and six o'clock post meridian, unless at the municipal election in the year one thousand nine hundred and thirty-three, a majority of the electors of the entire Commonwealth voting on the question hereinafter provided for, shall vote in favor of baseball and football games on Sunday between said hours. In case said vote in the State at large is in favor of baseball and football on Sunday between said hours, then said games shall be lawful only after the person, copartnership, association or corporation proposing to conduct or stage any such baseball or football game to which an admission charge is made or is incidental shall first have secured from the proper municipal authority of the municipality a license authorizing him, her or it to conduct or stage such baseball or football game between said hours on Sunday.

Any person, copartnership, association or corporation violating any of the provisions of this section shall, upon conviction thereof in a summary proceeding, be sentenced to pay a fine not exceeding ten dollars ($10), and in default of the payment of such fine and costs of prosecution, such person, or any member or agent of any copartnership or association, or any officer or agent of any corporation responsible for such violation, shall be imprisoned for a period of not more than five days

Section 3. Ordinances and Resolutions. License Fees. If at said election in the year one thousand nine hundred and thirty-three, a majority of the electors in the entire Commonwealth voting at said election vote in favor of baseball and football on Sunday between the hours of two o'clock post meridian and six o'clock post meridian, then each municipality other than a township of the second class shall, by ordinance, and each township of the second class shall, by resolution of the township supervisors, if at said election the vote in the municipality or township was in favor of baseball and football, provide for the licensing of baseball and football games to which an admission fee is charged or is incidental on Sunday between the hours of two o'clock post meridian and six o'clock post meridian. If the vote of the electors in the municipality was not in favor of baseball and football, then no ordinance or resolution providing for the licensing of baseball and football games shall be enacted or adopted.

The license fees to be charged under any such ordinance or resolution for any baseball or football game to which an admission is charged or is incidental, shall not exceed the following amounts: In cities of the first and second class, fifty dollars ($50); in cities of the second class A and third class twenty-five dollars ($25); in boroughs, ten dollars ($10); and in townships, five ($5).

All license fees collected under the provisions of any such ordinance or resolution shall be paid into the treasury of the municipality.

Section 4 Referendum Statement of Question on Ballots At the municipal election in the year one thousand nine hundred and thirty-three, there shall be submitted in the manner provided by the election laws of the Commonwealth, a question to determine the will of the electors of each municipality in this Commonwealth, and of the Commonwealth as a whole, with respect to baseball and football games on Sunday. Such question shall be in the following form

Do you favor the conduct, staging and playing of baseball and football games regardless of whether an admission charge is made or incidental thereto, or whether labor or business is necessary to conduct, stage or operate the same between the hours of two and six post meridian on Sunday?	Yes	
	No	

The said question shall be printed on separate official ballots in bound form by the county commissioners of each county, and sufficient number of ballots shall be furnished to the election officers in each election district of the county so that one ballot may be supplied to each voter at such election. In districts where voting machines are used, such question shall appear on the face of the machine where the machine is properly equipped for such purposes.

Section 5. Returns and Computation of Votes. The votes cast on such question shall be counted by the election officers and returns thereof made by them and by election officers where voting machines are used, to the prothonotary of the county, who shall lay the same before the return board for computation at the same time and in the same manner as other returns. The return board shall compute the said returns by municipalities and certify the results of the vote cast on the question to the legislative body of each municipality within the county, and shall also compute the vote for the county as a whole, and certify the vote in the county to the Secretary of the Commonwealth. The Secretary of the Commonwealth, upon the receipt of such returns from each county, shall compute the vote on such question for the whole State, and certify the results thereof to the Governor, who shall, by his proclamation, announce the result of the vote in the entire Commonwealth.

Such election shall be governed by the election laws of the Commonwealth, and all penalties provided by said laws shall apply to such elections.

Section 6. Future Referendums. If at the municipal election in the year one thousand nine hundred and thirty-three, a majority of those voting were in favor of baseball and football on Sunday, then in any municipality the will of the electors with respect to baseball and football on Sunday may after the year one thousand nine hundred and thirty-three, but not oftener than once in three years, be ascertained, and the question as provided in this act shall be submittted to the electors of any municipality upon demand in writing of petitioners equal to at least five per centum of the highest vote cast for any office in the municipality at the last preceding general or municipal election. Such petition shall be filed with the corporate authorities at least sixty days before any general or municipal election, at which the question is to be submitted, and if the petition is sufficiently signed, shall thereupon be certified to the county commissioners who shall cause such

question to be submitted in the same manner as is provided in this act for the election in the year one thousand nine hundred and thirty-three.

If a majority of the electors voting in any municipality which licenses baseball and football games to which an admission charge is made or is incidental, are not in favor of such licensing, then the ordinance or resolution licensing such baseball and football games shall be repealed; but if a majority of the electors in any such municipality which does not license baseball and football games are in favor of such licensing, then an ordinance or resolution shall be enacted or adopted licensing baseball and football games to which an admission charge is made or is incidental, as provided in this act

Section 7. Intent of Act. It is the intent of this act to provide a method whereby the will of the electors of the entire Commonwealth and of each municipality with respect to baseball and football games on Sunday between the hours of two o'clock post meridian and six o'clock post meridian, may be ascertained, and it shall be the duty of the legislative body of each municipality if at the municipal election in the year one thousand nine hundred and thirty-three, a majority of those voting in the entire Commonwealth are in favor of baseball and football games on Sunday, to enact, adopt or repeal any ordinance or resolution in accordance with the will of the electors as ascertained at said elections. In case of a failure so to do the duty herein imposed upon the legislative body of any municipality may be enforced by mandamus.

Section 8. Repeal. Section one of the act approved the twenty-second day of April, one thousand seven hundred and ninety-four (3 Sm. L. 177), entitled "An act for the prevention of vice and immorality, and of unlawful gaming, and to restrain disorderly sports and dissipation," be and the same is hereby repealed in so far as it prohibits baseball and football games on Sunday.

Section 9 Constitutionality Clause The provisions of this Act are severable and if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included herein

Section 10 Hunting and Fishing Nothing contained in this act shall relate to Sunday hunting and fishing or be construed as repealing any law relating thereto

Section 11 Effective date This act shall be effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. SNYDER. Mr. President, last week I asked the indulgence of the Senate to discuss what I regarded as my own personal views on this matter. This morning I think I am compelled to go beyond that and to call the attention of the Senate to certain provisions in this bill which I believe every one of us should consider before the final vote is taken.

In the first place, admittedly I think this is a difficult bill to understand. It may be a matter of mere mathematical calculation to get all of these brackets in their correct position and discover what we are voting upon now. I discovered, after trying to find out what provisions were omitted and what amendments were substituted, that we can turn from the first page to some page eleven or twelve and find section two.

Now, perhaps my remarks should be directed to members of the bar who are in this assembly. In the first place, when I venture, not influenced as to the locality of this matter—it certainly is sufficient in my opinion—it may be conflicting with the others—and so far as that is concerned my opinion naturally will be subservient to those who are perhaps wiser men than I am; but I want to call the attention of the Senate to a rule which has been in force for many, many years. It is Rule thirty-seven of the Senate, the provisions of which are: "No law shall be passed except by bill, and no bill shall be so altered or amended on its passage through the Senate as to change its original purpose."

Now, if it is possible for us to decipher the original purpose of this bill which now appears before us in amended form, I believe it will be agreed by everyone that the original purpose was this: "Empowering cities, boroughs, towns and townships to enact ordinances prohibiting baseball and such other outdoor sports on Sundays." Now, it is the purpose of this amendment to change the character of that bill so as to provide a State-wide referendum. In the original bill there were some provisions made whereby municipalities could vote on this proposition, but here we have a new proposition which in my humble opinion is in violation of the rule of the Senate. But, as I stated a week ago, it is not particularly my purpose, even if I had the desire or wisdom to do so, to take advantage of the technicality cited by this argument. It is a need, a popular need, is it not, to submit this matter to a general referendum to be voted upon by all the people in the State of Pennsylvania; and if it were not for some other defects in this bill, to which I hope to refer in a moment, that is always a wise thing to do. In all legislative action here we should be guided by what the sentiments of our constituents happen to be. But we have gone far beyond that in this particular matter, Mr. President. We have preferred first of all outdoor sports, but we have from all the outdoor sports—we have selected two of these sports. I am wondering if it is, though it may be true, that my distinguished colleague, Senator McClure, more or less favors these two sports. I am wondering by what decree of justice or by what logic he can deface from a matter of this kind all other sports. I have been wondering why it is not true those of us who are entirely willing there should be outdoor sports on the Sabbath—what we should say to them. That we have not given proper consideration. We have preferred in our amendment two of these sports. There are no other sports of any kind mentioned in the amendment except that. I admit, Mr. President, that, for the purpose of clarification, in the last paragraph of the bill it is stated that this has nothing to do with hunting or fishing. I am quite sure that is obvious if we read the bill. But every practicing lawyer who happens to be a member of this Senate should read it very carefully before the final vote is taken.

For example, on page fifteen of the amendment which was before us this morning—bearing in mind for a moment that some of the re-printed amendments came before us just about ten minutes ago—I find this language in the tenth line of page fifteen: "each municipality other than a township of the second class shall by ordinance, and each township of the second class shall by resolution of the township supervisors, if at said election the vote in the municipality or township was in favor of basketball and football, provide for the licensing of baseball and football games to which an admission fee is charged or is incidental on Sunday."

In the first place, it is my humble opinion that a borough council or a city council is rather as much of a legislative body as we are. Frankly, I believe, whether or not their powers are as great, whether or not their position may by comparison be conceded to be as mighty, I believe that by no act of the General Assembly of the Commonwealth of Pennsylvania can any local branch of the legislative department of our government be compelled to pass certain ordinances. Frankly, I do not believe that they can even be compelled to repeal certain ordinances. But it is my opinion that not even by mandamus proceedings, which this bill would provide for, can they be compelled to do so. That you might say is only an opinion as to what may be the existing law, but disregarding the legal phase of it, my fellow members of the Senate, cannot you follow that logic to its only safe conclusion and say

that we might immediately agree for the moment that this entire proposition may be sound? We might immediately drive it to the extreme. If we were to follow that out here whatever the Legislature will determine to do, be it safe or unsafe, the proposition might be, if that were the law, that we could by legislative action in the form of a mandatory decree direct the local municipalities throughout the State, trying to compel them, if you please, to do this or to do that.

Frankly, gentlemen, I do not believe that can be done, and because of that also I would say that this is a matter that needs our careful consideration. The last portion of that paragraph to which I have referred reads as follows: "If the vote of the electors in the municipality was not in favor of baseball and football, then no ordinance or resolution providing for the licensing of baseball and football games shall be enacted or adopted." Frankly, gentlemen, such an ordinance could not be valid. No city council or borough council can possibly take it unto itself to enact any ordinances unless they are given legislative authority so to do; but there is a difference between giving legislative authority and enacting an ordinance upon a certain given subject and demanding or compelling or seeking to compel them to do so. And, frankly, it seems to me that that second section of that paragraph which I have just read in itself discloses the weakness of that particular provision in these amendments and also so proves the point which I have been attempting to make.

But in my humble judgment the most dangerous—yes, and I use the word advisedly—the most dangerous portion of these amendments appears on page seventeen, under section six; and, again directing more particularly the attention of my fellow members of the bar here, I am asking every lawyer here to consider those provisions, in effect to follow the purposes through to their logical conclusions; and for that purpose may I quote the amendment: "Future referendums. If at the municipal election in the year one thousand nine hundred and thirty-three a majority of those voting were in favor of baseball and football on Sunday, then in any municipality the will of the electors with respect to baseball and football on Sunday, may, after the year one thousand nine hundred and thirty-three, but not oftener than once in three years, be ascertained, and the question as provided in this act shall be submitted to the electors of any municipality upon demand in writing of petitioners equal to at least five per centum of the highest vote cast for any office in the municipality at the last preceding general or municipal election."

Does that mean,—frankly, I am too stupid to understand it,—does that mean that after this matter has been referred, through a referendum, to the people of the State of Pennsylvania or to the individual municipalities and they voted a certain way,—does it mean that that is to be the law for three years? I think so. I think perhaps that is the only meaning we can get out of that provision. If it means that, then this Legislature, during that particular period, can do nothing, because it is the spirit,—at least, I regard it as the purpose, of these amendments to say that the question of repealing this particular provision of this act is now out of our hands; it must again be submitted to a referendum before any action can be taken.

If I am wrong in that belief, there is only one other answer that can be given, and that is this: If I were to be a member of the Senate three years from now and I were to discover in my particular district, a movement to have some referendum on this question, I would say, "Let us not defeat that movement. Let us find out whether we can in the Senate reconsider the matter and pass a law." Do you want to extend it that far? Do you want to say, in Pennsylvania, that two sports selected from all the sports in which our young people love to engage shall be given not only the preference, in an unprecedented way, giving them a state-wide referendum, and then, in addition to that, say that these people shall be so tied in their deliberations, for or against the proposition, that for three years things must stay as they are?

Now, my fellow members of the Senate, have I, perhaps in sort of a round-about way, called attention to what I regard as a very serious preference to be given, perhaps, to any issue, and particularly to a matter of this kind?

And, in the next line, let me call your attention to something significant. How shall this referendum, in three years, be brought about? How shall the change be made? By whose authority shall the Legislature of the State of Pennsylvania be called upon to reconsider legislation?

There is the inference that if certain things are done then we shall here pass certain laws to carry out those wishes; and, fundamentally, I would say there is nothing wrong with that; but who is to do this? Upon demand, in writing, of petitioners. That is all it says. Who are the petitioners? Is this a matter which the Courts can construe literally, or must construe literally; or can the Courts of the State of Pennsylvania,—and I would say even the Appellate Courts are included in that language,—say that these petitioners are by inference, supposed to be qualified electors? There is nothing like that in this bill. It says, "shall be submitted to the electors of any municipality upon demand, in writing, of petitioners equal to at least five per centum of the highest vote cast for any office in the municipality at the last preceding general or municipal election."

That might appear quite technical to you, my fellow members of the Senate, but when a matter is of sufficient importance to give it a State-wide referendum, or two of them, and, perhaps, in three years have municipal elections in order to test the will of the people, then, it seems to me, it is of sufficient importance to have clarified in the act who shall be given the right to petition.

Unquestionably there was in the mind of the sponsor of the amendments "qualified electors." I have no doubt about that. But I can predict that this is another reason why this proposed law cannot succeed. This is another reason why there is a loophole here.

If I were to take the side, which perhaps I do not take with this particular pleasure now, to seek around for loopholes, if I were to consider this entire subject from the standpoint of finding only weaknesses in the bill, and not deal with the principles which are underlying, I would certainly, first of all, before the bar of any court in Pennsylvania, call attention to that particular provision.

Now, Mr. President, there is still another thing I want to say in this regard. This is the first time, members of the Senate, I have been actually disappointed with our own activities. Yes, it is true that we may have found some fault, in days gone by, by reason of delays, the reason for which I cannot understand. Yes, it is true, perhaps, we had some reason when, in the special session, we passed a sales tax, which, I think it is admitted now, was rather an unwise thing to do; and we may have found some fault. Yes, it is true, that we have been called back, at least, during my short term here,

three times, without a definite program before us, to solve the problems which are uppermost in our minds, to wit, unemployment relief, reduced cost of government, and reduced taxation. Yes, it is true, perhaps, that some of us may have found some fault; but, for the first time have I broken silence in order to speak, perhaps, the will of a great majority, I believe, of the people of the State of Pennsylvania, and that is this,—that we must, my fellow members of the Senate, put first things first. I think that even in matters of legislation we must go under a new system of revaluation. Would you have it said of the Senate of Pennsylvania that even though the city where I was born, or even though the city of Pittsburgh, or even though any other municipality insists that something must be done upon this particular matter,—would you say to the people of Pennsylvania, in spite of the fact that,—I think you will agree with me,—there are these discrepancies in this legislation,—would you say by your action, in itself, on this bill, that we admit,—that we admit right now, that we have conceived this to be of greater importance than all those issues to which I have called attention and which, in my judgment, should have been given preferential consideration?

As a humble citizen of the State of Pennsylvania I have never yet been able to understand why Babe Ruth should receive as much money as the President of the United States. I haven't yet been able to understand why the movie stars, of whom we hear so much, should receive far greater salaries than that of the President of the United States. I believe, as sure as I am standing before you now, there must be a turning back,—there must be a turning back to simplicity in government, there must be a turning back to simplicity in living,—to that type of simplicity, if you want to call it simplicity, which built up the rugged characters of the leaders of this Commonwealth.

And I want you to know that if this is of sufficient importance to have a referendum on the proposition, is it not of sufficient importance to have a referendum on the Eighteenth Amendment, or on this proposed beer legislation here? Is it not of sufficient importance to have submitted to the people of Pennsylvania, in the form of a referendum, whether or not this new School Code, which is so revolutionary in its character, should be adopted? Why, there are many matters here, my fellow members of the Senate, which, it seems to me, should have been given preferential consideration. But my disappointment is in this: This move to present this matter in the form of a referendum was, by the proponents of the bill, a wise move. Should I have it understood that I stand here representing one of the great counties of the State of Pennsylvania and say to myself that I deny the people of Lehigh County the right to vote upon this proposition? I would say, if that were alone, I would never deny those who sent me here the right to vote on any proposition; but there is something beyond that, and my distinguished colleague made reference to it last night. This is a representative form of government, and for the first time, and I hope for the last time during my term in the Senate of Pennsylvania, do I say that we have, instead of meeting the issue fairly and squarely, turned back to the people of the State a problem which we have been unwilling to solve.

I am opposed to the proposition of commercializing the Sabbath, and that proposition is as clear as crystal in my mind. If you are not opposed to it, then I would say you should have voted "yes" instead of "no." And so, when I cast a vote against this bill I do not do it at all with the idea that I am denying to the people of Lehigh County the right to express themselves. For the first time, I will say to those of you who are leaders in this Assembly,—for the first time we have passed back to the people of Pennsylvania a proposition which apparently we have been unable to solve ourselves.

I agree with my distinguished colleague, the Senator from Cumberland, Mr. Prince,—"Let us turn back to simplicity in government." Again the day is here to say "yes" or "no," and stand or fall by the decision, not as we may be influenced by what appears in the press, not even as we may be influenced, always, by what we regard as a majority; after all there is only one principle that should influence us here, and that is the principle which, from our own deliberation, reaches the conclusion that we do this or that for the welfare of the people of Pennsylvania.

Mr. McCLURE. Mr. President, I can agree with much that my distinguished colleague from Lehigh county, Mr. Snyder, has said. If I understood him correctly in the beginning of his remarks, he stated that there should be a broader bill. I know, Mr. President, there are activities other than football and baseball. If he has any such notion in his mind, he has the same privilege as all of us, and he can prepare such a bill and present it to the Senate. We have already been criticised by the Executive of our Commonwealth for spending so much of our time on sport legislation, legislation concerning liquor, and for providing for conventions. I agree that we should spend as little time as possible on this kind of legislation. We should continue our activities that we have been carrying on since the beginning of this session along the lines the people most desire of us. We should dispose of this legislation today, and not postpone it for any changing of the words of this act. The amendments which I presented last night provided principally for three changes in this act. First, the referendum at large; secondly, the referendum to municipalities held at the same election; and third, the wiping out of licenses for the amateur sports. Those amendments give a safeguard to the public which I believe every fair-minded person in Pennsylvania who give consideration to this amendment cannot help but approve. He raises objections to certain parts of this bill, particularly on page fifteen, where we have written into the bill a mandatory provision providing that the municipality where the vote is recorded in favor of baseball and football shall issue a license. The municipalities where they are opposed to baseball and football shall not issue licenses only carries out the will of the people. This is not the first mandatory act that has been passed in the General Assembly. It is our common custom to pass mandatory acts, and in this bill, I believe, it is well provided that the councils of the different municipalities need not set their judgment up against the will of the people. That is true democracy. I stated my reasons for not supporting this bill last week, and I do not have to repeat those reasons today. I would not be supporting this bill today if this great question was not referred to the people. The gentleman from Lehigh states that this is the first referendum that has been referred to the people in some time. I call his attention to the fact that this is the first amendment that has been submitted to the Senate changing the "Blue Laws" of 1794, and that it is wise for us, as representatives of the people, to secure, through this referendum, their wishes concerning these acts of 1794, if for no other purpose to carry out the idea of the Senator from Lehigh of providing a broader bill which would embrace more than football and baseball.

Again I ask my colleagues not to postpone action on this bill, but to consider it at the present time.

Mr. SHAPIRO. Mr. President, I hesitate to speak on the Sunday Bill, or any other bill at this time, because of the fact that my presence in the Senate has not been of sufficient duration to permit me to do it, but I do intend to vote in favor of this bill and in doing so I want to take advantage of this opportunity to say, first, that I am voting in favor of the bill, not because I think it is a good bill, but because I think that the people whom I represent, want it. In my opinion that is the only way that legislation should be considered, by a reaction of their representatives to the will of the people, irrespective of their own personal impressions. I do not think that this referendum is a proper referendum. I agree with the Senator from Lehigh, Mr. Snyder, that it is our duty to meet the responsibility of deciding questions which the people send us here to decide. I do not think this bill gives the people what they want but I think that my constitutents might misunderstand my actions if I voted against this bill, and if it should not pass might feel that they were deprived of something that they would otherwise get I am going to vote in favor of the bill. I agree with Senator Snyder that there is much more important legislation, but I think that this bill should be passed and gotten rid of so that we can give our attention to the more important subject of relief to the unemployed. I shall take the privilege of voting for this bill because I think the people want it. I do not vote for the bill because I think it is the best kind of legislation on this subject but there are more important subjects to be considered.

And the question recurring,

Shall the bill pass finally?

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

Armstrong,	Frazier,	McClure,	Shapiro,
Aron,	Harris,	Miller,	Sordoni,
Baumer,	Harvey,	Owlett,	Staudenmeier,
Boyd,	Howell,	Quigley,	Trainer,
Buckman,	Hunsicker,	Roberts,	Woodward,
Coyne,	Krause,	Salus,	Ziesenheim,
Einstein,	Mansfield,		

NAYS—23

Batchelor,	Ealy,	Norton,	Rice,
Bell,	Fay,	Parkinson,	Snyder,
Bennett,	Gelder,	Pethick,	Sones,
Brandt,	Graff,	Pierson,	Thompson,
Chapman,	Homsher,	Prince,	Williamson,
Clark,	Lanius,	Reed,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 374

Mr. McCLURE offered the following resolution, which was twice read, considered and agreed to.

Resolved (if the House of Representatives concur), That Senate Bill No. 374, entitled:

An Act empowering counties cities boroughs towns and townships to borrow money from the Reconstruction Finance Corporation to finance certain projects.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Finance, reported os amended, Senate Bill No. 498, entitled:

An Act authorizing counties, cities, boroughs, townships of the first and second class and school districts to issue and sell bonds for certain purposes and for a certain period of time; providing for a trust fund and a sinking fund for the payment thereof and defining the duties of the officers and governing bodies of the said municipalities or quasi municipalities in relation to said funds, and fixing a penalty for the violation thereof.

RECESS

Mr. EALY. Mr. President, I move that the Senate do now take a recess until 4.30 this afternoon.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 137 (Senate Bill No. 708), entitled:

An Act to amend sections one, two and three of the act, approved the thirtieth day of January, one thousand eight hundred and seventy-four (P. L. 31), entitled "A further supplement to the act regulating elections in this Commonwealth," as amended; abolishing the December registry assessment of voters.

Which was committed to the Committee on Elections.

House Bill No. 257 (Senate Bill No. 709), entitled:

An Act to amend section thirty-seven of the act approved the tenth day of July, one thousand nine hundred and nineteen (P. L. 857), entitled "Personal Registration Law, First Class Cities;" regulating the correction of registers upon petitions of electors.

Which was committed to the Committee on Elections.

House Bill No. 183 (Senate Bill No. 710), entitled:

An Act to amend sections ten, twenty-five, thirty-eight and forty-six of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto; clarifying the ground for divorce where the respondent has been convicted of certain crimes; providing

for the amendment of libels to include additional grounds for divorce; providing for service or notice of hearing on corespondents; and providing for alimony pendente lite in cases of divorce from bed and board.

Which was committed to the Committee on Judiciary General.

House Bill No. 606 (Senate Bill No. 711), entitled:

An Act to amend section thirteen of the act, approved the thirtieth day of January, one thousand eight hundred and seventy-four (P. L. 31), entitled "A further supplement to the act regulating elections in this Commonwealth," as amended, providing that returns of the election of certain borough, town and township officers, including election officers and officers of the school district, shall be delivered to the clerk of the court of quarter sessions.

Which was committed to the Committee on Elections.

House Bill No. 970 (Senate Bill No. 712), entitled:

An Act to amend section one of the act, approved the fifth day of May, one thousand nine hundred and twenty-seven (P. L. 819), entitled "An act fixing the pay of election officers and clerks appointed by the inspectors, except in cities of the first class and counties of the second class," by limiting such pay where voting machines are used.

Which was committed to the Committee on Elections.

House Bill No. 1101 (Senate Bill No. 713), entitled:

An Act to amend section ten of the act approved the fourteenth day of June, one thousand nine hundred and twenty-three (P. L. 710), entitled "Boxing and Wrestling Law," as amended, by changing the number of rounds permitted in boxing or sparring matches or exhibitions.

Which was committed to the Committee on Law and Order.

House Bill No. 1277 (Senate Bill No. 714), entitled:

An Act relating to writs of execution on goods and chattels and regulating the period within which such property must be sold to preserve the lien of a levy thereon, and providing that sheriffs or coroners may return any such writ if no sale shall be made thereon, within said period unless the sale be stayed by law or an order of court and relieving them from liability or abandonment of the levy in such cases.

Which was committed to the Committee on Judiciary General.

House Bill No. 1325 (Senate Bill No. 715), entitled:

An Act providing that the lien of any tax or municipal claim assessed upon or with respect to real property and of any judgment entered therefor and any execution to enforce such lien or judgment shall be limited to the property against which said tax has been assessed and shall not impose personal liability upon the owner of such property.

Which was committed to the Committee on Judiciary General.

House Bill No. 1136 (Senate Bill No. 716), entitled:

An Act to amend section thirty-eight of the act, approved the ninth day of June, one thousand nine hundred eleven (Pamphlet Laws, eight hundred thirty-eight), entitled "An act to make uniform the law of bills of lading; and providing penalties for the violation thereof," by enlarging the validity of the negotiation of bills of lading.

Which was committed to the Committee on Judiciary General.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 354

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 354, entitled:

An Act to amend section five of article seventeen of the act approved the twenty-fifth day of June, one thousand nine hundred and nineteen (P. L. 581), entitled "First Class City Charter Law;" increasing the emergency borrowing power.

BILLS INTRODUCED

Mr. GELDER. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER read in his place and presented to the Chair Senate Bill No. 717, entitled:

An Act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth.

Which was committed to the Committee on Public Roads and Highways.

Mr. THOMPSON. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. THOMPSON read in his place and presented to the Chair, Senate Bill No. 718, entitled:

An Act to further amend sections nine and eleven of the act approved the thrtieth day of March, one thousand nine hundred seventeen (Pamphlet Laws twenty-one), entitled "An act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination and Licensure, and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by said board, and providing penalties for volations thereof; and repealing all acts or parts of acts inconsistent therewith" by prohibiting the use or display by optometrists of any word or words other than the word optometrist" as descriptive of their profession and further regulating the use of the word "optometrist."

Which was committed to the Committee on Public Health and Sanitation.

Mr. GELDER. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER read in his place and presented to the Chair, Senate Bill No. 719, entitled:

An Act to amend section two of the act approved the tenth day of June, one thousand nine hundred and thirty-one (P. L. 485), entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth, by requiring and regulating the examination, licensure and registration of persons and registration of corporations engaging in the care, preparation and disposition of the bodies of deceased persons, and provding penalties;" licensing without examination licensed undertakers of other states who have had ten years' continuous practice as undertakers in that state.

Which was committed to the Committee on Public Health and Sanitation.

REPORT FROM COMMITTEE

Mr. PARKINSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PARKINSON from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency the Governor of the Commonwealth:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 3, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BOARD OF TRUSTEES OF THE MOTHERS ASSISTANCE FUND

CLARION COUNTY

(Mrs. Stella B. Shotts, Leeper, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Bess Truby, Knox, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Alda Rankin Arnold, Clarion, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Catherine M. Shreffler, Clarion, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Josephine Hoy, New Bethlehem, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

CLINTON COUNTY

(Mrs.) Caroline Q. Horne, of Beech Creek, Clinton County, vice (Mrs.) Adelaide C. Stevenson, deceased, Lock Haven, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Aida D. Furst, Lock Haven, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Cora J. Nicholson, Lock Haven, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Caroline P. Baird, Renovo, from August 20, 1932, until June 1, 1933, and until her successor is duly appointed and qualified.

(Mrs.) Anna C. McFarland, Renovo, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Miss) Katherine G. Cook, Lock Haven, from August 23, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

CENTRE COUNTY

(Mrs.) Helen E. Dale, Bellefonte, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Lella C. Gardner, State College, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Evelyn H. Young, State College, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Ruth A. Crain, Port Matilda, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Edna B. Hassinger, Millheim, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Sara Stott Raines, Philipsburg, from August 20, 1932, until June 1, 1933, and until her successor is duly appointed and qualified.

VENANGO COUNTY

(Mrs.) Julia E. Diem, Emlenton, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Ruth R. Philip, Franklin, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Mary R. Dickey, Oil City, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Elizabeth B. Bolton, Oil City, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Exa G. Lindsay, Utica, from August 20, 1932, until June 1, 1933, and until her successor is duly appointed and qualified.

(Mrs.) Stella Bell Reamer, Franklin, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

YORK COUNTY

(Mrs.) Margaret E. Jacobs, York, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Miss) Ethel Stamm, Hanover, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Josephine N. McClellan, Spring Grove, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

(Miss) Rose Blaine Gillespie, York, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Bessie G. Warfield, Muddy Creek Forks, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

ERIE COUNTY

(Mrs. Margaret Guth, Erie, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Joanna A. Royer, Erie, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Miss) Anna C. Woodward ,Waterford, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Maude W. Sterrett, Erie, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) May H. Crockett, Girard, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

CLEARFIELD COUNTY

(Mrs.) Mildred M. DeWalt, Irvona, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Della Neff Patchin, Burnside, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Minnie Nichols, Osceola Mills, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Alice B. Kirk, Kylertown, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Martha M. Shaffer, DuBois, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

CUMBERLAND COUNTY

(Miss) Margaret Moser, Mechanicsburg, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Roberta Reiff Bracey, New Cumberland, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Ruth R. Shearer, Carlisle, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Flora C. Withers, Camp Hill, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Julia D. Prince, Carlisle, from December 15, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 3, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BOARD OF TRUSTEES OF SHIPPENSBURG STATE TEACHERS COLLEGE

John L. Finafrock, Chambersburg, from August 20, 1932, for the term of four years, and until his successor is qualified.

George S. McLean, Shippensburg, from August 20, 1932, for the term of four years, and until his successor is qualified.

J. G. Benedict, Waynesboro, from August 20, 1932, for the term of four years, and until his successor is qualified.

George W. Himes, Shippensburg, from August 20, 1932, for the term of four years, and until his successor is qualified.

(Mrs.) Belle McK. Swope, Newville, from August 20, 1932, for the term of four years, and until her successor is qualified.

I. G. Stewart, Dry Run, from August 20, 1932, for the term of four years, and until his successor is qualified.

(Mrs.) Louise L. Lehman, Shippensburg, from August 20, 1932, for the term of four years, and until her successor is qualified.

Howard A. Ryder, Shippensburg, from August 20, 1932, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF CLARION STATE TEACHERS COLLEGE

Edward A. Wilhelm, Clarion, from August 20, 1932, for the term of four years, and until his successor is qualified.

R. H. Duntley, Corydon, from August 20, 1932, for the term of four years, and until his successor is qualified.

(Mrs.) Ruth D. Bovard, Tionesta, from August 20, 1932, for the term of four years, and until her successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF LOCK HAVEN STATE TEACHERS COLLEGE

Harold D. Woolridge, Clearfield, from August 20, 1932, for the term of four years, and until his succesor is qualified.

Archibald P. Akeley, Coudersport, from September 27, 1932, for the term of four years, and until his successor is qualified.

MEMBER OF THE BOARD OF TRUSTEES OF EDINBORO STATE TEACHERS COLLEGE

L. E. Torry, Erie, from August 20, 1932, for the term of four years, and until his successor is qualified.

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. GELDER,

That Rule 38, which requires reports of committees on nominations made by the Governor to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. GELDER,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Shapiro,
Baumer,	Gelder,	Norton,	Snyder,
Bell,	Graff,	Owlett,	Sones,
Bennett,	Harris,	Parkinson,	Sordoni,
Boyd,	Harvey,	Pethick,	Staudenmeier,
Brandt,	Homsher,	Pierson,	Thompson,
Buckman,	Howell,	Prince,	Trainer,
Chapman,	Hunsicker,	Quigley,	Williamson,
Clark,	Krause,	Reed,	Woodward,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. EINSTEIN. Mr. President, I move that the Executive Session do now rise.

Mr. SONES. Mr. President, I second the motion.

The motion was agreed to.

RECESS

Mr. SORDONI. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 354, entitled:

An Act to amend section five of article seventeen of the act approved the twenty-fifth day of June, one thousand nine hundred and nineteen (P. L. 581), entitled "First Class City Charter Law;" increasing the emergency borrowing power.

House Bill No. 374, entitled:

An Act to authorize the purchase by the Commonwealth of historical works relative to the services of Pennsylvania volunteers.

House Bill No. 648, entitled:

An Act relating to the annexation of townships of the first class or parts thereof to boroughs and requiring the consent of the electors of the entire township to such annexation to be ascertained at an election.

House Bill No. 965, entitled:

An Act to amend sections one and seven of the act, approved the first day of May, one thousand nine hundred and nine (P. L. 344), entitled "Commercial Fertilizer Law," as amended, by further regulating standards for commercial fertilizers.

Whereupon,

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the presence of the Senate signed the same.

HOUSE MESSAGES

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 374

The Clerk of the House of Representatives, being introduced, presented communication from the House informing the Senate that the House of Representatives has concurred in resolution as follows:

In the Senate, March 20, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 374, entitled "An act empowering counties cities boroughs towns and townships to borrow money from the Reconstruction Finance Corporation to finance certain projects," be recalled from the Governor for the purpose of amendment.

TIME OF NEXT MEETING

He also presented communication from the House informing the Senate that the House of Representatives has concurred in resolution as follows:

In the Senate, March 21, 1933.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene Monday evening, March 27, at nine o'clock; and when the House of Representatives adjourns this week it reconvene Monday evening, March 27, at nine o'clock.

RESOLUTION ON THE DEATH OF HONORABLE WALTER LYON

Mr. EINSTEIN offered the following resolution which was twice read, considered and agreed to:

In the Senate, March 21, 1933.

It is with great sorrow that the members of the Senate of Pennsylvania learn of the death of former Lieutenant-Governor Walter Lyon and a Senator from the Forty-second district forty years ago.

Governor Lyon was for many years a distinguished member of the legal fraternity, having been identified with some of the most important litigation during the more than 36 years he was an active lawyer of the Allegheny County bar. He was for two separate terms United States attorney for Western Pennsylvania.

For more than 30 years Governor Lyon was a leading figure in Republican party councils, having been a delegate to and chairman of many State conventions and delegate to numerous National conventions. His wisdom and political sagacity were valued by the great party generals of the last half century.

Governor Lyon was a student, silent and serious, genial in manner, loyal to the last degree, the companion of learned men.

It is hereby resolved that the sympathy of the members of the Senate be conveyed to his bereaved family with a copy of this minute and that when the Senate adjourns this week it be in memory of this departed former member and officer.

REPORTS FROM COMMITTEES

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 403, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, nine hundred five), entitled "For the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," by revising existing regulations for length, height and weight of certain vehicles; changing method of enforcement; and providing certain penalties.

Mr. SORDONI. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SORDONI, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 296, entitled:

An Act to amend sections five and six of the act approved the twenty-second day of June, one thousand nine hundred thirty-one (Pamphlet Laws, seven hundred twenty), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act" by providing for the limit of width of construction and maintenance on said streets.

Mr. ZEISENHEIM. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ZEISENHEIM, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 334, entitled:

An Act to regulate private carriers of property by motor truck; requiring them to obtain permits from the Public Service Commission; defining the conditions under which permits will be granted and under which permits may be transferred or revoked; requiring the filing of schedules of rates with the Public Service Commission; granting to the Public Service Commission authority to regulate the rates and hours of service of operators; requiring private carriers to furnish certain information to the Public Service Commission relative to the conduct of their business; prescribing penalties for violation of the provisions of this act and providing for the enforcement of the same; and prescribing, in certain respects, the public policy of this Commonwealth governing the use of the public highways for the transportation of property for hire, and the relation of such transporation to the transportation needs of the general public.

Mr. EALY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EALY, from the Committee on Agriculture, re-reported as amended, Senate Bill No. 466, entitled:

An Act to amend sections seven and eight of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1229), entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption; conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties," by regulating the pasteurization of milk and the importation of cream for certain purposes.

BILLS INTRODUCED

Mr. BOYD. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BOYD read in his place and presented to the Chair, Senate Bill No. 720, entitled:

An Act to authorize certain corporations organized under the laws of Pennsylvania, including railroad corporations organized under the laws of Pennsylvania and of any other state or states, to increase or decrease the par value of the shares of their capital stock; providing that such change of par value of shares may reduce the aggregate par value of outstanding capital stock, or alter or affect the division of authorized capital stock as between outstanding stock and authorized stock unissued; prescribing the manner in which such change shall be made; and repealing all acts and parts of acts inconsistent herewith.

Which was committed to the Committee on Corporations.

Also read in his place and presented to the Chair, Senate Bill No. 721, entitled:

An Act authorizing stock corporations with certain exceptions, to make provisions for, and to issue, shares of capital stock of any class or classes, or to change shares of authorized or outstanding capital stock of any class into one or more classes, with or without nominal or par value, and with such designations, terms, relative rights, powers, privileges, preferences, limitations, restrictions and qualifications as may be specified; regulating such corporations and the liabilities of their directors; making other provisions relating to the capital stock of such corporations; and repealing all acts or parts of acts inconsistent herewith.

Which was committed to the Committee on Corporations.

MOTION TO READ BILLS THE FIRST TIME

Mr. BUCKMAN. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 98, entitled:

An Act to amend section one thousand three hundred and five of, and to add section nine hundred and eleven to, the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and offcers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," removing the administration of the law library and legislative document section from the Department of Public Instruction to the Department of Justice, providing where it shall be housed, and the hours it shall remain open.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 296, entitled:

An Act to amend sections five and six of the act approved the twenty-second day of June, one thousand nine hundred thirty-one (Pamphlet Laws, seven hundred twenty), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of streets improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act" by providing for the limit of width of construction and maintenance on said streets.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 334, entitled:

An Act to regulate private carriers of property by motor truck; requiring them to obtain permits from the Public Service Commission; defining the conditions under which permits will be granted and under which permits may be transferred or revoked; requiring the filing of schedules of rates with the Public Service Commission; granting to the Public Service Commission authority to regulate the rates and hours of service of operators; requiring private carriers to furnish certain information to the Public Service Commission relative to the conduct of their business; prescribing penalties for violation of the provisions of this act and providing for the enforcement of the same; and prescribing, in certain respects, the public policy of this Commonwealth governing the use of the public highways for the transportation of property for hire, and the relation of such transportation to the transportation needs of the general public.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 403, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, nine hundred five), entitled "For the protection of the public

safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," by revising existing regulations for length, height and weight of certain vehicles; changing method of enforcement; and providing certain penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Sente Bill No. 498, entitled:

An Act authorizing counties, cities, boroughs, townships of the first and second class and school districts to issue and sell bonds for certain purposes and for a certain period of time; providing for a trust fund and a sinking fund for the payment thereof and defining the duties of the officers and governing bodies of the said municipalities or quasi municipalities in relation to said funds, and fixng a penalty for the violation thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 578, entitled:

An Act to amend section three of the act, approved the eighteenth day of April, one thousand nine hundred and nineteen (P. L. 70), entitled "An act declaring it a misdemeanor for any maker or drawer, with intent to defraud, to make or draw or utter or deliver any check, draft, or order, when such person has not sufficient funds in, or credit with, the depository upon which the same is drawn," by providing for the admission in evidence of the protest of nonpayment of checks, drafts and orders.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 580 (House Bill No. 127), entitled:

An Act to amend section one thousand two hundred seven of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act [to amend the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled 'An act] relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" ['] taking out of operation the Fiscal Code questions relating to the lien and payment of liquid fuel taxes and referring such questions to the provisions of the liquid fuels tax acts

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 601 (House Bill No. 126), entitled:

An Act to amend section one thousand four hundred one of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three), entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale and the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every departmen' board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" limiting the lien and procedure for collection of taxes bonus and other moneys due the Commonwealth in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 605 (House Bill No. 490), entitled:

An Act to amend section one of the act approved the twenty-sixth day of August one thousand nine hundred thirty-two (Pamphlet Laws one hundred), entitled "An act authorizing the abatement of penalties on local taxes" providing further for the abatement of tax penalties and providing for an extension of time for delivery of duplicates to collectors of delinquent taxes in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 629, entitled:

An Act to prohibit the employment by the Commonwealth and by counties, cities, boroughs, towns, townships, depart-

ments, boards, commissions and by certain corporations, hospitals, homes and institutions, of aliens who entered the United States unlawfully; and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 645, entitled:

An Act to amend section five of the act approved the nineteenth day of August, one thousand nine hundred and thirty-two (P. L. 92), entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors, as herein defined; prescribing the method and manner of collecting such tax; and providing penalties;" extending the time for payment of the emergency relief sales tax by extending the time of payment of said tax under certain circumstances.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 656 (House Bill No. 1182), entitled:

An Act to authorize the Department of Highways and the county commissioners to occupy and relocate rights of way of public service companies in certain cases and to acquire by purchase or condemnation the necessary land therefor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. EALY. Mr. President, I move that the Senate do now adjourn until tomorrow morning at 10.30 o'clock.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5.25 P. M. until Wednesday, March 22, 1933, at 10.30 o'clock A. M.

HOUSE OF REPRESENTATIVES

TUESDAY, March 21, 1933.

The House met at 11.00 o'clock A. M.
The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Chaplain, Rev. George F. Conner, offered the following prayer:

O Spirit Divine, bear witness with our spirits, now, that we are children of God; in spite of our weaknesses, ambitions, foibles and conceits common to human kind, help us to remember that we are ambassadors of the King of Glory, and representatives of a great people.

Open the eyes and ears of our spirits that we may always be conscious of this two-fold unseen presence on Capitol Hill.

Amid the clamorousness of these busy days, there are deep rumblings, as of rivers in flood; rumblings, not of empty stomachs, as some vainly imagine, but the stirrings of the souls of men. Master statesmanship is the need of the hour, may these Legislators know Thy will for the Commonwealth, and prepare the way for its accomplishment. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. Dwyer, the further reading was dispensed with and the Journal approved.

SENATE MESSAGE

The Clerk of the Senate being introduced presented extracts from the Journal of the Senate which were laid upon the table.

BILLS INTRODUCED AND REFERRED

By Mr. PHILIP STERLING. HOUSE BILL No. 1517.

An Act to amend section two hundred and five of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance, amending, revising, and consolidateing the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insruance exchanges, and fire insurance rating bureaus, and the regulation and supervisions of insurance carried by such companies, associations and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," as amended, by fixing the minimum par value of the shares of capital stock of all stock insurance companies.

Referred to the Committee on Insurance.

By Mr. PHILIP STERLING. HOUSE BILL No. 1518.

An Act to amend section six hundred and twenty-nine of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureau, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," as amended. exempting additional corporations from the provisions of subdivison (b) of Artcle Six of the act.

Referred to the Committee on Insurance.

By Mr. PHILIP STERLING. HOUSE BILL No. 1519.

An Act to regulate insurance companies chartered under general or special laws of this Commonwealth by providing that no director need be a resident of any particular city or county, that the directors shall elect the president or appoint the secretaries, that the residence of the president and secretaries need not be in the county wherein the principal office of the company is located, and that the annual meeting shall be held and reports shall be published as provided in the by-laws.

Referred to the Committee on Insurance.

By Mr. PHILIP STERLING (By Request). HOUSE BILL No. 1520.

An Act to add section two of article seven of the act approved the seventh day of May, one thousand nine hundred and one (P. L. 20), entitled "An act for the government of cities of the second class," by defining the liability on the bond of the city treasurer in certain cases.

Referred to the Committee on Municipal Corporations.

By Mr. PHILIP STERLING (By Request). HOUSE BILL No. 1521.

An Act to add section seven to article eleven of the act approved the twenty-fifth day of June, one thousand nine hun-

dred and nineteen (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth," by defining the liability on the bond of the city treasurer in certain cases.

Referred to the Committee on Municipal Corporations.

By Mr. PHILIP STERLING (By Request). HOUSE BILL No. 1522.

An Act to add section one thousand one hundred and seven to the act approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by defining the liability on the bond of the borough treasurer in certain cases.

Referred to the Committee on Municipal Corporations.

By Mr. PHILIP STERLING (By Request). HOUSE BILL No. 1523.

An Act to add section one thousand four hundred and eight to article fourteen of the act approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto"; by defining the liability on the bond of the city treasurer in certain cases.

Referred to the Committee on Municipal Corporations.

By Mr. PHILIP STERLING (By Request). HOUSE BILL No. 1524.

An Act defining the liability on the bond of the treasurer of poor districts in certain cases.

Referred to the Committee on Municipal Corporations.

By Mr. PHILIP STERLING (By Request). HOUSE BILL No. 1525.

An Act to add section two hundred and eighty-eight to the act, approved the fourteenth day of July, one thousand nine hundred and seventeen (P. L. 840), entitled "An act concerning townships; and revising, amending, and consolidating the law relating thereto," by defining the liability on the bond of the township treasurer in townships of the second class in certain cases.

Referred to the Committee on Municipal Corporations.

By Mr. PHILIP STERLING (By Request). HOUSE BILL No. 1526.

An Act to add section fifty-four and one-tenth to the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by defining the liability on the bonds of county officers given to the Commonwealth and to the county, in certain cases.

Referred to the Committee on Municipal Corporations.

By Mr. PHILIP STERLING (By Request). HOUSE BILL No. 1527.

An Act defining the liability on the bond of the treasurer of cities of the second class A in certain cases.

Referred to the Committee on Municipal Corporations.

By Mr. FLANAGAN. HOUSE BILL No. 1528.

An Act to amend clause (a) of section two of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 1216), entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation, and supervision of resident and non-resident real estate brokers and real estate salesmen and their business," by permitting real estate brokers to prepare certain instruments pertaining to real estate.

Referred to the Committee on Education.

By Mr. FLANAGAN. HOUSE BILL No. 1529.

An Act relating to the practice of law; making unlawful the practice thereof without having been duly admitted to practice in any court of record; providing penalties; and repealing inconsistent acts.

Referred to the Committee on Judiciary General.

By Mr. HOOPES. HOUSE BILL No. 1530.

An Act relating to unemployment relief, making an appropriation to the State Emergency Relief Board for direct and work relief, and prescribing the powers and duties of the Board with reference thereto.

Referred to the Committee on Appropriations.

By Mr. GORMAN. HOUSE BILL No. 1531.

An Act making an appropriation to the Allentown Hospital, Allentown, Lehigh County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. GORMAN. HOUSE BILL No. 1532.

An Act making an appropriation to the Sacred Heart Hospital of Allentown, Lehigh County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. WILSON. HOUSE BILL No. 1533.

An Act making an appropriation to the Bradford Hospita Bradford, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. WILSON. HOUSE BILL No. 1534.

An Act making an appropriation to the Beacon Light Mission near the City of Bradford, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. WILSON. HOUSE BILL No. 1535.

An Act to further amend section one of the act, approved the twenty-fifth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, seven hundred and seven) entitled "An act fixing the liability of the counties, poor districts, and the Commonwealth for the support of the indigent and partly indigent insane in State institutions," by further defining the procedure for the administration of the act.

Referred to the Committee on Counties.

By Mr. WILSON. HOUSE BILL No. 1536.

An Act to amend the title, and to amend section one of the act, approved the tenth day of May, one thousand nine hundred and twenty-seven (Pamphlet Laws, eight hundred seventy-nine) entitled "An act regulating the sale in bulk of fifty-one per centum or more of the stock of goods, wares or merchandise of any kind, fixtures, machinery, equipment or real estate, by every corporation, joint-stock association, limited partnership or company; providing certain requirements, therefor and imposing certain duties upon the seller and buyer; and fixing penalties," by extending the provisions of the said act to idividuals, copartnerships, and other unincorporated asscciations, and including notice thereof in the title of said act.

Referred to the Committee on Judiciary General.

By Mr. HAINES (By request). HOUSE BILL No. 1537.

An Act to amend clause five of section three of the act, approved the thirteenth day of May, one thousand nine hundred and nine (P. L. 520), entitled "An act relating to food; defining food; providing for the protection of the public health; and the prevention of fraud and deception, by prohibiting the manufacture or sale, the offering for sale or exposing for sale, or the having in possession with intent to sell, of adulterated, misbranded, or deleterious foods; prescribing certain duties of the Dairy and Food Commissioner in reference thereto; and providing penalties for the violation thereof," as amended, by extending, changing and limiting the provisions thereof; relating to fruits used in fruit cake and the use of sulphur dioxide.

Referred to the Committee on Public Health and Sanitation.

By Mr. JOSEPH R. LYNCH. HOUSE BILL No. 1538.

An Act to amend part of section one of article three of the act approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "An act for the government of cities of the second class"; regulating the manner of creating courts to pass upon the dismissal of policemen and firemen.

Referred to the Committee on Cities.

My Mr. JOSEPH R. LYNCH. HOUSE BILL No. 1539.

An Act to amend section sixteen of the act, approved the twenty-third day of May, one thousand nine hundred and seven (P. L. 206), entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania; making violations of its provisions to be misdemeanors, and providing penalties for violations thereof," regulating the promotion of patrolmen.

Referred to the Committee on Cities.

By Mr. LESLIE R. HIMES. HOUSE BILL No. 1540.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Clarion.

Referred to the Committee on Highways.

By Mr. LESLIE R. HIMES. HOUSE BILL No. 1541.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Clarion.

Referred to the Committee on Highways.

By Mr. RHODES. HOUSE BILL No. 1542.

An Act to amend Route 45022 of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled, "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act."

Referred to the Committee on Highways.

By Mr. PETERS. HOUSE BILL No. 1544.

An Act to amend secton two of the act approved the sixteenth day of May, one thousand nine hundred and twenty-three (P. L. 248), entitled, An act limiting the power of State Banks, banking companies, trust companies, savings banks and unincorporated banks, to become surety on bonds; authorizing such financial institutions to become surety on the bond of certain public officers.

Referred to the Committee on Banking.

By Mr. LORD. HOUSE BILL No. 1545.

An Act empowering the Department of Revenue to extend motor vehicle registrations and registration plates of the year one thousand nine hundred and thirty-two to the year one thousand nine hundred and thirty-three upon payment of certain fees; and providing for certain exception.

Referred to the Committee on Highways.

By Mr. LORD. HOUSE BILL No. 1546.

An Act prohibiting officers and employes of banks, banking institutions and trust companies from buying and selling certain securities; and providing penalties.

Referred to the Committee on Banking.

By Mr. LORD. HOUSE BILL No. 1547.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Jefferson.

Referred to the Committee on Highways.

By Mr. LORD. HOUSE BILL No. 1548.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Jefferson.

Referred to the Committee on Highways.

By Mr. WASSERMAN. HOUSE BILL No. 1549.

An Act legalizing certain entertainments on Sunday, the admission to which shall be secured only by card of admission secured on a day other than Sunday and the net proceeds of which are devoted to charitable purposes.

Referred to the Committee on Law and Order.

By Mr. SHORTZ. HOUSE BILL No. 1550.

A Supplement to the act approved the second day of April, one thousand eight hundred and sixty (P. L. 538), entitled "An act to authorize the erection of a Poor House by the township of Wilkesbarre in Luzerne county," authorizing the central poor district to create indebtedness.

Referred to the Committee on Counties.

By Mr. CHERVENAK. HOUSE BILL No. 1551.

An Act to amend section one thousand two hundred and seven of the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith;" empowering two-thirds of the membership of a school board to elect a teacher who is related to a member of the board.

Referred to the Committee on Education.

By Mr. MALINA. HOUSE BILL No. 1552.

An Act to amend part of section one, as amended, of the act, approved the tenth day of May, one thousand nine hundred and twenty-one (P. L. 455), entitled, "An act to fix the number of Representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution," by changing certain of such districts in Philadelphia.

Referred to the Committee on Legislative Apportionment.

By Mr. MOHN. HOUSE BILL No. 1553.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled, "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Berks.

Referred to the Committee on Highways.

By Mr. FLYNN. HOUSE BILL No. 1554.

An Act authorizing the negotiation by the Public Service Commission of the interstate compacts to regulate rates and practices affecting the sale and transmission of electricity and gas between the Commonwealth of Pennsylvania and one or more of the states of Connecticut, Massachusetts, New Jersey, New York and Vermont.

Referred to the Committee on Public Utilities.

By Mr. LEONARD P. KANE. HOUSE BILL No. 1555.

An Act making an appropriation to the Children's Home Society of Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. LEONARD P. KANE. HOUSE BILL No. 1556.

An Act making an appropriation to the Trustees of the Duquesne University, Pittsburgh, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. LANE. HOUSE BILL No. 1557.

An Act to prohibit the detention of persons in private lock-ups and on private property for examination pending arraignment.

Referred to the Committee on Judiciary General.

By Mr. FURMAN. HOUSE BILL No. 1558.

An Act to further amend clause (d) of section three hundred and six of the act, approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder," by providing for the payment of compensation for the first week after disability in certain cases.

Referred to the Committee on Labor.

By Mrs. PENNOCK. HOUSE BILL No. 1559.

An Act to amend section ten of the act approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation;" by providing for the payment to the counties of an additional one-half cent per gallon of such tax for allocation among the cities, boroughs, incorporated towns and townships therein.

Referred to the Committee on Highways.

By Mr. O'CONNOR. HOUSE BILL No. 1560.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Cambria.

Referred to the Committee on Highways.

By Mr. SARIG. HOUSE BILL No. 1561.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Berks.

Referred to the Committee on Highways.

By Mr. SARIG. HOUSE BILL No. 1562.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as

State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Berks.

Referred to the Committee on Highways.

By Mr. McELWEE (by request). HOUSE BILL No. 1563.

An Act to amend section one of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 883), entitled, "An act relating to the proceedings where goods or chattels have been levied upon or seized by the sheriff, and claimed to belong to others than the defendant in the excution or process, and relieving the sheriff from liability therefor," by further prescribing procedure upon rules for interpleaders.

Referred to the Committee on Judiciary Special.

By Mr. McELWEE. HOUSE BILL No. 1564.

An Act to amend section one of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 883), entitled, "An act relating to the proceedings where goods or chattels have been levied upon or seized by the sheriff, and claimed to belong to others than the defendant in the excution or process, and relieving the sheriff from liability therefor," by further prescribing procedure upon rules for interpleaders.

Referred to the Committee on Judiciary Special.

By Mr. ROTH. HOUSE BILL No. 1565.

An Act to amend that portion of section one relating to Lehigh County of the act, approved the tenth day of May, one thousand nine hundred and twenty-one (P. L. 455), entitled "An act to fix the number of representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution," rearranging the legislative districts in Lehigh County.

Referred to the Committee on Legislative Apportionment.

By Mr. PHILIP STERLING (By request). HOUSE BILL No. 1566.

An Act establishing a State Public Works Planning Board; prescribing and defining its powers and duties; granting authority to counties of the first, second and third classes and cities to create local public works planning boards and defining their powers and duties; defining the relationship of the state board to such local boards and to classes of counties and such cities where no such approved local boards exist on and after January first, one thousand nine hundred and thirty-six; and making an appropriation.

Referred to the Committee on State Government.

By Mr. DUNMIRE. HOUSE BILL No. 1567.

An Act to amend section 11, sections 20, 30 and 40 as amended, sections 50, 71, 72, 98 and 102, sections 220 and 224 as amended, and sections 226, 228, 240, 255 and 272 of the act, approved the second day of May one thousand nine hundred and twenty-five (P. L. 448), entitled, "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," defining bait-fish; changing closed seasons, legal sizes and creel limits; regulating minnow traps; prohibiting the possession of certain fillets; regulating the issuance of resident fishing licenses; providing for monthly returns by county treasurers and the revocation of fishing licenses; authorizing the Commissioner of Fisheries to accord special fishing privileges to unnaturalized foreign born persons; empowering the board to create nursery waters; providing for the payment over of fines and for refunds; generally regulating fishing; and providing penalties.

Referred to the Committee on Fisheries.

By Mr. PHILIP STERLING. HOUSE BILL No. 1568.

An Act to further amend section three hundred and five of the act, approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder."

Referred to the Committee on Labor.

By Mr. SHEFFER. HOUSE BILL No. 1569.

A Supplement to act number fifteen-A, approved the eleventh day of June, one thousand nine hundred thirty-one (Appropriation Acts of one thousand nine hundred thirty-one, page sixteen), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-one; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-one," providing for a deficiency in the appropriation to the Department of Forests and Waters for the extinction and control of forest fires for the fiscal biennium ending May thirty-first, one thousand nine hundred and thirty-three.

Referred to the Committee on Appropriations.

By Mr. HERMANSEN. HOUSE BILL No. 1570.

An Act to further amend section twenty-one of the act, approved the first day of June, one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred twenty), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by substituting a franchise tax on foreign corporations in lieu of the capital stock tax on such corporations.

Referred to the Committee on Ways and Means.

By Mr. HARMUTH. HOUSE BILL No. 1571.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled, "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and makng an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Allegheny.

Referred to the Commttee on Highways.

By Mr. ROAN. HOUSE BILL No. 1572.

An Act to amend section one thousand one hundred and twenty-nine of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs," by making the offices of policemen and constable incompatible.

Referred to the Committee on Boroughs and Townships.

By Mr. ROAN. HOUSE BILL No. 1573.

An Act requiring a landlord's warrantto be served by a constable in all cases of distress for rent.

Referred to the Committee on Judiciary General.

By Mr. ROAN. HOUSE BILL No. 1574.

An Act to prohibit policemen and peace officers paid a fixed or stated salary or compensation to collect or receive fees for serving subpoenas in criminal cases.

Referred to the Committee on Judiciary General.

By Mr. WILLIAM L. BROWN. HOUSE BILL No. 1575.

An Act to fix the number of representatives in the General Assembly of the Commonwealth, and to apportion the State into representative districts, as provided by the Constitution.

Referred to the Committee on Lgislative Apportionment.

By Mr. HEFFERON. HOUSE BILL No. 1576.

An Act to provide for the recordation of plans, plots or replots of land laid out in building lots, and the streets, alleys or portions of the same intended to be dedicated to public use in counties of the third class, in order to facilitate the assessment of taxes therein in the name of the owner of said real estate, and to ascertain the value of such real estate for assessment and taxation purposes.

Referred to the Committee on Counties.

By Mr. HEFFERON. HOUSE BILL No. 1577.

An Act to provide for registration of conveyance of real estate in all counties of the third class of this Commonwealth, in order to facilitate the assessment of taxes therein in the name of the owner of said real estate, and to ascertain the value of such real estate, and providing compensation for the recorder of deeds and the register of wills of such counties for making reports thereof.

Referred to the Committee on Counties.

By Mr. O'NEILL. HOUSE BILL No. 1578.

An Act to amend route number six hundred and seventy-six of section one of the act, approved the fifth day of May, one thousand nine hundred and twenty-seven (P. L. 787), entitled, "An act establishing certain public roads as State highways, and providing for their construction and maintenance at the expense of the Commonwealth.

Referred to the Committee on Highways.

By Mr. O'NEILL. HOUSE BILL No. 1579.

An Act to amend section two of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 720), entitled "An act providing for the taking over by the Commonwealth under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacementof certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purpose of this act," by changing a certain route in the city of Scranton.

Referred to the Committee on Highways.

By Mr. RICE. HOUSE BILL No. 1580.

An Act empowering and directing the State Emergency Relief Board to establish, operate and maintain camps in or adjacent to State forest lands to shelter unmarried, unemployed men and homeless and migratory men and youths, and to employ such men and youths in useful labor; and making an appropriation to carry this act into effect.

Referred to the Committee on Appropriations.

By Mr. ROAN. HOUSE BILL No. 1582.

An Act authorizing the State Emergency Relief Board to create a fact-finding committee to formulate a work-relief program for the Commonwealth.

Referred to the Committee on State Government.

By Mr. HAMILTON. HOUSE BILL No. 1583.

A Joint Resolution proposing an amendment to article fourteen of the Constitution of the Commonwealth of Pennsylvania, by adding thereto section eight.

Referred to the Committee on Constitutional Amendments.

By Mr. HAMILTON. HOUSE BILL No. 1584.

An Act relating to election; providing that at general, municipal, primary and special election, the election officers shall require all electors able to write to sign their names on the ballot check lists, and electors unable to write, with certain exceptions, to make affidavit of their inability to write; prescribing certain duties to be performed by election officers and the officers preparing the ballot check lists; and imposing penalties.

Referred to the Committee on Elections.

By Mr. HAMILTON. HOUSE BILL No. 1585.

An Act to further amend part of section thirteen of the act approved the tenth day of July, one thousand nine hundred and nineteen, (P. L. 857), entitled "An act to provide for the personal registration of electors as a condition of their right to vote at elections, and their enrollment as members of political parties as a further condition of their right to vote at primaries, in cities of the first class of this Commonwealth, by removing from office all existing registration commissioners and their appointees in said cities, and authorizing the Governor to appoint registration commissions therein; defining the jurisdiction of said commissions, and the powers and duties of the commissioners constituting same, and of their appointees, including registrars, inspectors of registration, clerks, and counsel; fixing their qualifications, terms of office, and compensation;; granting them certain immunity from arrest on registration days; and empowering such inspectors to arrest without warrant certain persons committing certain offenses in violation of this act in their presence, as well as to enter and inspect buildings given as residences of electors to interrogate the inmates thereof, to copy or demand a list of the lodgers therein, and to supervise the conduct of registrars; regulating the registration of electors at polling places by registrars, and at the offices of commissions by commissioners, and the right of parties or bodies of electors to have watchers thereat, and the preparation and use of street lists and other records of those registered; allowing the names of persons not entitled to vote to be struck from the registers in certain cases; permitting all records regarding registration to be inspected and copies by any elector under certain conditions; directing how the registers shall be used at elections and primaries; compelling the attendance of witnesses and payment of witness fees; and providing penalties for refusal to obey subpoenas; directing receivers of taxes to appoint chief clerks of commissions as deputies to collect poll taxes and to give receipts therefor; authorizing such clerks to administer oaths, sign subpoenas and vouchers, and to collect and disburse witness fees; prescribing a method for challenging persons applying for registration, and the procedure for the correction of registers, and for appealing from actions of registrars to said commissions; and allowing for appeals from the decisions of

the commissions in certain cases to courts of common pleas; imposing certain duties upon election officers and upon the councils, treasurers, controllers, receivers of taxes, police officers, and other officials of said cities and upon the courts, judges, prothonotaries, sheriffs commissioners peace officers, and other officials of the judicial districts and counties in which said cities are situated or with which they are coextensive; legalizing certain acts required hereby if done on any Sunday or legal holiday; requiring said cities to provide for the maintenance of said ocmmissions, and the compensation of their appointees, and the payment of all expenses necessary to carry out the provisions of this act, and to transfer the unexpended balances of all appropriations heretofore made for the personal registration of electors of said cities during the year one thousand nine hundred and nineteen to and for the use of the said commissions; punishing and fixing penalties for violations hereof; and repealing all legislation inconsistent herewith"; providing that persons claiming the right to register who were registered as of the same address the previous year, must answer all the questions.

Referred to the Committee on Elections.

By Mr. McKAY. HOUSE BILL No. 1586.

An Act to amend section seven of the act approved the seventh day of June, one thousand nine hundred and fifteen (P. L. 900), entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of births and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics, as required to be established by the State Department of Health; and, in order to secure prompt and faithful registration of births, marriages, deaths and diseases, of practitioners of medicine and surgery, of midwives, nurses and undertakers, and of all persons whose occupation is deemed to be of importance in obtaining complete regstration of births, deaths, marriages and diseases throughout the State, as provided in section ten of an act, entitled 'An act creating the Department of Health and defining its powers and duties,' approved the twenty-seventh day of April, nineteen hundred and five, and providing penalties for violations of this act;" by requiring a certificate of death to include the military record of decedent, if any.

Referred to the Committee on Public Health and Sanitation.

By Mr. DANE. HOUSE BILL No. 1587.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Crawford.

Referred to the Committee on Highways.

By Mr. BERNHARD. HOUSE BILL No. 1588.

An Act to amend sections one, two and three of the act, approved the twenty-first day of April, one thousand nine hundred and fifteen (P. L. 140), entitled "An act directing the county commissioners of the several counties to offer for sale to the Department of Forestry tracts of land which they may have purchased at county treasurers' sales, for acceptance or refusal for forestry purposes, and to convey to the Commonwealth of Pennsylvania the tracts so offered to be sold, if accepted by the department," applying the provisions thereof to the Department of Forests and Waters, and extending the provisions thereof to the Board of Game Commissioners.

Referred to the Committee on Game.

By Mr. HOUGH. HOUSE BILL No. 1589.

An Act to amend sections five hundred and one and six hundred and one of the act, approved the twenty-fourth day of May, one thousand nine hundred and twenty-three (P. L. 359), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating and changing the law relating thereto," as amended, by fixing the open season for raccoon and opossum.

Referred to the Committee on Game.

By Mr. SPANN. HOUSE BILL No. 1591.

An Act authorizing and empowering school districts to furnish food, including milk, to undernourished and poor school children in their districts.

Referred to the Committee on Education.

By Mr. McKAY and Mr. STEVENSON. HOUSE BILL No. 1592.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Mercer.

Referred to the Committee on Highways.

By Mr. STEVENSON and Mr. McKAY. HOUSE BILL No. 1593.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Mercer.

Referred to the Committee on Highways.

By Mr. RICE. HOUSE BILL No. 1594.

An Act creating a Legislative Finance Bureau, and providing for the appointment of a chief thereof by the General Assembly; defining the powers and duties of said Bureau, and making an appropriation.

Referred to the Committee on State Government.

By Mr. McKAY. HOUSE BILL No. 1595.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Mercer.

Referred to the Committee on Highways.

By Mr. McKAY. HOUSE BILL No. 1596.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Mercer.

Referred to the Committee on Highways.

By Mr. McKAY. HOUSE BILL No. 1597.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Mercer.

Referred to the Committee on Highways.

By Mr. McKAY and Mr. STEVENSON. HOUSE BILL No. 1598.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Mercer and Venango.

Referred to the Committee on Highways.

By Mr. McKAY and Mr. STEVENSON. HOUSE BILL No. 1599.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one, (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the county of Mercer.

Referred to the Committee on Highways.

By Mr. McKAY and Mr. STEVENSON. HOUSE BILL No. 1600.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one, (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the county of Mercer.

Referred to the Committee on Highways.

By Mr. McKAY and Mr. STEVENSON. HOUSE BILL No. 1601.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one, (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the county of Mercer.

Referred to the Committee on Highways.

By Mr. McKAY and Mr. STEVENSON. HOUSE BILL No. 1602.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one, (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the county of Mercer.

Referred to the Committee on Highways.

By Mr. McKAY and Mr. STEVENSON. HOUSE BILL No. 1603.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Mercer.

Referred to the Committee on Highways.

By Mr. RHODES. HOUSE BILL No. 1604.

An Act to amend section one as amended, section two, and section five as amended, of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and in cities coextensive with counties for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by providing for the division of said tax for county and city and county purposes with the school districts of such counties; fixing the taxable year and day for returns of such taxes; and imposing penalties.

Referred to the Committee on Counties.

By Mr. RHODES. HOUSE BILL No. 1605.

An Act to provide revenue by the imposition of certain license taxes and fees, imposing license taxes on vendors of or dealers in goods, wares and merchandise; on those engaged in carrying on restaurant, eating house, cafe, or quick-lunch businesses; on auctioneers; on certain brokers, factors, commission merchants and agents, as herein defined; on keepers of shooting galleries, shuffle board rooms, billiard or pool rooms, or any other places in which any game is played on a table with the use of balls and cues; on bowling alleys, ninepin alleys, tenpin alleys, or other alleys or places in which any game is played with the use of balls or pins or other objects; and on public amusements, as herein defined, and places used therefor; requiring in addition to such taxes the payment of certain fees; providing for the assessment and collection thereof, conferring powers and imposing duties on certain state officers and departments; imposing penalties; amending, revising, changing and consolidating the laws relating to the imposition and collection of such taxes and fees; and repealing certain acts or parts of acts relating thereto.

Referred to the Committee on Ways and Means.

By Mr. HEFFERNAN. HOUSE BILL No. 1606.

An Act to further amend section ten of the act, approved the nineteenth day of March, one thousand nine hundred nine (Pamphlet Laws forty-six), entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of asteopaths in this State; and to provide penalties for the violation of this act," by permitting preliminary educational requirements, prescribed by the act, to be acquired at any time prior to examination by the State Board of Osteopathic Examiners.

Referred to the Committee on Education.

By Mr. SCHWARTZ. HOUSE BILL No. 1607.

An Act to amend routes one hundred thirty, one hundred thirty-three, one hundred forty-two, one hundred forty-five, one hundred fifty, as amended, one hundred fifty-one, one hundred fifty-three, one hundred eighty, one hundred ninety-seven, one hundred ninety-eight, two hundred one and two hundred eighty-one as amended of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Phamplet Laws, four hundred sixty-eight,) entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner ,two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same, requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township, or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentages of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated town with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Referred to the Committee on Highways.

By Mr. SCHWARTZ. HOUSE BILL No. 1608.

An Act to amend Route number seven hundred and thirty of section one of the act approved the fifth day of May, one thousand nine hundred and twenty-seven (P. L. 787), entitled "An act establishing certain public roads as State highways and providing for their construction and maintenance at the expense of the Commonwealth"; as amended.

Referred to the Committee on Highways.

By Mr. SCHWARTZ. HOUSE BILL No. 1609.

An Act to amend route four hundred and twenty of section one of the act approved, the eighth day of April, one thousand nine hundred and twenty-five (P. L. 191), entitled "An act establishing certain public roads, as State highways and providing for their construction and maintenance at the expense of the Commonwealth."

Referred to the Committee on Highways.

By Mr. SCHWARTZ. HOUSE BILL No. 1610.

An Act to amend routes three hundred and twenty-six three hundred and sixty-two, and three hundred and seventy-three of section one of the act approved the twenty-second day of July, one thousand nine hundred and thirteen (P. L. 948), entitled "An act establishing certain public roads as State highways, and providing for their construction and maintenance at the expense of the Commonwealth."

Referred to the Committee on Highways.

By Mr. LOSE. HOUSE BILL No. 1611.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled, "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commowealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an aditional route in the County of Lycoming.

Referred to the Committee on Highways.

By Mr. CONNER. HOUSE BILL No. 1612.

An Act making an appropriation to the Trustees of Temple University, at Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. JOHN E. BROWN. HOUSE BILL No. 1613.

An Act imposing a State excise tax on the excess earnings of public service companies; providing for valuations by the

Public Service Commission, and for the settlement and collection of the tax by the Department of Revenue; and fixing penalties.

Referred to the Committee on Public Utilities.

By Mr. GRIFFITH. HOUSE BILL No. 1614.

An Act to amend Route 55025 of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled, "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the porvisions of said act."

Referred to the Committee on Highways.

By Mr. WALL. HOUSE BILL No. 1615.

An Act denying a right of action to the Commonwealth to collect certain claims from boroughs for the maintenance of State highways.

Referred to the Committee on Highways.

By Mr. CORDIER. HOUSE BILL No. 1616.

An Act to amend section five of the act, approved the nineteenth day of August, one thousand nine hundred and thirty-two (P. L. 92), entitled "An act to provide revenue by imposing an emergency sales tax for state purposes upon sales of tangible personal property by vendors, as herein defined; prescribing the method and manner of collecting such tax: and puroviding penalties;" extending the period for payment of the tax.

Referred to the Committee on Judiciary General.

By Mr. RUDY (By Request). HOUSE BILL No. 1617.

An Act limiting the effect of actions of courts in vacating, setting aside, opening, modifying and interfering with judgments, decrees and orders which have become final by lapse of time for an appeal so far as such actions affect persons, firms and corporations who, having relied upon such judgment, order or decree, have acquired rights or changed their status; and providing for intervention by such persons, firms and corporations in such actions.

Referred to the Committee on Judiciary General.

By Mr. GILLETTE. HOUSE BILL No. 1618.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), enttiled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act:" establishing an additional route in the County of Bradford.

Referred to the Committee on Highways.

By Mr. STONE. HOUSE BILL No. 1619.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Potter.

Referred to the Committee on Highways.

By Mr. STONE. HOUSE BILL No. 1620.

An Act to amend section seven hundred and eight of the act approved the twenty-fourth day of May, one thousand nine hundred and twenty-three (P. L. 359), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," requiring the licensing of hunting guides; and conferring certain duties on the county treasurers of the various counties; and providing penalties.

Referred to the Committee on Game.

By Mr. MARCKS. HOUSE BILL No. 1621.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Lehigh.

Referred to the Committee on Highways.

By Mr. WOODSIDE. HOUSE BILL No. 1622.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Dauphin.

Referred to the Committee on Highways.

By Mr. O'CONNOR. HOUSE BILL No. 1623.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Cambria.

Referred to the Committee on Highways.

By Mr. HEWITT. HOUSE BILL No. 1624.

An Act to provide for a convention to ratify or reject an amendment to the Constiuption of the United States proposed by both Houses of Congress for the repeal of the Eighteenth Amendment to the said Constitution, and for the prohibition of the transportation, importation, delivery or use of intoxi-

cationg liquors in violation of the laws of states, territories or possessions of the United States; to provide for the election of delegates to such convention; and making an appropriation.

Referred to the Committee on Elections.

By Mr. FITZERALD. HOUSE BILL No. 1625.

An Act relating to jurors in counties of the fourth class, defining their qualifications, and regulating the selection, drawing,, summoning, excusing and challenging of jurors; creating a jury board consisting of the judges of the court of common pleas and the prothonotary; defining its powers and procedure, and providing that an employe in the office of the clerk of the court of quarter sessions shall act as clerk to such board.

Referred to the Committee on Judiciary General.

By Mr. O'CONNOR. HOUSE BILL No. 1626.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Cambria.

Referred to the Committee on Highways.

By Mr. O'CONNOR. HOUSE BILL No. 1627.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Cambria.

Referred to the Committee on Highways.

By Mr. O'CONNOR. HOUSE BILL No. 1628.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Cambria.

Referred to the Committee on Highways.

By Mr. O'CONNOR. HOUSE BILL No. 1629.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Cambria.

Referred to the Committee on Highways.

By Mr. O'CONNOR. HOUSE BILL No. 1630.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Cambria.

Referred to the Committee on Highways.

By Mr. O'CONNOR. HOUSE BILL No. 1631.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the Counties of Blair and Cambria.

Referred to the Committee on Highways.

By Mr. O'CONNOR. HOUSE BILL No. 1632.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishin gan additional route in the County of Cambria.

Referred to the Committee on Highways.

By Mr. O'CONNOR. HOUSE BILL No. 1633.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Cambria.

Referred to the Committee on Highways.

By Mr. O'CONNOR. HOUSE BILL No. 1634.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled, "An act establishing certain township roads as State highways; authorizing their construction, maintenance and

improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located o nsuch highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Cambria.

Referred to the Committee on Highways.

By Mr. HOFFMAN. HOUSE BILL No. 1635.

An Act to amend section eleven of the act approved the eleventh day of May, one thousand nine hundred and twenty-five (P. L. 561), entitled, "An act to provide for the selection of jurors to serve in the several courts, criminal and civil, of counties of the second class, and defining the qualifications of such jurors; providing for the organization of a commission to the selection of jurors in such counties, and prescribing its powers and duties, and authorizing it to investigate as to the qualifications of prospective jurors; imposing the expense of maintaining and operating said commission upon said counties, and requiring the county commissioners to provide suitable quarters, equipment, and supplies; authorizing the employment of the necessary clerks and other employes, and providing for a salary board composed of the commission, the county commissioners, and the controller of said counties, to fix the number and compensation of such employes; requiring county officers and boards to furnish information to said commission concerning taxables resident in said county as to their eligibility for jury service; repealing inconsistent legislation; and prescribing punishment for the violation hereof," by changing the method of giving notice to persons selected as jurors.

Referred to the Committee on Judiciary General.

By Mr. FITZGERALD. HOUSE BILL No. 1636.

An Act to validate certain municipal liens in the several cities of the third class to the Commonwealth of Pennsylvania; and providing the proceedings for the revival and collection thereof.

Referred to the Committee on Municipal Corporations.

By Mr. SNYDER. HOUSE BILL No. 1637.

An Act making an appropriation to the Department of Forests and Waters for the maintenance and improvement of Fort Washington Park.

Referred to the Committee on Appropriations.

By Mr. BAKER. HOUSE BILL No. 1638.

An Act to amend section fifty of the act, approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled, "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters, and the boundary lakes and boundary rivers of the Commonwealth," further regulating minnow traps.

Referred to the Committee on Fisheries.

By Mr. WASSERMAN. HOUSE BILL No. 1639.

An Act creating in the State Treasury a "Bank Deposit Guarantee Fund;" providing for contributions to the fund and the handling and disbursement of the same; conferring powers and duties on the Department of Banking.

Referred to the Committee on Banking.

By Mr. RUBY. HOUSE BILL No. 1640.

An Act to amend section forty-five of the act approved the fifteenth day of June, one thousand nine hundred and twenty-three (P. L. 809), entitled "An act relating to the organization, maintenance, and operation of the Department of Banking, and the scope of its supervision and control over corporations, partnerships, unincorporated associations, and individuals, and the assets and liabilities thereof; providing penalties for the enforcement of its provisions and repealing the Banking Department Act of nineteen hundred and nineteen, with table of contents," as amended, requiring accounts filed by the Secretary of Banking in the office of the prothonotary, to be recorded.

Referred to the Committee on Judiciary General.

By Mr. McHENRY. HOUSE BILL No. 1641.

An Act to amend Route 19063 of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled, "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act."

Referred to the Committee on Highways.

By Mr. McHENRY. HOUSE BILL No. 1642.

An Act to authorize incorporated towns to secure lands for the purpose of establishing and maintaining municipal airports, airdomes, aviation landing fields, intermediate landing fields, and airport facilities; to establish, equip, condition, operate and maintain municipal airports, airdomes, landing fields, or intermediate landing fields, and lease the same, either separately or jointly with other political subdivisions of this Commonwealth.

Referred to the Committee on Municipal Corporations.

By Mr. O'CONNOR. HOUSE BILL No. 1643.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred nd thirty-one (Act No. 203) entitled, "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the constrduction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Cambria.

Referred to the Committee on Highways.

By Mr. O'CONNOR. HOUSE BILL No. 1644.

An Act to repeal the act approved the seventeenth day of July, one thousand nine hundred and nineteen (P. L. 1032), entitled "An act authorizing banking companies, incorporated and organized under the laws of the Commonwealth and having capital stock at least equal to the capital stock which trust companies are required by law to have, to act in any fiduciary capacity in which trust companies organized under the laws of the Commonwealth are empowered to act, and prescribing the method of acquiring such rights."

Referred to the Committee on Banking.

By Messrs. P. STERLING, McCLURE, FLYNN and STEEDLE (By request of the Joint Legislative Committee on the Finances). HOUSE BILL No. 1645.

An Act to amend Section 5 of the act approved the sixth day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand five hundred and sixty-one) entitled "An act regulating certain maternity hospitals in cities of the third class, boroughs, towns, and townships; providing for the licensing and supervision thereof by the Department of Welfare of this Commonwealth; fixing penalties; and placing the burden of proof as to certain facts on the persons

prosecuted" by increasing the license fee to be collected by the Department of Welfare and providing for the payment thereof into the State Treasury, through the Department of Revenue.

Referred to the Committee on State Government.

By Messrs. P. STERLING, McCLURE, FLYNN and STEEDLE (By request of the Joint Legislative Committee on the Finances). HOUSE BILL No. 1646.

An Act to amend Sections 1 and 2 of Act No. 276 approved the seventh day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, six hundred seventy-seven) entitled "An act to provide for the care, treatment, and maintenance of dependent, crippled children, conferring powers in connection therewith upon the Department of Public Welfare and juvenile courts; and imposing certain expenses upon counties" by requiring the data and notices required by the act to be filed with the Department of Health instead of the Department of Welfare.

Referred to the Committee on State Government.

By Messrs. P. STERLING, McCLURE, FLYNN and STEEDLE (By request of the Joint Legislative Committee on the Finances). HOUSE BILL No. 1647.

An Act to amend Sections 8 and 15 of the act approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (Pamphlet Laws, four hundred sixty-five) entitled "An act to provide for the safety of persons employed, housed, or assembled in certain buildings and structures not in cities of the first class, second class, and second class A, by requiring certain construction, and ways of egress, equipment, and maintenance; providing for the licensing of projectionists; requiring the submission of plans for examination and approval; providing for the promulgation of rules and regulations for the enforcement of this act; providing for the enforcement of this act by the Department of Labor and Industry and, in certain cases, by the chiefs of fire departments in cities of the third class; providing penalties for violations of the provisions of this act; and repealing certain acts" as amended by authorizing the Department of Labor and Industry to charge for the cost of making examinations of plans and eliminating duplicating and overlapping inspections of plans in certain cases.

Referred to the Committee on State Government.

By Messrs. P. STERLING, McCLURE, FLYNN and STEEDLE (By request of the Joint Legislative Committee on the Finance). HOUSE BILL No. 1648.

An Act to amend Section 4 of the act approved the twelfth day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, five hundred ten) entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals; conferring certain powers and duties upon the Department of Welfare; and providing penalties" by increasing the license fee to be collected by the Department of Welfare.

Referred to the Committee on State Government.

By Messrs. P. STERLING, McCLURE, FLYNN and STEEDLE (By request of the Joint Legislative Committee on the Finances). HOUSE BILL No. 1649.

An Act to reenact Section 1 and to amend Section 6 of the act approved the thirteenth day of June, one thousand eight hundred and eighty-three (Pamphlet Laws, one hundred nineteen) entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies" as amended by re-establishing the Anatomical Board of the State of Pennsylvania and making the board self-sustaining.

Referred to the Committee on State Government.

By Messrs. P. STERLING, McCLURE, FLYNN and STEEDLE (By request of Joint Legislative Committee on the Finances). HOUSE BILL No. 1650.

An Act to amend the act approved the fifteenth day of April, one thousand eight hundred and seventy-three (Pamphlet Laws, seventy-five) entitled "An act relating to the fees of the surveyor general" by prescribing certain fees to be charged by the Department of Internal Affairs for services rendered by the Land Office.

Referred to the Committee on State Government.

By Messrs. P. STERLING, McCLURE, FLYNN and STEEDLE (By request of Joint Legislative Committee on the Finances). HOUSE BILL No. 1651.

An Act to further amend section twenty-three of the act approved the first day of June, one thousand eight hundred and eighty-nine (Pamphlet Laws, four hundred twenty) entitled "An act to provide revenue by taxation approved the seventh day of June Anno Domini, one thousand eight hundred and seventy-nine" by extending the provisions of the act to include natural gas companies, artificial gas companies, water companies, steam heat companies, and limited partnerships, associations, joint-stock associations, copartnerships, and persons heat business and appropriating part of the tax to the Public engaged in the natural gas, artificial gas, water, or steam Service Commission of the Commonwealth.

Referred to the Committee on State Government.

By Messrs. P. STERLING, McCLURE, FLYNN and STEEDLE (By request of Joint Legislative Committee on the Finances). HOUSE BILL No. 1652.

An Act to amend Sections 2 and 6 of the act approved the twelfth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, nine hundred forty-one) entitled "An act providing for the preparation, contents, style, printing, and binding of the Legislative Journal and its delivery and distribution; providing for the preparation, printing, and binding of the Journals of the Senate and House of Representatives; authorizing the appointment of official reporters, expert typewriters, clerks and other employes, and providing for their compensation and mileage; providing for the making of an appendix and index, the printing of wrappers or envelopes for mailing the Legislative Journal; and repealing all acts or parts of acts inconsistent herewith" by further prescribing the method of printing bills and joint resolutions in the Legislative Journal; changing the number of employes of the General Assembly, necessary for the preparation of the Legislative Journal, and repealing part of an inconsistent act.

Referred to the Committee on State Government.

By Messrs. P. STERLING, FLYNN, McCLURE and STEEDLE (By request of Joint Legislative Committee on the Finances). HOUSE BILL No. 1653.

An Act to amend Sections 1, 3 and 4 of the act approved the first day of July, one thousand nine hundred and nineteen (Pamphlet Laws, seven hundred and seventeen), entitled "An act fixing the number ,compensation, mileage, and duties of the officers and employes of the General Assembly, and providing for their election or appointment, term of office. and manner of filling vacancies" by changing the number of employes of the General Assembly.

Referred to the Committee on State Government.

By Messrs. FLYNN, P. STERLING, McCLURE and STEEDLE (By request of Joint Legislative Committee on the Finances). HOUSE BILL No. 1654.

An Act to further amend Section 7 of the act approved the fourteenth day of April, one thousand nine hundred and three (Pamphlet Laws, one hundred eighty), entitled "An act to establish a Department of Mines in Pennsylvania; defining its purposes and authority; providing for the appointment of a

chief of said department, and assistants, and fixing their salaries and expenses" by increasing fees to be paid by applicants to the Department of Mines for certificates of qualification as mine foremen and assistant mine foremen in the anthracite mines and providing for the disposition of the fees received by the Department.

Referred to the Committee on State Government.

By Messrs. P. STERLING, FLYNN, McCLURE and STEEDLE (By request of Joint Legislative Committee on the Finances). HOUSE BILL No. 1655.

An Act to amend the act approved the eleventh day of May, one thousand nine hundred and twenty-one (Pamphlet Laws five hundred twenty-two), entitled "An act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof, and providing penalties" by transferring certain duties imposed by the Act upon the Department of Agriculture to the Department of Revenue and the Pennsylvania State Police and repealing certain sections of the act.

Referred to the Committee on State Government.

By Messrs. P. STERLING, FLYNN, McCLURE and STEEDLE (By request of Joint Legislative Committee on the Finances). HOUSE BILL No. 1656.

An Act to further amend Section 9 of the act approved the sixth day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, seventeen hundred eighty), entitled "An act to fix the salaries and compensations of the judges of Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' court, the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Allegheny County" by reducing the compensation and further defining the traveling expenses of judges presiding in other districts.

Referred to the Committee on State Government.

By Messrs. P. STERLING, FLYNN, McCLURE and STEEDLE. (By Request of Joint Legislative Committee on the Finances). HOUSE BILL No. 1657.

An Act to amend Sections 5 and 6 of the act approved the fourteenth day of April, one thousand nine hundred and twenty-five (Pamphlet Laws, two hundred thirty-four), entitled "An act relating to Boarding Houses for Infants; providing for the licensing thereof and the adoption of rules and regulations for the maintenance, operation, and conduct thereof by the Department of Welfare; and fixing penalties" by authorizing the Department of Welfare to collect fees for licenses issued under the act.

Referred to the Committee on State Government.

By Messrs. P. STERLING, FLYNN, McCLURE and STEEDLE. (By Request of Joint Legislative Committee on on the Finances). HOUSE BILL No. 1658.

An Act authorizing the transfer of a certain sum from the Manufacturing Fund to the General Fund and appropriating the moneys in the Manufacturing Fund for this purpose.

Referred to the Committee on State Government.

By Messrs. P. STERLING, FLYNN, McCLURE and STEEDLE. (By Request of Joint Legislative Committee on on the Finances). HOUSE BILL No. 1659.

An Act to further amend section 17 of the act approved the fourteenth day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, seven hundred ten), entitled "An act to amend section seventeen of the act, approved the fourteenth day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, seven hundred ten), entitled "An act allowing and regulating boxing, sparring, and wrestling matches and exhibitions establishing a State Athletic Commission; making an appropriation therefore, and appropriating moneys received for monument and memorial purposes; and prescribing penalties," by increasing certain license fees.

Referred to the Committee on State Government.

By Messrs. P. STERLING, FLYNN, McCLURE and STEEDLE. (By Request of Joint Legislative Committee on on the Finances). HOUSE BILL No. 1660.

An Act to amend sections 1, 2, 15 and 19 of the act approved the sixth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, seven hundred eighty-eight), entitled "An act to protect the health of the persons employed in bakeries by requiring the ventilation, drainage, sanitation, and purity of bakeries, the cleanliness of implements, ingredients, and other things used in connection with their manufacture, delivery, and sale; by regulating and, in certain cases restricting, the use of such bakeries; by regulating the manufacture, sale, and delivery of such products by requiring all persons employed or permitted to work therein to be certified as free from certain diseases and skin affections; by prohibiting the presence of all animals; by requiring a certificate of compliance, and regulating the issuance of same; by providing for the enforcement of this act; and by providing penalties for violations hereof" by reenacting and changing definitions in the act and transferring the duties imposed by the act upon the Department of Labor and Industry to the Department of Health.

Referred to the Committee on State Government.

By Messrs, P. STERLING, FLYNN, McCLURE and STEEDLE (By request of Joint Legislative Committee on the Finances). HOUSE BILL No. 1661.

An Act to amend Section 309 of the act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six), entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation, and providing procedure for the determination of liability and compensation thereunder" as amended, by prescribing the method of determining the weekly wages of claimants in certain cases.

Referred to the Committee on State Government.

By Messrs. P. STERLING, FLYNN, McCLURE and STEEDLE (By request of Joint Legislative Committee on the Finances). HOUSE BILL No. 1662.

An Act to further amend section 14 of an act approved the thirteenthday of May, one thousand nine hundred and fifteen (Pamphlet Laws, two hundred eight-six), entitled "An act to provide for the health, safety and welfare of minors; by forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance;

authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted, providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school districts and police officers; and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith" by requiring minors or their parents or guardians to pay to physicians a fee not in excess of one dollar ($1.00) for physical examinations made in connection with certificates of physical fitness required by the act.

Referred to the Committee on State Government.

By Messrs. P. STERLING, FLYNN, McCLURE and STEEDLE (By request of Joint Legislative Committee on the Finances). HOUSE BILL No. 1663.

An Act to amend section 2 of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to domestic animals, and providing for their appraisement when about to be slaughtered to prevent the spread of disease; and regulating payments by the Commonwealth in such cases, and the payment of salvage by butchers" by reducing the amount of compensation payable by the Commonwealth for bovine animals destroyed to prevent the spread of disease.

Referred to the Committee on State Government.

By Messrs. P. STERLING, FLYNN, McCLURE and STEEDLE (By request of Joint Legislative Committee on the Finances). HOUSE BILL No. 1664.

A Supplement to the act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws seven hundred sixty-two) entitled "An act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto; declaring false oaths by the subscribers to be misdemeanors; and providing penalties for the violation thereof" providing for the examination and audit of the State Workmen's Insurance Fund by the Insurance Department and appropriating the moneys in the fund for the payment of the cost of such audit and examination.

Referred to the Committee on State Government.

By Messrs. P. STERLING, FLYNN, McCLURE and STEEDLE. (By Request of Joint Legislative Committee on the Finances). HOUSE BILL No. 1665.

An Act to repeal sections 6 and 8 and to amend sections 2, 4, and 11 of the act approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (Pamphlet Laws, four hundred fifty) entitled "An act relating to fires and fire prevention; imposing duties and conferring powers upon the State Police; authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said State Police, and defining their powers and duties; providing for the investigation of the cause, origin, and circumstances of fires and the inspection of all, and the removal or change of, certain buildings; imposing duties on school authorities and on certain corporations, associations, and fire rating agencies; providing for the attendance of witnesses before the said State Police, and the enforcement of its orders; and prescribing penalties" by requiring only reports of incendiary fires to be filed with the Pennsylvania State Police and eliminating the compiling of statistics of fires and fire losses by the Pennsylvania State Police.

Referred to the Committee on State Government.

By Messrs. P. STERLING, FLYNN, McCLURE and STEEDLE (By Request of Joint Legislative Committee on the Finances). House Bill No. 1666.

An Act to amend section 9 of the act approved the thirteenth day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, six hundred forty-four) entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes" by increasing the fee to be charged by the Department of Welfare for certificates of registration.

Referred to the Committee on State Government.

By Messrs. P. STERLING, FLYNN, McCLURE and STEEDLE (By Request of Joint Legislative Committee on the Finances). HOUSE BILL No. 1667.

An Act to amend sections 1, 4 and 5 of the act approved the eighteenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, ten hundred forty-five) entitled "An act providing for the establishment of a Bureau of Rehabilitation in the Department of Labor and Industry, and conferring upon the Commissioner of Labor and Industry, the power to supervise and direct the rendering of certain physically handicapped persons fit to engage in remunerative occupations; providing for the appointment of a chief of the bureau, subordinate officers, and employes, and furnishing suitable accommodations; and making an appropriation by transferring to the Department of Health the powers and duties imposed by the act upon the Department of Labor and Industry and repealing certain sections of the act.

Referred to the Committee on State Government.

By Messrs. P. STERLING, FLYNN, McCLURE and STEEDLE (By Request of Joint Legislative Committee on the Finances). HOUSE BILL No. 1668.

An Act to repeal paragraph (x) of section 1 of Article II and section 8 of Article IV and to amend section 47 of Article VI of an act approved the twenty-sixth day of July, one thousand nine hundred thirteen (Pamphlet Laws, one thousand three hundred seventy-four), entitled "An act defining public service companies; and providing for thier regulation by prescribing and defining their duties and liabilities; prescribing, defining and limiting their powers, and regulating thtir incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission fo rthe regulation aforesaid; prescribing, and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate thê construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages, in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers, counsel, and employes; prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled

'An act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals'; and an act, entitled 'To provide the maximum car service charges, including storage charges, that railroad companies and corporations or associations, may charge and collect on each car loading, and unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved the twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act," by eliminating the duties of the Public Service Commission pertaining to the investigation of accidents and authorizing additional fees to be collected for papers filed with the commisison.

Referred to the Committee on State Government.

By Messrs. P. STERLING, FLYNN, McCLURE and STEEDLE (By request of Joint Legislative Committee on the Finances). HOUSE BILL No. 1669.

An act to amend sections 3 and 4 of the act approved the twenty-seventh day of April, one thousand nine hundred and eleven (Pamphlet Laws one hundred ten), entitled "An act for the assignment of judges to districts other than their own, for the purpose of expediting business, with provisions for their compensation" by further regulating the assignment of judges to districts other than their own and requiring such judges to itemize their expenses in reports filed with the Auditor General.

Referred to the Committee on State Government.

By Messrs. P. STERLING, FLYNN, McCLURE and STEEDLE (By request of Joint Legislative Committee on the Finances). HOUSE BILL No. 1670.

An Act to amend section 7 of the act approved the thirty-first day of May, one thousand nine hundred and twenty-three (Pamphlet Laws four hundred eighty-one), entitled "An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen, assistant mine foremen, and fire bosses in the bituminous coal mines of this Commonwealth; prescribing the qualifications; defining the powers and duties, and fixing the compensation of such examiners; authorizing the Chief of the Department of Mines to determine the district in which boards of examiners shall hold examinations, and to designate the boards before whom applicants in the various inspection districts shall appear; providing for the issuance of certificates of qualification to successful applicants; fixing the fees to be paid by applicants, and providing for their disposition; forbidding the employment of unqualified persons as mine foremen, assistant mine foremen and fire bosses, providing a penalty for forging or making false statements regarding certificates" by increasing the fees to be paid to the Department of Mines by applicants for certificates of qualification as mine foremen, assistant mine foremen and fire bosses in the bituminous mines and providing for the disposition of the fees received by the department.

Referred to the Committee on State Government.

By Messrs. P. STERLING, FLYNN, McCLURE and STEEDLE (By request of Joint Legislative Committee on the Finances). HOUSE BILL No. 1671.

An Act to further amend section 21 of the act approved the seventh day of June, one thousand nine hundred and fifteen (Pamphlet Laws nine hundred), entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics, as required to be established by the State Department of Health; and, in order, to secure prompt and faithful registration of births, marriages, deaths and diseases, of practitioners of medicine and surgery, of midwives, nurses, and undertakers, and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages and diseases throughout the State, as provided in section ten of an act, entitled 'An act creating the Department of Health and defining its powers and duties,' approved the twenty-seventh day of April, nineteen hundred and five, and providing penalties for violations of this act," by increasing the fee to be charged by the Department of Health for certified copies of records of births, deaths or marriages.

Referred to the Committee on State Government.

By Messrs. P. STERLING, FLYNN, McCLURE and STEEDLE (By request of Joint Legislative Committee on the Finances). HOUSE BILL No. 1672.

An Act to repeal the act approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred thirty-seven), entitled "An act for the protection of public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth, imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities; and providing penalties."

Referred to the Committee on State Government.

By Messrs. P. STERLING, FLYNN, McCLURE and STEEDLE (By request of Joint Legislative Committee on the Finances). HOUSE BILL No. 1673.

An Act to amend sections 2 and 3 of the act approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand two hundred and twenty-nine), entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption; conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties," by authorizing the Secretary of Health to charge and collect fees for the issuance of certificates of approval and permits and further providing for the inspection of premises where milk is to be sold.

Referred to the Committee on State Government.

By Messrs. P. STERLING, FLYNN, McCLURE and STEEDLE (By request of Joint Legislative Committee on the Finances). HOUSE BILL No. 1674.

An Act authorizing the transfer of the Pennsylvania State Forest School at Mont Alto from the Commonwealth of Pennsylvania State College.

Referred to the Committee on State Government.

By Messrs. P. STERLING, FLYNN, McCLURE and STEEDLE (By request of Joint Legislative Committee on the Finances). HOUSE BILL No. 1675.

An Act to amend section 1 of the act approved the eighth day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, six hundred eighty-five) entitled "An act prescribing the fees for the office of Secretary of the Commonwealth" by increasing the fee to be charged by the Department of State for filing the power of attorney and statement of a foreign corporation.

Referred to the Committee on State Government.

By Messrs. P. STERLING, FLYNN, STEEDLE and McCLURE (By request of Joint Legislative Committee on the Finances). HOUSE BILL No. 1676.

An Act to further amend paragraph (b) of section 9 of the act approved the fifteenth day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, eight hundred nine) entitled "An act relating to the organization, maintenance, and operation of the Department of Banking, and

the scope of its supervision and control over corporations, partnerships, unincorporated associations, and individuals, and the assets and liabilities thereof; providing penalties for the enforcement of its provisions; and repealing the Banking Department Act of nineteen hundred and nineteen, with table of contents," by requiring building and loan associations to pay the full cost of examinations by the Department of Banking.

Referred to the Committee on State Government.

By Messrs. P. STERLING, FLYNN, STEEDLE and McCLURE (By request of Joint Legislative Committee on the Finances). HOUSE BILL No. 1677.

An Act to amend paragraph (c) of section 5 of the act approved the twenty-third day of June, one thousand nine hundred and thirty-one entitled "An act regulating public bathing places, swimming pools, public bath houses, public and private natatoriums, turkish bath houses, all places hired for any form of bathing or swimming, and all related appurtenances; fixing license fees; providing, in matters of sanitation, cleanliness and safety, for supervision by the Department of Health; and prescribing penalties for violations," by increasing the inspection fee chargeable by the Department of Health.

Referred to the Committee on State Government.

By Messrs. P. STERLING, FLYNN, McCLURE and STEEDLE (By request of Joint Legislative Committee on the Finances). HOUSE BILL No. 1678.

An Act to amend the act approved the nineteenth day of February, one thousand nine hundred and twenty-six (Pamphlet Laws, sixteen) entitled "A supplement to the act, approved the twenty-seventh day of March, one thousand nine hundred and twenty-three (Pamphlet Laws, thirty-four), entitled 'An act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in, and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; defining intoxicating liquor; providing for penalties, forfeitures, and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws'; providing for the registering of federal permits; also regulating, under permit, through a Pennsylvania Alcohol Permit Board created in the Department of Welfare, the manufacture, production, distillation, development, use in manufacture, denaturization, redistillation, recovery, reuse, holding in bonds, holding in storage by bailee for hire, sale at wholesale, and transportation for hire, of any alcohol or alcoholic liquid, by certain persons; also providing for fees and the disposition thereof; also authorizing the inspection of the records of permittees and purchasers of said alcohol or alcoholic liquid; also declaring certain places nuisances and providing for their abatement; also providing penalties; and also repealing all acts or parts of acts inconsistent with this act' by abolishing the Pennsylvania Alcohol Permit Board and transferring the powers and duties of the board to the Department of Health.

Referred to the Committee on State Government.

By Messrs. P. STERLING, FLYNN, McCLURE and STEEDLE (By request of Joint Legislative Committee on the Finances). HOUSE BILL No. 1679.

An Act to amend an act approved the seventh day of May, one thousand nine hundred and twenty-three (Pamphlet Laws, page 151), entitled "An act defining and regulating the business of dry cleaning and dyeing; providing for the maintenance, construction, and inspection of dry cleaning and dyeing buildigs and establishments; providing for enforcing the act, and penalties for violation thereof" as amended, by transferring the duty of enforcing the act from the Pennsylvania State Police to the Department of Labor and Industry.

Referred to the Committee on State Government.

By Messrs. P. STERLING, FLYNN, STEEDLE and McCLURE (By request of Joint Legislative Committee on the Finances), HOUSE BILL No. 1680.

An Act to repeal Section 11 and to amend Sections 3, 4, 5, 6, 7, 8, and 9 of the act approved the second day of March, one thousand nine hundred and twenty-one (Pamphlet Laws, twelve), entitled "An act relating to vocational rehabilitations; accepting the provisions and benefits of the act of Congress, approved the second day of June, one thousand nine hundred tnd twenty, entitled 'An act to provide for the promotion of vocation rehabilitation of persons disabled in industry or otherwise and their return to civil employment'; providing for the rehabilitation of disabled persons and their return to civil employment; and providing for the cooperation of the State Board of Education and the Department of Labor and Industry in carrying out the provisions of this act" by transferring the duties imposed by the act upon the Department of Labor and Industry to the Department of Health.

Referred to the Committee on State Government.

By Mr. SOWERS and Mr. CONNOR. HOUSE BILL No. 1681.

An Act to regulate and restrain the traffic in malt brewed and vinous beverages as herein defined; providing for the licensing of the manufacture, sale, transportation and distribution of such beverages; imposing taxes and license fees; and providing for collection and distribution of revenues therefrom; restricting ownership and interest in licensed places; providing penalties, and repealing existing acts.

Referred to the Select Committee on Manufacture, Sale and Traffic in Liquor.

By Mr. RICE. HOUSE BILL No. 1682.

An Act providing for and authorizing the imposition and collection of an emergency relief tax by counties, and poor districts on offices, posts of profit, trades, occupations and professions, including those of minors, and on persons twenty-one years of age and upwards who follow no gainful occupation or calling; providing powers and duties on county commissioners and the tax levying authority in poor districts and in counties of the first class; and providing penalties .

Referred to the Committee on Counties.

By Mr. NOTHNAGLE. HOUSE BILL No. 1683.

An Act relating to the appointment of persons to the police department in boroughs; providing and regulating examinations; the manner of appointments and the manner and power of removal of employes of said department, and providing a method for fixing compensation.

Referred to the Committee on Boroughs and Townships.

COMMUNICATIONS AND PETITIONS

The SPEAKER laid before the House the following communications and petitions which were read by the Clerk:

FAVORING ENACTMENT OF LEGISLATION TO PERMIT DIRECTORS OF BUILDING AND LOAN ASSOCIATION TO FIX WITHDRAWALS

Chester Merchants and Mechanics Building Association.
Columbus Building and Loan Association, Chester.

Referred to the Committee on Building and Loans.

FAVORING INCREASED APPROPRIATIONS TO SCHOOL DISTRICTS

Darby Home and School Association.

Referred to the Committee on Education.

PROTESTING ELIMINATION OF TEACHERS COLLEGES

Monroe County Merchants Association.

Referred to the Committee on Education.

PROTESTING AGAINST TAX ON COAL

Local Union No. 1296, United Mine Workers of America, Old Forge.

Referred to the Committee on State Government.

URGING DISTRIBUTION OF UNEMPLOYMENT RELIEF THROUGH DIRECTORS OF THE POOR

Donora Board of Trade.

Referred to the Committee on Unemloyment Relief.

PROTESTING AGAINST PRESENT OPERATION OF EMERGENCY RELIEF.

Citizens of West Brownsville, addressed to Hon. Charles B. Wagner and Hon. J. W. Lane.

Referred to the Committee on Unemployment Relief.

DEMANDING POSTPONEMENT OF SALES FOR DELINQUENT TAXES

Citizens of Washington.

Referred to the Committee on Judiciary General.

REPORTS FROM COMMITTEES

Mr. GREENSTEIN, from the Committee on Insurance, reported as committed, House Bill No. 819, entitled:

An Act to amend clause (c) of section four hundred and ten of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties, and repealing existing laws"; by denying the right of insurance companies to contest life insurance policies for misstatements with respect to medical history.

Mr. WILSON, from the Committee on Judiciary General, reported as committed, House Bill N. 962, entitled:

An Act relating to judicial sales of real estate, the credits to be given upon obligations on account of certain sales; and giving the right of subrogation to mortgagors in the event of certain sales.

Mr. WITKIN, from the Committee on Judiciary General, reported as committed, House Bill No. 1259, entitled:

An Act relating to criminal procedure imposing upon officers conducting preliminary hearings, the duty of obtaining names of persons whom defendants desire notified of time of trial and imposing upon the district attorney the duty of notifying such persons thereof.

Mr. WILLIAM L. BROWN, from the Committee on Law and Order, reported as committed, House Bill No. 1075, entitled:

An Act to amend section seven hundred and eighteen of the act, approved the twenty-fourth day of May, one thousand nine hundred and twenty-three (P. L. 359), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," as amended, by permitting the training of dogs on Sunday, and providing further for field meets.

Mr. SHORTZ, from the Committee on Elections reported as committed, House Bill No. 454, entitled:

An Act relating to change of polling places.

Mr. MASON, from the Committee on Judiciary General, reported as committed, House Bill No. 1086, entitled:

An Act to amend section one of the act, approved the twenty-eighth day of April ,one thousand eight hundred and ninety-nine (P. L. 117), entitled, "An act making it unlawful for any person to hold himself out or advertise himself as a lawyer, attorney-at-law or counsellor-at-law in any county of the State of Pennsylvania, unless duly admitted to practice by a court of record of any county in this Commonwealth, and providing a penalty therefor," as amended, by defining and prohibiting certain acts related to the practice of law by persons, partnerships, associations and corporations not duly and regularly admitted to practice law.

Mr. W. A. WALKER, from the Commtitee on Judiciary General, reported as committed, House Bill No. 1509, entitled:

An Act to further amend the act "Declaring it a felony to wilfully and maliciously burn or cause to be burned, or to set fire to, or attempt to set fire to, any motor vehicle," by including aircraft.

Mr. SPANN, from the Committee on Judiciary General, reported as committed, House Bill No. 1543, entitled:

An Act to amend section five of the act approved the nineteenth day of August, one thousand nine hundred and thirty-two (P. L. 92), entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors, as herein defined; prescribing the method and manner of collecting such tax; and providing penalties"; extending the period for payment of part of the tax.

Mr. CORDIER, from the Committee on Judiciary General, reported as committed, House Bill No. 859, entitled:

An Act providing means of attaching or appropriating judgments held by residents against non-resident defendants.

Mr. HOWARD, from the Committee on Law and Order, reported as committed, House Bill No. 92, entitled:

An Act permitting fishing on Sunday with one rod and two hooks and fixing penalties.

Mr. McELWEE, from the Committee on Judiciary General, reported as amended, House Bill No. 197, entitled:

An Act to amend sections eight hundred and eight hundred and one of the act, approved the fourteenth day of May, one thousand nine hundred and twenty-five (P. L. 762), entitled "An act concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth, except in counties of the first and second class; and revising, amending, consolidating and changing the law relating thereto," defining legal settlement, and the liability of poor districts for support.

Mr. McELWEE, from the Committee on Judiciary General, reported as amended, House Bill No. 198, entitled:

An Act to amend sections one, two and three of the act, approved the sixth day of April, one thousand nine hundred and five (P. L. 112), entitled, "An act providing for the relief of poor persons; regulating their settlements in poor districts; providing a means of enforcing the removal of a poor person to the district of his settlement, the payment for relief furnished to him and the payment of costs thereto, and authorizing courts of quarter session to compel certain relations to contribute to the relief of poor persons," defning legal settlement and the liability of poor districts for support.

Mr. MALINA, from the Committee on Insurance, reported as committed, House Bill No. 952, entitled:

An Act prohibiting advertisements relating to foreign insurance companies not registered to do business in this Commonwealth and prescribing penalties.

Mr. JOHN J. WILLIAMS, from the Committee on Cities, reported as committed, House Bill No. 703, entitled:

An Act requiring the corporate authorities of any first, second, second-A, and third class cities of the Commonwealth having a paid or part paid fire department, fire alarm operators and fire box inspectors to ascertain the will of the electors of such cities as to the salary or compensation to be paid to firemen, fire alarm operators and fire box inspectors and their hours and working conditions; providing an election to ascertain the will of the electors and the manner and method whereby such election may be held; providing the form and manner in which the question shall be submitted to the vote of the people of such cities; and the effect of such vote.

Mr. LEWIS, from the Committee on Elections, reported as committed, House Bill No. 788 (Senate Bill No. 158), entitled:

An Act to amend section six, as amended, and section eight of an act approved the twelfth day of July, one thousand nine hundred and thirteen (P. L. 719), entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation"; prohibiting persons from being candidates for more than one party nomination.

Mr. LESLIE R. HIMES, from the Committee on Judiciary General, reported as committed, House Bill No. 1214, (Senate Bill No. 392), entitled:

An Act authorizing the compromise of tax claims on real property purchased by the county or county treasurer's sales for nonpayment of taxes and the reconveyance of such property.

Mr. WITKIN, from the Committee on Judiciary General, re-reported as committed, House Bill No. 974, entitled:

An Act providing that whenever a husband or wife creates a trust fund of personal property, reserving for himself or herself during his or her life time any part of the income or benefits therefrom, and disposing of the principal or income upon his or her death, such trust shall be subject to the rights of the surviving spouse under the intestate laws.

COMMITTEE APPOINTMENTS

The SPEAKER. The Chair desires to make the following announcement which is made necessary because of the passing away of our late member, the Honorable Jacob Mathay.

The Chair now appoints to succeed that gentleman as Chairman of the Ways and Means Committee the gentleman from Philadelphia, Mr. Witkin.

The following are further changes:

Mr. Greenstein, is appointed to the Committee on Ways and Means.

Mr. Wasserman is appointed to the Committee on Aeronautics.

Mr. Fleisher, is appointed to the Committee on Banking.

Mr. Long, is appointed to the Committee on Corporations.

Mr. Root, is appointed to the Committee on Judiciary General.

Mr. Green, is appointed to the Committee on Judiciary Special.

Mr. Bennett, is appointed to the Committee on Municipal Corporations.

RESOLUTIONS

MEMORIAL SERVICES IN MEMORY OF DECEASED MEMBERS

Mr. HUTTON on behalf of the Committee on Rules offered the following resolution which was twice read, considered and adopted.

In the House of Representatives, March 21, 1933.

Resolved, That Monday the twenty-seventh day of March at ten o'clock in the evening be set apart by the House of Representatives for Memorial Services on life of the Honorable Jacob Mathay of Philadelphia County and the Honorable Thomas J. Brown of Lancaster County, late Representatives of this House.

Be It Further Resolved, That the Speaker appoint a committee of three to conduct these services.

APPOINTMENT OF COMMITTEE TO CONDUCT MEMORIAL SERVICES

The SPEAKER. The Chair appoints as a Committee to conduct Memorial Services in memory of deceased members, Messrs. Long, Wood and Wilson.

REPORT FROM COMMITTEE ON RULES

POWERS AND DUTIES OF COMMITTEES

Mr. SARIG on behalf of the Committee on Rules offered the following resolution which was twice read and laid over under the rules.

In the House of Representatives, March 21, 1933.

Be It Resolved, That Rule 30 of the House, which reads as follows:

"Each committee shall have full power over the bill, resolution or other paper committed to it, except that the committee cannot change the title or subject, nor amendments adopted by the House," is hereby amended to read

"Each committee shall have full power over the bill, resolution or other paper committed to it, except that the committee cannot change the subject, nor amendments adopted by the House."

SENATE MESSAGE

The Clerk of the Senate being introduced presented extracts from the Journal of the Senate which were laid upon the table.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1106, entitled

An Act to provide for the incorporation and regulation of agricultural credit associations having capital stock; and defining the limitations, powers and duties of such associations.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1105, entitled

An Act to amend section one paragraphs thirteen and fourteen of section five and section seven of the act approved tre thirteenth day of April one thousand nine hundred and twenty-nine (P. L. 885) entitled "An act to provide for the incorporation and regulation of co-operative agricultural associations having capital stock; and defining agriculture so as to include persons engaged in agreculture dairying livestock raising, floriculture, mushroom growing, beekeeping, horticulture, and other allied occupations and providing penalties,"

regulating the holding and vote of common stock of co-operative agricultural associations by similar corporations or associations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 876, entitled

An Act to amend sections one hundred ten, six hundred twelve, six hundred twenty-one, six hundred twenty-two, eight hundred eight, clause two of section one thousand five hundred and two, and sections one thousand seven hundred and fifteen, two thousand and sixty-three, and two thousand three hundred and two of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto"; regulating advertising, fixing the voting powers at county conventions of township officers; correcting certain section headings; providing the security to be given by depositories; prescribing penalties for the enforcement of ordinances, and for the delinquent taxes; permitting certain municipal claims to be embraced in one claim; and providing that the width of sidewalks may be fixed by resolution.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL ON SECOND READING

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1487, as follows:

An Act making appropriations to the State Emergency Relief Board for expenditure by it and for allocation and reallocation to political subdivisions charged by law with the care of the poor or to other substituted agencies for direct and work relief defining the purposes for which such moneys may be expended providing for the audit of such expenditures and prescribing the powers and duties of the State Emergency Relief Board of cities coextensive with counties and of counties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two million dollars ($2,000,000) is hereby specifically appropriated out of the revenues of the fiscal biennium ending May thirty-first one thousand nine hundred and thirty-three to the State Emergency Relief Board for the months of April and May one thousand nine hundred and thirty-three to be allocated and be expended by said Board for direct relief and work relief in accordance with the provisions of the act approved the nineteenth day of August one thousand nine hundred and thirty-two (Pamphlet Laws ninety) entitled "An act relatitng to unemployment relief making an appropriation to the State Emergency Relief Board for direct relief and work relief prescribing the powers and duties of the board with reference thereto and conferring powers and imposing duties upon certain State departments"

Section 2 (a) The sum of five million dollars ($5,000,000) is hereby specifically appropriated to the State Emergency Relief Board for allocation and payment over to politicl subdivisions charged by law with the care of the poor or to such other agency as may be set up or selected in accordance with this act for the months of June July August September October and November of the year one thousand nine hundred and thirty-three

(b) The sum of fifteen million dollars ($15,000,000) is hereby specifically appropriated to the State Emergency Relief Board for allocation and payment over to political subdivisions charged by law with the care of the poor or to such other agencies as may be selected or set up in accordance with the provisions of this act for the month of December one thousand nine hundred and thirty-three for the calendar year one thousand nine hundred and thirty-four and for the months of January February March April and May one thousand nine hundred and thirty-five Provided however That the appropriation made by this clause (b) shall be contingent upon the receipt of sufficient revenues for the General Fund from a bond issue to defray the expenses of the Commonwealth or from loans and transfers from the Motor License Fund or from other sources so as to at all times keep said General Fund balanced and avoid the incurring of any deficiency and in case at any time there are insufficient moneys in the General Fund or estimated to be collected in the biennium for the General Fund to meet the appropriation made by this clause and a deficiency will or is likely to occur at the end of the fiscal biennium then and in that event no further moneys shall be paid out by the Auditor General and the State Treasurer under the appropriation made by this clause

Section 3 The State Emergency Relief Board shall make allocation monthly of the amounts to be distributed from the appropriations made by section two of this act among the several counties of this Commonwealth on a ratio that the estimated number of unemployed in a county bears to the estimated total number of unemployed persons in the entire Commonwealth as shown by the latest available tables compiled and issued by the department of Labor and Industry The State Emergency Relief Board may in its discretion vary the amounts to be allocated from the appropriation made by section two from month to month but no allocation for any one or more months shall be so increased as to prevent the spread of said appropriation over the twenty-four month period provided for in section two

Section 4 The moneys so allocated to a county shall be available for expenditure in that county only for work relief or for food clothing fuel and shelter for those persons who are without means of support as may be determined by the political subdivision to which allocated and none of said moneys shall be expended by such political subdivisions for administration purposes but the cost of administration shall be absorbed by the political subdivision and be paid from moneys received by taxation or otherwise

Section 5 (a) In counties coextensive with cities the money allocated to the county shall from time to time be paid by the State Treasurer on requisition of the State Emergency Relief Board into the city treasury and shall be expended by or under the supervision of the department of welfare of the city or by said department and any other political subdivisions in such cities charged by law with the care of the poor or by such other agency or agencies as the council or any such city may by ordinance provide

(b) Where a political subdivision charged by law with the care of the poor is coextensive with a county the amount allocated to the county from time to time shall be paid by the State Treasurer on requisition of the State Emergency Relief Board to the treasurer of such political subdivision.

(c) In other counties where the territory of political subdivisions charged by law with the care of the poor are not coextensive with a county the amount allocated to a county for any month shall be reallocated by the State Emergency Relief Board among the various political subdivisions located wholly or partly within such county on such equitable basis as the Board shall determine and when so reallocated the amount payable to any such political subdivision shall be paid to the treasurer thereof Provided however That in any county where each borough and township constitutes a separate poor district the State Emergency Relief Board may substitute the county commissioners of the county as the agency to administer the expenditure of such funds for the entire county and where the county commissioners are so designated as the agency they shall have authority to expend county moneys to pay the cost of administering the distribution of such moneys

Section 6 The State Emergency Relief Board shall have power to supervise the expenditures of political subdivisions and other agencies of the moneys allocated under the provisions of this act and may at any time require any political subdivision or agency selected or set up by it to justify the need for additional moneys for relief purposes and the manner in which the moneys theretofore allocated to it have been applied or expended and to withhold payments in whole or in part from such subdivision or agency until need for further funds or the manner of future expenditures is justified by said political subdivision or agency in such manner as the Board may require

Any allocations which have been withheld for lack of need shall be added to the amount to be allocated to all counties in any subsequent month or months

Where the State Emergency Relief Board shall be of the opinion that any political subdivision or agency selected or set up has been extravagant incompetent or negligent in the performance of its duties or in the expenditure of moneys allocated to it the Board shall have power to substitute or create any other agency to expend such moneys in accordance with this act and to permit such other agency to use reasonable sum of the amount allocated to it to be allowed by the Board for administration expenses

The State Emergency Relief Board may discontinue allocations and payments under the provisions of this act at any time if in its opinion no further necessity for State-aid exists

Section 7 Each political subdivision charged by law with the care of the poor and the State Emergency Relief Board through any agency which it may select or set up or create shall have authority under the provisions of this act any law to the contrary notwithstanding to expend the moneys received from the appropriations made by this act for work performed for the subdivision to which allocated or for any county city borough town township or school district or for the Commonwealth or for the purpose of providing food clothing fuel and shelter for persons residing within their respective districts who have gained a legal settlement and who are without means of support In no case shall any appropriation be used for paying cash commonly known as a "dole" to persons entitled to relief.

No person shall be entitled to work or direct relief from the appropriations made by this act unless such person shall on account of financial circumstances be in actual need of work or direct relief Any person who shall receive aid from any political subdivision or agency under the provisions of this act as the result of false representations as to his or her need shall upon conviction thereof in a summary proceeding be sentenced to pay a fine not exceeding twenty-five dollars ($25) and costs of prosecution and in default of the payment of such fine and costs may be imprisoned for a period not exceeding ten days

Section 8 The amounts paid to political subdivisions under the provisions of this act and by them expended shall be audited by the auditors of such political subdivisions in the same manner and with like effect as other expenditures made by such subdivision

The Auditor General on his own initiative and at the request of the State Emergency Relief Board shall audit the accounts of any political subdivision or any other agency with respect to moneys received and expended under the provisions of this act in like manner and with like power and authority as is provided by the laws of the Commonwealth for audits in connection with the fiscal affairs of the State Government

Section 9 The sum of forty thousand dollars ($40,000) or so much thereof as may be necessary is hereby specifically appropriated to the State Emergency Relief Board for printing the payment of the compensation and expenses of clerical and other assistants required for supervision of the expenditures of the appropriations made by this act for postage traveling expenses and for all other incidental and necessary expenses incurred by the said Board in administering this act

Section 10 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS RECOMMITTED

Mr. STEEDLE. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for further study.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the Third reading and consideration of House Bill No. 1101, entitled:

An Act to amend section ten of the act approved the fourteenth day of June, one thousand nine hundred and twenty-three (P. L. 710), entitled "An act allowing and regulating boxing, sparring, and wrestling matches and exhibitions; establishing a State Athletic Commission; making an appropriation therefor; and appropriating moneys received for monument and memorial purposes; and prescribing penalties," as amended, by changing the number of rounds permitted in boxing or sparring matches or exhibitions.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—199

Andrews,	Habbyshaw,	McGrail,	Sheffer,
Baker,	Hamilton,	McGregor,	Shellenberger,
Baldi,	Harmuth,	McHenry,	Shenkel,
Barnhardt,	Harris,	McKay,	Shettel,
Bechtel,	Hart,	McKinney,	Shortz,
Beech,	Heffernan,	Melchiorre,	Shreiner,
Bennett,	Hefferon,	Meredith,	Shugarts,
Bernhard,	Heffner,	Merrell,	Simon,
Blumberg,	Hermansen,	Metzler,	Sinwell,
Boyd,	Hester,	Mohn,	Snyder,
Brancato,	Hewitt,	Moore,	Sowers,
Brennan,	Himes, H. E.,	Mumford,	Spann,
Brown, J. E.,	Himes, L. R.,	Munley	Stank,
Brown, W. L.,	Hoffman,	Myers,	Steedle,
Brownfield,	Holmes, J. B.,	Negley,	Sterling, P.,
Cannon,	Holmes, J. L.,	Nothnagle,	Sterling, R. B.,
Caputo,	Hoopes,	O'Connor,	Stevenson,
Carey,	Horst,	O'Keefe,	Stiteler,
Carson,	Hough,	O'Neill,	Stone,
Chervenak,	Howard,	O'Rourke,	Storb,
Cohen,	Hutton,	Patterson,	Stott,
Conner,	Jaffe,	Peelor,	Surface,
Cooke,	Jones,	Pennock,	Tahl,
Cordier,	Kane, J. J.,	Perry, D. R.,	Terry,
Cramer,	Kane, L. P.,	Perry, J. J.,	Turner,
Davies,	King,	Peters,	Wade,
DeFrehn,	Kinney,	Powell,	Wagner,
Denning,	Labar,	Powers,	Walker, G. E.,
Downey, G. E.,	Lane,	Price,	Walker, W. A.,
Downey, J.,	Laubach,	Quinn,	Wall,
Duffy,	Lenahan,	Raub,	Wasserman,
Dunmire,	Lewis,	Rectenwald,	Way,
Dwyer,	Long,	Reed,	Weidemann,
Ederer,	Lord,	Reilly,	Welsh,
Emhardt,	Lose,	Rhodes,	Westrick,
Eroe,	Lovett, J. E.,	Rice,	White,
Evans,	Lovett, W. S.,	Roan,	Wike,
Fitzgerald,	Lynch, J. R.,	Root,	Williams, G. W.,
Flanagan,	Lynch, M.,	Roth,	Williams, J. J.,
Fleisher,	Male,	Royle,	Wilson, L. M.,
Flinchbaugh,	Malina,	Ruby,	Wilson, T. B.,
Flynn,	Maloney,	Ruth,	Witkin,
Forrest,	Marcks,	Sarig,	Wood,
Furman,	Mason,	Sautter,	Woodside,
Gallagher,	McBride,	Schrock,	Wright,
Gartner,	McCandless,	Schrope,	Yeakel,
Gillette,	McClure,	Schwab,	Yourishin,
Gorman,	McCreary,	Schwartz,	Zimmerman,
Green,	McElwee,	Scorza,	Talbot,
Greenstein,	McGinnis,	Scott,	Speaker.
Griffith,			

NAYS—0

The majority required by the Constitution having voted in the affrmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Housee Bill No. 1371, entitled:

An Act to further amend sections three, five and six of the act approved the tenth day of June, one thousand eight hundred and ninety-three (P. L. 419), entitled "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such

elections"; by increasing the number of signers to nomination papers, changing the time for filing same and changing the time for filing objections thereto.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. LONG. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 183, entitled:

An Act to amend section ten twenty-five thirty-eight and forty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred thirty-seven) entitled "An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" clarifying the ground for divorce where the respondent has been convicted of certain crimes providing for the amendment of libels to include additional grounds for divorce providing for service of notice of hearing on correspondents and providing for alimony pendente lite in cases of divorce from bed and board.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—138

Andrews,	Hart,	McKay,	Shettel,
Baker,	Hartman,	McKinney,	Shortz,
Baldi,	Heffernan,	Melchiorre,	Shreiner,
Barnhardt,	Hefferon,	Meredith,	Shugarts,
Bechtel,	Heffner,	Merrell,	Simon,
Beech,	Hermansen,	Metzler,	Sinwell,
Bennett,	Hester,	Mohn,	Snyder,
Bernhard,	Hewitt,	Moore,	Sowers,
Blumberg,	Himes, H. E.,	Mumford,	Spann,
Boyd,	Himes, L. R.,	Munley,	Stank,
Brancato,	Hoffman,	Myers,	Steedle,
Brennan,	Holmes, J. B.,	Negley,	Sterling, R. B.,
Brown, W. L.,	Holmes, J. L.,	Nothnagle,	Stevens,
Cannon,	Hoopes,	O'Neill,	Stevenson,
Caputo,	Horst,	O'Rourke,	Stiteler,
Carey,	Hough,	Patterson,	Stone,
Chervenak,	Howard,	Peelor,	Storb,
Conner,	Hutton,	Pennock,	Stott,
Cooke,	Jaffe,	Perry, D. R.,	Surface,
Cordier,	Jones,	Perry, J. J.,	Tahl,
Cramer,	Kane, J. J.,	Peters,	Terry,
Dane,	Kane, L. P.,	Powell,	Turner,
Davies,	King,	Powers,	Wade,
DeFrehn,	Labar,	Price,	Wagner,
Downey, J.,	Lane,	Quinn,	Walker, W. A.,
Dunmire,	Laubach,	Raub,	Wall,
Dwyer,	Lenahan,	Rectenwald,	Wasserman,
Ederer,	Lewis,	Reed,	Way,
Emhardt,	Long,	Reilly,	Weidemann,
Evans,	Lord,	Rhodes,	Welsh,
Fitzgerald,	Lose,	Rice,	Westrick,
Flanagan,	Lovett, W. S.,	Roan,	White,
Fleisher,	Lynch, J. R.,	Root,	Wike,
Flinchbaugh,	Lynch, M.,	Roth,	Williams, G. W.,
Flynn,	Malina,	Royle,	Williams, J. J.,
Forrest,	Maloney,	Ruby,	Wilson, L. M.,
Gallagher,	Marcks,	Sarig,	Wilson, T. B.,
Gartner,	Mason,	Sautter,	Witkin,
Gillette,	McBride,	Schrock,	Wood,
Gorman,	McCandless,	Schrope,	Woodside,
Green,	McClure,	Schwab,	Wright,
Greenstein,	McCreary,	Schwartz,	Yeakel,
Griffith,	McElwee,	Scorza,	Yourishin,
Habbyshaw,	McGinnis,	Scott,	Zimmerman,
Hamilton,	McGrail,	Sheffer,	Talbot,
Hannuth,	McGregor,	Shellenberger,	Speaker.
Harris,	McHenry,	Shenkel,	

NAYS—4

Brown, J. E.,	Brownfield,	O'Connor,	Walker, G. E.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 606, entitled:

An Act to amend section thirteen of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A further supplement to the act regultaing elections in this Commonwealth" as amended providing that returns of the election of certain borough town and township officers including election officers and officers of the school district shall be delivered to the clerk of the court of quarter sessions.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—129

Andrews,	Habbyshaw,	McClure,	Shenkel,
Baker,	Haines,	McCreary,	Shortz,
Baldi,	Hamilton,	McElwee,	Shreiner,
Barnhardt,	Harris,	McGregor,	Snyder,
Bechtel,	Hart,	McKay,	Sowers,
Bennett,	Hartman,	McKinney,	Spann,
Bernhard,	Heffernan,	Meredith,	Steedle,
Blumberg,	Hefferon,	Merrell,	Sterling, P.,
Brennan,	Heffner,	Mohn,	Stiteler,
Brown, W. L.,	Hewitt,	Moore,	Storb,
Carey,	Himes, H. E.,	Mumford,	Stott,
Chervenak,	Hoffman,	Myers,	Tahl,
Conner,	Holmes, J. L.,	Nothnagle,	Terry,
Cooke,	Hoopes,	O'Rourke,	Turner,
Cordier,	Horst,	Patterson,	Wade,
Craig,	Hough,	Pennock,	Walker, W. A.,
Dane,	Howard,	Perry, D. R.,	Wasserman,
Davies,	Hutton,	Peters,	Weidemann,
DeFrehn,	Jaffe,	Price,	Welsh,
Denning,	Jones,	Rectenwald,	White,
Duffy,	Kane, L. P.,	Reed,	Wike,
Dwyer,	King,	Rhodes,	Williams, G. W.,
Emhardt,	Laubach,	Rice,	Williams, J. J.,
Evans,	Lewis,	Roan,	Wilson, L. M.,
Fleisher,	Long,	Root,	Wilson, T. B.,
Flynn,	Lord,	Royle,	Witkin,
Forrest,	Lose,	Ruby,	Woodside,
Gallagher,	Lovett, W. S.,	Sautter,	Yeakel,
Gartner,	Lynch, J. R.,	Schwartz,	Yourishin,
Gillette,	Maloney,	Scorza,	Zimmerman,
Green,	Mason,	Scott,	Talbot,
Greenstein,	McBride,	Sheffer,	Speaker.
Griffith,	McCandless,		

NAYS—47

Beech,	Gorman,	O'Connor,	Simon,
Boyd,	Harmuth,	Peelor,	Sinwell,
Brancato,	Hermansen,	Perry, J. J.,	Stank,
Brown, J. E.,	Hester,	Powell,	Stevens,
Brownfield,	Kinney,	Quinn,	Stevenson,
Caputo,	Labar,	Raub,	Stone,
Carson,	Lenahan,	Roth,	Wagner,
Cramer,	Lovett, J. E.,	Ruth,	Wall,
Dunmire,	Lynch, M.,	Schwab,	Way,

Ederer,	Male,	Shellenberger,	Westrick,
Fitzgerald,	Malina,	Shettel,	Wood,
Furman,	McGrail,	Shugarts,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REQUEST FOR VERIFICATION OF ROLL

Mr. QUINN. Mr. Speaker, I would like to have a verification of the roll on this bill.

The SPEAKER. The Chair desires to inform the gentleman that his request is made too late, the result of the vote having been announced.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1277, as follows:

An Act relating to writs of execution on goods and chattels and regulating the period within which such property must be sold to preserve the lien of a levy thereon and providing that sheriffs or coroners may return any such writ if no sale shall be made thereon within said period unless the sale be stayed by law or an order of court and relieving them from liability for abandonment of the levy in such cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any sheriff or coroner to whom any writ of fieri facias or testatum fieri facias shall be directed to levy upon any goods chattels of any defendant or defendants named therein shall make such levy on or before the return day of such writ but shall not make any sale thereof within three months after such return day not including the period of any stay by law or order of court on account of the refusal or neglect of the plaintiff or plaintiffs named in such writ to advance to such sheriff or coroner the legal fees and costs including reasonable charges for advertising such sale to which such officer may be entitled for making the same or by reason of any postponement or adjournments of any such sale by order of the plaintiff or plaintiffs or their attorney the sheriff or coroner holding such writ at the expiration of said period may return the same to the court out of which it issued stating the facts without being liable to such plaintiff or plaintiffs to answer for the debt or damages mentioned in such writ which return shall be without prejudice to the right of such plaintiff or plaintiffs to thereafter issue an alias or pluries fieri facias or testatum fieri facias for the recovery thereof with interest and costs

Section 2 Whenever any sheriff or coroner to whom any writ of venditioni exponas or testatum venditioni exponas shall be directed to sell any goods or chattels of any defendant or defendants named therein upon which he may be holding a levy shall not make any sale thereof within three months after the return day of such writ not including the period of any stay by law or an order of court by reason of the refusal or neglect of the plaintiff or plaintiffs named therein to advance to such sheriff or coroner the legal fees and costs including reasonable charges for advertising the same to which such officer may be entitled for making the same before the expiration of such period or by reason of any postponement or adjournments of said sale by order of the plaintiff or plaintiffs or their attorney such sheriff or coroner may return said writ at the expiration of said period stating the facts and withdraw said levy without being liable to such plaintiff or plaintiffs to answer for the debt or damages mentioned in such writ which return shall be without prejudices to the rights of said plaintiff or plaintiffs to thereafter issue an alias or pluries fire facias or testum fieri facias for the recovery thereof with interest and costs

Section 3 Nothing herein contained shall be construed to restrain any sheriff or coroner from making return of any writ at the return day thereof as therein commanded unless the plaintiff or plaintiffs named or their attorney request such officer to delay or adjourn the sale of the goods and chattels levied upon for the purpose of extending the time within which the defendant or defendants may satisfy the debt or damages for which such levy was made for a period not exceeding three months after the return day of such writ not including the period of any stay by law or any order of court

Section 4 This act shall become effective upon the approval by the Governor and shall apply to all writs of execution on goods and chattels then remaining unreturned in the hands of any sheriff or coroner upon which no return shall be made within three months thereafter not including the period of any stay by law or any order of court by reason of any refusal or neglect of the plaintiff or plaintiffs therein to advance the legal fees and costs including charges for advertising same before the expiration of said period or by reason of any postponement or adjournments of such sale by the order of said plaintiff or plaintiffs or their attorneys respectively

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—146

Andrews,	Hamilton	McKinney,	Shenkel,
Baldi,	Harris,	Melchiorre,	Shettel,
Barnhardt,	Hartman,	Meredith,	Shreiner,
Bechtel,	Hefferon,	Merrell,	Simon,
Bennett,	Heffner,	Metzler,	Sinwell,
Blumberg,	Hermansen,	Mohn,	Sowers,
Boyd,	Hester,	Moore,	Spann,
Brancato,	Hewitt,	Mumford,	Steedle,
Brennan,	Himes, L. R.,	Nothnagle,	Stevens,
Brown, J. E.,	Hoffman,	O'Connor,	Stevenson,
Brown, W. L.,	Holmes, J. L.,	O'Rourke,	Stiteler,
Brownfield,	Hoopes,	Patterson,	Stone,
Cannon,	Hough,	Peelor,	Storb,
Caputo,	Howard,	Pennock,	Stott,
Carey,	Hutton,	Perry, D. R.,	Surface,
Cohen,	Jaffe,	Peters,	Tahl,
Cooke,	Kane, J. J.,	Powell,	Turner,
Cordier,	Kane, L. P.,	Powers,	Wagner,
Craig,	Kinney,	Quinn,	Walker, G. E.,
Cramer,	Labar,	Raub,	Walker, W. A.,
Davies,	Laubach,	Rectenwald,	Wall,
Downey, G. E.,	Lenahan,	Reed,	Way,
Downey, J.,	Lewis,	Reilly,	Weidemann,
Duffy,	Lose,	Rice,	White,
Emhardt,	Lovett, J. E.,	Roan,	Wike,
Evans,	Lovett, W. S.,	Root,	Williams, G. W.,
Fitzgerald,	Lynch, J. R.,	Royle,	Williams, J. J.,
Flanagan,	Male,	Ruby,	Wilson, L. M.,
Flinchbaugh	Malina,	Ruth,	Witkin,
Flynn,	Maloney,	Sarig,	Wood,
Forrest,	Mason,	Sautter,	Wright,
Furman,	McCandless,	Schrock,	Yeakel,
Gartner,	McClure,	Schrope,	Yourishin,
Gillette,	McElwee,	Schwab,	Zimmerman,
Green,	McGinnis,	Scorza,	Talbot,
Griffith,	McHenry,	Shellenberger,	Speaker.
Habbyshaw,	McKay,		

NAYS—2

Beech,	Carson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 970, entitled:

An Act to amend section one of the act approved the fifth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws eight hundred nineteen) entitled "An act

fixing the pay of election officers and clerks appointed by the inspectors except in cities of the first class and counties of the second class" by limiting such pay where voting machines are used

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—146

Baker,	Heffernan,	McCreary,	Schwab,
Baldi,	Hefferon,	McElwee,	Schwartz,
Bechtel,	Heffner,	McGinnis,	Scott,
Beech,	Hermansen,	McGrail,	Shellenberger,
Bennett,	Hester,	McGregor,	Shenkel,
Bernhard,	Hewitt,	McHenry,	Shettel,
Boyd,	Himes, H. E.,	McKay,	Shreiner,
Brancato,	Himes, L. R.,	McKinney,	Shugarts,
Brennan,	Hoffman,	Meredith,	Sinwell,
Brownfield,	Holmes, J. L.,	Merrell,	Snyder,
Cannon,	Hoopes,	Metzler,	Spann,
Caputo,	Horst,	Mohn,	Stank,
Carson,	Hough,	Moore,	Sterling, R. B.,
Cohen,	Howard,	Munley,	Stevens,
Conner,	Hutton,	Myers,	Stevenson,
Cooke,	Jones,	Nothnagle,	Stiteler,
Cordier,	Kane, J. J.,	O'Connor,	Stone,
Dane,	Kane, L. P.,	O'Keefe,	Storb,
Davies,	Kinney,	O'Neill,	Stott,
Denning,	Labar,	O'Rourke,	Tahl,
Duffy,	Lane,	Patterson,	Terry,
Dunmire,	Laubach,	Peelor,	Turner,
Dwyer,	Lewis,	Pennock,	Walker, W. A.,
Emhardt,	Long,	Perry, D. R.,	Wall,
Evans,	Lord,	Peters,	Wasserman,
Flanagan,	Lose,	Quinn,	Way,
Flinchbaugh,	Lovett, W. S.,	Raub,	Welsh,
Forrest,	Lynch, J. R.,	Rectenwald,	Westrick,
Furman,	Male,	Reed,	Wike,
Gallagher,	Malina,	Rice,	Williams, G. W.,
Gartner,	Maloney,	Roan,	Williams, J. J.,
Gorman,	Marcks,	Root,	Wilson, L. M.,
Griffith,	Mason,	Roth,	Wilson, T. B.,
Hamilton,	McBride,	Ruby,	Woodside,
Harmuth,	McCandless,	Sautter,	Wright,
Hart,	McClure,	Schrock,	Zimmerman,

NAYS—7

Andrews,	Habbyshaw,	Powell,	Talbot,
Barnhardt,	Perry, J. J.,	Yourishin,	Speaker.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1325, entitled:

An Act providing that the lien of any tax or municipal claim assessed upon or with respect to real property and of any judgment entered therefor and any execution to enforce such lien or judgment shall be limited to the property against which said tax has been assessed and shall not impose personal liability upon the owner of such property

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—129

Andrews,	Gorman,	McClure,	Shellenberger,
Baldi,	Griffith,	McCreary,	Shenkel,
Barnhardt,	Hamilton,	McElwee,	Shreiner,
Bechtel,	Harris,	McGrail,	Shugarts,
Beech,	Hefferon,	McHenry,	Snyder,
Bennett,	Heffner,	McKay,	Stank,
Bernhard,	Hermansen,	McKinney,	Sterling, R. B.,
Blumberg,	Hester,	Meredith,	Stevenson,
Boyd,	Hewitt,	Metzler,	Stone,
Brancato,	Himes, L. R.,	Negley,	Storb,
Brennan,	Hoffman,	Nothnagle,	Surface,
Brown, W. L.,	Holmes, J. L.,	O'Connor,	Tahl,
Brownfield,	Hoopes,	O'Keefe,	Terry,
Cannon,	Horst,	Patterson,	Turner,
Caputo,	Hough,	Peelor,	Wagner,
Carey,	Howard,	Pennock,	Walker, G. E.,
Carson,	Hutton,	Perry, D. R.,	Wall,
Chervenak,	Jones,	Perry, J. J.,	Wasserman,
Cooke,	Kane, L. P.,	Peters	Way,
Cordier,	Kinney,	Powell,	Weidemann,
Dane,	Labar,	Raub,	Welsh,
Downey, G. E.,	Lane,	Rectenwald,	Wike,
Downey, J.,	Laubach,	Reed,	Williams, G. W.,
Dunmire,	Lenahan,	Reilly,	Williams, J. J.,
Ederer,	Lewis,	Rice,	Wilson, L. M.,
Emhardt,	Lord,	Roan,	Witkin,
Evans,	Lose,	Ruby,	Wood,
Fleisher,	Lovett, W. S.,	Ruth,	Woodside,
Flinchbaugh,	Male,	Sautter,	Wright,
Forrest,	Malina,	Schrock,	Yeakel,
Furman,	Mason,	Schrope,	Yourishin,
Gallagher,	McBride,	Schwab,	Talbot,
Gillette,	McCandless,	Scorza,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 257, entitled:

An Act to amend sections thirty-seven and thirty-eight of the act approved the tenth day of July, one thousand nine hundred and ninteen (Pamphlet Laws eight hundred fifty-seven) entitled "An act to provide for the personal registration of electors as a condition of their right to vote at elections, and their enrollment as members of political parties as a further condition of their right to vote at primaries, in cities of the first class of this Commonwealth, by removing from office all existing registration commissioners and their appointees in said cities, and authorizing the Governor to appoint registration commissions therein; defining the jurisdiction of said commissions, and the powers and duties of the commissioners constituting same, and of their appointees, including registrars, inspectors of registration, clerks, and counsel; fixing their qualifications, terms of office, and compensation; granting them certain immunity from arrest on registration days; and empowering such inspectors to arrest without warrant certain persons committing certain offenses in violation of this act in their presence, as well as to enter and inspect buildings given as residences of electors to interrogate the inmates thereof, to copy or demand a list of the lodgers therein, and to supervise the conduct of registrars; regulating the registration of electors at polling places by registrars, and at the offices of commissions by commissioners, and the right of parties or bodies of electors to have watchers thereat, and the preparation and use of street lists and other records of those registered; allowing the names of persons not entitled to vote to be struck from the registers in certain cases; permitting all records regarding registration to be inspected and copied by any elector under certain conditions; directing how the registers shall be used at elections and primaries; compelling the attendance of witnesses and payment of witness fees; and providing penalties for refusal to obey subpoenas; directing receivers of taxes to appoint chief clerks of commissions as deputies to collect poll taxes and to give receipts therefor; authorizing such clerks to administer oaths, sign subpoenas

and vouchers, and to collect and disburse witness fees; prescribing a method for challenging persons applying for registration, and the procedure for the correction of registers, and for appealing from actions of registrars to said commissions; and allowing for appeals from the decisions of the commissions in certain cases to courts of common pleas; imposing certain duties upon election officers and upon the councils, treasurers, controllers, receivers of taxes, police officers, and other officials of said cities and upon the courts, judges, prothonotaries, sheriffs, commissioners, peace officers, and other officials of the judicial districts and counties in which said cities are situated or with which they are coextensive; legalizing certain acts required hereby if done on any Sunday or legal holiday; requiring said cities to provide for the maintenance of said commissions, and the compensation of their appointees, and the payment of all expenses necessary to carry out the provisions of this act, and to transfer the unexpended balances of all appropriations heretofore made for the personal registration of electors of said cities during the year one thousand nine hundred and nineteen to and for the use of the said commissions; punishing and fixing penalties for violations hereof; and repealing all legislation inconsistent herewith"; regulating the correction of registers upon petitions of electors, by placing the burden of proof upon the petitioner in proceedings to strike names from the register.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SARIG. Mr. Speaker, I would like the sponsor of this bill to explain its purpose. It seems to me, if I am right, that it would make it more difficult to strike the fictitious names off the polling list. I, therefore, would like to ask the sponsor of the bill to explain the purpose of it.

Mr. TAHL. Mr. Speaker and members of the House, all this bill does is this: At the present time a man is registered and then someone files a petition with the commissioners for the purpose of striking off his name. His name is stricken off when he does not appear, because he happens to be sick or away.

What this bill does is this: A man who is registered is considered prima facie entitled to vote. Anybody who feels that the man does not live there has the right to file a petition, as he does now, but he must produce proper evidence that the man does not live there and is not entitled to vote. That is all the bill does.

He must be served with notice. There is no other change except this; when someone files a petition to strike off he must produce evidence that his petition is filed in good faith and thus prove that that man is not entitled to vote.

At this time when a petition is filed and the man does not appear, his name is stricken off. I can relate personal experiences that I have had in the last year where a number of men registered, petitions were filed to strike their names off and a numbr of them were sick. All that the inspector said was "I am informed he does not live there." The commission said the man must appear, and they struck off his name. The man could not appear. This bill requires that the one who files such a petition shall produce proper proof that the man does not live there and is not entitled to vote. I think that is a perfectly proper proceeding, but no man should be denied the right to vote, no matter how low he is, unless there is proper and satisfactory proof of his not being qualified to vote.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—120

Andrews,	Gartner,	McCandless,	Scott,
Baker,	Green,	McClure,	Shellenberger,
Baldi,	Greenstein,	McCreary,	Shortz,
Barnhardt,	Griffith,	McKay,	Shreiner,
Bechtel,	Habbyshaw,	Melchiorre,	Snyder,
Bennett,	Haines,	Meredith,	Sowers,
Bernhard,	Hamilton,	Merrell,	Spann,
Blumberg,	Harris,	Metzler,	Steedle,
Brennan,	Hart,	Moore,	Sterling, P.,
Carey,	Heffernan,	Mumford,	Stevens,
Chervenak,	Heffner,	Myers,	Stevenson,
Cohen,	Hermansen,	Nothnagle,	Stiteler,
Conner,	Himes, H. E.,	O'Connor,	Stone,
Cooke,	Hoffman,	Patterson,	Storb,
Cordier,	Holmes, J. B.,	Peelor,	Stott,
Craig,	Holmes, J. L.,	Pennock,	Tahl,
Dane,	Hoopes,	Perry, D. R.,	Turner,
Davies,	Horst,	Perry, J. J.,	Wade,
Denning,	Hough,	Peters,	Wall,
Downey, G. E.,	Jaffe,	Powell,	Weidemann,
Downey, J.,	Jones,	Rectenwald,	Wike,
Duffy,	Kane, L. P.,	Reed,	Williams, G. W.,
Dwyer,	King,	Rice,	Williams, J. J.,
Ederer,	Laubach,	Roan,	Wilson, L. M.,
Emhardt,	Lenahan,	Root,	Witkin,
Eroe,	Long,	Royle,	Wood,
Evans,	Lose,	Sautter,	Woodside,
Flynn,	Lynch, J. R.,	Schrock,	Zimmerman,
Forrest,	Mason,	Schwartz,	Talbot,
Gallagher,	McBride,	Scorza,	Speaker.

NAYS—38

Beech,	Harmuth,	McGinnis,	Schrope,
Boyd,	Hartman,	McGrail,	Schwab,
Brown, J. E.,	Hester,	McKinney,	Shugarts,
Brownfield,	Howard,	O'Keefe,	Sinwell,
Cannon,	Labar,	Quinn,	Stank,
Caputo,	Lane,	Raub,	Wagner,
Carson,	Lovett, J. E.,	Rhodes,	Walker, G. E.,
Cramer,	Lynch, M.,	Ruth,	Welsh,
Flanagan,	Male,	Sarig,	Westrick,
Furman,	Maloney,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1136, entitled:

An Act to amend section thirty-eight of the act approved the ninth day of June one thousand nine hundred eleven (Pamphlet Laws eight hundred thirty-eight) entitled "An act to make uniform the law of bills of lading and providing penalties for the violation thereof" by enlarging the validity of the negotiation of bills of lading

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—172

Andrews,	Hamilton,	McGregor,	Shugarts,
Baker,	Harris,	McKay,	Simon,
Baldi,	Hart,	McKinney,	Sinwell,
Bechtel,	Hartman,	Meredith,	Snyder,
Beech,	Heffernan,	Merrell,	Sowers,
Bennett,	Hefferon,	Metzler,	Spann,
Bernhard,	Heffner,	Mohn,	Stank,
Blumberg,	Hermansen,	Moore,	Steedle,
Boyd,	Hester,	Mumford,	Sterling, P.,
Brancato,	Hewitt,	Munley,	Sterling, R. B.,
Brennan,	Himes, H. E.,	Myers,	Stevens,
Brown, W. L.,	Himes, L. R.,	Nothnagle,	Stevenson,
Brownfield,	Hoffman,	O'Connor,	Stone,
Caputo,	Holmes, J. B.,	Patterson,	Storb,

Carey,	Holmes, J. L.,	Peelor,	Stott,
Carson,	Hoopes,	Pennock,	Surface,
Cohen,	Horst,	Perry, D. R.,	Tahl,
Conner,	Hough,	Perry, J. J.,	Terry,
Cooke,	Howard,	Peters,	Turner,
Cordier,	Hutton,	Powell,	Wade,
Craig,	Jaffe,	Powers,	Wagner,
Cramer,	Kane, J. J.,	Price,	Walker, G. E.,
DeFrehn,	Kane, L. P.,	Raub,	Walker, W. A.,
Downey, G. E.,	King,	Rectenwald,	Wall,
Downey, J.,	Kinney,	Reed,	Way,
Dunmire,	Labar,	Reilly,	Weidemann,
Dwyer,	Laubach,	Rhodes,	Welsh,
Emhardt,	Lewis,	Rice,	Westrick,
Eroe,	Long,	Roan,	White,
Evans,	Lord,	Ruby,	Wike,
Flanagan,	Lose,	Ruth,	Williams, G. W.,
Fleisher,	Lovett, W. S.,	Sarig,	Williams, J. J.,
Flinchbaugh,	Lynch, J. R.,	Sautter,	Wilson, L. M.,
Flynn,	Male,	Schrock,	Wilson, T. B.,
Furman,	Malina,	Schwab,	Witkin,
Gallagher,	Maloney,	Schwartz,	Wood,
Gartner,	Marcks,	Scorza,	Woodside,
Gillette,	Mason,	Scott,	Wright,
Gorman,	McBride,	Sheffer,	Yeakel,
Green,	McCandless,	Shellenberger,	Yourishin,
Greenstein,	McClure,	Shenkel,	Zimmerman,
Griffith,	McCreary,	Shettel,	Talbot,
Habbyshaw,	McElwee,	Shortz,	Speaker.
Haines,	McGrail,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 137, entitled:

An Act to amend sections one two and three of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A further supplement to the act regulating elections in this Commonwealth" as amended abolishing the December registry assessment of voters

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178

Andrews,	Greenstein,	McCreary,	Schwartz,
Baker,	Griffith,	McElwee,	Scorza,
Baldi,	Habbyshaw,	McGinnis,	Scott,
Barnhardt,	Haines,	McGrail,	Sheffer,
Bechtel,	Hamilton,	McGregor,	Shellenberger,
Beech,	Harmuth,	McKay,	Shortz,
Bennett,	Hart,	McKinney,	Shreiner,
Bernhard,	Hartman,	Melchiorre,	Shugarts,
Blumberg,	Heffernan,	Meredith,	Sinwell,
Boyd,	Hefferon,	Merrell,	Snyder,
Brancato,	Heffner,	Metzler,	Sowers,
Brennan,	Hermansen,	Mohn,	Spann,
Brown, W. L.,	Hewitt,	Moore,	Stank,
Brownfield,	Himes, H. E.,	Mumford,	Sterling, P.,
Cannon,	Hoffman,	Munley,	Sterling, R. B.,
Caputo,	Holmes, J. B.,	Myers,	Stevenson,
Carey,	Holmes, J. L.,	Nothnagle,	Stiteler,
Carson,	Horst,	O'Connor,	Storb,
Chervenak,	Hough,	O'Keefe,	Stott,
Conner,	Howard,	O'Neill,	Surface,
Cooke,	Hutton,	O'Rourke,	Tahl,
Cordier,	Jaffe,	Patterson,	Terry,
Craig,	Jones,	Peelor,	Wagner,
Cramer,	Kane, J. J.,	Pennock,	Walker, G. E.,
Davies,	Kane, L. P.,	Perry, D. R.,	Wall,
DeFrehn,	King,	Peters,	Wasserman,
Denning,	Labar,	Powell,	Way,
Downey, G. E.,	Lane,	Powers,	Weidemann,
Downey, J.,	Laubach,	Price,	Westrick,
Duffy,	Lenahan,	Raub,	White,
Dunmire,	Lewis,	Rectenwald,	Wike,
Dwyer,	Long,	Reed,	Williams, G. W.,
Ederer,	Lord,	Reilly,	Williams, J. J.,
Emhardt,	Lose,	Rhodes,	Wilson, L. M.,
Evans,	Lovett, J. E.,	Rice,	Wilson, T. B.,
Fitzgerald,	Lovett, W. S.,	Roan,	Witkin,
Fleisher,	Lynch, J. R.,	Root,	Wood,
Flinchbaugh,	Male,	Royle,	Woodside,
Flynn,	Malina,	Ruby,	Wright,
Forrest,	Maloney,	Ruth,	Yeakel,
Gallagher,	Marcks,	Sarig,	Yourishin,
Gartner,	Mason,	Sautter,	Zimmerman,
Gillette,	McBride,	Schrock,	Talbot,
Gorman,	McCandless,	Schrope,	Speaker.
Green,	McClure,	Schwab,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1363 (Senate Bill No. 455), as follows:

An Act to provide for a Convention to ratify or reject an amendment to the Constitution of the United States proposed by both Houses of Congress for the Repeal of the Eighteenth Amendment to the said Constitution and for the prohibition of the transportation importation delivery or use of intoxicating liquors in violation of the laws of states territories or possessions of the United States and to provide for the election of delegates to such Convention

Whereas, The Congress of the United States has proposed an Amendment to the Constitution of the United States in the following language

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein) That the following article is hereby proposed as an amendment to the Constitution of the United States which shall be valid to all intents and purposes as part of the Constitution when ratified by conventions in three-fourths of the several States

"Article

"Section 1 The eighteenth article of amendment to the Constitution of the United States is hereby repealed

"Section 2 The transportation or importation into any State territory or possession of the United States for delivery or use therein of intoxicating liquors in violation of the laws thereof is hereby prohibited

"Section 3 This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States as prescribed in the Constitution within seven years from the date of the submission hereof to the States by the Congress"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that A Convention shall be held in this State for the purpose of ratifying or rejecting the proposed amendment to the Constitution of the United States recited in the preamble hereof An election shall be held at the same time as the municipal election in the year one thousand nine hundred and thirty-three for the election of delegates to such convention

Section 2 At such election all persons qualified as electors shall be entitled to vote

Section 3 Except as in this act otherwise provided such election shall be conducted and the results thereof ascertained and certified in the same manner as in the case of the election of Representatives in Congress of the United States in congressional districts and at large at general elections and all provisions of the laws of this State relative to elections except so far

as inconsistent with this act are hereby made applicable to such election The expenses incident to such election of delegates to the said convention shall be paid by the respective counties

Section 4 The number of delegates to be elected at such convention shall be fifty-one of whom seventeen shall be elected from the State at large and one from each of the thirty-four Congressional districts as apportioned by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand four hundred sixteen) entitled "An act to apportion the State into Congressional districts"

Section 5 Candidates for the office of Delegate to the Convention shall be qualified electors of the State Nominations shall be by petition and not otherwise A single petition may place in nomination any number of candidates for delegate at large not exceeding the total number of such Delegates to be elected but a petition for a congressional district shall not contain the name of more than one candidate and nomination petitions shall be signed in the case of district delegates by not less than two thousand voters residing in the congressional district and in the case of delegates at large by at least two thousand resident voters in at least ten congressional districts in the State as apportioned by said act of June twenty-seventh one thousand nine hundred and thirty-one Nomination shall be without party or official designation but the Nominating petitions shall contain a statement by each nominee to the effect that he favors ratification or that he opposes ratification of the proposed amendment No nominating petition for delegate at large shall contain the name of any nominee whose position as stated therein is different from that of any other nominee as stated therein Nominating petitions shall be prepared and furnished by the Secretary of the Commonwealth and except as above provided shall be substantially in the form provided by the election laws for nomination petitions for candidates at primaries for the office of Representative in Congress of the United States in congressional districts or at large Any number of petitions may be circulated for a candidate or group of candidates and when filed shall be considered as one petition for that candidate or group of candidates Signatures shall not be obtained on any petitions prior to one hundred and twenty days before the date of the election

All nomination petitions shall be filed with the Secretary of the Commonwealth not less than sixty (60) days before the date of the election After the last day for filing petitions the Secretary of the Commonwealth shall proceed to ascertain the nominees in each congressional district and at large by selecting two nominees in each congressional district and two groups of nominees in the State at large The two nominees in a congressional district shall be the person having the largest number of signers to his petition among those who favor ratification the person having the largest number of signers to his petition among those who oppose ratification

The two groups of nominees in the State at large shall be the seventeen having the largest number of signers to their petitions among those favoring ratification the seventeen having the largest number of signers to their petitions among those opposing ratification

Ties shall be decided by lot drawn by the Secretary of the Commonwealth

Within thirty days (30) days after the last day for filing petitions the Secretary of the Commonwealth shall certify the nominees in congressional districts and at large to the county commissioners of the respective counties

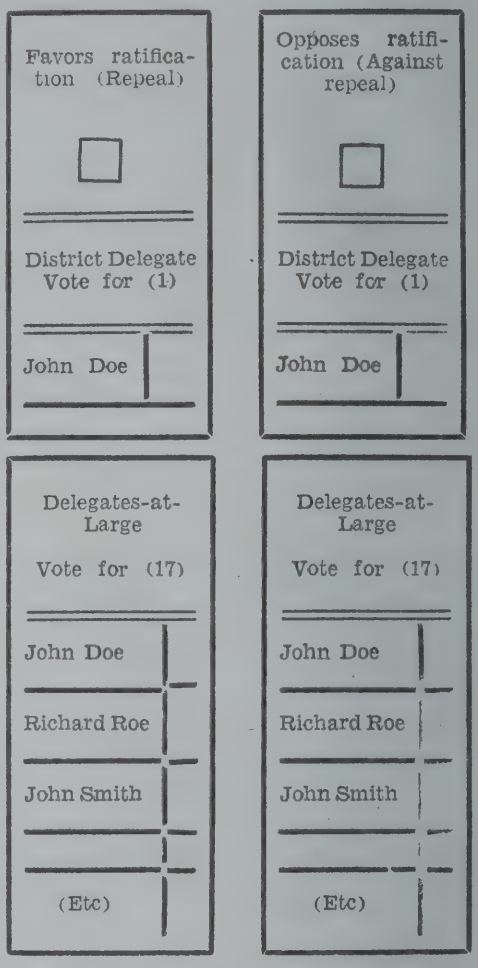
Section 6 The election shall be by ballot separate from any ballot to be used at the same election which shall be prepared by the Secretary of the Commonwealth in substantially the following form and shall be furnished to the various election districts by the county commissioners of the respective counties

CONSTITUTIONAL CONVENTION BALLOT

(Copy of amendment)

INSTRUCTIONS TO VOTERS A cross mark X in the square at the head of any one of the two columns on this ballot votes for all candidates for district delegate and delegates at large named in that column Do not mark a cross mark in more than one square at the head of a column

If you do not desire to vote for the group of nominees in any one column mark a cross mark X after the name or names of the candidates of your choice to the number indicated on the ballot



Each elector may vote for one candidate for district delegate and seventeen candidates for delegate at large A cross mark X in the square at the head of any one of the two columns on the ballot shall count as a vote for each of the candidates for district delegate and delegates at large appearing in that column If an elector does not desire to vote by a cross mark X in the square at the head of a column then he may indicate the candidate for district delegate and the seventeen candidates for delegate at large of his choice by marking a cross mark X in the square opposite their respective names or he may insert the name of any candidate or candidates for whom he desires to vote in the appropriate blank spaces provided on the ballot

When an elector votes in the square at the head of a column his power to vote is exhausted and if he thereafter inserts any cross mark X in any other square at the head of another column or after the name of a candidate in any column other than the one at the head of which he has placed his cross mark X his ballot shall be void

Section 7 The candidate in each congressional district receiving the highest number of votes at said election shall be the delegate from said district to said convention The seventeen candidates at large receiving the highest number of votes in the entire state at said election shall be the delegates at large from the State to said convention Any vacancy in the membership of the convention caused by the death or disability of any delegate or for any other cause shall be filled by appointment of a person by the majority vote of the group of delegates favoring ratification or opposing ratification as the case may be to which the absent delegate belonged

Section 8 The Delegates to the Convention shall serve without compensation and shall meet at the Capitol on the twenty-eighth day after their election at 12 o'clock noon in the

Hall of the Senate and shall thereupon constitute a Convention to pass upon the question of whether or not the proposed Amendment shall be ratified

Section 9 The Convention shall be the judge of the election and qualification of its members The convention shall be called to order by the Lieutenant Governor who shall be the chairman thereof but who shall not have any vote unless elected as a delegate The Secretary of the Senate shall be the secretary of the convention and the Chief Clerk of the Senate and the Chief Clerk of the House of Representatives shall be the tellers of the convention The Secretary of the Senate shall provide a reporter or reporters for the convention a sergeant-at-arms and one page whose compensation shall be paid out of the appropriation made by this act upon the approval of the Lieutenant Governor and Secretary of the Senate In case of the inability of any of the persons herein named to be present the convention shall name some one in his stead

The Secretary of the Commonwealth shall as soon as the convention is called to order present the election returns of delegates which shall be opened and read after which the roll of names of those elected as shown by the returns shall be called and if any elected delegate is absent the vacancy shall then be filled as in this act provided

Before proceeding with the business of the convention the delegates shall take the Constitutional oath of office which shall be administered by a judge of the court of common pleas

Section 10 The convention shall keep a journal of its proceedings in which shall be recorded the vote of each Delegate on the question of ratification of the proposed Amendment and the debates thereon Upon final adjournment the Journal shall be filed with the Secretary of the Commonwealth

Section 11 If the Convention shall agree by vote of a majority of the total number of Delegates to the ratification of the proposed Amendment a certificate to that effect shall be executed by the President and Secretary of the Convention and transmitted to the Secretary of the Commonwealth of this State who shall transmit the certificate under the Great Seal of the Commonwealth to the Secretary of State of the United States

Section 12 If at or about the time of submitting any such Amendment Congress shall by statute prescribe the mannner in which the conventions shall be constituted and shall not except from the provisions of such statute such states as may theretofore have provided for constituing such conventions the preceding provisions of this Act shall be inoperative and the convention shall be constituted and shall operate as the said Act of Congress shall direct and all officers of the State who may by the said statute be authorized or directed to take any action to constitute such a convention for this State are hereby authorized and directed to act thereunder and in obedience thereto with the same force and effect as if acting under a statute of this State

Section 13 The sum of one thousand dollars ($1,000) or so much thereof as may be necessary is hereby specifically appropriated to the Secretary of the Senate for the payment of the compensation of the reporter or reporters sergeant-at-arms and page and for the payment of all other incidental and necessary expenses in connection with said convention

Section 14 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BLUMBERG. Mr. Speakers and members of the House, because there has been some slight controversy concerning the provisions of this bill, I should like briefly to summarize its purpose and the provisions made in this bill for holding the state convention to ratify or reject the repeal of the Eighteenth Amendment.

The purpose of the bill is clearly set forth in the title, to provide for a convention to ratify or reject an amendment to the Constitution of the United States proposed by both houses of Congress for the repeal of the Eighteenth Amendment to the constitution.

The bill then sets up the machinery for the election of the delegates as well as for the holding of the convention. It provides, first, that the election of these delegates shall be held at the November election of 1933, the municipal election. That is November 7, 1933.

It further provides for the number and the manner of the election of the delegates. The number is set at fifty-one as follows: One from each congressional district of the State, making thirty-four, and seventeen delegates at large. These delegates will serve without pay. They are selected in this manner: In each congressional district signatures will be obtained by the candidates and the two candidates receiving the largest number of signatures, one for ratification and one against ratification, will be the two candidates to be voted for at the November election.

So far as the state at large is concerned, there will be two groups of candidates, one group of seventeen who have received the highest number of signers and are opposed to the ratification and the other group of seventeen who have received the highest number of signers who favor ratification.

The controversy, I think, with reference to this bill arises from a lack of understanding as to how the number of fifty-one was reached. It was felt that since this is a convention to ratify or reject a constitutional amendment of the United States that the vote of this convention should be as truly representative of the voice of the people as possible, and so, using the congressional district as a unit, it was felt that each congressional district should have at least one representative in the convention. Congressional districts were used mainly because it is the one district in the State that has been apportioned in recent years. Congressional apportionment was made by this Assembly in June of 1931.

Take the smallest county of the State or the smallest congressional district, which is the 18th congressional district, that has a population according to the 1930 census of one hundred ninety-eight thousand plus. Therefore, we have started with that as a base or standard and we desired after that to accord to each one hundred ninety-eight thousand voters at least one delegate. Of course there are much larger congressional districts in the State. The largest district is the 12th congressional district, Luzerne County. That has four hundred and forty thousand plus. The next is the Schuylkill-Northumberland district comprising the 13th congressional district with three hundred and sixty-four thousand plus.

Obviously if we use as a base or standard the figure of one hundred and ninety-eight thousand, which is the population of the smallest congressional district, in order for the convention to be truly representative it becomes necessary to afford a choice to all of those voters in excess of one hundred and ninety-eight thousand, and so there was computed the excess in each county above one hundred and ninety-eight thousand, and in the sixty-seven counties there are upwards of two million eight hundred and ninety thousand voters who would not otherwise be represented if the representation was restricted merely to congressional districts. This figure of two million eight hundred and ninety thousand voters was divided by the base of one hundred and ninety-eight thousand and that gave us fifteen delegates at large, and then, as is customary, two more delegates at large were added to take the place of the two United States Senators. That is the method by which this fifty-one figure was reached.

I cannot conceive that there can be any more fair or equitable manner for arriving at the number of delegates. It is an effort to make this convention as truly representative as possible.

These delegates will be voted for at the November election and of course in the congressional districts the one receiving the highest number of votes, whether he be for ratification or against ratification, shall be the one elected, and in the State at large the group of seventeen who receive the highest number of votes, whether that group be for or against ratification, will be the group elected.

These elected delegates will meet twenty-eight days after the election here in Harrisburg and will vote on the simple question of ratification or non-ratification.

This bill has received the thought of all of the interested parties in the State, and it is felt that it is the finest bill that could be presented to this House. So I ask you to vote "aye" on this bill.

Mr. ANDREWS. Mr. Speaker and members of the House, I arise to oppose this bill. The only advantage of the proposed convention is to establish the machinery for ascertaining the will of the people of Pennsylvania. You cannot ascertain the will of the people of Pennsylvania by polling the congressional district. It would be possible under this bill for the wets to carry the State of Pennsylvania by one hundred thousand and lose the convention. It would be possible under this bill for the drys to carry this State by one hundred thousand and lose the convention.

This bill is established upon the principle that a congressional district is to be the unit, and if my congressional district goes unanimously wet or dry the voice of the people in my congressional district is no greater than though a congressional district were carried wet or dry by a majority of one.

I object to the entire contention of the gentleman from Philadelphia who has expounded this bill, and oppose the bill because it does not offer the machinery whereby we can ascertain; not what the congressional districts think, not what the senatorial districts think, but what a majority of the people of Pennsylvania think.

Mr. BLUMBERG. Mr. Speaker, and members of the House, the only other suggestion made for the election of delegates to this convention is incorporated in another bill which provides that the delegates shall be elected by legislative districts, that there shall be no delegates at large, but that each legislative district shall have one convention delegate.

You are faced with the choice between those two propositions. Now, I have told you why I believed that the provisions of this bill afforded the surest opportunity for securing the real sentiment of the State.

Let me then answer why the provisions as to legislative districts is so completely faulty. In the first place, we are dealing with a federal law and not a state law, and therefore the federal or congressional districts should be the unit instead of the state or the legislative district.

In the second place, let me give you just a few instances of the inequalities if we were to choose delegates from legislative districts. For instance, Forest County, with a population of five thousand one hundred and eighty, would be entitled to one delegate. The 16th legislative district with a population of one hundred thirty-seven thousand six hundred and eighty-six would get but one delegate. This, as you see, is a ratio of about twenty-five or twenty-six to one, which would mean that the vote of one resident of Forest County would be equivalent to the votes of twenty-six residents of the 16th legislative district.

In Cameron County the population is five thousand three hundred and seven. The 15th legislative district, which would only get one delegate the same as Cameron County, has a population of one hundred and four thousand plus.

Take the three counties of Sullivan, Fulton and Pike. In Sullivan County there is a little upward of seven thousand voters, in Fulton County there is a little upward of nine thousand voters, in Pike County there is a little upward of seven thousand voters. Each of these three districts would get one delegate, so that the total of about twenty-four thousand votes would give them three delegates.

Compare that with three other legislative districts, the 22nd legislative district has a population of upward of one hundred and eight thousand, the 31st legislative district, Allegheny County, has a population of upward of three hundred and twelve thousand, the 34th legislative district, Allegheny County, has a population of three hundred and eleven thousand, and if you total those three you have a combined population of seven hundred thirty-one thousand plus, which would be a representation of three as against the former twenty-four thousand plus with the same representation of three. Now, you can see the gross inequality of such a set-up.

Thus far twenty-one states have acted on the machinery to set up these conventions. In fourteen of those states provisions have been made for the election of delegates at large. There are varied plans but all of them have some system whereby they will elect delegates at large and in seven of those states all of the delegates to be elected are to be delegates at large.

Of course it might be the ideal system, to have all of the delegates elected at large but it would inevitably meet with the opposition of the rural communities who would then say that the large populous cities would control all of the delegates. The provisions of this bill attempt to obviate any such criticism because it affords representation to every congressional district and takes up the excess in the seventeen delegates at large, and I can see no sound or valid reason for opposition to the bill.

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Blumberg.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Blumberg, permit himself to be interrogated?

Mr. BLUMBERG. I will, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, may I ask the gentleman if there is any constitutional reasons why all of the delegates to the proposed convention cannot be elected at large?

Mr. BLUMBERG. There is none, Mr. Speaker.

Mr. ANDREWS. Another question, Mr. Speaker, does the gentleman select, or have the proponents of this measure selected, congressional districts as the unit because congressional districts have been reapportioned and legislative districts have not?

Mr. BLUMBERG. Mr. Speaker, that is one of the reasons, together with the fact as I have stated, that we are working on a federal law and therefore the base should be the federal district, the congressional district.

Mr. ANDREWS. Mr. Speaker and members of the House, the gentleman from Philadelphia has stated my contention; which is, that there is no constitutional reason why all of these delegates cannot be elected at large, and I oppose this bill because electing delegates at large presents the only opportunity of ascertaining the will of the people of Pennsylvania.

Mr. O'CONNOR. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Blumberg.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated.

Mr. BLUMBERG. I will, Mr. Speaker.

Mr. O'CONNOR. Mr. Speaker, did I understand the gentleman from Philadelphia to state that the highest two petitions, that is, the candidates getting the highest number of signers on two petitions would be the ones whose names would be placed on the ballot to be voted upon?

Mr. BLUMBERG. Yes. Every candidate, Mr. Speaker, as a delegate must receive in a congressional district at least two thousand signatures, whereas the delegates at large must receive at least two thousand signatures in at least ten counties. In the congressional districts the two candidates who receive the greatest number of signatures will have their names certified as candidates, and likewise as to the seventeen delegates at large.

Mr. O'CONNOR. That, Mr. Speaker, is regardless of whether they are for or against this amendment.

Mr. BLUMBERG. Mr. Speaker, the one who receives the highest number for ratification will be the candidate for ratification and the one who receives the highest number against ratification will be the candidate against ratification.

Mr. O'CONNOR. Mr. Speaker, how about the seventeen at large.

Mr. BLUMBERG. Mr. Speaker, the same thing applies to the seventeen delegates at large. Two groups of seventeen will be selected. One group containing seventeen who have received the highest number of signatures for ratification and one group of seventeen each of whom have received the highest number of signatures against ratification.

Mr. O'CONNOR. Mr. Speaker, and members of the House, I oppose this measure because of the fact that for the first time in the history of our country this method for ratifying or rejecting an amendment to the federal constitution has been used. I feel there is no better way, since this is a statewide issue, and cannot be made a local option issue, to elect all of the delegates to the convention at large. I, therefore, oppose this measure and ask the House to vote it down.

Mr. COHEN. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Blumberg.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Blumberg, permit himself to be interrogated?

Mr. BLUMBERG. I will, Mr. Speaker.

Mr. COHEN. Mr. Speaker, on page three of the bill I notice this provision on line twelve "unless the Governor shall fix a day for a special election prior thereto" is stricken from the bill. May I ask the gentleman from Philadelphia whether that was done in the House or in the Senate?

Mr. BLUMBERG. That was done in the House, Mr. Speaker.

Mr. COHEN. Mr. Speaker and members of the House, I dare say that the attitude of this House is undoubtedly to get an unbiased opinion on this problem with which we are confronted. By restricting this election to the municipal election held this November, we are not accomplishing that purpose.

The problem of prohibition has been a football of politics since the passage of the Eighteenth Amendment. Every local issue, every local problem, every individual conviction, has been tainted and prostituted by injecting the prohibition problem therein.

I maintain that if we are desirous of getting a clear expression of the people of the Commonwealth of Pennsylvania on the problem of the repeal or ratification of the Eighteenth Amendment we should vote on that problem alone, where there is no opportunity for politicians of both sides to inject that problem in order to gain elective offices for their individual constituents. I feel that irrespective of the expense that it will impose upon the Commonwealth of Pennsylvania, that the opportunity to vote on this problem alone should be given to the people of the Commonwealth of Pennsylvania. I fear that in every community at this municipal election the politicians—and I say on both sides—will inject the problem of the prohibition amendment into the votes of their constituents. I therefore oppose this bill unless some method can be found to allow an election on this problem alone.

Mr. GREENSTEIN. Mr. Speaker, in answer to the objection raised by the gentleman from York, the primary reason for selecting the November election as the time at which this question shall be submitted is one of expense. The cost involved in having a separate election for the purpose of submitting this question would probably be in the neighborhood of a million dollars. The election machinery is set up in November and it involves no extra expense. The question of expense is vital to the Commonwealth at the present time. Every effort is being made in every possible way to keep down expenses in the Commonwealth, and if this question is to be submitted to the people within the next few months, it seems obvious that the time to do it is at the general election when no additional expense will be involved.

The time of the municipal election is selected because at the time of the primary election the equipment is not there, and that is an additional reason for selecting the general election in November. It is a matter of expense and I think that answers the gentleman conclusively.

Mr. COHEN. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Greenstein.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Greenstein, permit himself to be interrogated?

Mr. GREENSTEIN. I will, Mr. Speaker.

Mr. COHEN. Mr. Speaker, will the gentleman admit that the problem of prohibition and the repeal of the Eighteenth Amendment in the past have been made the football of politics?

Mr. GREENSTEIN. I think that that question is rather irrelevant, Mr. Speaker, to the question at hand. Even if it were so I do not think it could influence the purpose of this bill.

The SPEAKER. The point is well taken by the gentleman from Philadelphia. The gentleman from York will proceed with his interrogation.

Mr. COHEN. Will the gentleman from Philadelphia admit that local issues have been perverted by the injection of the prohibition issue.

Mr. GREENSTEIN. Mr. Speaker, I make the same objection to that question. I think that it is immaterial.

The SPEAKER. The point is well taken. The gentleman from York is interrogating the gentleman from Philadelphia.

Mr. COHEN. Mr. Speaker, will the gentleman from Philadelphia admit that a clearer expression of the people on this problem would be gained by holding an election distinct from any municipal or general election than could be gotten by holding it on the same day and at the same time.

Mr. GREENSTEIN. Mr. Speaker, I do not think it necessarily follows that such would be the case. I can see no reason why at the general election, when this question would be submitted every citizen of the Commonwealth going to the polls would not be well aware that he was being called upon to vote on this more serious and most important question, and he could do so at that time as well as he could at any election called for that purpose only.

Mr. COHEN. Mr. Speaker and members of the House, the only contention that the gentleman from Philadelphia has to substantiate this mode of holding a referendum is due to the

fact that it is less expensive. I agree with him thereon. But I do maintain that this problem is great enough to warrant the expenditure of any sum of money necessary to hold an election on this problem alone.

The gentleman from Philadelphia has undoubtedly evaded what we all know to be common knowledge, that is, that prohibition has been made the football of politics. Every local issue is tainted by the problem of the prohibition amendment pro and con. I for one desire to see a clear expression of the people of this commonwealth on this subject and on this subject alone.

Mr. TURNER. Mr. Speaker and members of the House, in answer to what the gentleman from York has said, it seems to me that there might be some justification for his statement were the election in November 1933 a state wide election in the sense that we are voting for state wide offices, but this being purely a local election I cannot see how the question of wet or dry will enter into the election of local officials at that time.

I do believe that we must save a million dollars if we can, and there would be no assurance that this election might not be called at the spring primary or some other time than the general election of 1933.

It seems to me that we have three propositions on which we can elect delegates to this convention. The first one is upon the legislative district and I think that that is objectionable under the statement of the gentleman from Cambria that it would not be an expression of the will of the people of the state, because of the wide divergence of the number of people in the different legislative districts, some where you have four or five thousand in a district and in some where you may have one hundred thousand. If you take it on the plea of the gentleman from Cambria that all of the delegates be elected at large in the state then you have this situation, two-fifths of the voters of the state are in Philadelphia and Allegheny counties and two-fifths of the voters in the state are in the rural districts and one-fifth in Luzerne and Lackawanna counties and some of the contiguous hard-coal districts. It would be possible by a combination of certain of the large sections of this state to absolutely control all of the delegates and elect all of the delegates at large, which would crowd out the rural districts and the smaller districts in the state.

We have a precedent for what is being done here. If you will turn back in your history of the United States, to the very adoption of the constitution, you will find that the delegates to the convention that was to adopt or ratify the constitution that was adopted in Philadelphia in 1787, the members were elected from districts in the state and not at large.

So it seems to me at this time when we meet this important question, on which there may be this divergence of opinion, that the fairest proposition that has been submitted is that of the congressional district plus these delegates at large to represent that mass of population that is not included in the congressional districts.

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Turner.

The SPEAKER. Will the gentleman from Delaware, Mr. Turner, permit himself to be interrogated?

Mr. TURNER. I will, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, does the gentleman from Delaware believe that a voter should be disqualified from expressing his full sentiments simply because he happens to live in Philadelphia, Pittsburgh, Scranton or Wilkes-Barre?

Mr. TURNER. I do not, Mr. Speaker. I desire to proceed from where the gentleman from Cambria left the question in the air. If he had followed it up by saying that if you take it on the basis I have stated, in Philadelphia and Allegheny Counties, with their large populations and their undoubtedly large wet vote, there is no opportunity for the expression of the will of the other fellow because he will be crowded out by the sentiment of one great metropolitan district, or two great metropolitan districts as against the sentiment of rural Pennsylvania.

Mr. BLUMBERG. Mr. Speaker and members of the House, I know that the time for recess is drawing very close and I arise only to make one further point.

It seems that a question has been raised as to whether this problem will not be confused with the municipal questions involved in every municipal election. In order to obviate that possible phase of it, this bill provides that "The election shall be by ballot separate from any ballot to be used at the same election which shall be prepared" in the following form, and then the form of the ballot is specifically provided for in the act showing those delegates who are for repeal and those delegates who are against repeal. So, this particular question is kept separate and apart and cannot be confused with other municipal questions.

Mr. EROE. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Blumberg.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Blumberg, permit himself to be interrogated?

Mr. BLUMBERG. I will, Mr. Speaker.

Mr. EROE. Mr. Speaker, would it be possible under the Constitution to have delegates to this convention from the districts according to their population; that is, the gentleman took one hundred and ninety-eight thousand, I believe, as the base and there are some districts that have four hundred thousand. Why could not the districts that have four hundred thousand have two delegates, or whatever the proportion may be, to represent that district and do away with the delegates at large?

Mr. BLUMBERG. The answer to that is, there could be no method of taking up the fractional parts of the excess. You would have a district entitled to one and one-quarter delegates and another district to one and a half delegates. Now we have given each district at least one delegate and taken the excess and divided it evenly, and we have seventeen parts and have called them delegates at large, and in that way every voter is represented by a delegate.

PREVIOUS QUESTION

Mr. PETERS. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Joseph R. Lynch, Hoffman, Steedle, Metzier, Bennett, Duffy, Baldi, Lewis, Cordier, Harris, Hart, Baker, Peters, Ederer, Forrest, Storb, Greenstein, Witkin, Turner, Fleisher, Weidemann and Nothnagle.

On the question,

Shall the main question be now put?

It was agreed to.

On the question recurring,

Shall the bill pass finally.

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—134

Baldi,	Griffith,	Mason,	Sarig,
Barnhardt,	Habbyshaw,	McBride,	Sautter,
Bechtel,	Haines,	McClure,	Schrope,
Beech,	Hamilton,	McGinnis,	Schwartz,
Bennett,	Harmuth,	McGrail,	Scorza,
Blumberg,	Harris,	Melchiorre,	Shenkel,
Boyd,	Hart,	Metzier,	Shreiner,
Brancato,	Hartman,	Mohn,	Simon,
Brown, J. E.,	Heffernan,	Moore,	Sinwell,

Brown, W. L.,	Hefferon,	Munley,	Sowers,
Carey,	Hermansen,	Myers,	Spann,
Conner,	Hoffman,	Nothnagle,	Stank,
Cooke,	Hoopes,	O'Keefe,	Steedle,
Cordier,	Horst,	O'Neill,	Sterling, P.,
Craig,	Hough,	O'Rourke,	Sterling, R. B.,
Cramer,	Howard,	Patterson,	Stiteler,
Davies,	Hutton,	Pennock,	Storb,
Downey, G. E.,	Jaffe,	Perry, D. R.,	Tahl,
Downey, J.,	Kane, J. J.,	Perry, J. J.,	Turner,
Duffy,	Kane, J. P.,	Peters,	Walker, G. E.,
Dwyer,	King,	Powell,	Wasserman,
Ederer,	Kinney,	Price,	Welsh,
Emhardt,	Lane,	Quinn,	Wike,
Fitzgerald,	Laubach,	Raub,	Williams, J. J.,
Flanagan,	Lenahan,	Rectenwald,	Wilson, L. M.,
Fleisher,	Lewis,	Reed,	Wilson, T. B.,
Flynn,	Long,	Reilly,	Witkin,
Forrest,	Lord,	Rhodes,	Woodside,
Furman,	Lovett, J. E.,	Rice,	Yeakel,
Gallagher,	Lynch, J. R.,	Roan,	Yourishin,
Gartner,	Male,	Roth,	Zimmerman
Gorman,	Malina,	Royle,	Talbot,
Green,	Maloney,	Ruby,	Speaker.
Greenstein,	Marcks,	Ruth,	

NAYS—67

Andrews,	Heffner,	McKay,	Stevens,
Baker,	Hester,	McKinney,	Stevenson,
Bernhard,	Hewitt,	Meredith,	Stone,
Brennan,	Himes, H. E.,	Merrell,	Stott,
Brownfield,	Himes, L. R.,	Mumford,	Surface,
Cannon,	Holmes, J. B.,	Negley,	Terry,
Caputo,	Holmes, J. L.,	O'Connor,	Wade,
Carson,	Jones,	Peelor,	Wagner,
Chervenak,	Labar,	Powers,	Walker, W. A.,
Cohen,	Lose,	Schrock,	Wall,
Dane,	Lovett, W. S.,	Schwab,	Way,
DeFrehn,	Lynch, M.,	Scott,	Westrick,
Dunmire,	McCandless,	Sheffer,	White,
Eroe,	McCreary,	Shellenberger,	Williams, G. W.,
Evans,	McElwee,	Shettel,	Wood,
Flinchbaugh,	McGregor,	Shortz,	Wright,
Gillette,	McHenry,	Shugarts,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 374.

An Act to authorize the purchase by the Commonwealth of historical works relative to the services of Pennsylvania volunteers.

HOUSE BILL No. 648.

An Act relating to the annexation of townships of the first class or parts thereof to boroughs and requiring the consent of the electors of the entire township to such annexation to be ascertained at an election.

HOUSE BILL No. 965.

An Act to amend sections one and seven of the act approved the first day of May one thousand nine hundred and nine (Pamphlet Laws, three hundred forty-four) entitled "An act to regulate the manufacture and sale of commercial fertilizers prescribing penalties for its violation and repealing an act entitled 'An act to regulate the manufacture and sale of commercial fertilizers providing for its enforcement and prescribing penalties for its violation' approved the twenty-fifth day of March Anno Domini one thousand nine hundred and one" as amended by further regulating standards for commercial fertilizers.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 354.

An Act to amend section five of article seventeen of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred eighty-one) entitled "An act for the better government of cities of the first class of the Commonwealth of Pennsylvania" increasing the emergency borrowing power

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 17, by striking out after the word "dollars" the words "at any one time," and inserting in lieu thereof the words "in any one year"; also in line 18, by striking out the light face bracket before the word "the"; also in line 19, by striking out the light face bracket after the word "created"; also in same line by striking out after the word "created" the words "three (3) years."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—189

Andrews,	Griffith,	McCreary,	Sheffer,
Baker,	Habbyshaw,	McElwee,	Shellenberger,
Baldi,	Haines,	McGinnis,	Shenkel,
Barnhardt,	Hamilton,	McGregor,	Shettel,
Bechtel,	Harris,	McHenry,	Shortz,
Beech,	Hart,	McKay,	Shreiner,
Bennett,	Hartman,	McKinney,	Shugarts,
Bernhard,	Heffernan,	Melchiorre,	Simon,
Blumberg,	Hefferon,	Merrell,	Sinwell,
Boyd,	Heffner,	Metzler,	Snyder,
Brennan,	Hermansen,	Mohn,	Sowers,
Brown, J. E.,	Hester,	Moore,	Spann,
Brown, W. L.,	Hewitt,	Mumford,	Steedle,
Brownfield,	Himes, H. E.,	Munley,	Sterling, P.,
Cannon,	Himes, L. R.,	Myers,	Sterling, R. B.,
Caputo,	Hoffman,	Negley,	Stevens,
Carey,	Holmes, J. B.,	Nothnagle,	Stevenson,
Carson,	Holmes, J. L.,	O'Connor,	Stiteler,
Chervenak,	Hoopes,	O'Keefe,	Storb,
Cohen,	Horst,	O'Neill,	Stott,
Conner,	Hough,	Patterson,	Surface,
Cooke,	Howard,	Peelor,	Tahl,
Cordier,	Hutton,	Pennock,	Terry,
Craig,	Jaffe,	Perry, D. R.,	Turner,
Cramer,	Kane, J. J.,	Perry, J. J.,	Wade,
Davies,	Kane, L. P.,	Peters,	Wagner,
DeFrehn,	King,	Powell,	Walker, G. E.,
Denning,	Kinney,	Powers,	Walker, W. A.,
Downey, G. E.,	Labar,	Price,	Wall,
Duffy,	Lane,	Quinn,	Way,
Dunmire,	Laubach,	Raub,	Weidemann,
Dwyer,	Lenahan,	Rectenwald,	Welsh,
Ederer,	Lewis,	Reed,	White,
Emhardt,	Long,	Reilly,	Wike,
Eroe,	Lord,	Rhodes,	Williams, G. W.,
Evans,	Lose,	Rice,	Williams, J. J.,
Fitzgerald,	Lovett, J. E.,	Roan,	Wilson, L. M.,
Fleisher,	Lovett, W. S.,	Roth,	Wilson, T. B.,
Flinchbaugh,	Lynch, J. R.,	Royle,	Witkin,

Flynn,	Lynch, M.,	Ruby,	Wood,
Forrest,	Male,	Ruth,	Woodside,
Furman,	Malina,	Sarig,	Wright,
Gallagher,	Maloney,	Sautter,	Yeakel,
Gartner,	Marcks,	Schrock,	Yourishin,
Gillette,	Mason,	Schrope,	Zimmerman,
Gorman,	McBride,	Schwab,	Talbot,
Green,	McCandless,	Schwartz,	Speaker.
Greenstein,	McClure,	Scott,	

NAYS—1

Stone,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

The Clerk of the Senate being introduced presented extracts from the Journal of the Senate which were laid upon the table.

ANNOUNCEMENT BY CHAIRMAN OF COMMITTEE ON EDUCATION

Mr. WILSON. Mr. Speaker, may I ask the members of the Committee on Education to come to a meeting immediately after the recess this morning. They will not be kept very long, but we would appreciate your being there in order that we may advance legislation that is before the Committee.

The SPEAKER. The remarks of the gentleman will be spread upon the Journal.

RECESS

The SPEAKER. If there are no objections the Chair will declare a recess until 4.30 this afternoon. The Chair hears none and (at 1.17 P. M.) declares a recess until 4.30 P. M.

AFTER RECESS

The House reconvened at 4.30 P. M.

The SPEAKER (Grover C. Talbot) in the Chair.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 155. (HOUSE BILL No. 1684).

An Act for the protection of the public health and to prevent fraud and deception in the manufacture, sale, offering for sale, exposing for sale, and having in possession with intent to sell, of adulterated or deleterious ice cream, custard ice cream, french ice cream, french custard, frozen custard, sherbet, ice and fruit ice, including coated ice cream and the coating thereof; fixing standards for ice cream, custard ice cream, french ice cream, french custard, frozen custard, sherbet, ice and fruit ice, and to prevent the sale of imitation ice cream and defining said imitation ice cream and providing penalties for the violation thereof, and providing for the enforcement thereof.

Referred to the Committee on Public Health and Sanitation.

SENATE BILL No. 187. (HOUSE BILL No. 1685.)

A Joint resolution continuing the Senate Committee constituted to investigate charges against members of the Public Service Commission and related matters defining the powers and duties of said committee ratifying and confirming the filling of vacancies in the membership thereof and making an appropriation for the payment of its past and future expenses.

Referred to the Committee on Appropriations.

SENATE BILL No. 321. (HOUSE BILL No. 1686.)

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the expenses of government; defining the powers and duties of the Governor, the Auditor General, the State Treasurer and the Board of Finance and Revenue in relation thereto; providing for the payment of interest on, and the redemption of, such bonds and making an appropriation.

Referred to the Committee on Appropriations.

SENATE BILL No. 368. (HOUSE BILL No. 1687.)

An Act authorizing the Secretary of Property and Supplies to convey a certain lot of ground in the possession and occupancy of the Philipsburg State Hospital to the Rush Township School District.

Referred to the Committee on Appropriations.

SENATE BILL No. 504. (HOUSE BILL No. 1688.)

A Supplement to the act, approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand five hundred and thirty), entitled: "An act relating to the erection of a dam at the outlet of Pymatuning Swamp, and the establishment of a reservoir for the flood control of the Shenango and Beaver rivers; conferring and continuing certain powers and duties on the Department of Forests and Waters in relation to the establishment and maintenance of such reservoir; providing for the acquisition of necessary lands therefor, and the necessary agreements and releases relating thereto, and the disposition of surplus land and materials," authorizing the construction of a dam and spillway at the outlet of Pymatuning Swamp on lands acquired therefor, and making an appropriation to the Department of Forests and Waters.

Referred to the Committee on Appropriations.

SENATE BILL No. 511. (HOUSE BILL No. 1689.)

An Act making a deficiency appropriation to the Board of Finance and Revenue.

Referred to the Committee on Appropriations.

SENATE BILL No. 615. (HOUSE BILL No. 1690.)

An Act validating certain proceedings of borough councils pursuant to the provisions of the act, approved the fourth day of May one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs; and revising, amending and consolidating the law relating to boroughs," and the several supplements and amendments thereto.

Referred to the Committee on Judiciary General.

SENATE BILL No. 526. (HOUSE BILL No. 1691.)

An Act appropriating the moneys in the State Parks Fund to the Department of Forests and Waters, and specifying purposes for which such moneys may be expended.

Referred to the Committee on Appropriations.

SENATE BILL No. 535. (HOUSE BILL No. 1692.)

An Act to amend section eight of the act, approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances;" as amended, by further providing for the sales of seated lands for delinquent taxes assessed and

levied for the year one thousand nine hundred and thirty, or any year prior thereto; where no sales have previously been made for delinquent taxes of that year.

Referred to the Committee on Judiciary General.

SENATE BILL No. 542. (HOUSE BILL No. 1693.)

An Act to amend section two hundred and nineteen of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards ,commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined"; by providing for the fixing of the amount of the bonds of the heads of administrative departments.

Referred to the Committee on State Government.

SENATE BILL No. 591. (HOUSE BILL No. 1694.)

An Act to further amend section one of an act, approved the thirty-first day of May, one thousand eight hundred ninety-three (Pamphlet Laws, one hundred eighty-eight), entitled "An act designating the days and half days to be observed as legal holidays, and for the payment, acceptance and protesting of bills, notes, drafts, checks and other negotiable paper on such days," by authorizing bank holidays during State and national financial crises.

Referred to the Committee on Banking.

SENATE BILL No. 619. (HOUSE BILL No. 1695.)

An Act authorizing courts of common pleas to stay and adjourn the execution of certain writs in the hands of sheriffs; ratifying, confirming and validating the actions of courts in staying and adjourning the execution of such writs and of sheriffs in obeying orders and decrees of courts in accordance with this act and a resolution of the General Assembly and dispensing with the necessity of re-advertising and re-posting such writs.

Referred to the Committee on Judiciary General.

SENATE BILL No. 639. (HOUSE BILL No. 1729.)

An Act relating to insurance companies, exchanges, associations, societies, orders, and individuals under the supervision of the Insurance Department; authorizing the Insurance Commissioner during the existing emergency to suspend laws relating to certain payments by insurers and to impose conditions upon the conduct of the business of insurance; and providing penalties.

Referred to the Committee on Insurance.

BILLS INTRODUCED AND REFERRED

By Mr. GRIFFITH. HOUSE BILL No. 1696.

An Act to amend section one of the act approved the eighth day of May, one thousand nine hundred and twenty-nine (P. L. 1634), entitled, "An act fixing the compensation and mileage of auditors and jury commissioners in counties of the sixth class changing the compensation of auditors in such counties.

Referred to the Committee on Counties.

By Mr. LORD. HOUSE BILL No. 1697.

An Act to amend sections four and seventeen of the act, approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149), entitled, "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within this Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring the distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors, providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by providing for refunds of taxes paid on liquid fuels consumed in the operation of tractors used on the lands of the owner and by railroad companies in the operation of trains on its own rail lines or tracks.

Referred to the Committee on Highways.

By Mr. ROOT. HOUSE BILL No. 1698.

An Act supplementing the act, approved the first day of June, one thousand eight hundred and eighty-nine (P. L. 420), entitled, "A further supplement to an act entitled, 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by providing for the return of tax imposed on premiums received by foreign companies writing motor vehicle insurance, to municipalities for payment into police pension funds.

Referred to the Committee on Insurance.

By Mr. BROWNFIELD. HOUSE BILL No. 1699.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled, "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Fayette.

Referred to the Committee on Highways.

By Mr. RECTENWALD. HOUSE BILL No. 1700.

An Act prohibiting employes of certain county offices and departments of the Commonwealth from being interested in the settlement of certain estate; and providing penalties.

Referred to the Committee on State Government.

By Mr. SCHROCK. HOUSE BILL No. 1701.

An Act to amend section two hundred and twenty-two of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto"; providing a procedure to provide for the holding of two or more county offices in certain counties by the same person.

Referred to the Committee on Counties.

By Mr. McKINNEY. HOUSE BILL No. 1702.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and

improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain tain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Venango.

Referred to the Committee on Highways.

By Mr. McKINNEY. HOUSE BILL No. 1703

An Act to amend Route 60044 of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act."

Referred to the Committee on Highways.

By Mr. BROWNFIELD. HOUSE BILL No. 1704.

An Act to further amend the first paragraps of Section two hundred twelve of the act, approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws, three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

Referred to the Committee on Education.

By Mr. BALDI. HOUSE BILL No. 1705.

An Act to regulate the sale and delivery of coal, coke, petroleum coke, briquettes and other solid fuels, providing for the appointment of public weighmasters, prescribing their powers and duties; imposing certain duties on the Department of Internal Affairs; and providing penalties.

Referred to the Committee on Mines and Mining.

By Mr. RICE. HOUSE BILL No. 1706.

An Act making an appropriation to the Department of Military Affairs for the payment of claims for personal injuries sustained in certain cases by members of the enlisted personnel of the National Guard of Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. PETERS. HOUSE BILL No. 1707.

An Act relating to the relief of the burden of local taxation; making an appropriation out of the Motor License Fund; providing for the allocation thereof to cities, incorporate towns, boroughs and townships; prescribing the time, manner, basis and purposes for and upon which said money shall be allocated and paid; specifying the uses for which all said moneys may be expended; and imposing powers and duties upon the Department of Highways, the Auditor General, State Treasurer and on cities, boroughs, towns, and townships and officers thereof; and providing penalties.

Referred to the Committee on Highways.

By Mr. SCHWARTZ. HOUSE BILL No. 1708.

An Act requiring any foreign insurance company transacting business within the Commonwealth to have printed on the contracts of insurance issued by it the full name and home address of the company issuing the same, and the name and address of the principal agent of such company in this Commonwealth.

Referred to the Committee on Insurance.

By Mr. McGINNIS. HOUSE BILL No. 1709.

An Act providing for the classification of real estate in school districts of the first class so as to distinguish between buildings and land and for the fixing of different rates of taxes thereon.

Referred to the Committee on Education.

By Mr. JOHN J. KANE. HOUSE BILL No. 1710.

An Act providing for the classification of real estate in counties of the second class so as to distinguish between buildings and land and for the fixing of different rates of taxes thereon.

Referred to the Committee on Counties.

By Mr. W. A. WALKER. HOUSE BILL No. 1711.

An Act regulating actions of scire facias sur mechanics liens, and prescribing the pleadings and procedure to be observed therein.

Referred to the Committee on Judiciary General.

By Mr. W. A. WALKER. HOUSE BILL No. 1712.

An Act to establish as a State highway a certain section of public road in the County of Allegheny; authorizing its construction, maintenance, and impovement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on said highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of maintenance and construction of said highway; and making an appropriation to carry out the provisions of said act.

Referred to the Committee on Highways.

By Mr. CAPUTO. HOUSE BILL No. 1713.

An Act to repeal the act approved the eighteenth day of June, one thousand nine hundred and twenty-three (P. L. 842), entitled "An act for the protection of owners of electric storage batteries upon which the word 'rental' or any other word, mark, or character is printed, painted, stamped, or attached to identify the same; and providing penalties."

Referred to the Committee on Judiciary General.

By Mr. FLINCHBAUGH. HOUSE BILL No. 1714.

An Act authorizing the Department of Agriculture to establish and promulgate standards of quality, condition and fill of containers of canned food, and standards of containers or receptacles therefor, and for the marking, branding and labeling thereof; and providing penalties.

Referred to the Committee on Agriculture.

By Mr. KING. HOUSE BILL No. 1715.

An Act to provide for and regulate the annual licensing of persons, copartnerships, associations and corporations engaging in the business of outdoor advertising by means of billboards or structures, and the issuing of permits for the erection, use and maintenance thereof; levying an excise tax for the use of the Commonwealth, and providing penalties.

Referred to the Committee on Ways and Means.

By Mr. LORD. HOUSE BILL No. 1716.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty- one (Act No. 203), entitled "An act establishing certain township roads as State

highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limitthe obligation of the Comomnwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act", establishing an additional route in the County of Jefferson

Referred to the Committee on Highways.

By Mr. LORD. HOUSE BILL No. 1717.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty- one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limitthe obligation of the Comomnwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Jefferson.

Referred to the Committee on Highways.

By Mr. LORD. HOUSE BILL No. 1718.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty- one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limitthe obligation of the Comomnwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Jefferson.

Referred to the Committee on Highways.

By Mr. LORD. HOUSE BILL No. 1719.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty- one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limitthe obligation of the Comomnwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Jefferson.

Referred to the Committee on Highways.

By Mr. LORD. HOUSE BILL No. 1720.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an approprition to carry out the provisions of said act"; establishing an additional route in the County of Jefferson

Referred to the Committee on Highways.

By Mr. LORD. HOUSE BILL No. 1721.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Jefferson.

Referred to the Committee on Highways.

By Mr. LORD. HOUSE BILL No. 1722.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to crry out the provisions of said act"; establishing an additional route in the County of Jefferson.

Referred to the Committee on Highwys.

By Mr. CORDIER. HOUSE BILL No. 1723.

An Act to establish as a State highway a certain section of public road in the County of Lackawanna, and providing for its construction and maintenance at the expense of the Commonwealth.

Referred to the Committee on Highways.

By Mr. STEEDLE. HOUSE BILL No. 1724.

An Act making an appropriation to the Ohio Valley General Hospital at McKees Rocks, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. SCHROCK. HOUSE BILL No. 1725.

An Act to amend section one of the act, approved the twenty-ninth day of June, one thousand nine hundred and twenty-three (Pamphlet Laws nine hundred forty-four), entitled "An act relating to salaries, compensation, bonds, offices, and supplies of certain county officers, their deputies and clerks in counties of the sixth class" as last amended by the act, approved the twelfth day of June, A. D. one thousand nine hundred thirty-one (Pamphlet Laws five hundred sixty), by changing the amounts of said salaries and providing that the salary of the county controller shall be fixed by the salary board.

Referred to the Committee on Counties.

By Mr. BLUMBERG. HOUSE BILL No. 1726.

An Act creating a commission to study the laws relating to poor districts and to draft such new laws as may be necessary to revise and codify such laws and establish State supervision over poor boards.

Referred to the Committee on Judiciary General.

By Mr. TURNER. HOUSE BILL No. 1727.

An Act to amend sections five, six and seven of the act, approved the twentieth day of May, one thousand nine hundred and twenty-one (P. L. 916), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges, and to pay benefits to members and

their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies, and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports, and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation, and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to, and be supervised by, the Insurance Commissioner; and repealing existing laws; further regulating the benefits authorized under said act.

Referred to the Committee on Insurance.

By Mr. RUTH. HOUSE BILL No. 1728.

An Act creating an unemployment reserve fund; providing for payments thereto by employers; providing for the method and mode of its administration; imposing duties on the Department of Labor and Industry and the State Treasurer; and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. MASON. HOUSE BILL No. 1730.

An Act providing for the ascertainment and assessment of damages for coal underlying property condemned for highway purposes.

Referred to the Committee on Mines and Mining.

By Mr. CAREY. HOUSE BILL No. 1731.

An Act to further amend clause (a) of section four and clause (a) of section five of the act, approved the eighteenth day of April, one thousand nine hundred and twenty-nine (P. L. 549), entitled "An act to permit the use of voting machines for recording and computing the vote at all elections, including primaries, in any county, city, borough or township of the Commonwealth, at the option of the electors thereof, prescribing regulations with reference to the adoption, requirements, examination, purchase, installation, preparation, custody and demonstration of use of voting machines; providing rules and regulations for the conduct of elections held with voting machines; prescribing the qualifications, number and duties of election officers in election districts in which voting machines may be used providing rules and regulations for the conduct of elections held with voting machines; prescribing the qualifications, number and duties of election officers in election districts in which voting machines may be used; placing duties upon county commissioners and the Secretary of the Commonwealth; providing for redivision of wards of cities and boroughs into election districts, and the consolidation of election districts; providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used; and providing penalties for violation of the provisions of this act."

Referred to the Committee on Elections.

By Mr. O'CONNOR. HOUSE BILL No. 1732.

An Act to amend section one hundred and seventy-one of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto"; as amended, providing for the number and compensation of the members of the board of viewers in counties of the third and fourth classes.

Referred to the Committee on Counties.

By Mr. ZIMMERMAN. HOUSE BILL No. 1733.

An Act making an appropriation to Willow Crest for Convalescents, Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations .

By Mr. LYNCH. HOUSE BILL No. 1734.

An Act requiring the Commonwealth to surrender to counties certain county bridges taken over; requiring countes to collect tolls for the use of such bridges for the payment of interest on and the retirement of bonds issued for the construction of such bridges and for their operation and maintenance; and providing for the freeing of such bridges and their subsequent taking over by the Commonwealth.

Referred to the Committee on Counties.

By Mr. RHODES and Mr. WADE. HOUSE BILL No. 1735.

An Act to promote public health safety morals and general welfare by providing for the creation of an unemployment reserve fund and the method of its administration and making an appropriation.

Referred to the Committee on Appropriations .

By Mr. SOWERS. HOUSE BILL No. 1736.

An Act to amend clause (a) of section four hundred and ten of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," requiring the application for a policy shall be attached to the policy when issued, and that the policy and application shall constitute the entire contract.

Referred to the Committee on Insurance.

By Mr. SOWERS. HOUSE BILL No. 1737.

An Act to amend clause (c) of section four hundred and ten of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 6820), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Llyods associations, reciprocal and iter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, incluing insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing Laws"; by denying the right of insurance companies to contest life insurance policies for misstatements with respect to medical history, or because the insured was not in sound health on the date of the policy, in certain cases, after one year.

Referred to the Committee on Insurance.

By Mr. SOWERS. HOUSE BILL No. 1738.

An Act invoking the police power of this Commonwealth staying proceedings to sell real property on foreclosures of first mortgages for the period of eighteen months in certain cases.

Referred to the Committee on Judiciary General.

By Mr. SOWERS. HOUSE BILL No. 1739.

An Act imposing an emergency State income tax, and providing for the distribution of the proceeds thereof to the Commonwealth for unemployment relief and to counties for general governmental expenditures.

Referred to the Committee on Ways and Means.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 354.

An Act to amend section five of article seventeen of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred eighty-one) entitled "An act for the better government of cities of the first class of the Commonwealth of Pennsylvania" increasing the emergency borrowing power.

HOUSE BILL No. 374.

An Act to authorize the purchase by the Commonwealth of historical works relative to the services of Pennsylvania volunteers

HOUSE BILL No. 648.

An Act relating to the annexation of townships of the first class or parts thereof to boroughs and requiring the consent of the electors of the entire township to such annexation to be ascertained at an election

HOUSE BILL No. 965.

An Act to amend sections one and seven of the act approved the first day of May one thousand nine hundred and nine (Pamphlet Laws three hundred forty-four), entitled "An act to regulate the manufacture and sale of commercial fertilizers prescribing penalties for its violation and repealing an act entitled 'An act to regulate the manufacture and sale of commercial fertilizers providing for its enforcement and prescribing penalties for its violation' approved the twenty-fifth day of March Anno Domini one thousand nine hundred and one" as amended by further regulating standards for commercial fertilizers.

REPORTS FROM COMMITTEES

Miss BRANCATO, from the Committee on Public Health and Sanitation reported as committed House Bill No. 810, entitled:

An Act to amend section thirteen of the act approved the seventeenth day of May, one thousand nine hundred and seventeen (P. L. 208), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words 'drug' and 'poison'; and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law; and providing for the purchase of samples of drugs for determining their quality, strength, and purity;" as amended, removing the provision which prohibited the sale of medicines containing substances of glandular origin except by registered pharmacists and assistants.

Mr. MYERS, from the Committee on Building and Loan Associations, reported as committed, House Bill No. 459, entitled:

An Act permitting Building and Loan associations to invest part of their assets in bonds of the United States or of the Commonwealth of Pennsylvania, or bonds or indentures issued by a Federal Home Loan Bank.

Mr. ROAN, from the Committee on Boroughs and Townships, reported as committed, House Bill No. 1185, entitled:

An Act creating borough and township poor districts in the County of Wyoming, to be administered by overseers of the poor; and abolishing the county poor district.

Mr. ROAN, from the Committee on Corporations, reported as committed, House Bill No. 256, entitled:

An Act to validate acts done by corporations before the recording of their charters.

Mr. WITKIN, from the Committee on Public Health and Sanitation, reported as amended, House Bill No. 544, entitled:

An Act relating to the pollution of waters of the Commonwealth; providing additional remedies for the abatement thereof; and conferring jurisdiction upon certain courts in relation thereto.

Mr. HERMANSEN, from the Committee on Education, reported as committed, House Bill No. 79, entitled:

An Act to amend section one thousand two hundred and five of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith, as amended, reducing the time before the close of school terms for board of school directors to terminate teachers' contracts.

Mr. McKINNEY, from the Committee on Repeal Bills, reported as committed, House Bill No. 1146, entitled:

An Act to repeal section three of the act approved the eighth day of April, one thousand eight hundred and fifty-two (P. L. 296), entitled, "An act relative to county offices of Clarion County; to certain streets in the borough of Brookville, and to hawkers and peddlers in Bedford County."

Mr. YEAKEL, from the Committee on Education, reported as committed, House Bill No. 864, entitled:

An Act to repeal article twenty-one of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Mr. GARTNER, from the Committee on Repeal Bills, reported as committed, House Bill No. 1247, entitled:

An Act to repeal the act approved the sixteenth day of March, one thousand eight hundred and sixty-six (P. L. 203), entitled "A supplement to an act passed the thirteenth day of April, one thousand eight hundred and fifty-nine, relating to billiard saloons, et cetera, in the counties of Chester and Delaware, extending the same to counties of Erie, Crawford, Venango, Warren, Tioga Potter and McKean," so far as the same applies to the County of Crawford.

Mr. LENAHAN, from the Committee on Boroughs and Townships, reported as committed, House Bill No. 423, entitled:

An Act to validate certain improvements in borough highways, to make the cost thereof assessable on the abutters, and providing for the filing of liens therefor and the collection thereof.

Mr. WESTRICK, from the Committee on Forestry, reported as committed, House Bill No. 1500, entitled:

An Act for the development and use of unredeemed seated and unseated lands purchased by county commissioners at tax sales; providing for the holding and permanent retention of such lands by the county for forest or recreational uses beneficial to the local community, or for their transfer to the State under suitable restrictions for similar uses subject to certain annual charges, providing for the use of revenues derived from such lands; providing a procedure for the discharge of liens of record against such lands by sale after notice to owners and lien creditors; providing for the sale by the counties of such lands as are retained by the county; providing for the appointment by local State forest advisory councils and conferring powers upon the Department of Forests and Waters and the Board of Game Commissioners with respect to the acquisition and exchange of such lands, their proper organization and development, and the acceptance of gifts of lands.

Mr. LANE, from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 1097, entitled:

An Act to safeguard human health and life by providing for the licensing and regulation of persons and entities engaged in the disposal of garbage through the construction, keeping, maintenance or conduct of garbage disposal plants; conferring powers and imposing duties on the State Department of Health and the Advisory Health Board, and otherwise providing for the administration of the act and imposing penalties.

Mr. WAGNER, from the Committee on Boroughs and Townships, reported as amended, House Bill No. 608, entitled:

Au Act to amend clause fifty-three of section one thousand two hundred and two of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled, "An act concerning boroughs and revising, amending and consolidating the law relating to boroughs," as amended, authorizing boroughs to refuse contracts to bidders not domiciled in the United States.

Mr. JONES, from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 775, entitled:

An Act to amend section five of the act, approved the fourteenth day of May, one thousand nine hundred and twenty-five (P. L. 730), entitled "An act for the protection of the public health in the manufacture and sale of carbonated beverages and still drinks; providing for the registration thereof; prohibiting the sale, offering or exposing for sale, exchange or giving away thereof in certain cases unless registered; regulating the manufacture, bottling, preparation, mixing, and compounding of carbonated beverages or still drinks, and the sale and dispensing thereof, creating a special fund in the State Treasury; and providing penalties," as amended, by permitting the use of dextrose in such beverages.

Mr. BAKER, from the Committee on Education, reported as committed, House Bill No. 1279, entitled:

An Act to amend article fourteen of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by adding thereto a new section providing that the Department of Public Instruction shall reimburse school districts for educating children of employes of public institutions.

Mr. RECTENWALD, from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 1069, (Senate Bill No. 224), entitled:

An Act defining and regulating the practice of chiropody; requiring the registration and licensure of persons engaging in such practice; conferring powers and duties upon the Department of Public Instruction; and providing penalties.

Mr. LONG, from the Committee on Corporations, reported as committed, House Bill No. 210 (Senate Bill No. 51), entitled:

An Act to amend the act, approved the twenty-second day of April, one thousand nine hundred and nine (P. L. 122), entitled "An act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired, and to validate the conveyances and other instruments of said corporations," as amended; extending said validating provisions to January first, one thousand nine hundred and thirty-three.

Mr. GEORGE E. DOWNEY, from the Committee on Repeal Bills, reported as committed, House Bill No. 1218 (Senate Bill No. 465), entitled:

An Act to repeal the act approved the third day of March, one thousand eight hundred and sixty-eight (P. L. 262), entitled "An act relative to the establishment of a law library in the county of Columbia."

Mr. TAHL, from the Committee on Elections, reported as committed, House Bill No. 783 (Senate Bill No. 14), entitled:

An Act to repeal certain acts and parts of acts requiring assessors and registry assessors to attend at the places of holding elections, and providing compensation therefor.

Mrs. PENNOCK, from the Committee on Public Health and Sanitation, reported as amended, House Bill No. 1448, (Senate Bill No. 266), entitled:

An Act to provide for the hospitalization of tubercular patients in State-aided hospitals when State-owned institutions established for that purpose are unable to provide therefor.

Mr. TAHL, from the Committee on Elections, reported as committed, House Bill No. 781 (Senate Bill No. 11), entitled:

An Act to amend sections four and seven of the act approved the twenty-fifth day of July, one thousand nine hundred and thirteen (P. L. 1043), entitled "An act to provide for the registration and enrollment of the voters of the State according to their respective party preferences; fixing the compensation of assessors and registry assessors for making said registration and enrollment; and prescribing penalties for false registration or enrollment; and for voters voting or attempting to vote, and for election officers wilfully permitting or conspiring to permit them to vote, at a primary, by or on any other than their own party ticket"; eliminating one of the days required of the assessors and registry assessors sitting at the polling places.

Mr. SARIG, from the Committee on Education, re-reported as amended, House Bill No. 1335, entitled:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" curtailing the terms of office of the executive committees of school directors' associations providing for the election of new executive committees by certain school directors in each county relating to the organization officers and conduct of such executive committees and the payment of their expenses by the Commonwealth authorizing such executive committees certain boards of school directors certain courts of comm on pleas and the State Council of Education to consolidate school districts requiring the consolidation of school districts having a population of less than one thousand providing for the disposition of the indebtedness obligations rights and property of districts which will be consolidated authorizing the continuation of districts which have been consolidated in order to make an equalization payment to the new district and granting certain powers relating thereto to the courts of common pleas relating to the selection of the school directors of new school districts their organization the preparation of their budgets and the levying of their taxes and providing for certain appeals to the Superior and Supreme Courts

Mr. SURFACE, from the Committee on Education, re-reported as amended, House Bill No. 1386, entitled:

A Supplement to the act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent there-

with" as amended temporarily reducing the reimbursement by the Commonwealth to school districts for salaries of full-time members of the teaching and supervisory staffs for salaries of the teaching and supervisory staffs engaged in special education for closed schools and for the transportation of pupils and relating to the effect of payment of salaries which are less than those established by the salary schedule.

Mr. SIMON, from the Committee on Education, re-reported as amended, House Bill No. 1374, entitled:

An Act relating to the minimum salaries and annual increments of the teaching and supervisory staffs of the public schools; granting power to the State Council of Education to permit, as to certain school districts, temporary reductions in the salary schedules; authorizing the State Council of education to suspend mandatory provisions of the act approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws, three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," and of its amendments and amendments and supplements; prohibiting school districts from demanding, requesting or accepting gifts or donations from members of the teaching and supervisory staffs, and empowering the Superintendent of Public Instruction to forfeit certain State subsidies for violations thereof; and temporarily superseding any inconsistent acts and parts of acts.

Mr. SCOTT, from the Committee on Education, reported as amended, House Bill No. 1385, entitled:

A Supplement to the act, approved the first day of May, one thousand nine hundred thirteen (Pamphlet Laws, one hundred thirty-eight), entitled "An act defining vocational education; providing for the establishment and regulation of vocational schools; and providing for State aid in the maintenance thereof, and for the payment of tuition by certain school districts, and reimbursement thereof by the State," as amended, temporarily restricting the amount of the reimbursements of the Commonwealth to school districts for vocational and continuation schools and departments.

Mr. McBRIDE, from the Committee on Education, reported as amended, House Bill No. 1384, entitled:

A Supplement to the act, approved the eighteenth day of June, one thousand nine hundred nineteen (Pamphlet Laws, four hundred ninety-eight), entitled "An act defining consolidation of schools; providing for the establishment and regulation of consolidated schools; and providing for State aid for the transportation of pupils to and from consolidated schools," as amended, temporarily reducing the reimbursements of the Commonwealth to school districts for the transportation of pupils to and from consolidated schools.

Mr. LONG, from the Committee on Education, reported as committed, House Bill No. 1009, entitled:

An Act fixing the minimum salaries of county and assistant county superintendents for the first year of their terms which will begin on the first Monday of July, one thousand nine hundred thirty-four; providing for the payment of such minimum salaries by the Commonwealth; and temporarily superseding any inconsistent acts and parts of acts.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 21, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 374, Printer's No. 71, entitled

An Act empowering counties cities boroughs towns and townships to borrow money from the Reconstruction Finance Corporation to finance certain projects

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 31st, 1933.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene Monday evening, March 27, at nine o'clock; and when the House of Representatives adjourns this week it reconvene Monday evening, March 27, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 680.

An Act to amend sections two and four of the act approved the third day of May one thousand nine hundred and nine (Pamphlet Laws three hundred ninety-five) entitled "An act regulating the sale of concentrated commercial feeding-stuffs also of condimental stock and poultry-food and patented proprietary or trade-mark stock and poultry-food possessing nutritive value combined with medicinal properties defining concentrated commercial feeding-stuffs prohibiting the adulteration of any feeding-stuff sold offered or exposed for sale in this State with oat hulls ground corn cobs flax plant refuse elevator chaff cotton-seed hulls ground corn stalks rice hulls peanut hulls weed seeds or other similar adulterants providing for the collection of samples and analysis thereof by the Department of Agriculture and the publication concerning the same providing also for the expenses of the enforcement of the law fixing penalties for its violation and repealing act number two hundred and eleven (Pamphlet Laws one thousand nine hundred seven page two hundred seventy-three) entitled 'An act regulating the sale of wheat- rye- corn- and buckwheat-bran and middlings or any admixture thereof' et cetera approved the twenty-eighth day of May one thousand nine hundred and seven" as amended further defining commercial feeding-stuffs and changing annual and other registration fees

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 2, page 6, line 10, by striking out after the word "dollars" the figures "($20.00)."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—200

Andrews,	Greenstein,	McElwee,	Scott,
Baker,	Griffith,	McGinnis,	Sheffer,
Baldi,	Habbyshaw,	McGrail,	Shellenberger,
Barnhardt,	Hamilton,	McGregor,	Shenkel,
Bechtel,	Harmuth,	McHenry,	Shettel,
Beech,	Harris,	McKay,	Shortz,
Bennett,	Hart,	McKinney,	Shugarts
Bernhard,	Heffernan,	Melchiorre,	Simon,
Blumberg,	Hefferon,	Meredith,	Sinwell,
Boyd,	Heffner,	Merrell,	Snyder,
Brancato,	Hermansen,	Metzler,	Sowers,
Brennan,	Hester,	Mohn,	Spann,
Brown, J. E.,	Hewitt,	Moore,	Stank,
Brown, W. L.,	Himes, H. E.,	Mumford,	Steedle,
Brownfield,	Himes, L. R.,	Munley,	Sterling, P.,
Cannon,	Hoffman,	Myers,	Sterling, R. B.,
Caputo,	Holmes, J. B.,	Negley,	Stevens,
Carey,	Holmes, J. L.,	Nothnagle,	Stevenson,
Carson,	Hoopes,	O'Connor,	Stiteler,
Chervenak,	Horst,	O'Keefe,	Stone,
Cohen,	Hough,	O'Neill,	Storb,
Conner,	Howard,	O'Rourke,	Stott,
Cooke,	Hutton,	Patterson,	Surface,
Cordier,	Jaffe,	Peelor,	Tahl,
Craig,	Jones,	Pennock,	Terry,
Cramer,	Kane, J. J.,	Perry, D. R.,	Turner,
Dane,	Kane, L. P.,	Perry, J. J.,	Wade,
DeFrehn,	King,	Peters,	Wagner,
Denning,	Kinney,	Powell,	Walker, G. E.,
Downey, G. E.,	Labar,	Powers,	Walker, W. A.,
Downey, J.,	Lane,	Price,	Wall,
Duffy,	Laubach,	Raub,	Wasserman,
Dunmire,	Lenahan,	Rectenwald,	Way,
Dwyer,	Lewis,	Reed,	Weidemann,
Ederer,	Long,	Reilly,	Welsh,
Emhardt,	Lord,	Rhodes,	Westrick,
Eroe,	Lose,	Rice,	Wike,
Evans,	Lovett, J. E.,	Roan,	Williams, G. W.,
Fitzgerald,	Lovett, W. S.,	Root,	Williams, J. J.,
Flanagan,	Lynch, J. R.,	Roth,	Wilson, L. M.,
Fleisher,	Lynch, M.,	Royle,	Wilson, T. B.,
Flinchbaugh,	Male,	Ruby,	Witkin,
Flynn,	Malina,	Ruth,	Wood,
Forrest,	Maloney,	Sarig,	Woodside,
Furman,	Marcks,	Sautter,	Wright,
Gallagher,	Mason,	Schrock,	Yeakel,
Gartner,	McBride,	Schrope,	Yourishin,
Gillette,	McCandless,	Schwab,	Zimmerman,
Gorman	McClure,	Schwartz,	Talbot,
Green,	McCreary,	Scorza,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1.

An Act relating to baseball and football on Sunday prohibiting baseball and football on Sunday during certain hours and also during certain other hours unless the electors of the Commonwealth are in favor of the same and a license has first been secured from the municipal authorities providing for referendums to ascertain the will of the electors and for the enactment and repeal of licensing ordinances and resolutions in accordance therewith providing penalties and repealing inconsistent laws

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, line 1 and 2, by striking out the following: "healthful outdoor sports as herein defined" and insert in lieu thereof, "baseball and football on Sunday."

Amend title, line 3, by inserting a closing strike-out bracket after the word "prohibiting" thus: "]"

Amend title, line 4, by striking out the following: "such outdoor sports on Sundays."

Amend title, lines 5, 6 and 7, by striking out the following: "declaring such ordinances null and void in part where it is ascertained by election that the majority of the electors favor."

Amend title, line 9, by inserting an opening strike-out bracket before the word "outdoor" thus "[."

Amend title, lines 9 and 10, by striking out the following: "prohibiting certain outdoor sports" and inserting in lieu thereof, "prohibiting baseball and football."

Amend title, line 11, by inserting after the word "unless" the following: "the electors of the Commonwealth are in favor of the same and."

Amend title, lines 14 and 15, by striking out the following: "with respect to certain outdoor sports between certain hours on Sunday" and insert in lieu thereof, "and for the enactment and repeal of licensing ordinances and resolutions in accordance therewith."

Amend section 1, page 2, line 4, by striking out the following: "and Outdoor Sports."

Amend section 1, page 2, by striking out all of lines 8 to 14, both inclusive.

Amend section 2, page 6, by striking out all of lines 3 to 29, both inclusive.

Amend section 2, page 7, by striking out all of lines 1 to 19, both inclusive.

Amend section 3, page 7, by striking out all of lines 20 to 29, both inclusive.

Amend section 3, page 8, by striking out all of lines 1 to 23, both inclusive.

Amend section 4, page 8, by striking out all of lines 24 to 29, both inclusive.

Amend section 4, page 9, by striking out all of lines 1 to 29, both inclusive.

Amend section 4, page 10, by striking out all of lines 1 to 11, both inclusive.

Amend section 5, page 10, by striking out all of lines 12 to 28, both inclusive.

Amend section 5, page 11, by striking out all of lines 1 to 10, both inclusive.

Amend section 6, page 12, by striking out all of lines 18 to 28, both inclusive.

Amend section 6, page 13, by striking out all of lines 1 to 4, both inclusive.

Amend section 7, page 13, by striking out all of lines 5 to 19, both inclusive, and insert in lieu thereof: "Section 2 Penalty————"

Amend section 8, page 13, line 20, by striking out the figure "8" and insert in lieu thereof, "9."

Amend section 9, page 13, line 27, by striking out the figure "9" and insert in lieu thereof, "10."

Amend section 10, page 14, line 3, by striking out the figure "10" and insert in lieu thereof, "11."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. SCHWARTZ. Mr. Speaker, I move that the House do non concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1039, entitled:

An Act authorizing the trial of certain criminal cases by the court without a jury, regulating such trials, and conferring jurisdiction upon the several courts in such cases.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—112

Andrews,	Gorman,	McGinnis,	Shreiner,
Baker,	Green,	McGregor,	Shugarts,
Baldi,	Greenstein,	McKay,	Simon,
Barnhardt,	Griffith,	Melchiorre,	Sinwell,
Bechtel,	Habbyshaw,	Meredith,	Sowers,
Bennett,	Hamilton,	Merrell,	Spann,
Blumberg,	Harris,	Mohn,	Steedle,
Boyd,	Hart,	Moore,	Sterling, P.,
Brancato,	Heffernan,	Myers,	Stiteler,
Brennan,	Hermansen,	Nothnagle,	Storb,
Brown, W. L.	Holmes, J. L.	O'Connor,	Stott,
Caputo,	Horst,	Patterson,	Tahl,
Carey,	Howard,	Pennock,	Wagner,
Carson,	Hutton,	Perry, J. J.,	Walker, G. E.,
Chervenak,	Jaffe,	Powell,	Wall,
Conner,	King,	Powers,	Wasserman,
Cordier,	Kinney,	Raub,	Weidemann,
Craig,	Labar,	Rectenwald,	Westrick,
Cramer,	Laubach,	Reed,	White,
Dane,	Lord,	Rhodes,	Wike,
Davies,	Lose,	Roan,	Williams, G. W.,
DeFrehn,	Lovett, W. S.,	Royle,	Wilson, T. B.,
Downey, G. E.,	Male,	Sarig,	Witkin,
Duffy,	Marcks,	Sautter,	Wood,
Dunmire,	Mason,	Schrock,	Woodside,
Dwyer,	McCandless,	Schwartz,	Yourishin,
Emhardt,	McClure,	Scott,	Zimmerman,
Flynn,	McCreary,	Shellenberger,	Talbot,
Forrest,	McElwee,	Shenkel,	Speaker.

NAYS—31

Beech,	Hewitt,	Lynch, M.,	Ruth,
Brown, J. E.,	Holmes, J. B.,	McGrail,	Schrope,
Brownfield,	Hoopes,	McKinney,	Schwab,
Cannon,	Kane, J. J.,	Mumford,	Stank,
Cohen,	Lane,	O'Keefe,	Stevens,
Gallagher,	Lenahan,	Peelor,	Stevenson,
Gartner,	Long,	Quinn,	Wilson, L. M.,
Hester,	Lovett, J. E.,	Roth,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

I desire to call up at this time Bill No. 515, Printer's No. 86, on page 13 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Tahl.

The House resumed the consideration on final passage of House Bill No. 515, entitled:

An Act to amend section one as amended, and section two, of the act, approved the ninth day of May, one thousand nine hundred and thirteen (P. L. 198), entitled "An act prohibiting the furnishing, by gift, sale, or otherwise, of cigarettes or cigarette paper to minors; requiring minors to divulge where and from whom cigarettes or cigarette paper have been obtained; and providing penalties for violation of this act," by reducing the age limit of persons to whom cigarettes or cigarette paper may be furnished.

On the question recurring,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. TAHL. Mr. Speaker, I move that the vote by which the House agreed to the bill on third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. TAHL. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend section 1, page 2, line 13, by striking out the word "sixteen" and inserting in lieu thereof the word: "eighteen."

Amend section 3, page 3, line 5, by striking out the word "sixteen" and inserting in lieu thereof the word: "eighteen."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 759, entitled:

An Act making it unlawful for any person or group of persons together, while having a firearm or firearms, or other implements, whereby deer, bear or elk may be killed, in his or their possession or control, or in any vehicle, on any highway or road, or in any field, woodland or forest, to throw or cast the rays of a spotlight or other artificial light upon a deer, bear or elk, and providing a penalty.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BERNHARD. Mr. Speaker and members of the House, House Bill No. 759, Printer's No. 224 needs a little explanation. There has been quite some delusion going about as to the intent of this bill.

There is a racket in almost every game, and it has gone into the killing of deer, elk and bear. People from the states of Ohio, New York and New Jersey come into Pennsylvania, and it is no trouble for them to secure the carcass of a deer for a five dollar bill, and that is done in the manner that is known to sportsmen as jack lighting, that is, casting the ray of a headlight or a jack light on deer in fields, and then shooting them. There have been as high as sixteen deer shot in a field in one night.

This bill was sponsored by the Carbon County Sportsmen's Association, twenty thousand members, endorsed by the State Association four weeks ago in this building here, and is only a measure to conserve game.

It is true that it is a pleasure to drive out and see deer in the field at night, with the reflection of a headlight or

a jack light thrown upon them. That is true especially of those who come from the cities. We in the rural districts consider it a common sight. However to forego a little pleasure in seeing a deer at night, when a bill means so much to the state of Pennsylvania, is a subject that should be given due consideration.

The jack light is a light that is placed on the head, something similar to a miner's light, and the ray is thrown into the field, and the sights of a rifle are almost in direct line, so that it is almost impossible to miss a deer.

There are many deer killed in the state in that manner, and if this continues it will not be necessary to have any jack lights, or head lights to see any deer, because I am afraid there will be no more deer unless we take care of them in this manner. So I am going to leave this to your own thoughts and to your own good judgment.

MOTION TO RECOMMIT

Mr. EDERER. Mr. Speaker and members of the House, we have laws on our statute books now that very conclusively prohibit the spot lighting of deer, and in my opinion the enactment of this bill into law would cause a great many innocent sportsmen to be fined.

Therefore, I move you that this bill be recommitted to the Committee on Game for further study.

The SPEAKER. The Chair desires to inform the gentleman from Montgomery, Mr. Ederer, that this bill in its present condition cannot be amended in Committee. It would, however, be in order to move to reconsider the vote by which it passed third reading.

Mr. EDERER. Mr. Speaker, the Committee can give it further study, can it not?

The SPEAKER. That is quite true.

On the question,

Will the House agree to the motion?

Mr. BERNHARD. Mr. Speaker, it is true that we have a bill and a heavy fine connected with it for the shooting of deer in the manner as described, "by jack lighting." However, there are few convictions because of the fact there are so many escapes. This is just an extraordinary precaution, and it carries a fine of fifty dollars with it. The law, as it is now, does not take care of the situation because it is almost——

POINT OF ORDER

Mr. HUTTON. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. HUTTON. Mr. Speaker, the gentleman is not speaking upon the motion.

The SPEAKER. The point of order is well taken. The question before the House is on the motion to recommit House Bill No. 759, Printer's No. 224, to the Committee on Game for further study.

On the question recurring,

Will the House agree to the motion?

The SPEAKER declared the noes appear to have it, whereupon, a divison was called for, seventy-nine members voting in the affirmative and ninety members voting in the negative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. BERNHARD. Mr. Speaker and members of the House, this bill does not prevent you from driving out and casting your headlight into a field at night, providing you have no firearm in your car or in your possession. That is reasonable. It does not prevent you from seeing that sight. The only time that the majority of the people go out with firearms in their cars or in their possession is during the gunning season, and that is only for a trip or two. It is a very small pleasure that they could forego and this is a question of vital interest.

I am going to leave it to your consideration.

Mr. FLINCHBAUGH. Mr. Speaker and members of the House, on general principles I would be in favor of this bill, but it seems to me the same desired effect could be secured by some other means. If this illegal hunting is done by the use of jack lights, would it not be possible to prohibit by law the use of jack lights.

There is another provision which I don't like, which is the last proviso: "Provided that the provisions of this section shall not apply if it shall be proven that the headlight of any motor vehicle was cast upon such an animal . . . without intent——"

That provision is contrary to the general principles of the criminal law, if I am informed correctly. A man is presumed under the law to be innocent until he is proven guilty. Under the provisions of this bill a man would be considered guilty until he proves himself innocent. I would like to support this measure in principle, and I hoped there would be some way in which this bill could be modified to make it more acceptable. I think the fine is very severe. If a man goes out, a roughneck, and beats up his wife, he gets an imprisonment or ten dollars fine. If he goes out and plays a headlight on a deer, he is fined fifty dollars. There are certain provisions in this law that I don't like at all, and I will be compelled to vote against it, although I believe in the protecting of the deer and the preventing of illegal hunting as far as possible.

Mr. HEFFNER. Mr. Speaker, ladies and gentlemen of the House, and friends of the sportsmen of Pennsylvania, to my mind this is one of the most important pieces of legislation that has come before the House in the last few years, giving the game of Pennsylvania a chance.

I happen to represent one of the greatest game counties in Pennsylvania. During the last few years that county has become sparsely settled, with many abandoned farms, and with the racketeer or bootlegger in deer meat in that vicinity, and night after night in that big rugged county spotlighting has become a common practice.

Some two or three years ago a game warden rounded up a bunch of racketeers in this work, netting costs and fines of nineteen thousand dollars. Eight thousand dollars was paid, and the balance was worked out by their serving time in jail. I think there is some misunderstanding of this bill. This bill prohibits the spotlighting or killing of deer by the use of automobile head lights. In our county it is quite a racket and they operate in one end of the county where we have one game protector and an assistant, and the next night they operate twenty miles away in another portion of the country, and around many of the abandoned farms in Huntingdon County many deer heads and deer hides have been found night after night, where the deer has been skinned out and the meat taken away.

We are here passing legislation to protect the hunter and destroy the game of our Commonwealth. We realize that it is a beautiful sight. We realize that there are many that enjoy turning the headlights of their car on a deer or cast-

ing them at them in their contented condition, but it certainly appears to me that the good sportsmen of the greatest state in the Union for game could stay away for a short period of time and allow the deer an equal chance.

All we ask for the wild life in this particular bill, in this particular case, is just a chance to save their lives.

To those people who do not hunt, who do not enjoy rural Pennsylvania, it might be interesting to know that when the flashlight or the light of an automobile is thrown on the deer they stand there, they do not move, they do not run.

If we expect to continue to pass legislation that will destroy our game, we certainly will come to the time soon when we will have no game. All those people who have actually noticed the great slaughter of animals in Pennsylvania, and especially in the rural districts that are sparsely settled, will certainly realize that this is a progressive measure, a piece of game law that will protect the game instead of the hunter, and allow our forests to become a better place for our outdoor life.

It is a fact that some gangs, not sportsmen, in Pennsylvania have offered to the people of the large cities of Pennsylvania, if they would come into their vicinity and pay fifty dollars or any other price, or pay the expense of their staying there, that they would guarantee them a deer to take home, and a lot of this guaranteeing has been done by means of the spot lighting of deer throughout the Commonwealth of Pennsylvania.

I ask my good friends who are not sportsmen to abide by the decision of the sportsmen of Pennsylvania. I favor this bill, and in the Committee, when this bill was passed from the Committee on Game there was only one vote against it.

The SPEAKER. The gentleman is out of order. He is divulging the secrets of transactions that happened in committee.

Mr. WILLIAM L. BROWN. Mr. Speaker, ladies and gentlement of the House, I am from a district, the thirteenth legislative district in Allegheny County. It is not a deer hunting district whatsoever, but I have in my possession communications from every sportsmen's club in that district requesting me to support this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156

Andrews,	Gillette,	McCandless,	Schwab,
Baker,	Green,	McClure,	Scott,
Baldi,	Greenstein,	McCreary,	Sheffer,
Barnhardt,	Griffith,	McElwee,	Shellenberger,
Bechtel,	Hamilton,	McGinnis,	Shenkel,
Beech,	Harmuth,	McGrail,	Shettel,
Bernhard,	Harris,	McHenry,	Shreiner,
Blumberg,	Hart,	McKay,	Shugarts,
Boyd,	Hefferon,	McKinney,	Simon,
Brancato,	Heffner,	Melchiorre,	Sinwell,
Brennan,	Hermansen,	Merrell,	Snyder,
Brown, J. E.,	Hester,	Mohn,	Spann,
Brown, W. L.,	Hewitt,	Moore,	Stank,
Brownfield,	Himes, H. E.,	Mumford,	Steedle,
Cannon,	Himes, L. R.,	Myers,	Sterling, P.,
Caputo,	Hoffman,	Negley,	Stevens,
Carey,	Holmes, J. B.,	O'Connor,	Stevenson,
Carson,	Holmes, J. L.,	O'Keefe,	Stone,
Chervenak,	Hoopes,	O'Rourke,	Stott,
Cohen,	Horst,	Patterson,	Surface,
Conner,	Hough,	Peelor,	Terry,
Cordier,	Howard,	Pennock,	Wade,
Craig,	Jaffe,	Perry, D. R.,	Wagner,
Cramer,	Jones,	Perry, J. J.,	Walker, W. A.,
Dane,	Kane, J. J.,	Powell,	Wall,
Davies,	Kane, L. P.,	Powers,	Way,
DeFrehn,	Kinney,	Quinn,	Welsh,
Denning,	Labar,	Raub,	Westrick,
Downey, G. E.,	Lane,	Reed,	Wike,
Downey, J.,	Laubach,	Reilly,	Williams, G. W.,
Dunmire,	Lenahan,	Rhodes,	Williams, J. J.,
Dwyer,	Lord,	Rice,	Wilson, L. M.,
Emhardt,	Lose,	Roan,	Wilson, T. B.,
Eroe,	Lovett, J. E.,	Roth,	Wood,
Evans,	Lovett, W. S.,	Ruby,	Woodside,
Fitzgerald,	Lynch, M.,	Sarig,	Wright,
Flanagan,	Male,	Sautter,	Yourishin,
Furman,	Maloney,	Schrock,	Talbot,
Gallagher,	McBride,	Schrope,	Speaker.

NAYS—24

Bennett,	Haines,	Meredith,	Storb,
Ederer,	Heffernan,	Peters,	Turner,
Flinchbaugh,	Hutton,	Price,	Wasserman,
Flynn,	King,	Royle,	Witkin,
Forrest,	Long,	Ruth,	Yeakel,
Gartner,	Marcks,	Stiteler,	Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

Mr. JONES. Mr. Speaker, I desire to call up at this time House Bill No. 799 (Senate Bill No. 175), Printer's No. 53, on page 13 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Jones.

The House resumed the consideration on final passage of House Bill No. 799 (Senate Bill No. 175), entitled:

An Act to amend clause forty-six of section two thousand four hundred and three of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" empowering cities of the third class to define regulate and license itinerant wholesale produce dealers' and transient wholesale and retail merchants

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—74

Bechtel,	Hamilton,	Malina,	Scott,
Bernhard,	Hefferon,	Marcks,	Shreiner,
Boyd,	Heffner,	Mason,	Shugarts,
Brennan,	Hermansen,	McCreary,	Simon,
Brown, J. E.,	Hester,	McGrail,	Stiteler,
Brownfield,	Hewitt,	McKinney,	Stone,
Carson,	Himes, H. E.,	Meredith,	Storb,
Cohen,	Holmes, J. L.,	Merrell,	Stott,
Conner,	Hoopes,	Mohn,	Terry,
Craig,	Horst,	Negley,	Walker, W. A.,
Davies,	Hutton,	O'Keefe,	Way,
Downey, G. E.,	Jones,	Pennock,	Welsh,
Downey, J.,	King,	Powers,	Wike,
Dunmire,	Lenahan,	Quinn,	Williams, G. W.,
Eroe,	Long,	Rhodes,	Wilson, L. M.,
Evans,	Lose,	Roan,	Wilson T. B.,
Flanagan,	Lovett, W. S.,	Roth,	Wood,
Gillette,	Lynch, M.,	Ruby,	Yourishin,
Haines,	Male,		

NAYS—54

Andrews,	Himes, L. R.,	Perry, D. R.,	Shortz,
Baker,	Hoffman,	Perry, J. J.,	Snyder,
Baldi,	Howard,	Powell,	Spann,
Bennett,	Kane, L. P.,	Price,	Stank,

Cannon,	Lovett, J. E.,	Raub,	Steedle,
Caputo,	Maloney,	Reed,	Sterling, R. B.,
Chervenak,	McBride,	Reilly,	Stevenson,
Cooke,	McCandless,	Ruth,	Wagner,
Cordier,	McElwee,	Sarig,	Wall,
Dwyer,	McGregor,	Sautter,	Westrick,
Fitzgerald,	McKay,	Schrock,	Williams, J. J.,
Flinchbaugh,	O'Connor,	Schwab,	Wright,
Griffith,	O'Rourke,	Sheffer,	Talbot,
Hart,	Peelor,	Shettel,	Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1219, entitled:

An Act to amend sections eight and sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township, or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended, by providing for the payment of all damages due to the change of width, grades, lines and locations of State highways in boroughs, towns and townships, including the removal of structures, by the Commonwealth.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pas finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—152

Andrews,	Green,	McElwee,	Schrope,
Baker,	Greenstein,	McGinnis,	Schwab,
Baldi,	Griffith,	McGrail,	Sheffer,
Barnhardt,	Habbyshaw,	McGregor,	Shellenberger,
Bechtel,	Hamilton,	McHenry,	Shettel,
Bennett,	Harmuth,	McKay,	Shortz,
Bernhard,	Heffner,	McKinney,	Shugarts,
Boyd,	Hermansen,	Melchiorre,	Simon,
Brancato,	Hester,	Meredith,	Sinwell,
Brennan,	Hewitt,	Merrell,	Snyder,
Brown, W. L.,	Himes, H. E.,	Metzler,	Spann,
Brownfield,	Himes, L. R.,	Moore,	Stank,
Caputo,	Holmes, J. B.,	Mumford,	Steedle,
Carey,	Hoopes,	Munley,	Sterling, R. B.,
Carson,	Horst,	Myers,	Stevens,
Chervenak,	Hough,	Negley,	Stevenson,
Cohen,	Howard,	O'Connor,	Stiteler,
Conner,	Hutton,	O'Keefe,	Stone,
Cordier,	Jaffe,	O'Rourke,	Stork,
Craig,	Jones,	Patterson,	Surface,
Cramer,	Kane, J. J.,	Peelor,	Terry,
Dane,	Kane, L. P.,	Pennock,	Wade,
Davies,	King,	Perry, D. R.,	Wagner,
DeFrehn,	Kinney,	Perry, J. J.,	Walker, G. E.,
Downey, G. E.,	Labar,	Peters,	Walker, W. A.,
Downey, J.,	Lane,	Powell,	Wall,
Dunmire,	Laubach,	Powers,	Way,
Ederer,	Lord,	Price,	Welsh,
Emhardt,	Lose,	Raub,	Westrick,
Eroe,	Lovett, J. E.,	Reed,	Wike,
Evans,	Lovett, W. S.,	Reilly,	Williams, G. W.,
Flanagan,	Lynch, J. R.,	Rhodes,	Wilson, L. M.,
Flinchbaugh,	Male,	Roan,	Witkin,
Flynn,	Malina,	Ruby,	Wood,
Forrest,	Marcks,	Ruth,	Wright,
Furman,	McBride,	Sarig,	Zimmerman,
Gallagher,	McCandless,	Sautter,	Talbot,
Gartner,	McCreary,	Schrock,	Speaker.
Gillette,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING

Mr. KINNEY. Mr. Speaker, I desire to call up at this time House Bill No. 383, Printer's No. 113, on page 12 of today's calendar, bills on third reading postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Kinney.

The House resumed the consideration on third reading of House Bill No. 383, entitled:

An Act to amend section ten of the act approved the fifth day of March, one thousand nine hundred and six, (P. L. 63), entitled "An act to provide for the personal registration of electors in cities of the third class of this Commonwealth, to make such registration a condition of the right to vote in such cities, and to provide penalties for violation of its provisions," as amended eliminating the provisions requiring county commissioners to prepare street lists.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. KINNEY. Mr. Speaker and ladies and gentlemen of the House, the pending measure, House Bill No. 383, Printer's No. 113, merely changes that section of the personal registration law in cities of the third class, which requires county commissioners to compile and have printed each year a street list of all registered voters in cities of the third classification,

and furnish same to party committeemen and others who may desire a copy of the same. The cost is quite heavy in counties which contain cities of the third class. In my County of Erie the cost last year was more than a thousand dollars. I do not think the members of this House believe it to be the duty of county commissioners to pay for party poll books.

I offer as Exhibit No. 1 the Erie County registration street voters list for the cities of Erie and Corry (Exhibit bound book). The street list is of no public value. Our county commissioners in requesting the repeal of that section of the personal registration law write to me, "It is of no account and a nuisance, and an unnecessary expense to the county." Furthermore, this book gives the party politics of each registered voter, and as a result hundreds of our citizens now refuse to register, claiming such a book should not be peddled around two weeks before an election. When a book of this kind is printed and circulated, it is somewhat of a nuisance. There are some who are not registering, and furthermore some counties in the state which have third class cities have refused to print this book. I am of the opinion that the members believe that this is an era of economy especially, and if we can save Erie County one thousand dollars, it will mean some saving and it will also no doubt effect some saving in other counties. It is not necessary, as it is an easy matter to go to the county commissioners and obtain the names of the electors without going to the expense of printing a book of this kind.

Mr. RUBY. Mr. Speaker and members of the House, this is a vicious piece of legislation that is parading under the mantle of economy. I call the attention of the gentleman from Erie, Mr. Kinney, to the fact that there are third class cities in other parts of the State. He seems to forget that this act as originally passed was to regulate election laws and give us the protection that we are now seeking in so many bills now before this House and Senate.

Just this afternoon I listened for more than an hour in the Senate Chamber to a group of more than three hundred people speaking in favor of election reform measures, having made the trip by special train from Pittsburgh.

In Allegheny County there are several third class cities. Perhaps in Erie County they don't have phantom voters. I want to say it has been rumored numerous times that there are phantom voters in our county. One of the ways to wipe that out is to have a public list of the registered voters, so that we may know who is entitled to vote. I want to say in reply to the gentleman from Erie that the laws does not require that this book be published showing your party designation. I want to say also that if we take away this protection, that we are not doing justice to the various counties in which third class cities are represented. This book is published not just for one city in the northwestern part of Pennsylvania, but for cities all over the State of Pennsylvania, and they should be considered. I therefore ask you not to be deceived about this bill, but to vote it down.

Mr. KINNEY. Mr. Speaker and members of the House, I regret very much that I should be charged with being the author of vicious legislation. I have a communication here before me from the county commissioners of Erie County asking the Erie County delegation to secure the passage of this act, and I am doing my duty to the county commissioners, and I think that the publishing of this book is a great expense and an injustice to the taxpayers of Erie County. To show that party politics ar printed in this book which I have before me, my name appears in here, W. D. Kinney, with my street address, Democrat, and that is the list which is circulated in Erie County. I desire to say to the gentleman from Allegheny County that any one who wants to get a list of voters, it is a very easy matter for them to go to the county commissioners themselves and make a copy of the poll book as they did in former years, but now we seem to depend on the county commissioners to furnish these lists to party leaders for political purposes. I certainly would not advocate anything that I thought would interfere with the election laws.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—63

Beech,	Hewitt,	McCreary,	Sarig,
Boyd,	Himes, L. R.,	McGrail,	Schwab,
Brownfield,	Holmes, J. L.,	McGregor,	Sheffer,
Cannon,	Hoopes,	McHenry,	Shellenberger,
Carey,	Howard,	McKinney,	Shettel,
Carson,	King,	Melchiorre,	Shreiner,
Chervenak,	Kinney,	Mumford,	Simon,
Dane,	Lane,	Negley,	Stank,
Downey, G. E.,	Lenahan,	O'Keefe,	Stone,
Eroe,	Long,	Peelor,	Terry,
Fitzgerald,	Lovett, J. E.,	Quinn,	Welsh,
Flynn,	Lynch, M.,	Raub,	Wilson, L. M.,
Furman,	Male,	Rhodes,	Woodside,
Gartner,	Malina,	Roan,	Talbot,
Habbyshaw,	Mason,	Roth,	Speaker.
Hester,	McCandless,	Ruth,	

NAYS—83

Andrews,	Emhardt,	Maloney,	Shortz,
Baker,	Evans,	McClure,	Sinwell,
Baldi,	Flanagan,	McElwee,	Snyder,
Barnhardt,	Flinchbaugh,	McKay,	Steedle,
Bechtel,	Forrest,	Meredith,	Stevens,
Bennett,	Gallagher,	Mohn,	Stevenson,
Bernhard,	Griffith,	Moore,	Stiteler,
Brennan,	Haines,	Myers,	Storb,
Brown, J. E.,	Harris,	O'Connor,	Stott,
Brown, W. L.,	Hart,	O'Rourke,	Wade,
Caputo,	Heffner,	Patterson,	Walker, W. A.,
Conner,	Hermansen,	Pennock,	Wall,
Cordier,	Himes, H. E.,	Perry, D. R.,	Way,
Craig,	Hough,	Perry, J. J.,	Westrick,
Cramer,	Jones,	Peters,	Wike,
Davies,	Kane, J. J.,	Powell,	Williams, G. W.,
DeFrehn,	Kane, L. P.,	Price,	Witkin,
Downey, J.,	Laubach,	Reed,	Wood,
Dunmire,	Lord,	Ruby,	Wright,
Dwyer,	Lose,	Sautter,	Yeakel,
Ederer,	Lovett, W. S.,	Schrock,	Zimmerman,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1356 (Senate Bill No. 294), entitled:

An Act to amend section five of the act, approved the fifth day of March, one thousand nine hundred and six (P. L. 78), entitled "An act to regulate nominations and election expenses, and to require accounts of nomination and election expenses to be filed, and providing penalties for the violation of this act," as amended, requiring the treasurers of political committees concerned in the nominations of candidates, to file an account of moneys spent for such nominations.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—128

Andrews,	Green,	McClure,	Shortz,
Baker,	Greenstein,	McCreary,	Shreiner,
Baldi,	Griffith,	McElwee,	Sinwell,
Barnhardt,	Habbyshaw,	McGrail,	Snyder,
Bechtel,	Hamilton,	McHenry,	Sowers,
Beech,	Heffner,	McKay,	Stank,
Bennett,	Hermansen,	McKinney,	Sterling, P.,
Bernhard,	Hester,	Meredith,	Sterling, R. B.,
Boyd,	Hewitt,	Merrell,	Stevens,
Brancato,	Himes, H. E.,	Moore,	Stevenson,
Brennan,	Himes, L. R.,	Myers,	Stiteler,
Brown, J. E.,	Holmes, J. L.,	Negley,	Stone,
Brown, W. L.,	Hoopes,	Nothnagle,	Stott,
Brownfield,	Horst,	O'Rourke,	Terry,
Cannon,	Howard,	Patterson,	Turner,
Carey,	Hutton,	Peelor,	Wade,
Carson,	Jaffe,	Pennock,	Wagner,
Conner,	Jones,	Perry, D. R.,	Walker, G. E.,
Cooke,	Kane, L. P.,	Perry, J. J.,	Wall,
Craig,	Kinney,	Peters,	Way,
Cramer,	Lane,	Powell,	Westrick,
Dane,	Laubach,	Quinn,	Wike,
Davies,	Lenahan,	Raub,	Williams, G. W.,
DeFrehn,	Lord,	Reed,	Williams, J. J.,
Dunmire,	Lose,	Roan,	Wilson, L. M.,
Emhardt,	Lovett, J. E.,	Roth,	Wood,
Evans,	Lovett, W. S.,	Ruby,	Woodside,
Fitzgerald,	Male,	Sautter,	Wright,
Fleisher,	Malina,	Schrock,	Zimmerman,
Gallagher,	Maloney,	Schwab,	Talbot,
Gartner,	Marcks,	Sheffer,	Speaker.
Gillette,	Mason,	Shellenberger,	

NAYS—3

Caputo,	Chervenak,	O'Connor,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 94, entitled:

An Act to amend section three hundred and eighty-six of the act approved the fourteenth day of July, one thousand nine hundred and seventeen (P. L. 840), entitled "An act concerning townships, and revising, amending, ad consolidating the law relating thereto," as amended; by adding thereto paragraph eleven, authorizing townships to contract with other municipalities for fire protection.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—153

Andrews,	Griffith,	McKay,	Shenkel,
Baker,	Habbyshaw,	McKinney,	Shortz,
Baldi,	Haines,	Meredith,	Shreiner,
Barnhardt,	Hamilton,	Merrell,	Shugarts,
Bechtel,	Harmuth,	Metzler,	Simon,
Beech,	Hart,	Moore,	Sinwell,
Bennett,	Hartman,	Mumford,	Snyder,
Bernhard,	Heffernan,	Munley,	Sowers,
Boyd,	Hefferon,	Myers,	Stank,
Brancato,	Heffner,	Negley,	Steedle,
Brennan,	Hewitt,	Nothnagle,	Sterling, P.,
Brown, J. E.,	Himes, H. E.,	O'Connor,	Sterling, R. B.,
Brown, W. L.,	Himes, L. R.,	O'Neill,	Stevens,
Brownfield,	Holmes, J. B.,	Patterson,	Stevenson,
Caputo,	Holmes, J. L.,	Peelor,	Storb,
Carson,	Hoopes,	Pennock,	Stott,
Chervenak,	Horst,	Perry, D. R.,	Surface,
Conner,	Hough,	Perry, J. J.,	Terry,
Cooke,	Howard,	Peters,	Turner,
Craig,	Jaffe,	Powell,	Wade,
Cramer,	Kane, J. J.,	Powers,	Wagner,
Dane,	Kane, L. P.,	Price,	Walker, W. A.,
Davies,	King,	Raub,	Wall,
DeFrehn,	Kinney,	Reed,	Wasserman,
Denning,	Labar,	Reilly,	Way,
Downey, J.,	Lane,	Rhodes,	Weidemann,
Dunmire,	Laubach,	Roan,	Westrick,
Ederer,	Lewis,	Roth,	Wike,
Emhardt,	Long,	Royle,	Williams, G. W.,
Evans,	Lord,	Ruth,	Williams, J. J.,
Flanagan,	Lose,	Sarig,	Wilson, L. M.,
Fleisher,	Lovett, J. E.,	Sautter,	Wilson, T. B.,
Flynn,	Lynch, J. R.,	Schrock,	Wood,
Furman,	Maloney,	Schrope,	Woodside,
Gallagher,	McCandless,	Schwartz,	Wright,
Gartner,	McClure,	Scott,	Zimmerman,
Gorman,	McElwee,	Sheffer,	Talbot,
Green,	McGinnis,	Shellenberger,	Speaker.
Greenstein,	McGrail,		

NAYS—1

Hester,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 987, entitled:

An Act to amend section one of the act, approved the tenth day of April, one thousand nine hundred and twenty-nine (P. L. 479), entitled "An act to regulate procedure where a defendant desires to have joined, as additional defendants, persons who he alleges are alone liable or liable over to him or jointly or severally liable with him for the cause of action declared on and providing for entry of judgments against such additional defendants" as amended by providing for service of process on an added defendant in counties other than that within which the action was instituted

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. MELCHIORRE. Mr. Speaker, I desire the sponsor of this bill to explain the provisions of it.

Mr. BALDI. Mr. Speaker and members of the House, this bill simply clarifies the condition of summoning defendants in other counties to the counties where the action takes place.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156

Andrews,	Harris,	Merrell,	Simon,
Baker,	Hart,	Mohn,	Sinwell,
Baldi,	Heffernan,	Moore,	Snyder,
Barnhardt,	Hefferon,	Mumford,	Sowers,
Bechtel,	Hermansen,	Myers,	Spann,
Beech,	Hester,	Negley,	Stank,
Bennett,	Hewitt,	Nothnagle,	Steedle,
Bernhard,	Himes, H. E.,	O'Connor,	Sterling, R. B.,
Blumberg,	Himes, L. R.,	Patterson,	Sterling, P.,
Boyd,	Holmes, J. L.,	Peelor,	Stevens,
Brancato,	Hoopes,	Pennock,	Stevenson,
Brennan,	Horst,	Perry, D. R.,	Stiteler,
Brown, W. L.,	Howard,	Perry, J. J.,	Stone,
Brownfield,	Hutton,	Peters,	Storb,
Caputo,	Jaffe,	Powell,	Surface,

Carey,	Jones,	Price,	Tahl,
Carson,	Kane, J. J.,	Quinn,	Terry,
Chervenak,	Kane, L. P.,	Raub,	Turner,
Conner,	King,	Reed,	Wade,
Cooke,	Labar,	Rhodes,	Wagner,
Cordier,	Lane,	Rice,	Walker, G. E.,
Cramer,	Laubach,	Roan,	Walker, W. A.,
Davies,	Lenahan,	Roth,	Wall,
DeFrehn,	Lewis,	Royle,	Way,
Downey, G. E.,	Lose,	Ruby,	Weidemann,
Downey, J.,	Lovett, J. E.,	Ruth,	Westrick,
Dunmire,	Lynch, J. R.,	Sarig,	White,
Ederer,	Male,	Sautter,	Wike,
Emhardt,	Malina,	Schrock,	Williams, G. W.,
Evans,	Marcks,	Schrope,	Williams, J. J.,
Flynn,	McBride,	Schwab,	Wilson, L. M.,
Furman,	McCandless,	Schwartz,	Witkin,
Gallagher,	McClure,	Scott,	Wood,
Gartner,	McElwee,	Sheffer,	Wright,
Gorman,	McGinnis,	Shellenberger,	Yeakel,
Greenstein,	McGrail,	Shenkel,	Yourishin,
Griffith,	McKay,	Shettel,	Zimmerman
Habbyshaw,	McKinney,	Shortz,	Talbot,
Haines,	Melchiorre,	Shugarts,	Speaker.
Hamilton,	Meredith,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

GRANTING USE OF HALL OF HOUSE TO COMMITTEE ON PUBLIC HEALTH AND SANITATION AND TO ORGANIZED LABOR

Mr. FITZGERALD asked and obtained unanimous consent to offer the following resolution which was twice read, considered and adopted.

In the House of Representatives, March 21, 1933.

Resolved, That the use of the hall of the House be granted to the Committee on Public Health and Sanitation for the purpose of a public hearing on House Bill No. 132, Tuesday, March 28, 1933, between the hours of 1.30 and 2.30 P. M. and

Be It Further Resolved, That the use of the hall of the House be granted to the Members of Organized Labor on the same date between the hours of 2.30 and 4.30 P. M.

ADJOURNMENT

Mr. HORST. Mr. Speaker, I move that this House do now adjourn until tomorrow morning at 11.00 o'clock.

The motion was agreed to, and at 6.25 o'clock P. M. the House adjourned until tomorrow morning at 11.00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1933 — 130th of the General Assembly

Vol. 15 — HARRISBURG, PA., WEDNESDAY, MARCH 22, 1933. — No. 35

SENATE

WEDNESDAY, March 22, 1933

The Senate met at 10.30 o'clock A. M.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

PRAYER

The Chaplain, Rev. George P. Donehoo, offered the following prayer:

Our Gracious Heavenly Father, we thank Thee for the light of another day. Help us to meet all of its duties and responsibilities unruffled and with courage. Be today with all who are in sorrow. Be with the members of the Senate who are depressed and sorrowful today because of the loss of loved ones. Guide and keep them. Bless all who are afflicted. May we always be under the shadow of Thy wings in joy as well as in sorrow. We ask in Christ's name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HOMSHER, the further reading was dispensed with, and the Journal was approved.

PETITIONS

PROTESTING AGAINST THE REPEAL OR MODIFICATION OF THE "BLUE LAWS"

The Chair cleared his table and laid before the Senate petition from Glen Campbell Presbyterian Sabbath School, protesting against the repeal or modification of the "Blue Laws."

Which was referred to the Committee on Law and Order.

PROTESTING AGAINST PROPOSED SCHOOL CODE WHICH ELIMINATES CLARION STATE NORMAL SCHOOL

The Chair cleared his table and laid before the Senate petition from the Oil City Chamber of Commerce, protesting against the enactment of the proposed School Code which would eliminate the Clarion State Normal School.

Which was referred to the Committee on Education.

FAVORING HOUSE BILL NO. 1407

The Chair cleared his table and laid before the Senate petition from The Pennsylvania State Association of the American Institute of Architects, favoring the enactment of House Bill No. 1407.

Which was referred to the Committee on Education.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 94 (Senate Bill No. 722), entitled:

An Act to amend section three hundred and eighty-six of the act approved the fourteenth day of July, one thousand nine hundred and seventeen (P. L. 840), entitled "An act concerning townships, and revising, amending, ad consolidating the law relating thereto," as amended; by adding thereto paragraph eleven, authorizing townships to contract with other municipalities for fire protection.

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 759 (Senate Bill No. 723), entitled:

An Act making it unlawful for any person or group of persons together, while having a firearm or firearms, or other implements, whereby deer, bear or elk may be killed, in his or their possession or control, or in any vehicle, on any highway or road, or in any field, woodland or forest, to throw or cast the rays of a spotlight or other artificial light upon a deer, bear or elk, and providing a penalty.

Which was committed to the Committee on Game and Fisheries.

House Bill No. 987 (Senate Bill No. 724), entitled:

An Act to amend section one of the act, approved the tenth day of April, one thousand nine hundred and twenty-nine (P. L. 479), entitled "An act to regulate procedure where a defendant desires to have joined, as additional defendants, persons who he alleges are alone liable or liable over to him or jointly or severally liable with him for the cause of action declared on" and providing for entry of judgments against such additional defendants as amended by providing for service of process on an added defendant in counties other than that within which the action was instituted

Which was committed to the Committee on Judiciary General.

House Bill No. 1039 (Senate Bill No. 725), entitled:

An Act authorizing the trial of certain criminal cases by the court without a jury, regulating such trials, and conferring jurisdiction upon the several courts in such cases.

Which was committed to the Committee on Judiciary General.

House Bill No. 1219 (Senate Bill No. 726), entitled:

An Act to amend sections eight and sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (P. L. 468), entitled "Sproul State Highway Law," as amended, by providing for the payment of all damages due to the change of width, grades, lines and locations of State highways in boroughs, towns and townships, including the removal of structures, by the Commonwealth.

Which was committed to the Committee on Public Roads and Highways.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 680

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 680, entitled:

An Act to amend sections two and four of the act approved the third day of May one thousand nine hundred and nine (Pamphlet Laws three hundred ninety-five) entitled "An act regulating the sale of concentrated commercial feeding-stuffs also of condimental stock and poultry-food and patented proprietary or trade-mark stock and poultry-food possessing nutritive value combined with medicinal properties defining concentrated commercial feeding-stuffs prohibiting the adulteration of any feeding-stuff sold offered or exposed for sale in this State with oat hulls ground corn cobs flax plant refuse elevator chaff cotton-seed hulls ground corn stalks rice hulls peanut hulls weed seeds or other similar adulterants providing for the collection of samples and analysis thereof by the Department of Agriculture and the publication concerning the same providing also for the expenses of the enforcement of the law fixing penalties for its violation and repealing act number two hundred and eleven (Pamphlet Laws one thousand nine hundred seven page two hundred seventy-three) entitled 'An act regulating the sale of wheat- rye- corn- and buckwheat-bran and middlings or any admixture thereof' et cetera approved the twenty-eighth day of May one thousand nine hundred and seven" as amended further defining commercial feeding-stuffs and changing annual and other registration fees

HOUSE CONCURS IN SENATE BILL No. 294

He also returned to the Senate, Senate Bill No. 294, enttitled:

An Act to amend section five of the act, approved the fifth day of March, one thousand nine hundred and six (P. L. 78), entitled "An act to regulate nomination and election expenses and to require accounts of nomination and election expenses to be filed, and providing penalties for the violation of this act," as amended, requiring the treasurers of political committees concerned in the nominations of candidates, to file an account of moneys spent for such nominations.

with the information that the House has passed the same without amendment.

HOUSE NON-CONCURS IN AMENDMENTS TO HOUSE BILL No. 1

He also presented communication from the House of Representatives informing the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1, entitled:

An Act relating to baseball and football on Sunday prohibiting baseball and football on Sunday during certain hours and also during certain other hours unless the electors of the Commonwealth are in favor of the same and a license has first been secured from the municipal authorities providing for referendums to ascertain the will of the electors and for the enactment and repeal of licensing ordinances and resolutions in accordance therewith providing penalties and repealing inconsistent laws

Mr. McCLURE. Mr. President, I move that the Senate insist on the amendments made by the Senate to the foregoing bill.

Mr. TRAINER. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 455 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 455, entitled:

An Act to provide for a Convention to ratify or reject an amendment to the Constitution of the United States proposed by both Houses of Congress for the Repeal of the Eighteenth Amendment to the said Constitution and for the prohibition of the transportation importation delivery or use of intoxicating liquors in violation of the laws of states territories or possessions of the United States and to provide for the election of delegates to such Convention

with the information that the House has passed the same with the amendments in which the concurernce of the Senate is requested.

Mr. McCLURE. Mr. President, I move that the bill be laid on the table.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency the Governor of the Commonwealth, which were read as follows:

APPROVAL OF RESOLUTION RECALLING FROM THE GOVERNOR, SENATE BILL No. 374

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 22, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor Senate Bill No. 374, Printer's No. 71, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

APPROVAL OF RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 186

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 21, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives, recalling from the Governor Senate Bill No. 186, Printer's No. 76, for further consideration.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency the Governor of the Commonwealth, which were read as follows and referred to the Committee on Executive Nominations.

MEMBER OF THE BOARD OF TRUSTEES OF THE WERNERSVILLE STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 22, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the appointment of Chas. R. Long, of Chester, Delaware County, as a member of the Board of Trustees of the Wernersville State Hospital, vice Mrs. Priscilla Stanley Fox, of Lebanon, whose term expired, for the term of four years, and until his successor is qualified.

GIFFORD PINCHOT.

MEMBER OF WASHINGTON CROSSING PARK COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 22, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the appointment of Albert W. Preston, of Solebury, Bucks County, as a member of the Washington Crossing Park Commission, vice Colonel Henry D. Paxson, deceased, until the third Tuesday of January, 1935, or until his successor shall have been appointed and qualified.

GIFFORD PINCHOT.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 22, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

BEAVER COUNTY

Joseph A. Tokar, Aliquippa.

DELAWARE COUNTY

Herbert E. Gaskill, Folsom.
James J. Laughlin, Upper Darby.
Christian New, Philadelphia.

LAWRENCE COUNTY

E. F. G. Harper, New Castle.

LEHIGH COUNTY

Mrs. Mildred I. Rau, Allentown.

LUZERNE COUNTY

Arnold P. Richards, West Pittston.
Miss Martha J. Schweitzer, Hazleton.

PHILADLEPHIA COUNTY

Charles C. Burkeitt, Philadelphia.
David Baird Fox, Philadelphia.
Vincent S. Palumbo, Philadelphia.

SCHUYLKILL COUNTY

William E. Lewis, Shenandoah.

WESTMORELAND COUNTY

Herbert Wirsing, Greensburg.

YORK COUNTY

Royce Kohr, York.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 22, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

PHILADELPHIA COUNTY

Anthony J. Zeits, Philadelphia, March 25, 1933.

POTTER COUNTY

B. L. Langworthy, Shinglehouse, March 25, 1933.

LANCASTER COUNTY

Mrs. Anna M. Kolb, Lancaster, March 26, 1933.

ERIE COUNTY

John A. Ignasiak, Erie, April 1, 1933.

BEAVER COUNTY

Robt. L. Baker, Beaver, April 2, 1933.

LEHIGH COUNTY

Willis Charles Kahler, Allentown, April 2, 1933.

ALLEGHENY COUNTY

Miss Marie A. Brednich, Pittsburgh, April 6, 1933.

PHILADELPHIA COUNTY

Miss Margaret A. McAteer, Philadelphia, April 8, 1933.

LACKAWANNA COUNTY

Wendell P. Evans, Scranton, April 14, 1933.

GIFFORD PINCHOT.

REPORTS FROM COMMITTEE

Mr. HOMSHER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 523 (House Bill No. 963), entitled:

An Act to amend section two of the act approved the twenty-second day of April, one thousand eight hundred and seventy-four (P. L. 109), entitled "An act to provide for the submission of civil cases to the decision of the court, and to dispense with trial by jury"; providing that upon request of counsel the decision of the court in such cases shall state separately the facts found, the answers to points submitted and the conclusions of law.

Mr. WOODWARD, from the Committee on Judiciary General, reported as amended, Senate Bill No. 341, entitled:

An Act to amend section four of an act approved the thirteenth day of May, one thousand nine hundred and fifteen (P. L. 286), entitled "An act to provide for the health, safety and welfare of minors: By forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school districts, and police officers; and defin-ties for the violation of the provisions and repealing all ing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof, and establishing certain presumptions in relation thereto; and repealing all acts or parts of acts inconsistent therewith," by changing the hours of labor permitted for minors under sixteen years of age and prescribing a daily lunch period of not less than forty-five minutes for such employed minors.

Mr. GELDER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 579, entitled.

An Act to amend the title and to reenact subsection (b) of section thirty-five of the act, approved the seventh day

of June, one thousand nine hundred and seventeen (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds, transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports, and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," authorizing executors and administrators to sue and be sued in certain actions in which their decedent might have sued or been sued.

Mr. NORTON, from the Committee on Judiciary General, reported as amended, Senate Bill No. 707, entitled:

An Act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates, justices of the peace and aldermen, unless names and addresses of prosecutors, defendants and witnesses appear on the transcript thereof.

Mr. PARKINSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 21, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for re-appointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

NORTHAMPTON COUNTY

Lee W. Sexton, Easton, March 21, 1933.

WASHINGTON COUNTY

Miss Virginia Brightwell, Washington, March 23, 1933.

ERIE COUNTY

H. M. Reinecke, Erie, March 24, 1933

ALLEGHENY COUNTY

D. K. Ferree, Pittsburgh, March 25, 1933.

BLAIR COUNTY

H. M. Sausser, Tyrone, March 25, 1933.

CLEARFIELD COUNTY

William P. Cornely, Madera, March 25, 1933.

ERIE COUNTY

Dan F. Schmid, Erie, March 25, 1933.

BRADFORD COUNTY

Harper H. Mercereau, Sayre, March 27, 1933.

GREENE COUNTY

L. W. Sayers, Waynesburg, April 8, 1933.

MONTGOMERY COUNTY

Mrs. Sarah M. Keinard, Norristown, April 13, 1933.

CENTRE COUNTY

Russell F. Stein State College, April 15, 1933.

CHESTER COUNTY

Miss Winifred A. Mason, West Chester, April 15, 1933.

ERIE COUNTY

William O. Morrow, Union City, April 29, 1933.

PHILADELPHIA COUNTY

John Marsden, Philadelphia, April 29, 1933.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 21, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Nellie E. Critchlow, Pittsburgh.
William Leicher, Millvale.
H. J. Pelzel, Pittsburgh.
Edward M. Seibert, Jr., Pittsburgh.
Miss Margaret Webster, Braddock.
Kenneth R. Whitaker, Dravosburg.

BERKS COUNTY

Paul J. D. Himmelreich, Reading.

CAMBRIA COUNTY

Ray J. Dumm, Spangler.

FAYETTE COUNTY

Miss Bertha Cunningham, Connellsville.

LUZERNE COUNTY

Miss Catherine Storz, Wilkes-Barre.

MONTGOMERY COUNTY

Mrs. Sara F. Hanes, Ambler.
Charles F. Powell, Ardmore.

PHILADELPHIA COUNTY

George Beck, Philadelphia.
J. Louis Barrick, Philadelphia.
Mrs. Margaret H. Moore, Philadelphia.

SUSQUEHANNA COUNTY

Russell W. Tucker, Susquehanna.
Edmund J. Tierney, Susquehanna.

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38, which requires reports of committees on nominations made by the Governor to lie on the table one

day, be dispensed with, and the Senate do now resolve itself into Executive Session for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Armstrong,	Fay,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sordoni,
Brandt,	Harvey,	Pethick,	Staudenmeier,
Buckman,	Homsher,	Pierson,	Thompson,
Chapman,	Krause,	Prince,	Trainer,
Clark,	Lanius,	Reed,	Williamson,
Coyne,	Mansfield,	Rice,	Woodward,
Ealy,	McClure,	Roberts,	Ziesenheim,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. GELDER. Mr. President, I move that the Executive Session do now rise.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

BILLS INTRODUCED

Mr. ZIESENHEIM read in his place and presented to the Chair Senate Bill No. 727, entitled:

An Act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Revenue in respect thereto; providing for the licensing and registration of airman and aircraft; establishing the legal status of air navigation; providing for sovereignty in and ownership of space; providing for lawfulness of flights; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws.

Which was commiteed to the Commitee on Aeronautics.

Mr. SCOTT read in his place and presented to the Chair Senate Bill No. 728, entitled:

A Supplement to act number fifteen-A, approved the eleventh day of June, one thousand nine hundred thirty-one (Appropriation Acts of one thousand nine hundred thirty-one, page sixteen), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-one; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-one," providing for a deficiency in the appropriation to the Department of Forests and Waters for the extinction and control of forest fires for the fiscal biennium ending May thirty-first, one thousand nine hundred thirty-three.

Which was committed to the Committee on Appropriations.

Mr. COYNE read in his place and presented to the Chair Senate Bill No. 729, entitled:

An Act requiring corporations of the second class to furnish reports to shareholders, to file such reports with the Secretary of the Commonwealth, giving the Secretary power to prescribe forms and make regulations, prescribing penalties, providing for certain exemptions and repealing inconsistent acts and parts of acts.

Which was committed to the Committee on Corporations.

Mr. MANSFIELD read in his place and presented to the Chair Senate Bill No. 730, entitled:

An Act to ratify, confirm and validate, as debts of the municipality, bonds and obligations issued by municipal corporations for the payment of the cost of a public improvement which were to rest alone for their security and payment upon assessments for benefits.

Which was committed to the Committee on Municipal Affairs.

Mr. SNYDER read in his place and presented to the Chair Senate Bill No. 731, entitled:

An Act to amend section seven of the act approved the twelfth day of July, one thousand nine hundred and thirteen (P. L. 719), entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to national party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expense of the same; authorizing the State Committee of a political party to make, and to alter, amend and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation," as amended, increasing the number of signers required on nominating petitions for an office to be filled by the electors at large of any city.

Which was committed to the Committee on Elections.

RESOLUTION RELATIVE TO REPRESENTATION AT FUNERAL OF HONORABLE WALTER LYON

Mr. COYNE offered the following resolution, which was twice read, considered and agreed to:

In the Senate, March 22, 1933.

Whereas, The late Walter Lyon, of Sewickley, was a distinguished member of this Senate and for four years presiding officer; therefore be it

Resolved, That the Senators from Allegheny County be appointed to represent the Senate at the funeral at Sewickley at 2.30 p. m. tomorrow.

CONSIDERATION OF CALENDAR

Mr. SCOTT. Mr. President, I move that the Senate do now proceed to the consideration of the Calendar, and that bills on first and second reading only be considered at today's session.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 98, as follows:

An Act to amend section one thousand three hundred and five of and to add section nine hundred and eleven to the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal School or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes of all boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" removing the administration of the law library and legislative document section from the Department of Public Instruction to the Department of Justice providing where it shall be housed and the hours it shall remain open

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Government Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended by adding thereto the following new section

Section 911 Law Library and Legislative Documents To maintain supervise manage and administer the State law library and the collection of legislative documents heretofore administered and maintained as a part of the State Library and Museum by the Department of Public Instruction to remove said law library and document section to the former building in which it was housed for the convenience of departments and members of the Legislature and to keep said law library open on all week days until ten Post Meridian and on Saturday until four Post Meridian

Section 2 That section one thousand three hundred and five of said act is hereby amended to read as follows

Section 1305 Library and Museum The Department of Public Instruction shall have the power and its duty shall be to exercise the powers and perform the duties heretofore by law vested in and imposed upon the State Library and Museum and the several divisions thereof The Superintendent of Public Instruction may designate the person in charge of the work to which this section refers as the State Librarian

The department shall have the power and its duty shall be

(a) To control direct supervise and manage the State Library and Museum

(b) To edit the Pennsylvania Archives

[(c) To maintain as a part of the State Library and Museum a law library]

[(d)] (c) To preserve all public records throughout the Commonwealth and to give special attention to the preservation of all records of the State Government not in current use and of historical value

[(e)] (d) To collect classify preserve and make acceptable for reference all records which may come into the possession of the library with such exceptions as may be indicated by the department and to examine into the condition of the records books pamphlets documents manuscripts archives maps and papers kept filed or recorded in the several offices of the counties cities and boroughs of the State

[(f)] (e) To recommend such action to be taken by the persons having the care and custody of public records as may be necessary to secure their safety and preservation and to cause all laws relating to public records to be enforced

[(g)] (f) To furnish to persons applying therefor certificates relating to the public records or copies thereof upon the payment of such charges as shall be fixed by law

[(h)] (g) To give advice and counsel to all free libraries in the State and to all communities which may propose to establish free libraries in the selection of books cataloguing and other details of library management and as to the best means of establishing and administering such libraries

[(i)] (h) Generally to supervise and inspect free libraries to require reports in such manner as may be deemed proper and to establish and maintain a system of traveling libraries as far as possible throughout the Commonwealth

[(j)] (i) To preserve objects illustrating the flora and fauna of the State and its mineralogy geology archaeology arts history and education and whenever deemed necessary to illustrate the same with lantern slides or films which may be circulated throughout the Commonwealth under such rules and regulations as the department may adopt which rules and regulations may provide for a reasonable charge for the use of such slides and films Provided That in exercising its powers and performing the duties under subsections (b) [(d)] (c) [(e)] (d) and [(f)] (e) of this section the department shall consult and cooperate with the Pennsylvania Historical Commission

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 296, as follows:

An Act to amend sections five and six of the act approved the twenty-second day of June one thousand nine hundred thirty-one (Pamphlet Laws seven hundred twenty) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by providing for the limit of width of construction and maintenance on said streets

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of the act approved the twenty-second day of June one thousand nine hundred thirty-one (Pamphlet Laws seven hundred twenty) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Common-

wealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" is hereby amended to read as follows

Section 5 After the streets described in section two of this act shall have been taken over by the Commonwealth they shall be maintained constructed reconstructed and resurfaced by the Department of Highways at the expense of the Commonwealth [but the Commonwealth's obligation in the construction reconstruction or resurfacing of any such street shall not exceed a total width of twenty feet] and such construction reconstruction and resurfacing shall be of such [width and] type as shall be determined by the Secretary of Highways with the approval of the Governor and repairs and maintenance shall be [limited to that part of the street or section thereof between the established curb lines and shall be] of such type as shall be determined by the Secretary of Highways The obligation of the Commonwealth in the construction reconstruction resurfacing or maintenance as hereinbefore provided shall be limited to that part of the street or section thereof between curb lines as established at the time of passage of this act but shall not include the portions of such streets which are or may be used and occupied by the structures or surface facilities of any public utility company Provided That it shall nevertheless be lawful for the Department of Highways to enter into agreements in the discretion of the Secretary of Highways with the cities or with persons associations or corporations for the sharing with the Commonwealth of the cost of [maintenance] construction reconstruction or resurfacing of the streets or sections thereof taken over by the Commonwealth under this act And provided further That where any such street is to be improved and the city agrees to bear a portion of the cost of the improvement the abutting property owners may be assessed a proportionate part of the cost of the improvement and benefits as now provided by the laws applicable to the improvement of city streets

Section 2 That section six of said act is hereby amended to read as follows

Section 6 The maintenance of said streets authorized under the provisions of this act shall not include snow removal or street cleaning and shall be limited [before any improvement is made by the Department of Highways] to the portions of the street between existing curb lines available to vehicular traffic [After any improvement made by the Department of Highways under the provisions of this act the obligation of the Commonwealth for maintenance shall be limited to the portion which the Department of Highways has improved and the remaining portion of said street or section thereof may be maintained at the expense of the Commonwealth in the discretion of the Secretary of Highways]

Section 3 This act shall become effective upon its approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 334, entitled:

An Act to regulate private carriers of property by motor truck requiring them to obtain permits from the Public Service Commission defining the conditions under which permits will be granted and under which permits may be transferred or revoked requiring the filing of schedules of rates with the Public Service Commission granting to the Public Service Commission authority to regulate the rates and hours of service of operators requiring private carriers to furnish certain information to the Public Sevice Commission relative to the conduct of their business prescribing penalties for violation of the provisions of this act and providing for the enforcement of the same and prescribing in certain respects the public policy of this Commonwealth governing the use of the public highways for the transportation of property for hire and the relation of such transportation to the transportation needs of the general public

The first section of the bill was read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same (a) That the term "commission" as used in this act shall mean the Public Service Commission of this Commonwealth

(b) The term "person" shall include any individual copartnership association or corporation and their lessees trustees or receivers appointed by any court whatsoever

(c) The term "freight motor vehicle" shall mean motor trucks truck tractors motor vans body trucks tank trucks trailers or semi-trailers used for the transportation of property over the public highways of this Commonwealth

(d) The term "for hire" shall mean for remuneration or reward of any kind paid or promised either directly or indirectly

(e) The term "private carrier" shall mean any person owning controlling managing operating or causing to be operated any freight motor vehicle used in transporting property for hire in intrastate commerce other than common carriers subject to the provisions of the Public Service Company Law of this Commonwealth approved July twenty-sixth one thousand nine hundred and thirteen its supplements and amendments.

The second section of the bill was read as follows:

Section 2 (a) On and after ninety days from the date this act shall become effective or after such further period as the Commission may by order provide no person shall commence or continue to operate any freight motor vehicle over the highways of this Commonwealth in intrastate commerce as a private carrier without an effective permit incorporating such conditions as the Commission may impose and unless and until a permit therefor has been granted by said Commission it being the express legislative intent to require the permits herein provided for to promote in the public interest safety of and upon the highways of this State as well as economies in the construction and maintenance thereof

(b) The commission is hereby authorized to refuse a permit to any person who shall apply for a permit to operate as a private carrier for hire if in its opinion the operation proposed will tend to burden damage or congest the public highways to render them unsafe for general public use or unnecessarily to increase the number of freight motor vehicles operating on the public highways beyond that required adequately to meet the transportation needs of the public to the detriment of the general public use of and interest in the public highways Otherwise the commisison is hereby authorized to and may grant a permit to the applicant therefor

On the question,

Will the Senate agree to the section?

Mr. BOYD. Mr. President, I move to amend section 2 (a), page 3, line 9, by adding the following proviso: Provided, however, that this section shall not apply to the operation of a freight motor vehicle by a farmer carrying his own milk and produce together with the milk and produce or milk or produce of other farmers from the farms to the nearest transportation terminal or market.

Mr. SCOTT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third to tenth sections inclusive of the bill were read as follows and agreed to.

Section 3 (a) An application for such permit shall be made to the commission in writing under oath or affirmation of the applicant in the case of an individual or of some authorized officer in the case of a corporation or association setting forth the name and address of the applicant the territory in which and the public highways over which he or it proposes to operate his or its financial condition the equipment to be used including the right of judicial review as is provided in the Public Service Company Law of this Commonwealth approved July twenty-sixth one thousand nine hundred and thirteen its supplements and amendments in respect to similar procedure affecting common carriers

Section 4 No permit shall be issued by the commission to any private carrier of property by freight motor vehicle unless and until the applicant shall have filed and the Commission shall have approved a liability insurance policy or other evidence satisfactory to the commission of the applicants ability to provide payment of compensation for all injuries to persons or loss of or damage to property resulting from the negligent operation of such carrier Such liability insurance policy shall be issued by an insurance company or association authorized to do business in this State shall be in such amount and in such form as the commission may deem necessary to protect the interest of the public and shall be kept in full force and effect at all times such carrier shall operate If in lieu of an insurance policy the commission accepts other evidence of the applicants ability to provide such compensation the carrier shall whenever requested by the commission from time to time furnish such information as may be relevant to its continued ability to provide such compensation and if the commission is not satisfied with the carrier continued ability it may require an insurance policy to be filed in the manner above set forth.

Section 5 Every permit granted by the commission shall specify the number type and size including maximum carrying capacity as specified in the application for registration under an Act known as the Vehicle Code approved the first day of May one thousand nine hundred twenty-nine (Pamphlet Laws nine hundred five) its supplements and amendments of freight motor vehicles to be used and the route over which the termini between which or the territory within which the applicant is permitted to operate No increase shall be made in the number of vehicles operated and no change shall be made in the type or size including maximum carrying capacity of vehicles to be used or in route termini or territory without the approval of the commission Every permit shall also specify the period for which it is issued which period shall not in any even be less than one (1) year and upon expiration of such period no private carrier shall operate any freight motor vehicle over the highways of this State in intrastate commerce until such permit has been renewed or continued by the commission upon application made and considered in the manner hereinabove provided for as to the original permit

Section 6 No permit shall be transferred or assigned to any other person without the approval of the commission

Section 7 There shall be forwarded to the commission with every application for a permit and for each renewal transfer or assignment of the same a filing fee of Five dollars ($5) which shall be paid into the State Treasury

Section 8 Inasmuch as the public interest requires the preservation of highways for the use of the general public and the unrestricted and unregulated use of such highways by freight motor vehicles for hire tends unduly to burden damage and congest said highways as well as to render them unsafe for general public use and also in order that the commission may foster regulate and presrve a dependable transportation system for the whole people of the Commonwealth co-ordinated and adequate to meet public requirements without undue use of or burden upon the highways to the public detriment and further inasmuch as the public interest requires the regulation of the rates of common carriers by freight motor vehicles engaged in intrastate commerce over the highways of this State and such regulation cannot be carried out effectively without regulating the rates charged by all persons operating freight motor vehicles for hire in intrastate commerce over the highways of this State no person shall on or after ninety (90) days from the date this act shall become effective or after such further period as the commission may by order provide transport any property as a private carrier without first having filed with the commission in the form and manner prescribed by the commission a tariff or schedule of the minimum rates and charges thereafter to be made charged or imposed for the carriage of such property in intrastate commerce No change shall be made in any such rate or charge except after ten (10) days notice of the proposed change filed in the aforesaid form and manner. Such notice shall plainly state the change proposed to be made and the time when such change will take effect The commission may in its discretion and for a good cause shown allow changes upon less than the notice herein specified or modify the requirements of this section in respect to the filing of tariffs or schedules either in particular instances or by a general order applicable to special or peculiar circumstances or conditions

Section 9 No such carrier shall make charge impose or collect a less compensation for such carriage than the rates and charges filed in accordance with said tariff or schedule and it shall be unlawful for any such carrier by the furnishing of special services facilities or privileges or by any other device whatsoever to make charge impose or collect less than the minimum rates and charges so filed

Section 10 (a) The commission shall have power either upon complaint or upon its own motion to investigate the rates and charges made charged or imposed by any private carrier whether for the carriage or for special services facilities or privileges furnished by any such carrier

(b) If at any time after full hearing upon complaint or in an investigation upon its own motion the commission finds that any rate or charge of a private carrier is unduly low in that such rate or charge (1) gives or causes any undue or unreasonable advantage or preference to those whom it serves as compared with the patrons of any common carrier by freight motor vehicles or (2) subjects the patrons of any common carrier by freight motor vehicle to any undue or unreasonable discrimination or disadvantage or (3) by unfair competition unduly impairs (a) the service or business or (b) the regulation of the service or business of any common carrier by freight motor vehicle in intrastate commerce or (4) tends unnecessarily to increase the number of motor freight vehicles operating on the public highways beyond that required adequately to meet the transportation needs of the public to the detriment of the general public use of and interest in the public highways the commission may determine prescribe and order the minimum rate or charge thereafter to be made charged imposed or collected by such carrier All complaints shall state fully the facts complained of and the reasons for such complaint and shall be made under oath Whenever in its judgment the commission is of opinion that any complaint does not state reasonable grounds for investigation and action on its part it may in its discretion dismiss such complaint

The eleventh section of the bill was read as follows:

Section 11 (a) Every private carrier shall file quarterly with the Commission statements under oath showing the names and addresses of the persons for whom it transported property and the general description of property so transported for each person during the preceding three (3) months period it being the express legislative intent to require such information for the purpose of assisting the commission in its determination of whether the carrier in question is conducting a private carrier or common carrier business Whenever requested by the Commission a private carrier shall also furnish it with such other information as may be relevant to the question of whether such carrier is conducting a private or common carrier business

(b) The transportation for more than two persons by any carrier for hire by freight motor vehicle shall be prima facie evidence that such carrier is operating as a common carrier

(c) No application for a permit to operate as a private carrier shall be granted by the commission to any person operating as a common carrier by freight motor vehicle nor shall any certificate of public convenience such as is granted under the Public Service Company Law of this Commonwealth be granted by the commission to any person operating as a private carrier nor shall any freight motor vehicle be operated nor any person operate under both a certificate and a permit

On the question,

Will the Senate agree to the section?

Mr. BOYD. Mr. President, I move to amend Section 11 (b), page 10, line 7, by adding the following proviso: Provided, however, that this section shall not apply to the operation of a freight motor vehicle by a farmer carrying his own milk and produce together with the milk and produce or milk or produce of other farmers from the farms to the nearest transportation terminal or market.

Mr. SCOTT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twelfth to twentieth sections inclusive of the bill were read as follows and agreed to.

Section 12 The commission shall have power to make all rules and regulations necessary for the proper administration of the provisions of this act and shall also have power to regulate and prescribe the hours of service of operators of motor freight vehicles not however to exceed any maximum limits that may be prescribed in any law generally applicable to operators of the respective classification of motor vehicles

Section 13 Private carriers operating both in intrastate and interstate commerce shall comply with the provisions of this act in so far as their intrastate business is concerned

Section 14 The commission may at any time after hearing on due notice to the holder of any permit revoke such permit if it shall appear that the holder thereof has failed to maintain his freight motor vehicles in a safe operating condition or has violated the Motor Vehicle Code or other traffic laws of this State or any provisions of this Act or the rules regulations or orders of the commission made thereunder and may also present to the Secretary of Revenue its certificate setting forth that after investigation and hearing the commission has found and determined that a motor vehicle has been operated as a private carrier within this Commonwealth in violation of this Act whereupon it shall be the duty of the Secretary of Revenue to suspend the registration of such motor vehicle Any suspension of registration herein provided for may be rescinded by the Secretary of Revenue upon the petition of the owner of such motor vehicle provided said petition is accompanied by certificate of the Public Service Commission setting forth that said commission does not object to such rescission

Section 15 Any person or officer employe or agent thereof volating any of the provisions of this Act shall upon summary conviction before a magistrate or upon due notice and hearing before the commission be subject to pay a fine of not less than Twenty-five dollars ($25) nor more than one hundred dollars ($100) and any costs of prosecution before such magistrate

Section 16 Any authorized inspector for the commission shall have the power and authority to make arrests for any violations of this Act and it shall be the duty of all judges prosecuting attorneys and peace officers in this Commonwealth to aid in the enforcement of this Act

Section 17 The Attorney General shall upon request of the commission or on his own motion proceed in the name of the Commonwealth by suit or other appropriate remedy at law or in equity to enforce this act or to restrain violations thereof or of any order of the commission made pursuant thereto

Section 18 This Act shall not apply to (a) freight motor vehicles owned and operated by the United States the State or any municipality agency or instrumentality thereof (b) any motor vehicle locomotive or cars operated on a rail or rails

Section 19 Each section of this Act and each sentence clause and phrase hereof is declared to be independently operative and if any section sentence clause or phrase shall be adjudged invalid by any court of competent jurisdiction it shall not affect or invalidate the remainder of this Act

Section 20 This Act shall become effective immediately upon its passage and approval by the Governor

The title of the bill was read as follows and agreed to:

An Act to regulate private carriers of property by motor truck; requiring them to obtain permits from the Public Service Commission; defining the conditions under which permits will be granted and under which permits may be transferred or revoked; requiring the filing of schedules of rates with the Public Service Commission; granting to the Public Service Commission authority to regulate the rates and hours of service of operators; requiring private carriers to furnish certain information to the Public Service Commission relative to the conduct of their business; prescribing penalties for violation of the provisions of this act and providing for the enforcement of the same; and prescribing, in certain respects, the public policy of this Commonwealth governing the use of the public highways for the transportation of property for hire, and the relatio nof such transportation to the transportation needs of the general public.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 403, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "For the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by revising existing regulations for length height and weight of certain vehicles changing method of enforcement and providing certain penalties

The first sections of the bill were read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (Pamphlet Laws nine hundred five) entitled "For the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an

appropriation and providing for refunds" which was amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (Pamphlet Laws seven hundred fifty-one) is hereby further amended to read as follows

Section 902 Size of Vehicles and Loads

(a) No vehicle except fire department equipment street sweepers and snow plows shall exceed a total maximum width including any load thereon of [ninety-six (96) inches] eight (8) feet except that the limitations as to size of vehicles stated in this act shall not apply to vehicles loaded with hay or straw in bulk

(b) No vehicle except fire department shall exceed a total maximum height including any load thereon of [one hundred seventy-four (174)] twelve (12) feet six (6) inches but nothing herein contained shall be construed to require the public authorities to provide sufficient vertical clearance to permit the operation of such vehicles

(c) No vehicles except fire department equipment shall exceed a total maximum length including any load thereon of [three hundred ninety-six (396) inches] thirty-three (33) feet and no combination of vehicles coupled together shall exceed a total maximum length of [seventy (70)] forty-five (45) feet except a combination of vehicles transporting poles pilings beams or other structural units incapable of dismemberment the total maximum length of which shall not exceed seventy (70) feet

1 No motor vehicle shall be operated upon a highway drawing or having attached thereto more than one other vehicle [except that a truck tractor with semi-trailer attached may draw in addition thereto one (1) other vehicle]

2 The distance between any two vehicles one of which is towing or drawing the other shall not exceed fifteen (15) feet from one vehicle to the other except when the load on the towed vehicle is coupled directly to and is not more than five (5) feet from the towing vehicle Whenever the connection consists of a chain rope bar or cable there shall be displayed upon length and width Every trailer while being drawn upon the highway shall be so attached to the vehicle drawing the same as to prevent the wheels of such trailer from deflecting more than six (6) inches from the path of the drawing vehicle's wheels

(d) No vehicle except a trailer or semi-trailer shall carry any load or part thereof extending more than five (5) feet beyond the front extremity

(e) No vehicle except as herein provided shall carry any load extending beyond the line of the fenders on the left side of such vehicle nor extending mor than six (6) inches beyond the line of the fender on the right side thereof

(f) It shall be unlawful for any person to transport on a motor vehicle trailer or semi-trailer operated for the carriage of passengers for hire a load [in excess] of twenty-five (25) per centum in excess of the registered seating capacity or for any person to cause or permit any such operation provided however that a child under the age of six years shall not be counted as a person when computing load on any such vehicle

Penalty Any person violating any of the provisions of subsections (a) (b) (c) (d) or (e) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of [ten ($10)] fifty ($50) dollars and costs of prosecution and in default of payment thereof shall undergo imprisonment for not more than [five (5)] ten (10) days Any person violating any of the provisions of sub-section (f) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of not less than ten ($10) dollars or more than twenty-five ($25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days Such fine shall be in addition to any penalty imposed by any other section or subsection of this act

On the question,

Will the Senate agree to the section?

Mr. BOYD. Mr. President, I move to amend section 1, page 4, line 4, by striking out the figures "70" and inserting in lieu thereof the figures "80."

Mr. SCOTT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows:

Section 2 That section nine hundred three of said act as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (Pamphlet Laws seven hundred fifty-one) is hereby further amended to read as follows

Section 903 Weight of Vehicles and Loads

(a) Commercial motor vehicles and truck tractors other than those electrically operated shall not be used or operated or any highway with gross weight exceeding those specified for the several classes and weights of chassis as follows

Four-Wheeled Class	Chassis Weight in Pounds	Maximum Gross Weight in Pounds
R	Less than 2000	500
S	2000 and over but less than 3000	7000
T	3000 and over but less than 4000	11000
U	4000 and over but less than 5000	13000
V	5000 and over but less than 6000	18000
W	6000 and over [but less than 7500	22000] 20000
[Y	7500 and over but less than 9000	25000]
[Z	9000 and over	26000]

Six-Wheeled (3 Axles) Class	Chassis Weight in Pounds	Maximum Gross Weight in Pounds
RZ	2000 and over but less than 3000	12000
SZ	3000 and over but less than 4000	14000
TZ	4000 and over but less than 5000	16000
UZ	5000 and over but less than 6000	22000
VZ	6000 and over but less than 7500	26000
WZ	7500 and over [but less than 9000	30000] 28000
[YZ	9000 and over but less than 12000	34000]
[ZZ	12000 and over	36000]

(b) Electrically operated commercial motor vehicles and truck tractors shall not be used or operated on any highways with gross weight exceeding those specified for the several classes as follows

Four-Wheeled Class	Maximum Gross Weight in Pounds
R	5000
S	7000
T	11000
U	15000
V	18000
W	[22000] 20000
[Y	25000]
[Z	26000]

Six-Wheeled (3 Axles) Class	Maximum Gross Weight in Pounds
RZ	12000
SZ	14000
TZ	16000
UZ	22000
VZ	26000
WZ	[30000] 28000
[YZ	34000]
[ZZ	36000]

(c) Trailers and semi-trailers shall not be used or operated on any highway with gross weight exceeding those specified for the several classes as follows

Four-Wheeled (2 Axles) Class	Trailer or Semi-Trailer Weight in Pounds	Maximum Gross Weight in Pounds
A	Less than 1000	3000
B	1000 and over but less than 2000	6000
C	2000 and over but less than 3000	10000
D	3000 and over but less than 4000	16000
E	4000 and over [but less than 5000]	20000
[F	5000 and over but less than 6000	24000]
[G	6000 and over	26000]

Six-Wheeled (3 Axles) Class	Trailer Weight in Pounds	Maximum Gross Weight in Pounds
AZ	Less than 3000	12000
BZ	3000 and over but less than 4000	15000
CZ	4000 and over but less than 5000	20000
DZ	5000 and over but less than 6000	26000
EZ	6000 and over [but less than 7000	30000] 28000
[FZ	7000 and over but less than 9000	34000]
[GZ	9000 and over	36000]

Two-Wheeled Class	Semi-Trailer Weight in Pounds	Maximum Gross Weight in Pounds
A	Less than 1000	3000
B	1000 and over but less than 2000	6000
C	200 and over but less than 3000	10000
D	3000 and over but less than 4000	12000
E	4000 and over but less than 5000	14000
F	5000 and over [but less than 6000]	16000
[G	6000 and over	18000]

(d) No two-wheeled vehicle except fire department equipment shall be operated upon any highway with gross weight in excess of [eighteen] sixteen thousand [(18,000)] (16,000) pounds or in excess of [eight] seven hundred [(800)] (700) pounds on any one wheel for each nominal inch of width of tire

(e) No four-wheeled vehicle except fire department equipment shall be operated upon any highway with a gross weight in excess of [twenty-six] twenty thousand [(26,000)] (20,000) pounds or in excess of [eighteen] sixteen thousand [(18,000)] (16,000) pounds on any axle or in excess of [eight] seven hundred [(800)] (700) pounds on any one wheel for each nominal inch of width of tire on such wheel

(f) No six or more wheeled vehicle except fire department equipment shall be operated upon any highway with gross weight in excess of [thirty-six] twenty-eight thousand [(36,000)] (28,000) pounds [or in excess of eight thousand (8000) pounds on the front axle] or in excess of [sixteen] twelve thousand [five hundred (16,500)] (12,000) pounds on any one of the rear axles or in excess of [eight] seven hundred [(800)] (700) pounds on any one wheel for each nominal inch of width of tire on such wheel and the two rear axles shall be parallel and shall not be less than [thirty-six (36)] three (3) feet four (4) inches apart

(g) No truck tractor and semi-trailer combined except fire department equipment shall be operated upon any highway with a gross weight in excess of [thirty-nine] thirty thousand [(39,000)] (30,000) pounds or in excess of [eighteen] sixteen thousand [(18,000)] (16,000) pounds on any axle or in excess of [eight] seven hundred [(800)] (700) pounds on any one wheel for each nominal inch of width of tire on such wheel axle or axles of semi-trailer shall not be less than [ninety-six (96) inches] eight (8) feet from the axle of the truck tractor.

(h) No commercial motor vehicle and trailer combined except fire department equipment shall be operated upon any highway with a gross weight in excess of [sixty-two] forty-eight thousand [(62,000)] (48,000) pounds or in excess of [eight] seven hundred [($800)] (700) pounds on any one wheel for each nominal inch of width of tire on such wheel

[No truck tractor semi-trailer and trailer combined except fire department equipment shall be operated upon any highway with a gross weight in excess of sixty-five thousand (65,000) pounds or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel]

(i) Maximum gross weights provided in this section are permissible only under conditions where no other restrictions are provided in this act or in any other laws regulating the gross maximum weight of vehicles

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty ($50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

On the question,

Will the Senate agree to the section?

Mr. BOYD. Mr. President, I move to amend paragraph (e) of section 903 of the Motor Vehicle Code as amended by section 2 of Senate Bill No. 403 by adding after the word "wheel" on line 14, page 9: "Provided any four-wheeled vehicle equipped with dual tires on the rear, the operation of which has been evidenced by a certificate of public convenience upon proof of public convenience and necessity or by a permit and which is subject to the jurisdiction of the Public Service Commission of the Commonwealth of Pennsylvania, having a gross weight in excess of 20,000 pounds but not in excess of 26,000 pounds, may be operated upon any highway upon the specific approval of each vehicle by the Public Service Commission first had and obtained as evidenced by a certificate of equipment."

Mr. SCOTT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third and fourth sections of the bill were read as follows and agreed to:

Section 3 That section nine hundred four of said act be and the same is hereby amended to read as follows

Section 904 Officers May Weigh Vehicles and Require Removal of Excess Load Any peace officer who shall be in uniform and shall exhibit his badge or other sign of authority having reason to believe that the weight of a vehicle and load is unlawful is authorized to weigh the same either by means of portable or stationary scales or may require that such vehicle be driven to the nearest stationary scales in the event such scales are within a distance of [two (2)] four (4) miles The peace officer may then require the operator to unload immediately such portion of the load as may be necessary to decrease the gross weight of such vehicle to the maximum gross weight specified in this act except as herein provided for special permits [And further provided That no arrests shall be made in cases where the maximum gross weights provided in this act are not exceeded by more than ten (10) per centum thereof]

Penalty Any person refusing to unload excess weight when so ordered shall upon summary conviction before a Magistrate be sentenced to pay a fine of [ten ($10)] fifty ($50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than [five (5)] ten (10) days

Section 4 The provisions of this act are severable and if any provision thereof is held to be unconstitutional the decision so holding shall not be construed as affecting or impairing any other provision of this act or the act as a whole It is hereby declared as the Legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

The fifth section of the bill was read as follows:

Section 5 The provisions of sections one and two of this act except as herein provided shall become effective on the first day of January one thousand nine hundred thirty-four as to vehicles manufactured or constructed subsequent to said date and shall become effective as to all vehicles on and after the first day of January one thousand nine hundred thirty-five except that the amendments to subsections (c) and (c) 1 of section nine hundred two of "The Vehicle Code" contained in section one of this act shall become effective on and after the first day of January one thousand nine hundred thirty-four provided however that the provisions of section three of this act and the amendments to subsection (f) of section nine hundred two of "The Vehicle Code" as contained in section one of this act shall become effective immediately upon approval of this act by the Governor

On the question,

Will the Senate agree to the section?

Mr. BOYD, Mr. President, I move to amend Section 5, page 12, line 12, by striking out the words "thirty-five" and inserting in lieu thereof the words "thirty-seven."

Mr. SCOTT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, nine hundred five), entitled "For the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," by revising existing regulations for length, height and weight of certain vehicles; changing method of enforcement; and providing certain penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third readihg.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 498, as follows:

An Act authorizing counties, cities, boroughs, townships of the first and second class and school districts to issue and sell bonds for certain purposes and for a certain period of time providing for a trust fund and a sinking fund for the payment thereof and defining the duties of the officers and governing bodies of the said municipalities or quasi municipalities in relation to said funds and fixing a penalty for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That to meet the emergency occasioned by the extraordinary decrease in tax collections due to business depression and widespread unemployment it shall be lawful for any county city borough township of the first and second class and school districts to issue and sell at not less than par bonds bearing interest at a rate not exceeding six per cent (6%) per annum payable in not more than ten (10) years from the date of said bonds in an amount not exceeding sixty per cent (60%) of the amount of uncollected taxes due on real estate at the date of the enactment of the ordinance or the adoption of the resolution authorizing such action and the proceeds of any bonds created under the provisions of this act by any such municipality or quasi municipality shall be used only for the payment of the operating expenses of such municipality or quasi municipality

Section 2 For the purpose of creating a sinking fund for the payment of the principal and interest of the bonds created under the provisions of this act and any taxes covenanted to be paid thereon the governing bodies of the municipalities or quasi municipalities issuing same shall annually (until payment of the said bonds and the interest thereon and any taxes covenanted to be paid thereon be fully provided for) levy and collect in addition to the other taxes a tax sufficient to pay the interest and principal of said indebtedness and any taxes covenanted to be paid theron within (10) years from the date of said bonds Such taxes shall be called the "Emergency Sinking Fund Tax" and shall be paid into the treasury of such municipality or quasi municipality and shall be kept separate and distinct from all other funds in a fund to be called "Emergency Sinking Fund" and shall be applied to the redemption of said bonds and the payment of the interest and taxes if any thereon and to no other purpose whatsoever and said bonds when so redeemed shall be cancelled

Section 3 The ordinance or resolution authorizing the issuing of said bonds shall recite the amount of uncollected taxes then due of which amount of taxes an amount equal to the proposed issue of bonds shall become a trust fund for the redemption of said bonds and the payment of the interest and taxes if any thereon and it shall be the duty of the secretary or clerk of the governing body to credit the Emergency Sinking Fund with such taxes and of the treasurer of such municipality or quasi municipality to deposit in the Emergency Sinking Fund immediately upon receipt thereof any and all said uncollected taxes provided that the amount of said uncollected taxes received and deposited in the Emergency Sinking Fund in any year may be deducted from the amount of the annual tax levied for the year following to be levied and collected for the redemption of said bonds and the payment of the interest and taxes if any thereon

Section 4 Any person who shall directly or indirectly apply or use any of said uncollected taxes to or for any purposes other than to deposit the same in the Emergency Sinking Fund shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not exceeding one thousand dollars ($1,000.00) or imprisoned for a term not exceeding one (1) year or either or both in the discretion of the court

Section 5 The trust fund and the emergency sinking fund covering each issue of bonds under the provisions of this act shall be like numbered and in consecutive order and the amount thereof as well as the uncollected taxes due and collectible shall be deducted from the gross indebtedness in ascertaining the net indebtedness of such municipality or quasi municipality

Section 6 The temporary emergency power hereby granted shall be in addition to the powers granted to such municipalities or quasi municipalities to issue and create indebtedness under existing law

Section 7 Any bonds issued under the provisions of this act shall be issued in accordance with the provisions of the Constitution of this Commonwealth and the act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" as supplemented and amended and shall require the approval of the Department of Internal Affairs

Section 8 This act shall become effective immediately upon final enactment and remain in force and effect only for five (5) years thereafter

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 578, as follows:

An Act to amend section three of the act approved the eighteenth day of April one thousand nine hundred and nineteen (Pamphlet Laws seventy) entitled "An act declaring it a misdemeanor for any maker or drawer with intent to defraud to make or draw or utter or deliver any check draft or order when such person has not sufficient funds in or credit with the depository upon which the same is drawn" by providing for the admission in evidence of the protest of nonpayment of checks drafts and orders

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the

same That section three of the act approved the eighteenth day of April one thousand nine hundred and nineteen (Pamphlet Laws seventy) entitled "An act declaring it a misdemeanor for any maker or drawer with intent to defraud to make or draw or utter or deliver any check draft or order when such person has not sufficient funds in or credit with the depository upon which the same is drawn" is hereby amended to read as follows

Section 3 In any prosecution under this act the making or drawing or uttering or delivering of a check draft or order payment of which is refused by the drawee because of lack of funds or credit shall be prima facie evidence of intent to defraud and of knowledge of insufficient in or credit with such bank banking institution trust company or other depository unless such maker or drawer shall have paid the drawee thereof the amount due thereon together with interest and protest fees within ten days after receiving notice that such check draft or order has not been paid to the drawee and in any such prosecution the notice of protest of nonpayment of such check draft or order because of insufficient funds or no funds shall be admissible as proof and shall be prima facie evidence of lack of funds or credit with such bank banking institution trust company or other depository

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to, .

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 580 (House Bill No. 127), entitled:

An Act to amend section one thousand two hundred seven of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, three hundred forty-three), entitled "An act [to amend the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, three hundred forty-three) entitled "An act] relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth; and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State Government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," [] taking out of operation of the Fiscal Code questions relating to the lien and payment of liquid fuel taxes, and referring such questions to the provisions of the liquid fuels tax act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 601 (House Bill No. 126), entitled:

An Act to amend section one thousand four hundred one of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due to the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" limiting the lien and procedure for collection of taxes bonus and other moneys due to Commonwealth in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 605 (House Bill No. 490), entitled:

An Act to amend section one of the act approved the twenty-sixth day of August one thousand nine hundred and thirty-two (P. L. 100) entitled "An act authorizing the abatement of penalties on local taxes" providing further for the abatement of tax penalties and providing for an extension of time for delivery of duplicates to collectors of delinquent taxes in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 629, as follows:

An Act to prohibit the employment by the Commonwealth and by counties cities boroughs towns townships departments boards commissions and by certain corporations hospitals homes and institutions of aliens who entered the United States unlawfully and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for the Commonwealth or for any county city borough town township department board commission or for any corporation hospital institution or home within the Commonwealth of Pennsylvania which receives financial aid from the Commonwealth or from any political subdivision thereof to employ in any way any alien without first requiring such alien to furnish proof from the Federal Government that he or she entered the United States of America in a lawful manner

Section 2 Any officer or employe of the Commonwealth or of any county city borough town township department board commisison or of any corporation or of any hospital insti-

tution or home within this Commonwealth which receives financial aid from the State or from any political subdivision thereof who violates any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof before an Alderman Magistrate or Justice of the Peace shall be punished by a fine of not more than fifty dollars

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

Section 4 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. PRINCE. Mr. President, I ask unanimous consent that Senate Bill No. 643, on second reading, entitled:

An Act dedicating and setting aside certain lands in Lycoming, Cameron and Clinton Counties as a public park and pleasure ground, to be known s "Bucktail State Park;" and imposing certain powers and duties in connection therewith upon the Department of Forests and Waters and the Department of Justice of the Commonwealth,

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 645, as follows:

An Act to amend section five of the act approved the nineteenth day of August one thousand nine hundred and thirty-two (Pamphlet Laws ninety-two) entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors as herein defined prescribing the method and manner of collecting such tax and providing penalties" extending the time for payment of the emergency relief sales tax by extending the time of payment of said tax under certain circumstances

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of th same That section five of the act approved the nineteenth day of August one thousand nine hundred and thirty-two (Pamphlet Laws ninety-two) entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors as herein defined prescribing the method and manner of collecting such tax and providing penalties" is hereby amended to read as follows

Section 5 Assessment and Payment of Tax Every vendor at the time of making the return required under section 4 shall compute and pay to the department the tax due to the Commonwealth by him for the preceding six months' period The amount of all taxes imposed under the provisions of this act shall be due and payable at the time the return for such six months' period is required to be filed with the department by this act unless the vendor shall notify the department that he desires an extension of time to pay said tax and agrees therein to pay said tax in four equal instalments on the first and fifteenth day of April and the first and fifteenth day of May Any such instalment of tax not paid on or before the dates specified herein shall be subject to the payment of interest at the rate of eight per centum per annum from such dates

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 656 (House Bill No. 1182), as follows:

An Act to authorize the Department of Highways and the county commissioners to occupy and relocate rights of way of public service companies in certain cases and to acquire by purchase or condemnation the necessary land therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever in the construction widening or relocation of any State or county road highway bridge or tunnel or of any part thereof it becomes necessary in the opinion of the Secretary of Highways or of the county commissioners to occupy the whole or any part of the right of way of any public service company the State Department of Highways or the county commissioners as the case may be may enter upon and occupy the whole or any part of such right of way for the purpose of such road highway bridge or tunnel or part thereof Provided That before such right of way or any part thereof is so occupied the Department of Highways or the county commissioners as the case may be shall at the expense of the state or county provide a substitute right of way on another and favorable location and shall provide for the transfer to or reconstruction upon in under or above said substitute right of way of any structures and facilities of said public service company located upon in under or above said original right of way at the time the same is so occupied The Department of Highways or the county commissioners of any county are hereby authorized to acquire the necessary land for the relocation of any such public service right of way and facilities by purchase or by the exercise of the right of eminent domain in the same manner that property is now taken and condemned for highway and road purposes provided however that the right of way of a railroad company shall not be acquired or occupied without the consent of the company owning or operating or in possession of said railroad

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON THIRD READING AND FINAL PASSAGE

Mr. SCOTT. Mr. President, I ask unanimous consent to proceed to the consideration of Senate Bill No. 320, on third reading, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, by adding thereto section seventeen.

The PRESIDENT. Is their objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 320, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, by adding thereto section seventeen.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Armstrong,	Fay,	Miller,	Scott,
Aron,	Gelder,	Norton,	Shapiro,
Batchelor,	Graff,	Owlett,	Snyder,
Baumer,	Harris,	Parkinson,	Sordoni,
Bell,	Harvey,	Pethick,	Staudenmeier
Bennett,	Homsher,	Pierson,	Thompson,
Boyd,	Krause,	Prince,	Trainer,
Brandt,	Lanius,	Reed,	Williamson,
Buckman,	Mansfield,	Rice,	Woodward,
Coyne,	McClure,	Roberts,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Mr. SCOTT. Mr. President, I ask unanimous consent to proceed to the consideration of Senate Bill No. 638, on third reading, entitled:

An Act providing for the appointment by the court of quarter sessions of the directors of the poor of the Erie County Poor District and abolishing the elected directors; providing for the appointment and compensation of a director of welfare, investigators, assistants, experts and employes, and for the employment and compensation of elected directors whose terms have not expired and repealing existing laws.

The PRESIDENT. Is their objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 638, entitled:

An Act providing for the appointment by the court of quarter sessions of the directors of the poor of the Erie County Poor District and abolishing the elected directors; providing for the appointment and compensation of a director of welfare, investigators, assistants, experts and employes, and for the employment and compensation of elected directors whose terms have not expired; and repealing existing laws.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Armstrong,	Fay,	Miller,	Scott,
Aron,	Gelder,	Norton,	Shapiro,
Batchelor,	Graff,	Owlett,	Snyder,
Baumer,	Harris,	Parkinson,	Sordoni,
Bell,	Harvey,	Pethick,	Staudenmeier,
Bennett,	Homsher,	Pierson,	Thompson,
Boyd,	Krause,	Prince,	Trainer,
Brandt,	Lanius,	Reed,	Williamson,
Buckman,	Mansfield,	Rice,	Woodward,
Coyne,	McClure,	Roberts,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Mr. SCOTT. Mr. President, I ask unanimous consent to proceed to the consideration of Senate Bill No. 682, entitled:

An Act authorizing and regulating the issue and sale of preferred stock by banks and trust companies.

The PRESIDENT. Is their objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 682, entitled:

An Act authorizing and regulating the issue and sale of preferred stock by banks and trust companies.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Armstrong,	Fay,	Miller,	Scott,
Aron,	Gelder,	Norton,	Shapiro,
Batchelor,	Graff,	Owlett,	Snyder,
Baumer,	Harris,	Parkinson,	Sordoni,
Bell,	Harvey,	Pethick,	Staudenmeier,
Bennett,	Homsher,	Pierson,	Thompson,
Boyd,	Krause,	Prince,	Trainer,
Brandt,	Lanius,	Reed,	Williamson,
Buckman,	Mansfield,	Rice,	Woodward,
Coyne,	McClure,	Roberts,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL SIGNED

The President (Lieutenant-Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

Senate Bill No. 294, entitled:

An Act to amend section five of the act, approved the fifth day of March, one thousand nine hundred and six (P. L. 78), entitled "An act to regulate nominations and election expenses, and to require accounts of nomination and election expenses to be filed, and providing penalties for the violation of this act," as amended, requiring the treasurers of political committees concerned in the nominations of candidates, to file an account of moneys spent for such nominations.

Whereupon,

The President (Lieutenant-Governor Edward C. Shannon), in the presence of the Senate, signed the same.

REPORTS FROM COMMITTEES

Mr. ARON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARON, from the Committee on Judiciary General, reported as committed, Senate Bill No. 543, entitled:

An Act to amend section four of the act approved the twentieth day of March, one thousand eight hundred and ten, (P. L. 208), entitled "An act to amend and consolidate with its supplements, the act entitled 'An act for the recovery of debts and demands, not exceeding one hundred dollars, before a Justice of the Peace, and for the election of constables, and for other purposes,'" by prescribing the time within which transcripts must be filed on appeals from judgments of justices of the peace in civil cases.

Mr. ZIESENHEIM. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ZIESENHEIM, from the Committee on Aeronautics, reported as committed, Senate Bill No. 727, entitled:

An Act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Revenue in respect thereto; providing for the licensing and regulation of airmen and aircraft; establishing the legal status of air navigation; providing, for sovereignty in and ownership of space; providing for lawfulness of flights; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess for fifteen minutes.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

The PRESIDENT PRO TEMPORE (Mr. James S. Boyd) in the chair.

NOMINATION BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

MAJOR GENERAL OF THE PENNSYLVANIA NATIONAL GUARD

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 22, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the appointment of Hon. Edward C. Shannon, of Columbia, Lancaster County, as Major General of the Pennsylvania National Guard, vice Hon. William G. Price, Jr., retired, March 23, 1933, to compute from March 24, 1933, until lawfully determined and annulled.

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. PARKINSON,

The Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on nomination of General E. C. Shannon as Major General commanding the National Guard of Pennsylvania.

Which was agreed to.

Whereupon,

A motion was made by Mr. PARKINSON,

That the Senate do advise and consent to said nomination.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Fay,	Miller,	Shapiro,
Aron,	Frazier,	Norton,	Snyder,
Batchelor,	Gelder,	Owlett,	Sones,
Baumer,	Graff,	Parkinson,	Sordoni,
Bell,	Harris,	Pethick,	Staudenmeier,
Bennett,	Harvey,	Pierson,	Thompson,
Brandt,	Homsher,	Prince,	Trainer,
Buckman,	Howell,	Quigley,	Williamson,
Chapman,	Hunsicker,	Reed,	Woodward,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	Boyd,
Ealy,	Mansfield,	Salus,	Pres. Pro. Tem
Einstein,	McClure,	Scott.	

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly?

Mr. BUCKMAN. Mr. President, I move that the Executive Session do now rise.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The Chair has the great honor of presenting to you General Shannon in his new capacity.

GENERAL SHANNON. My comrades of the Senate, I do not believe that you can possibly realize my feelings at this time. As a young fellow forty-four years ago, on the 10th of next month, I enlisted as a private soldier in the Pennsylvania National Guard, never dreaming, at that time, what might happen to my service in that force. To the best of my ability, as an American citizen, I have endeavored to play the game as a soldier man all through these years, and what has happened here this morning is an example of what might happen to any young man in this great Commonwealth, when the Senate of this great State approves the nomination of His Excellency the Governor for me to command the Pennsylvania Army.

It was most gracious of the Governor to send this nomination in; and the only thing I can say to you this morning is that I appreciate his courtesy in the matter, and that you have been most gracious in making it unanimous, and in stepping aside from the ordinary course of the rules of this body and approving the nomination.

For the few short months I have to serve as commanding officer of the Pennsylvania forces I shall endeavor to carry out the work as it has been done in the past, and whatever honor comes to me in that capacity will be an honor for the State of Pennsylvania.

I wish I could tell you how much I appreciate what you have done here in my service with you. You have been most gracious. The service has been service in a more or less long life of public service. We are a happy family, and I assure you that in years to come I will look back on this term of service as one of the happiest periods of my life. Thank you very, very much.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

REPORTS FROM COMMITTEES

Mr. REED. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. REED, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 586 (House Bill No. 445), entitled:

An Act to amend sections 703 1015 1406 1902 2103 2403 Cl 53 2559 2562 2563 2564 2566 2567 2601 2620 2621 2706 2955 2978 3206 3211 3212 3501 3801 and 3803 of and to add sections 1913 and 2990 to the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two), entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" providing for vacancies in office and the filling thereof where persons elected fail to qualify for the publication of ordinances for the deposit of funds by the city treasurer for exemption from advertisement of contracts with the Commonwealth for a platoon system for paid men of volunteer fire departments for group insurance for the exoneration of tax collectors and the settlement of their duplicates for penalties and interest on taxes for the collection of delinquent taxes for the licensing of transient merchants and business for the acquisition of unobstructed views for detours for the construction of sewage treatment works and the acquisition of property therefor for the collection of a frontage tax for water mains and certain license taxes that the powers of the Shade Tree Commission may be exercised by council for the advertisement of contracts in trade journals and for the improvement of boundary streets.

Mr. ARMSTRONG. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARMSTRONG, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 3, entitled:

An Act authorizing cities of the first, second and third classes to defray the expenses of National encampments of certain organizations of veterans.

Mr. COYNE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 614, entitled:

An Act to amend section one thousand and eight of the act approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs," as amended, by further regulating the recording of ordinances.

Mr. ZIESENHEIM. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ZIESENHEIM, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 561, entitled:

An Act to amend section one of the act, approved the first day of May, one thousand nine hundred and thirteen (P. L. 155), entitled "An act regulating the letting of certain contracts for the erection, construction, and alteration of public buildings," providing that in such cases separate contracts shall be awarded for the structural steel and ornamental iron work.

Mr. KRAUSE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KRAUSE, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 560, entitled:

An Act to amend section one thousand eight hundred and five of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto"; providing that in awarding certain contracts for the erection, construction and alteration of public buildings, separate bids shall be received for the structural steel and ornamental iron work.

Mr. SCOTT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 679, entitled:

An Act to amend section twenty-nine of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioners and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and precedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, boroughs, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, boroughs, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts incinsistent herewith; and providing that existing contracts are not affected by provisions of this act," by relieving townships of the duty to contribute towards the maintenance of certain State-aid highways; and discharging certain existing obligations therefor.

Mr, SHAPIRO. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SHAPIRO, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 615, entitled:

An Act validating certain proceedings of borough councils pursuant to the provisions of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs; and revising, amending and consolidating the law relating to boroughs," and the several supplements and amendments thereto.

Mr. WILLIAMSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WILLIAMSON, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 559, entitled:

An Act to amend section one thousand nine hundred and six of the act approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932., entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto"; providing that in awarding certain contracts for the erection, construction, and alteration of public buildings, separate bids shall be received for the structural steel and ornamental ironwork.

Mr. TRAINER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TRAINER, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 558, entitled:

An Act to amend section five hundred and sixty-three of the act, approved the twenty-first day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh, and eighth classes; and revising, amending and consolidating the laws relating thereto"; providing that in awarding certain contracts for the erection, construction and alteration of public buildings, separate bids shall be received for the structural steel and ornamental iron work.

Mr. PARKINSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PARKINSON, from the Committee on Elections, reported as committed, Senate Bill No. 500, entitled:

An Act to amend sections one, seven, fifteen and twenty-three as amended and sections twenty-four and twenty-six of the act approved the eighteenth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws five hundred forty-nine), entitled "An act to permit the use of voting machines for recording and computing the vote at all elections, including primaries in any county, city, borough or township of the Commonwealth, at the option of the electors thereof; prescribing regulations with reference to the adoption, requirements, examination, purchase, installation, preparation, custody and demonstration of use of voting machines; providing rules and regulations for the conduct of elections held with voting machines; prescribing the qualifications, number and duties of election officers in election districts in which voting machines may be used; placing duties upon county commissioners and the Secretary of the Commonwealth; providing for redivision of wards of cities and boroughs into election districts and the consolidation of election districts; providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used, and providing penalties for violation of the provisions of this act," by making provisions for voting machines designed to be made secure by the use of two or more seals; providing the requirements of and rules and regulations for the conduct of elections held with voting machines equipped with mechanism for printing paper proof-sheets; providing for the printing and distribution of said proof-sheets; providing for their use in canvassing the vote; making them part of the election returns and defining their probative value and effect.

Mr. HOMSHER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOMSHER, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 557, entitled:

An Act to amend section two thousand five hundred and eleven of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs," providing that in awarding certain contracts for the erection, construction and alteration of public buildings separate bids shall be received for the structural steel and ornamental iron work.

BILL INTRODUCED

Mr. ARMSTRONG. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARMSTRONG read in his place and presented to the Chair Senate Bill No. 732, entitled:

An Act to further amend Section two of an act, approved the twenty-ninth day of March, eighteen hundred and ninety-nine (Pamphlet Laws twenty-one), entitled "An act to establish a board for the examination of accountants, to provide for the granting of certificates to accountants, and to provide a punishment for the violation of this act," as amended, by providing for the certification of accountants in certain cases without examination.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair, Senate Bill No. 733, entitled:

An Act making an appropriation to the South Side Hospital of Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

REPORT FROM COMMITTEE

Mr. PARKINSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PARKINSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 22, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

BEAVER COUNTY

Joseph A. Tokar, Aliquippa.

DELAWARE COUNTY

Herbert E. Gaskill, Folsom.
James J. Laughlin, Upper Darby.
Christian New, Philadelphia.

LAWRENCE COUNTY

E. F. C. Harper, New Castle.

LEHIGH COUNTY

Mrs. Mildred L. Rau, Allentown.

LUZERNE COUNTY

Arnold P. Richards, West Pittston.
Miss Martha J. Schweitzer, Hazleton.

PHILADELPHIA COUNTY

Charles C. Burkett, Philadelphia.
David Baird Fox, Philadelphia.
Vincent S. Palumbo, Philadelphia.

SCHUYLKILL COUNTY

William E. Lewis, Shenandoah.

WESTMORELAND COUNTY

Herbert Wirsing, Greensburg.

YORK COUNTY

Royce Kohr, York.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 22, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, terms of four years to compute from the date set opposite their names:

PHILADELPHIA COUNTY

Anthony J. Zeits, Philadelphia, March 25, 1933.

POTTER COUNTY

B. L. Langworthy, Shinglehouse, March 25, 1933.

LANCASTER COUNTY

Mrs. Anna M. Kolb, Lancaster, March 26, 1933.

ERIE COUNTY

John A. Ignasiak, Erie, April 1, 1933.

BEAVER COUNTY

Robt. L. Baker, Beaver, April 2, 1933.

LEHIGH COUNTY

Willis Charles Kahler, Allentown, April 2, 1933.

ALLEGHENY COUNTY

Miss Marie A. Brednich, Pittsburgh, April 6, 1933.

PHILADELPHIA COUNTY

Miss Margaret C. McAteer, Philadelphia, April 8, 1933.

LACKAWANNA COUNTY

Wendell P. Evans, Scranton, April 14, 1933.

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. GELDER,

That Rule 38, which requires reports of committees on nominations made by the Governor to lie on the table one day, be dispensed with, and the Senate do now resolve itself into Executive Session for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. GELDER,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Armstrong,	Fay,	Miller,	Scott,
Aron,	Gelder,	Norton,	Shapiro,
Batchelor,	Graff,	Owlett,	Snyder,
Baumer,	Harris,	Parkinson,	Sordoni,
Bell,	Harvey,	Pethick,	Staudenmeier
Bennett,	Homsher,	Pierson,	Thompson,
Boyd,	Howell,	Prince,	Trainer,
Brandt,	Krause,	Reed,	Williamson,
Buckman,	Lanius,	Rice,	Woodward,
Coyne,	Mansfield,	Roberts,	Ziesenheim,
Ealy,	McClure,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. PARKINSON. Mr. President, I move that the Executive Session do now rise.

Mr. SORDONI. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGE

HOUSE INSISTS ON ITS NON-CONCURRENCE IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL NO. 1

The Clerk of the House of Representatives being introduced, informed the Senate that the House insists on its non-concurrence in the amendments made by the Senate to House Bill No. 1, entitled:

An Act relating to baseball and football on Sunday prohibiting baseball and football on Sunday during certain hours and also during certain other hours unless the electors of the Commonwealth are in favor of the same and a license has first been secured from the municipal authorities providing for referendums to ascertain the will of the electors and for the enactment and repeal of licensing ordinances and resolutions in accordance therewith providing penalties and repealing inconsistent laws

and has appointed Messrs. Schwartz, Steedle and Sarig as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

APPOINTMENT OF COMMITTEE OF CONFERENCE

Mr. McCLURE. Mr. President, I move that a Committee of Conference be appointed to confer with a Committee of the House (already appointed) to consider the differences existing between the two Houses in relation to House Bill No. 1.

Mr. COYNE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That Messrs. Trainer, McClure and Coyne be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

MOTION TO READ BILLS FOR THE FIRST TIME

Mr. SCOTT. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 3, entitled:

An Act authorizing cities of the first, second and third classes to defray the expenses of National encampments of certain organizations of veterans.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 341, entitled:

An Act to amend section four of an act approved the thirteenth day of May, one thousand nine hundred and fifteen (P. L. 286) entitled "An act to provide for the health, safety, and welfare of minors: By forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school districts, and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," by changing the hours of labor permitted for minors under sixteen years of age and prescribing a daily lunch period of not less than forty-five minutes for such employed minors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 500, entitled:

An Act to amend sections one, seven, fifteen and twenty-three as amended and sections twenty-four and twenty-six of the act approved the eighteenth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws five hundred forty-nine) entitled "An act to permit the use of voting machines for recording and computing the vote at all elections, including primaries in any county, city, borough or township of the Commonwealth, at the option of the electors thereof; prescribing regulations with reference to the adoption, requirements, examination, purchase, installation, preparation, custody and demonstration of use of voting machines; providing rules and regulations for the conduct of elections held with voting machines; prescribing the qualifications, number and duties of election officers in election districts in which voting machines may be used; replacing duties upon county commissioners and the Secretary of the Commonwealth; providing for redivision of wards of cities and boroughs into election districts and the consolidation of election districts; providing, for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used; and providing penalties for violation of the provisions of this act," by making provisions for voting machines designed to be made secure by the use of two or more seals; providing the requirements of and rules and regulations for the conduct of elections held with voting machines equipped with mechanism for printing paper proof-sheets; providing for the printing and distribution of said proof-sheets; providing for their use in canvassing the vote; making them part of the election returns and defining their probative value and effect.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 523 (House Bill No. 963), entitled:

An Act to amend section two of the act approved the twenty-second day of April one thousand eight hundred and seventy-four (Pamphlet Laws one hundred nine) entitled "An act to provide for the submission of civil cases to the decision of the court and to dispense with trial by jury" providing that upon request of counsel the decision of the court in such cases shall state separately the facts found the answers to points submitted and the conclusions of law.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 543, entitled:

An Act to amend section four of the act approved the twentieth day of March, one thousand eight hundred and ten (P. L. 208), entitled "An act to amend and consolidate with its Supplements, the Act entitled 'An act for the recovery of debts and demands, not exceeding one hundred dollars, before a Justice of the Peace, and for the election of Constables, and for other purposes,'" by prescribing the time within which transcripts must be filed on appeal from judgments of justices of the peace in civil cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 557, entitled:

An Act to amend section two thousand five hundred and eleven of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," providing that in awarding certain contracts for the erection, construction and alteration of public buildings separate bids shall be received for the structural steel and ornamental iron work.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 558, entitled:

An Act to amend section five hundred and sixty-three of the act, approved the twenty-first day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh, and eighth classes; and revising, amending and consolidating the laws relating thereto;" providing that in awarding certain contracts for the erection, construction and alteration of public buildings, separate bids shall be received for the structural steel and ornamental iron work.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 559, entitled:

An Act to amend section one thousand nine hundred and six of the act approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto"; providing that in awarding certain contracts for the erection, construction, and alteration of public buildings, separate bids shall be received for the structural steel and ornamental iron work.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 560, entitled:

An Act to amend section one thousand eight hundred and five of the act approved the twenty-fourth day of June, one

thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto"; providing that in awarding certain contracts for the erection, construction and alteration of public buildinsg, separate bids shall be received for the structural steel and ornamental iron work.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 561, entitled:

An Act to amend section one of the act, approved the first day of May, one thousand nine hundred and thirteen (P. L. 155), entitled "An act regulating the letting of certain contracts for the erection, construction, and alteration of public buildings," providing that in such cases separate contracts shall be awarded for the structural steel and ornamental iron work.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 579, entitled:

An Act to amend the title and to reenact subsection (b) of section thirty-five of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase or real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports, and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estate of decedents," authorizing executors and administrators to sue and be sued in certain actions in which their decedent might have sued or been sued.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 586, (House Bill No. 445), entitled:

An Act to amend sections 703, 1015, 1406, 1902, 2103, 2403, Cl. 53, 2559, 2562, 2563, 2564, 2566, 2567, 2601, 2620, 2621, 2706, 2955, 2978, 3206, 3211, 3212, 3501, 3801 and 3803 of, and to add sections 1913 and 2990 to, the act approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto; providing for vacancies in office and the filling thereof where persons elected fail to qualify, for the publication of ordinances, for the deposit of funds by the city treasurer, for exemption from advertisement of contracts with the Commonwealth, for a platoon system for paid men of volunteer fire departments, for group insurance, for the exoneration of tax collectors and the settlement of their duplicates, for penalties and interest on taxes, for the collection of delinquent taxes, for the licensing of transient merchants and businesses, for the acquisition of unobstructed views, for detours, for the construction of sewage treatment works, and the acquisition of property therefor, for the collection of a frontage tax for water mains and certain license taxes, that the powers of the Shade Tree Commission may be exercised by council, for the advertisement of contracts in trade journals, and for the improvement of boundary streets.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 614, entitled:

An Act to amend section one thousand and eight of the act approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs," as amended, by further regulating the recording of ordinances.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 615, entitled:

An Act validating certain proceedings of borough councils pursuant to the provisions of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs; and revising, amending and consolidating the law relating to boroughs," and the several supplements and amendments thereto.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 679, entitled:

An Act to amend section twenty-nine of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of im-

provement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; refining highways and State-aid highways; providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," by relieving townships of the duty to contribute towards the maintenance of certain State-aid highways; and discharging certain existing obligations therefor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 707, entitled:

An Act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates, justices of the peace and aldermen, unless names and addresses of prosecutors, defendants and witnesses appear on the transcript thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 727, entitled:

An Act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Revenue in respect thereto; providing for the licensing and registration of airmen and aircraft; establishing the legal status of air navigation; providing, for sovereignty in and ownership of space; providing for lawfulness of flights; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT

OUT OF RESPECT TO THE MEMORY OF HONORABLE WALTER LYON

Mr. SCOTT. Mr. President, I move that the Senate do now adjourn out of respect to the memory of the late Honorable Walter Lyon, former Lieutenant-Governor of the Commonwealth and a former member of this Senate.

Mr. EALY. Mr. President, I second the motion.

The Senate adjourned, at 12.29 p. m., until Monday evening, March 27th, at 9 o'clock.

HOUSE OF REPRESENTATIVES

WEDNESDAY, March 22, 1933.

The House met at 11.00 o'clock A. M.
The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Chaplain, Rev. George F. Conner offered the following prayer:

O God, Thou hast folded back the mantle of the night, and clothed us in the golden glory of the day: If there remains any darkness or gloom in our hearts, may the brightness of hope illumine us.

We thank Thee for this new day, with fresh opportunities of work and service.

Grant to these Thy servants, and the people's—vision, courage and power commensurate with their responsibilities. Grant to them right judgment in all things.

May the tradition of this House ever be—old-fashioned in principles, up-to-date in information and ideas, and ahead of the times in ideals. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. O'Keefe, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. SOWERS. HOUSE BILL No. 1740.

An Act relating to building and loan associations; providing for the judicial appraisement of the assets of certain associations, and prescribing the effect thereof.

Referred to the Committee on Building and Loan Associations.

By Mr. WAY. HOUSE BILL No. 1741.

An Act to amend section ten as amended of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligations and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof! providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commisisoner decides the work be done by the State; providing aid by the State to

counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township, or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated town with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," by providing for the construction and maintenance of certain bridges in boroughs by the Commonwealth.

Referred to the Committee on Highways.

By Mr. WAGNER. HOUSE BILL No. 1742.

An Act relating to and regulating the practice of the healing profession of Chiropractic and the licensure and registration of practitioners therein and creating a Chiropractic Board of Examination and Licensure in the Department of Public Instruction and defining its powers and duties, and providing penalties.

Referred to the Committee on Public Health and Sanitation.

By Mr. O'CONNOR. HOUSE BILL No. 1743.

An Act to amend section five hundred and twelve of the act, approved the twenty-fourth day of May, one thousand nine hundred and twenty-three (P. L. 359), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," as amended, by changing certain penalties.

Referred to the Committee on Game.

By Mr. SHENKEL. HOUSE BILL No. 1744.

An Act making an appropriation to the Department of Property and Supplies for the erection of a statue of Honorable William Flinn in the Capitol building or grounds at Harrisburg and making an appropriation therefor; and providing for the raising and deposit of additional money for the use of the Department of Property and Supplies for such purposes.

Referred to the Committee on Appropriations.

By Miss BRANCATO. HOUSE BILL No. 1745.

An Act exempting persons, associations, copartnerships and corporations moving and delivering furniture, goods and merchandise from one point in any County to another point in the same County from the duty to procure certificates of public convenience.

Referred to the Committee on Judiciary General.

By Mr. HARMUTH. HOUSE BILL No. 1746.

An Act establishing a State Emergency Public Works Commission; prescribing and defining its powers and duties, including the power to prepare an emergency program of construction projects for the immediate creation of employment, with the assistance of the various State agencies having charge of the construction of public works and the various duly constituted official planning agencies; or citizen-constituted planning bodies which have developed general plan studies to devise and recommend for adoption by local and State governments, draft of legislation establishing properly staffed and empowered official planning bodies; to study and recommend, in general terms, such types of legislation as will encourage or effect such needed reforms of financial and taxing procedure as are particularly related to the execution of public works, and which will also result in the establishment of long-term programs of public works construction and expenditure; providing for the terms, salaries, and compensation of the members of the State Board, its officers, and employees; and making an appropriation for its work.

Referred to the Committee on State Government.

By Mr. WRIGHT. HOUSE BILL No. 1747.

An Act relating to salaries, compensations, officers and supplies of certain county officers, their deputies and clerks, in counties of the seventh class; prescribing certain duties for such officers; and provdiing penalties.

Referred to the Committee on Counties.

By Mr. WRIGHT. HOUSE BILL No. 1748.

An Act to abolish the offices of township, school district and borough auditors, and delegating additional duties and powers to county controllers and county auditors in counties of the seventh class.

Referred to the Committee on Counties.

By Mr. WRIGHT. HOUSE BILL No. 1749.

An Act to fix the salaries and compensation of the judges of the Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Allegheny County.

Referred to the Committee on State Government.

By Mr. WRIGHT. HOUSE BILL No. 1750.

An Act to abolish the offices of township, school and borough tax collectors, township, school and borough treasurers, and delegating additional duties and powers to county treasurers and certain township and borough officers in counties of the seventh class; regulating the collection of taxes therein; and providing penalties.

Referred to the Committee on Counties.

By Mr. WRIGHT. HOUSE BILL No. 1751.

An Act to abolish the offices of assessors and county poor directors, and delegating additional duties and powers to the county commissioners and other officers in counties of the seventh class.

Referred to the Committee on Counties.

By Mr. TAHL. HOUSE BILL No. 1752.

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, nine hundred five), entitled "For the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the dispostion of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing or refunds," by further regulating the registration and titling of motor vehicles, trailers, and semi-trailers, their operation on the highway, limiting the number of hours of operation of certain operators; changing certain penalties

and procedures for enforcement; increasing revocation period of operators' license for second or subsequent offenses; imposing certain duties on magistrates; and further regulating the powers, duties, and rights of political subdivisions of the Commonwealth, and their officers; the courts and the clerks thereof, the Department of Highways; and the Department of Revenue.

Referred to the Committee on Highways.

By Mr. TAHL. HOUSE BILL No. 1753.

An Act requiring Pennsylvania registration plates on certain vehicles when being operated under a contract for a public improvement; and requiring the operators thereof to have a Pennsylvania operator's license.

Referred to the Committee on Highways.

By Mr. TAHL. HOUSE BILL No. 1754.

An Act to amend section four hundred fifteen of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liabilty for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing or refunds," as amended, by providing for the sale of statistics relating to the titling and registration of motor vehicles.

Referred to the Committee on Highways.

By Mr. HUTTON. HOUSE BILL No. 1755.

An Act to amend paragraph (a) of section twenty-three of the act approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 337), entitled "An act relating to the jurisdiction, powers, and procedure of the several orphans' courts in proceedings for the partition and valuation of real estate, and for the sale of real estate for the purpose of distribution; and the fees, costs, and expenses therein," as amended, providing that the orphans' court may order the sale of real estate of a decedent upon petition of a majority of the parties in interest.

Referred to the Committee on Judiciary General.

By Mr. TERRY. HOUSE BILL No. 1756.

An Act to amend Routes 65001, 65011, 65037, 65046, 65049, 65053 and 65055 of, and to add Routes 65056, 65057, 65058 and 65059 to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one, (Act No. 203), entitled, "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act."

Referred to the Committee on Highways.

By Mr. SAUTTER. HOUSE BILL No. 1757.

An Act authorizing the publication of legal and official advertising and notices in weekly newspapers of general circulation.

Referred to the Committee on Judiciary General.

By Mr. PETERS. HOUSE BILL No. 1758.

An Act to repeal the act approved the eighth day of July, one thousand nine hundred nineteen (Pamphlet Laws seven hundred seventy), entitled "An act creating a Division of Township Highways in the State Highway Department; conferring powers, and imposing duties upon officers of the State Highway Department requiring certain duties of clerks of the courts of quarter sessions; and providing penalties."

Referred to the Committee on Highways.

By Mr. SOWERS. HOUSE BILL No. 1759.

An Act relating to court proceedings fixing the time within which motions for new trials for judgment non obstante verdictor and motions in arrest of judgment shall be made excluding Sundays, Saturdays, and legal holidays in calculating the time.

Referred to the Committee on Judiciary General.

By Mr. WOODSIDE. HOUSE BILL No. 1760.

An Act providing for the assessment of costs, for the acquiring and adopting of or connecting with existing sewers of adjacent municipalities by townships or boroughs and the maintenance thereof and providing for filing of liens therefor.

Referred to the Committee on Municipal Corporations.

By Mr. SHELLENBERGER. HOUSE BILL No. 1761.

An Act authorizing the county commissioners of certain counties to levy and collect the taxes necessary to pay the interest and principal of any bonds heretofore issued by any one of said counties to repay the money borrowed to maintain and support their poor.

Referred to the Committee on Counties.

By Mr. MALINA. HOUSE BILL No. 1762.

An Act relating to and regulating the practice of naturopathy and the licensing and registration of practitioners, creating the Board of Naturopathic Education, examination and licensure in the Department of Public Instruction, defining the powers and duties of said board and providing penalties.

Referred to the Committee on Public Health and Sanitation.

By Mr. WALL. HOUSE BILL No. 1763.

An Act to amend section seven hundred and twenty-two of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrains, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissable as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as amended, exempting

National Guard companies from payment of fees for certificate of title or registration of motor vehicles, trailers and semi-trailers owned and used by them.

Referred to the Committee on Highways.

By Mr. SCHWARTZ. HOUSE BILL No. 1764.

An Act to amend section nine hundred and six of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrains, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissable as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," increasing the penalty for violating said section.

Referred to the Committee on Highways.

By Mr. SHELLENBERGER. HOUSE BILL No. 1765.

An Act empowering the Department of Forests and Waters and the Board of Game Commissioners to purchase, in the name of the Commonwealth, seated and unseated lands at tax sales held by county treasurers; providing for and regulating the payment of the purchase price and redemption in such cases; providing for the payment of State charges on such lands.

Referred to the Committee on Forestry.

By Mr. HUTTON. HOUSE BILL No. 1766.

An Act relating to procedure in actions of assumpsit and trespass.

Referred to the Committee on Judiciary General.

By Mr. HUTTON. HOUSE BILL No. 1767.

An Act authorizing plaintiffs in actions on written instruments to join as defendants persons severally, jointly or severally, liable thereon, and regulating the effect thereof and the procedure in such actions.

Referred to the Committee on Judiciary General.

By Mr. DENNING. HOUSE BILL No. 1768.

An Act authorizing the publication of legal and offical advertising and notices in Sunday newspapers of general circulation printed and delivered for distribution before Saturday midnight.

Referred to the Committee on Judiciary General.

By Mr. HAINES. HOUSE BILL No. 1769.

An Act to amend section sixty-nine of the act approved the twenty-second day of June, one thousand nine hundred thirty-one (Pamphlet Laws five hundred ninety-four), entitled, "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," by providing for the responsibility of certain bridges by the Commonwealth.

Referred to the Committee on Highways.

By Mr. WADE. HOUSE BILL No. 1770.

An Act requiring the licensing of portable grinding mills, conferring powers and imposing duties on the Department of Agriculture, and prescribing penalties.

Referred to the Committee on Ways and Means.

By Mr. LORD. HOUSE BILL No. 1771.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Jefferson.

Referred to the Committee on Highways.

By Mr. LORD. HOUSE BILL No. 1772.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Jefferson.

Referred to the Committee on Highways.

By Mr. LORD. HOUSE BILL No. 1773.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Jefferson.

Referred to the Committee on Highways.

By Mr. WADE. HOUSE BILL No. 1774.

An Act establishing portions of certain highways lying partially within the corporate limits of cities, boroughs or incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth.

Referred to the Committee on Highways.

By Mr. WADE. HOUSE BILL No. 1775.

An Act authorizing agreements between the Department of Highways and local authorities to provide for the con-

struction and maintenance of streets and highways in cities, counties, boroughs, towns and townships, under certain conditions; providing for assessments on abutting property owners; and making an appropriation.

Referred to the Committee on Highways.

By Mr. WILSON. HOUSE BILL No. 1776.

An Act to further amend section four of the act approved the first day of June, one thousand nine hundred fifteen (Pamphlet Laws, six hundred sixty-one), entitled "An act relating to the maintenance of insane, feeble-minded, and other persons confined in the various institutions of the Commonwealth; fixing liability for their support; providing for the collection of the moneys due the Commonwealth therefor, and for the proceedings relating thereto," by providing for the recording of orders of the courts of common pleas for the payment of moneys due the Commonwealth of Pennsylvania, and for the enforcement of such orders by attachment.

Referred to the Committee on Judiciary General.

By Mr. WILSON. HOUSE BILL No. 1777.

An Act to amend section two of the act, approved the fourth day of June, one thousand nine hundred and fifteen (Pamphlet Laws, eight hundred twenty-eight), entitled, "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, copartnership associations, and joint stock associations and providing the manner of collecting such tax, and prescribing penalties," by extending the exemptions from the tax imposed by the said act.

Referred to the Committee on Ways and Means.

By Mr. WILSON. HOUSE BILL No. 1778.

An Act to further amend section five hundred five of the act approved the eleventh day of July, Anno Domini, one thousand nine hundred twenty-three (Pamphlet Laws, nine hundred ninety-eight), entitled, "An act for the prevention and treatment of mental diseases, mental defect, epilepsy, and inebriety; regulating the admission and committment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics; governing the transfer, discharge, interstate rendition, and deportation of mental patients; providing for the payment by individuals, counties, or the Commonwealth of the cost of the admission, care, and discharge of mental patients; and imposing penalties," by providing for the recording of orders of the courts of common pleas for the payment of moneys due the Commonwealth of Pennsylvania, and for the enforcement of such orders by attachments.

Referred to the Committee on Judiciary General.

By Mr. McCLURE. HOUSE BILL No. 1779.

An Act to amend section one of the act, approved the eighth day of June, one thousand nine hundred twenty-three (Pamphlet Laws, six hundred eighty-five), entitled "An act prescribing the fees for the office of Secretary of the Commonwealth," by increasing certain fees to be collected by the Secretary of the Commonwealth.

Referred to the Committee on Ways and Means.

By Mr. PETERS. HOUSE BILL No. 1780.

An Act to amend the act approved the twenty-second day of June, one thousand nine hundred thirty-one (Pamphlet Laws, five hundred ninety-four), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," by changing certain routes and adding certain new routes.

Referred to the Committee on Highways.

By Messrs. P. STERLING, FYLNN, McCLURE and STEEDLE. (By Request of Joint Legislative Committee on the Finances). HOUSE BILL No. 1781.

An Act to amend the act approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, three hundred forty-three) entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging, to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agenciy thereof and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State and certain officers of such subdivisions, every persons, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth" as amended, by adding new sections; eliminating the duty of the Treasury Department to examine and audit requisitions for disbursements; eliminating the duty of the Department of the Auditor General to audit the affairs of the State Workmen's Insurance Board; providing for the adjustment and settlement of claims against the Commonwealth; abolishing the publication of mercantile appraisers lists; and providing for the reimbursement of the General Fund the special operating funds for services rendered by the Department of the Auditor General and the Treasury Department.

Referred to the Committee on State Government.

By Messrs. P. STERLING, FLYNN, McCLURE and STEEDLE. (By Request of Joint Legislative Committee on the Finances). HOUSE BILL No. 1782.

An Act to further amend section 285 of the act approved the second day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, four hundred forty-eight), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by making the moneys in the Fish Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments.

Referred to the Committee on State Government.

By Messrs. P. STERLING, FLYNN, McCLURE and STEEDLE. (By Request of Joint Legislative Committee on the Finances). HOUSE BILL No. 1783.

An Act to amend the act approved the second day of April, one thousand nine hundred and twenty-five (Pamphlet Laws, one hundred twenty-two), entitled "An act to authorize the Superintendent of Public Instruction to fix and to collect reasonable fees for certain services rendered by that Department" by authorizing the Department of Public Instruction to collect a fee for issuing certificates to teachers.

Referred to the Committee on State Government.

By Messrs. P. STERLING, FLYNN, McCLURE and STEEDLE. (By Request of Joint Legislative Committee on the Finances). HOUSE BILL No 1784.

An Act prescribing fees to be charged by the Secretary of the Commonwealth for filing nomination papers and nomination petitions.

Referred to the Committee on State Government.

By Messrs. P. STERLING, FLYNN, McCLURE and STEEDLE. (By Request of Joint Legislative Committee on the Finances). HOUSE BILL No. 1785.

An Act authorizing the Department of Mines to charge a fee for making examinations and inspections of anthracite and bituminous mines.

Referred to the Committee on State Government.

By Messrs. PHILIP STERLING, FLYNN, McCLURE and STEEDLE (By request of Joint Legislative Committee on the Finances). HOUSE BILL No. 1786.

An Act to further amend section 11 of the act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred sixty-two), entitled "An act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto; declaring false oaths by the subscribers to be misdemeanors; and providing penalties for the violation thereof," by making the moneys in the State Workmen's Insurance Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments.

Referred to the Committee on State Government.

By Messrs. PHILIP STERLING, FLYNN, McCLURE and STEEDLE (By request of Joint Legislative Committee on the Finances). HOUSE BILL No. 1787.

An Act to further amend section 1201 of the act approved the twenty-fourth day of May, one thousand nine hundred and twenty-three (Pamphlet Laws, three hundred fifty-nine) entitled, "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto;" by making the moneys in the Game Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments.

Referred to the Committee on State Government.

By Messrs. P. STERLING, FLYNN, McCLURE and STEEDLE (By request of Joint Legislative Committee on the Finances). HOUSE BILL No. 1788.

An Act to further amend sections 3 and 4 of the act approved the first day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand forty-six) entitled "An act appropriating the moneys in the Motor License Fund" by making the moneys in the Motor License Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments.

Referred to the Committee on State Government.

By Messrs. P. STERLING, FLYNN, McCLURE and STEEDLE (By request of Joint Legislative Committee on the Finances). HOUSE BILL No. 1789.

An Act to further amend paragraph (a) of section 9 of the act approved the fifteenth day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, eight hundred nine) entitled "An act relating to the organization, maintenance, and operation of the Department of Banking, and the scope of its supervision and control over corporations, partnerships, unincorporated associations, and individuals, and the assets and liabilities thereof; providing penalties for the enforcement of its provisions; and repealing the Banking Department Act of nineteen hundred and nineteen, with table of contents" by making the moneys in the Banking Department Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments.

Referred to the Committee on State Government.

By Mr. ROYLE. HOUSE BILL No. 1790.

An Act to amend part of section one, as amended, of the act, approved the tenth day of May, one thousand nine hundred and twenty-one (P. L. 455), entitled "An act to fix the number of Representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution," by changing certain of such districts in Philadelphia.

Referred to the Committee on Legislative Apportionment.

By Mr. CORDIER. HOUSE BILL No. 1791.

An Act making an appropriation in the Motor License Fund to the Department of Public Instruction.

Referred to the Committee on Appropriations.

By Mr. FLINCHBAUGH. HOUSE BILL No. 1792.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of York.

Referred to the Committee on Highways.

By Mr. FLINCHBAUGH. HOUSE BILL No. 1793.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of York.

Referred to the Committee on Highways.

By Mr. FLINCHBAUGH. HOUSE BILL No. 1794.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of York.

Referred to the Committee on Highways.

By Mr. FLINCHBAUGH. HOUSE BILL No. 1795.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State

highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of York.

Referred to the Committee on Highways.

By Mr. FLINCHBAUGH. HOUSE BILL No. 1796.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of York.

Referred to the Committee on Highways.

By Mr. FLINCHBAUGH. HOUSE BILL No. 1797.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of York.

Referred to the Committee on Highways.

By Mr. FLINCHBAUGH. HOUSE BILL No. 1798.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of York.

Referred to the Committee on Highways.

By Mr. FLINCHBAUGH. HOUSE BILL No. 1799.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of York.

Referred to the Committee on Highways.

By Mr. SURFACE. HOUSE BILL No. 1800.

An Act providing for the control and eradication of white pine blister rust; providing for the destruction of trees, plants and bushes infected with the white pine blister rust; authorizing the Department of Forests and Waters to remove, appraise and pay for healthy host plants necessarily destroyed; declaring certain plants and bushes to be a public nuisance; authorizing the Department of Forests and Waters to set aside fruiting currant and gooseberry and white pine growing districts as control areas; authorizing the collection of the expense of destroying the plants from owners failing to destory; and providing penalties for its violation.

Referred to the Committee on Forestry.

By Mrs. PENNOCK. HOUSE BILL No. 1801.

A Joint Resolution proposing an amendment to section eight, article four, and to add an additional section to article ten of the Constitution of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

By Mr. WAGNER. HOUSE BILL No. 1802.

An Act to regulate nominations and elections for elective officers of cities of the third class and all offices of judge of a court of record; providing for non-partisan nominations and election for said offices; abolishing certain existing methods of nomination in such cases and the use of party or political names or appellations at elections with respect to said offices; imposing certain duties upon the Secretary of the Commonwealth, county commissioners, and election officers and clerks; and providing penalties for the violation of the provisions hereof, and the punishment of certain offenses.

Referred to the Committee on Elections.

BILL SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 680.

An Act to amend sections two and four of the act approved the third day of May one thousand nine hundred and nine (Pamphlet Laws three hundred ninety-five) entitled "An act regulating the sale of concentrated commercial feeding-stuffs also of condimental stock and poultry-food and patented proprietary or trade-mark stock and poultry-food possessing nutritive value combined with medicinal properties defining concentrated commercial feeding-stuffs prohibiting the adulteration of any feeding-stuff sold offered or exposed for sale in this State with oat hulls ground corn cobs flax plant refuse elevator chaff cotton-seed hulls ground corn stalks rice hulls peanut hulls weed seeds or other similar adulterants providing for the collection of samples and analysis thereof by the Department of Agriculture and the publication of information concerning the same providing also for the expenses of the enforcement of the law fixing penalties for its violation and repealing act number two hundred and eleven (Pamphlet Laws one thousand nine hundred seven page two hundred seventy-three) entitled 'An act regulating the sale of wheat- rye- corn- and buckwheat-bran and middlings or any admixture thereof' et cetera approved the twenty-eighth day of May one thousand nine hundred and seven" as amended further defining commercial feeding-stuffs and changing annual and other registration fees

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. It appears from our calendar from day to day that it will be necessary to hold a session tomorrow. The Chair hopes that the members will make their plans so that they may be in attendance at tomorrow's session.

COMMITTEE APPOINTMENT

The SPEAKER. The Chair appoints the gentleman from Philadelphia, Mr. Witkin, to fill the vacancy caused by the death of the Honorable Jacob Mathay on the Joint Legislative Committee to Study the Report of the Legislative Finance Committee.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 1

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 1, entitled:

An Act relating to baseball and football on Sunday prohibiting baseball and football on Sunday during certain hours and also during certain other hours unless the electors of the Commonwealth are in favor of the same and a license has first been secured from the municipal authorities providing for referendums to ascertain the will of the electors and for the enactment and repeal of licensing ordinances and resolutions in accordance therewith providing penalties and repealing inconsistent laws

Mr. SCHWARTZ. Mr. Speaker, I move that the House insists upon its non-concurrence in the amendments made by the Senate and that a Committee of Conference be appointed on the part of the House.

APPONTMENT OF COMMITTEE ON CONFERENCE

The SPEAKER. The Chair appoints as a Committee on Conference on the part of the House, to confer with a similar committee on the part of the Senate, if the Senate shall appoint such committee, Messrs Schwartz, Steedle and Sarig.

Ordered, That the Clerk inform the Senate accordingly.

PRINTING EXTRA COPIES OF HOUSE BILL No. 1681

Mr. SOWERS. Mr. Speaker, I move that the House have printed five thousand extra copies, pink, of House Bill No. 1681.

The motion was agreed to.

REPORTS FROM COMMITTEES

Mr. CONNER, from the Committee on Appropriations, reported as committed, House Bill No. 1234, entitled:

An Act making appropriation to the Department of Property and Supplies for the payment of an arbitration award for architectural services rendered in connection with the construction of the Farm Show Building.

Mr. YEAKEL, from the Committee on Manufacturers, reported as committed, House Bill No. 950, entitled:

An Act prohibiting the marking of articles manufactured, assembled, or produced without the United States as having been manufactured, assembled or produced within the United States, prohibiting the removal of tags or markings therefrom showing foreign manufacture and prohibiting the sale of foreign made articles as having been manufactured in the United States and providing penalties.

Mr. HART, from the Committee on Appropriations, reported as amended, House Bill No. 664, entitled:

An Act making an appropriation for the purpose of maintaining the public roads through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

Mr. McKAY, from the Committee on Appropriations, reported as committed, House Bill No. 1163, entitled:

A Supplement to the act, approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred thirty), entitled "An act relating to the erection of a dam at the outlet of Pymatuning Swamp, and the establishment of a reservoir for the flood control of the Shenango and Beaver Rivers; conferring and continuing certain powers and duties on the Department of Forests and Waters in relation to the establishment and maintenance of such reservoir; providing for the acquisition of ncessary lands thereto, and the necessary agreements and releases relating thereto, and the disposition of surplus land and materials," authorizing the construction of a dam and spillway at the outlet of Pymatuning Swamp on lands acquired therefor, and making an appropriation to the Department of Forests and Waters.

Mr. GEORGE W. WILLIAMS, from the Committee on Appropriations, reported as committed, House Bill No. 1449 (Senate Bill No. 283), entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Manufacturing Fund.

Mr. CONNER, from the Committee on Railroads and Railways, reported as committed, House Bill No. 1502, (Senate Bill No. 176), entitled:

A Joint Resolution proposing an amendment to section three article seventeen of the Constitution of the Commonwealth of Pennsylvania

Mrs. PENNOCK, from the Committee on Appropriations, reported as committed, House Bill No. 1449 (Senate Bill No. 38), entitled:

An Act making a deficiency appropriation to the Board of Finance and Revenue.

Mr. GARTNER, from the Committee on Appropriations, reported as committed, House Bill No. 1453 (Senate Bill No. 287), entitled:

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Banking Department Fund.

Mr. JOSEPH R. LYNCH, from the Committee on Appropriations, reported as committed, House Bill No. 1454 (Senate Bill No. 288), entitled:

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Game Fund.

Mr. JOHN J. WILLIAMS, from the Committee on Appropriations, reported as committed, House Bill No. 1451 (Senate Bill No. 285), entitled:

An Act making an appropriation from the Fish Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Fish Fund.

Mr. BLUMBERG, from the Committee on Appropriations, reported as committed, House Bill No. 1452 (Senate Bill No. 286), entitled:

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the

obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Motor License Fund.

Mr. HEFFERNAN, from the Committee on Appropriations, reported as committed, House Bill No. 1450 (Senate Bill No. 284), entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the State Workmen's Insurance Fund.

Mr. FITZGERALD, from the Committee on Railroads and Railway, reported as committed, House Resolution No. 7.

Mr. WOODSIDE, from the Committee on Boroughs and Townships, reported as amended, House Bill No. 1315 (Senate Bill No. 65), entitled:

An Act concerning townships of the second class and amending revising consolidating and changing the law relating thereto.

Mr. STEEDLE. Mr. Speaker, I desire to report a bill from the Committee on Appropriations with some slight explanation. This, Ladies and Gentlemen, is the Relief Appropriation Bill, carrying an appropriation in the sum of two million dollars to take care of relief for the two months of April and May of this biennium.

Mr. STEEDLE, from the Committee on Appropriations, reported as committed, House Bill No. 1590, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief and work relief.

BILL ON FIRST READING

Mr. STEEDLE asked and obtained unanimous consent to have House Bill No. 1590 read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1590, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief and work relief.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

RESOLUTIONS

REQUESTING DATA RELATIVE TO EMPLOYEES OF STATE EMERGENCY RELIEF BOARD

Mr. WELSH offered the following resolution which was twice read and laid over under the rules.

In the House of Representatives, March 21, 1933.

Whereas, Much criticism is heard of the expenses attended to the distribution of relief funds of the Commonwealth to and among unemployed persons; and

Whereas, It is rumored that excessive salaries are paid to persons who assist in the administration of relief funds; and

Whereas, If such criticism is justified, it should be known so that proper measures can be adopted to prevent its continuation, and if unture the criticism can best be stopped by a revelation of the actual amounts spent for salaries and wages; therefore be it

Resolved, That the State Emergency Relief Board is hereby requested to furnish to this House not later than April first, a complete list of all persons employed in any capacity in the distribution of relief funds to the unemployed, together with their addresses and the amount of compensation paid to them, the service performed and the time devoted to such service; and be it further

Resolved, That a copy of this resolution be immediately sent to the State Emergency Relief Board by the Chief Clerk of this House.

RESOLUTION No. 50

Mr. HUTTON. Mr. Speaker, I desire at this time to call up Resolution No. 50, Printer's No. 258.

The resolution was read by the Clerk as follows:

In the House of Representatives, March 21, 1933.

Be It Resolved That Rule Thirty of the House which reads as follows "Each committee shall have full power over the bill resolution or other paper committed to it except that the committee cannot change the title or subject nor amendments adopted by the House" is hereby amended to read "Each committee shall have full power over the bill resolution or other paper committed to it except that the committee cannot change the subject nor amendments adopted by the House"

On the question,

Will the House adopt the resolution?

Mr. HUTTON. Mr. Speaker, I just want to say a word in explanation of this resolution which eminates from the Rules Committee.

It changes Rule No. 30 by deleting the word "title" and thus enables a committee to change the bill in committee as to the title, as long, of course, as the subject is not affected—that cannot be changed, according to the provisions of the Constitution Article III, Section 1, but by the adoption of this change in the rules it will enable the committees to change titles, which heretofore and under the present practice can only be done upon the floor of the House, and which results in an extra printing of the bill. This is a change in the Rule in the interest of economy, and also celerity in the passing of bills.

I ask you, therefore, to vote for the adoption of the resolution.

On the question recurring,

Will the House adopt the resolution?

By a rising vote of one hundred and forty-eight to none the resolution was adopted.

SUGGESTING LEGISLATION TO TAX REAL PROPERTY OF PUBLIC UTILITIES

Mr. HARMUTH offered the following resolution which was twice read and laid over under the rules.

In the House of Representatives, March 22, 1933.

Whereas, During the boom period, there was a rapid increase in taxation which was absorbed by the taxpayers without complaint; and

Whereas, The economic depression has cut the income of our citizens, but there has not been a corresponding reduction in taxes, due in large measure to the fixed charges which have been saddled on government; and

Whereas, It is imperative that relief be granted to the owner of real estate from the unjust burden of taxation and that the burden be more equally distributed; therefore be it

Resolved, That the Ways and Means Committee be directed to prepare and have introduced in the House of Representatives, a bill to enable local governments to tax the real property of public utilities now exempt from taxation not by statute but by decisions of the courts.

REQUESTING SUMMARIES OF AUDITS FROM AUDITOR GENERAL

Mr. STERLING offered the following resolution which was twice read and laid over under the rules:

In the House of Representatives, March 22, 1933.

Resolved, That the Auditor General shall transmit from time to time, as and when completed, summaries of audits made by his department of the expenditures by political subdivisions charged by law with the care of the poor, of funds appropriated under the provisions of the Act No. 7-E, one thousand nine hundred and thirty-one (P. L. 1503), entitled "An act making an appropriation under the police power and as a governmental duty to the Department of Welfare for State aid to political subdivisions charged by law with the care of the poor, and providing for the allocation and use of the moneys so appropriated," and that said statements upon presentation to the House of Representatives shall be printed in the Legislative Journal.

Resolved, That a copy of this resolution be transmitted to the Auditor General, by the Chief Clerk of the House of Representatives.

QUESTION OF PERSONAL PRIVILEGE

Mr. BRENNAN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. BRENNAN. Mr. Speaker, in the Legislative Journal of March 6, on page 948, I am recorded as voting "no" on Senate Bill No. 52, House Bill No. 969, which is not correct. I voted "aye" on this bill and with your permission I would like to have that correction made in the next issue of the Legislative Journal.

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be spread upon the Journal.

SENATE MESSAGE

The Clerk of the Senate being introduced presented extracts from the Journal of the Senate which were laid upon the table.

BILL SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being corthe title was publicly read as follows:

SENATE BILL No. 294.

An Act to amend section five of the act approved the fifth day of March one thousand nine hundred and six (Pamphlet Laws seventy-eight) entitled "An act to regulate nomination and election expenses and to require accounts of nomination and election expenses to be filed and providing penalties for the violation of this act" as amended requiring the treasurers of political committees concerned in the nominations of candidates to file an account of moneys spent for such nominations

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 819, entitled:

An Act to amend clause (c) of section four hundred and ten of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties, and repealing existing laws"; by denying the right of insurance companies to contest life insurance policies for misstatements with respect to medical history.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 962, entitled:

An Act relating to judicial sales of real estate, the credits to be given upon obligations on account of certain sales; and giving the right of subrogation to mortgagors in the event of certain sales.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1259, entitled:

An Act relating to criminal procedure imposing upon officers conducting preliminary hearings, the duty of obtaining names of persons whom defendants desire notified of time of trial and imposing upon the district attorney the duty of notifying such persons thereof.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1075, entitled:

An Act to amend section seven hundred and eighteen of the act, approved the twenty-fourth day of May, one thousand nine hundred and twenty-three (P. L. 359), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," as amended, by permitting the training of dogs on Sunday, and providing further for field meets.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 454, entitled:

An Act relating to change of polling places.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1086, entitled:

An Act to amend section one of the act, approved the twenty-eighth day of April ,one thousand eight hundred and ninety-nine (P. L. 117), entitled, "An act making it unlawful for any person to hold himself out or advertise himself as a lawyer, attorney-at-law or counsellor-at-law in any county of the State of Pennsylvania, unless duly admitted to practice by a court of record of any county in this Commonwealth, and providing a penalty therefor," as amended, by defining and prohibiting certain acts related to the practice of law by persons, partnerships, associations and corporations not duly and regularly admitted to practice law.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1509, entitled:

An Act to further amend the act "Declaring it a felony to wilfully and maliciously burn or cause to be burned, or to set fire to, or attempt to set fire to, any motor vehicle," by including aircraft.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1543, entitled:

An Act to amend section five of the act approved the nineteenth day of August, one thousand nine hundred and thirty-two (P. L. 92), entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors, as herein defined; prescribing the method and manner of collecting such tax; and providing penalties"; extending the period for payment of part of the tax.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 859, entitled:

An Act providing means of attaching or appropriating judgments held by residents against non-resident defendants.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 92, entitled:

An Act permitting fishing on Sunday with one rod and two hooks and fixing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 197, entitled:

An Act to amend sections eight hundred and eight hundred and one of the act, approved the fourteenth day of May, one thousand nine hundred and twenty-five (P. L. 762), entitled "An act concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth, except in counties of the first and second class; and revising, amending, consolidating and changing the law relating thereto," defining legal settlement, and the liability of poor districts for support.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 198, entitled:

An Act to amend sections one, two and three of the act, approved the sixth day of April, one thousand nine hundred and five (P. L. 112), entitled, "An act providing for the relief of poor persons; regulating their settlements in poor districts; providing a means of enforcing the removal of a poor person to the district of his settlement, the payment for relief furnished to him and the payment of costs thereto, and authorizing courts of quarter session to compel certain relations to contribute to the relief of poor persons," defning legal settlement and the liability of poor districts for support.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 952, entitled:

An Act prohibiting advertisements relating to foreign insurance companies not registered to do business in this Commonwealth and prescribing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 703, entitled:

An Act requiring the corporate authorities of any first, second, second-A, and third class cities of the Commonwealth having a paid or part paid fire department, fire alarm operators and fire box inspectors to ascertain the will of the electors of such cities as to the salary or compensation to be paid to firemen, fire alarm operators and fire box inspectors and their hours and working conditions; providing an election to ascertain the will of the electors and the manner and method whereby such election may be held; providing the form and manner in which the question shall be submitted to the vote of the people of such cities; and the effect of such vote.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 788 (Senate Bill No. 158) ,entitled:

An Act to amend section six, as amended, and section eight of an act approved the twelfth day of July, one thousand nine hundred and thirteen (P. L. 719), entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation"; prohibiting persons from being candidates for more than one party nomination.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1214 (Senate Bill No. 392), entitled:

An Act authorizing the compromise of tax claims on real property purchased by the county on county treasurers' sales for nonpayment of taxes, and the reconveyance of such property.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 810, entitled:

An Act to amend section thirteen of the act approved the seventeenth day of May, one thousand nine hundred and seventeen (P. L. 208), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words 'drug' and 'poison'; and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law; and providing for the purchase of samples of drugs for determining their quality, strength, and purity;" as amended, removing the provision which prohibited the sale of medicines containing substances of glandular origin except by registered pharmacists and assistants.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 459, entitled:

An Act permitting Building and Loan associations to invest part of their assets in bonds of the United States or of the Commonwealth of Pennsylvania, or bonds or indentures issued by a Federal Home Loan Bank.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1185, entitled:

An Act creating borough and township poor districts in the County of Wyoming, to be administered by overseers of the poor; and abolishing the county poor district.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 256, entitled:

An Act to validate acts done by corporations before the recording of their charters.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 544, entitled:

An Act relating to the pollution of waters of the Commonwealth; providing additional remedies for the abatement thereof; and conferring jurisdiction upon certain courts in relation thereto.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 79, entitled:

An Act to amend section one thousand two hundred and five of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith, as amended, reducing the time before the close of school terms for board of school directors to terminate teachers' contracts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1146, entitled:

An Act to repeal section three of the act approved the eighth day of April, one thousand eight hundred and fifty-two (P. L. 296), entitled, "An act relative to county offices of Clarion County; to certain streets in the borough of Brookville, and to hawkers and peddlers in Bedford County."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 864, entitled:

An Act to repeal article twenty-one of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1247, entitled:

An Act to repeal the act approved the sixteenth day of March, one thousand eight hundred and sixty-six (P. L. 203), entitled "A supplement to an act passed the thirteenth day of April, one thousand eight hundred and fifty-nine, relating to billiard saloons, et cetera, in the counties of Chester and Delaware, extending the same to counties of Erie, Crawford, Venango, Warren, Tioga Potter and McKean," so far as the same applies to the County of Crawford.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 423, entitled:

An Act to validate certain improvements in borough highways, to make the cost thereof assessable on the abutters, and providing for the filing of liens therefor and the collection thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1500, entitled:

An Act for the development and use of unredeemed seated and unseated lands purchased by county commissioners at tax sales; providing for the holding and permanent retention of such lands by the county for forest or recreational uses beneficial to the local community, or for their transfer to the State under suitable restrictions for similar uses subject to certain annual charges, providing for the use of revenues derived from such lands; providing a procedure for the discharge of liens of record against such lands by sale after notice to owners and lien creditors; providing for the sale by the counties of such lands as are retained by the county; providing for the appointment by local State forest advisory councils and conferring powers upon the Department of Forests and Waters and the Board of Game Commissioners with respect to the acquisition and exchange of such lands, their proper organization and development, and the acceptance of gifts of lands.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1097, entitled:

An Act to safeguard human health and life by providing for the licensing and regulation of persons and entities engaged in the disposal of garbage through the construction, keeping, maintenance or conduct of garbage disposal plants; conferring powers and imposing duties on the State Department of Health and the Advisory Health Board, and otherwise providing for the administration of the act and imposing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 608, entitled:

Au Act to amend clause fifty-three of section one thousand two hundred and two of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled, "An act concerning boroughs and revising, amending and consolidating the law relating to boroughs," as amended, authorizing boroughs to refuse contracts to bidders not domiciled in the United States.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 775, entitled:

An Act to amend section five of the act, approved the fourteenth day of May, one thousand nine hundred and twenty-five (P. L. 730), entitled "An act for the protection of the public health in the manufacture and sale of carbonated beverages and still drinks; providing for the registration thereof; prohibiting the sale, offering or exposing for sale, exchange or giving away thereof in certain cases unless registered; regulating the manufacture, bottling, preparation, mixing, and compounding of carbonated beverages or still drinks, and the sale and dispensing thereof, creating a special fund in the State Treasury; and providing penalties," as amended, by permitting the use of dextrose in such beverages.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1279, entitled:

An Act to amend article fourteen of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by adding thereto a new section providing that the Department of Public Instruction shall reimburse school districts for educating children of employes of public institutions.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1069 (Senate Bill No. 224), entitled:

An Act defining and regulating the practice of chiropody; requiring the registration and licensure of persons engaging in such practice; conferring powers and duties upon the Department of Public Instruction; and providing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 210 (Senate Bill No. 51), entitled:

An Act to amend the act, approved the twenty-second day April, one thousand nine hundred and nine (P. L. 122), entitled "An act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired, and to validate the conveyances and other instruments of said corporations," as amended; extending said validating provisions to January first, one thousand nine hundred and thirty-three.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1218 (Senate Bill No. 465), entitled:

An Act to repeal the act approved the third day of March, one thousand eight hundred and sixty-eight (P. L. 262), entitled "An act relative to the establishment of a law library in the County of Columbia."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1448 (Senate Bill No. 266), entitled:

An Act to provide for the hospitalization of tubercular patients in State-aided hospitals when State owned institutions established for that purpose are unable to provide therefor.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to make the statement that page 8 of today's calendar contains Senate Bill No. 14, House Bill No. 783, Printer's No. 35, as a bill on first reading. This is in error and should read bills on final passage. It will be taken up in its proper order.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1188, as follows:

An Act exempting shoe repairing machinery and tools and the appurtenances thereto leased loaned hired or conditionally sold from levy or sale on execution or distress for rent

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter all shoe repairing machinery and tools and the appurtenances thereto loaned to or leased or hired by any person or persons residing within this Commonwealth or any corporation or corporations doing business therein or conditionally sold to any such person persons corporation or corporations under a contract of sale reserving title in the vendor until paid for shall be exempt from levy and sale on execution or distress for rent so long as the title thereto remainst in the owner lessor or conditional vendor provided that such owner lesser or conditional vendor of such shoe machinery and tools and the appurtenances thereto or the persons leasing or hiring the same or to whom they have been delivered under a contract of conditional sale shall give notice to the landlord or his agent within ten days after such machinery and tools and the appurtenances thereto are placed upon the demised premises that the same are loaned leased hired or sold under reservation of title

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1106, entitled:

An Act to provide for the incorporation and regulation of cooperative agricultural credit associations having capital stock and defining the limitations powers and duties of such associations

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That cooperative agricultural credit associations having capital stock may be formed under the provisions of this act by any number of persons not less than five all of whom are members of associations organized under the provisions of the act approved the twelfth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred sixty-six) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising beekeeping and horticulture" as amended and the act approved the thirtieth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred eighty-five) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising floriculture mushroom growing beekeeping horticulture and other allied occupations and providing penalties" as amended

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. YEAKEL. Mr. Speaker, I move that this bill be recommitted to the Committee on Agriculture for the purpose of amendment.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1105, as follows:

An Act to amend section one paragraphs thirteen and fourteen of section five and section seven of the act approved the thirtieth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred eighty-five) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising floriculture mushroom growing beekeeping horticulture and other allied occupations and providing penalties" regulating the holding and vote of common stock of cooperative agricultural associations by similar corporations or associations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the thirtieth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred eighty-five) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock and defining agriculture so as to include persons engaged in agriculture dairying livestock rising poultry raising floriculture mushroom growing beekeeping horticulture and other allied occupations and providing penalties" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in this act unless the context otherwise require "association" means an association formed under this act the word "patron" means person copartnership association or corporation engaged in agriculture as hereinafter defined whose products are sold by or supplies purchased through the association or who has executed a contract with the association as hereafter provided in section ten "agricultural products" shall include all agricultural horticultural vegetable fruit and floricultural products of the soil live stock and meats wool hides poultry eggs dairy products nuts mushrooms and honey but shall not include timber products words used import the singular or the plural as the case may demand.

Section 2 That paragraphs thirteen and fourteen of section five of said act are hereby amended to read as follows

13 To issue and sell its preferred and common stock but no person shall become the owner of more than five per centum of the outstanding common stock of the association Provided however That any corporation or association organized under or accepting the provisions of this act or the act approved the twelfth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred sixty-six) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit and defining agricultural so as to include persons engaged in agriculture dairying livestock raising poultry raising beekeeping and horticulture" and its amendments may become the owner of all or any portion of such outstanding common stock

14 To purchase and hold stock of corporations and associations engaged in agriculture or in the buying or [selling] marketing of agricultural products as herein defined when such purchase and holding shall be in keeping with the purposes for which the association was formed

Section 3 That section seven of said act is hereby amended to read as follows

Section 7 Every common stockholder shall be entitled to one vote only and no vote by proxy shall be permitted Provided however That an association with more than five hundred common stockholders may provide by its by-laws for voting by proxy Preferred stock shall be non-voting And provided further That corporations or associations organized under or accepting the provisions of this act of the act approved the twelfth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred sixty-six) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising beekeeping and horticulture" and its amendments owning common stock shall be entitled to vote such percentage of the number of votes as the number of shares owned by such corporation or association bears to the entire outstanding common stock of the association

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 515, as follows:

An Act to amend section one as amended and section two of the act approved the ninth day of May one thousand nine hundred and thirteen (Pamphlet Laws one hundred ninety-eight) entitled "An act prohibiting the furnishing by gift or otherwise of cigarettes or cigarette paper to minors requiring minors to divulge where and from whom cigarettes or cigarette paper have been obtained and providing penalties for violation of this act" by reducing the age limit of persons to whom cigarettes or cigarette paper may be furnished

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the ninth day of May one thousand nine hundred and thirteen (Pamphlet Laws one hundred ninety-eight) entitled "An act prohibiting the furnishing by gift sale or otherwise of cigarettes or cigarette paper to minors requiring minors to divulge where and from whom cigarettes or cigarette paper have been obtained and providing penalties for violation of this act" as amended by the act approved the seventeenth day of May one thou-

sand nine hundred and twenty-one (Pamphlet Laws nine hundred eleven) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representative of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person who shall furnish to any [minor] person under eighteen years of age by gift sale or otherwise any cigarette or cigarette paper shall be guilty of a misdemeanor and upon being convicted thereof upon the first offense before any alderman magistrate or justice of the peace shall be sentenced to pay a fine of twenty-five dollars ($25) and in default of the payment thereof shall be committed to and imprisoned in the county jail of the proper county for a period not exceeding thirty (30) days and being convicted thereof of a second offense before any alderman magistrate or justice of the peace shall be fined the sum of one hundred dollars ($100) and upon the third offense shall be duly held for trial in the court of quarter sessions of the proper county and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than three hundred dollars ($300) or to undergo an imprisonment not exceeding one (1) year or both

Section 2 That section two of said act is hereby amended to read as follows

Section 2 Any [minor] person under eighteen years of age being in possession of a cigarette or of cigarette paper and being by any police officer constable juvenile court officer truant officer or teacher in any school asked where and from whom such cigarette or cigarette paper was obtained who shall refuse to furnish such information shall be guilty of a misdemeanor and upon conviction thereof before any alderman magistrate or justice of the peace such [minor being of the age of sixteen years or upwards shall be sentenced to pay a fine not exceeding five dollars or to undergo an imprisonment in the jail of the proper county not exceeding five days or both If such minor shall be under the age of sixteen years he or she] person shall be certified by such alderman magistrate or justice to the juvenile court of the county for such action as the said court shall seem proper

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—68

Andrews,	Emhardt,	Hutton,	Roth,
Baker,	Evans,	Jaffe,	Ruth,
Baldi,	Flanagan,	Kane, L. P.,	Sautter,
Barnhardt,	Forrest,	Labar,	Schwab,
Bennett,	Furman,	Laubach,	Scorza,
Blumberg,	Gallagher,	Lewis,	Shreiner,
Boyd,	Gillette,	Malina,	Simon,
Brancato,	Green,	McCreary,	Spann,
Brown, J. E.,	Greenstein,	McGrail,	Steedle,
Carey,	Griffith,	McGregor,	Storb,
Chervenak,	Harris,	Merrell,	Tahl,
Conner,	Hart,	Myers,	Turner,
Cooke,	Heffner,	Negley,	Wasserman,
Cordier,	Hermansen,	Nothnagle,	Wilson, T. B.,
Cramer,	Hewitt,	Price,	Zimmerman,
Davies,	Hoffman,	Reed,	Talbot,
Downey, G. E.,	Hough,	Reilly,	Speaker.
Ederer,			

NAYS—69

Bechtel,	Horst,	Mumford,	Stevenson,
Bernhard,	Howard,	O'Connor,	Stott,
Brennan,	Jones,	O'Keefe,	Surface,
Brown, W. L.,	Lenahan,	Patterson,	Terry,
Brownfield,	Lord,	Perry, D. R.,	Wade,
Caputo,	Lose,	Perry, J. J.,	Wagner,
Cohen,	Lovett, W. S.,	Powell,	Walker, G. E.,
Dane,	Lynch, M.,	Quinn,	Walker, W. A.,
DeFrehn,	Male,	Rhodes,	Wall,
Downey, J.,	Mason,	Schrock,	Way,
Dunmire,	McCandless,	Schrope,	Welsh,
Eroe,	McElwee,	Shellenberger,	Westrick,
Flinchbaugh,	McGinnis,	Shugarts,	White,
Hester,	McHenry,	Sinwell,	Wilson, L. M.,
Himes, H. E.,	McKay,	Snyder,	Wood,
Holmes, J. B.,	McKinney,	Stank,	Wright,
Holmes, J. L.,	Meredith,	Stevens,	Yourishin,
Hoopes,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL ON SECOND READING

Mr. PHILIP STERLING asked and obtained unanimous consent to call up out of order from page 8 of today's calendar, House Bill No. 452, Printer's No. 111, bills on second reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 452, entitled:

An Act authorizing the transfer to and acceptance by the Commonwealth of the Philadelphia Hospital for Mental Diseases at Byberry and for the management and operation thereof as a State Mental Health Hospital

The first section was read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Welfare shall accept on behalf of the Commonwealth a grant and conveyance by the city and county of Philadelphia without consideration of the Philadelphia Hospital for Mental Diseases at Byberry together with the entire grounds consisting of 1056.6109 acres thereto annexed and used in connection therewith and all other buildings located thereon used as an institution for feeble minded and upon said grant and conveyance to operate and maintain such hospital as a State mental health hospital in accordance with the laws of the Commonwealth relating to such hospitals No such grant shall be made or accepted until the Council of the City of Philadelphia shall by ordinance direct such transfer to be made Power is hereby conferred upon the council of such city to authorize such grant and conveyance by ordinance

On the question,

Will the House agree to the section?

BILL POSTPONED

Mr. PHILIP STERLING. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

RESOLUTION

MALT BEVERAGE CONTROL BILLS TO BE COMMITTED TO SPECIAL COMMITTEE

Mr. SOWERS asked unanimous consent to offer a resolution which was read by the Clerk as follows

In the House of Representatives, March 22, 1933.

Whereas, This House by resolution No. 24, Serial No. 39, Printer's No. 57, appointed a Committe to draft a bill to regulate liquor control, and on Monday last amended the resolution substantially creating the Committee to draft, consider, amend, and hold public hearings on all liquor control bills, and for the said Committee to better and more efficiently function all liquor control bills ought to be referred to it for consideration, and action as is done and practiced by the Committees of the House.

Now, therefore be it resolved by the House of Representatives that all Bills on the subject of liquor control be referred to the said special committee appointed by the Speaker for consideration and action in conformity to the usual practice of committees of the House.

The SPEAKER. Will the House give its unanimous consent to the introduction of the resolution at this time? Is there objection?

POINT OF ORDER

Mr. HUTTON. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. HUTTON. Mr. Speaker, my point of order is whether that can be done under the rules of the House.

The SPEAKER. The resolution would not be retroactive. It will apply to future bills on the liquor question.

Mr. PHILIP STERLING. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and unanimous consent is not granted.

BILL ON FINAL PASSAGE

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 783 (Senate Bill No. 13), entitled:

An Act to repeal certain acts and parts of acts requiring assessors and registry assessors to attend at the places of holding elections, and providing compensation therefor.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—122

Baldi,	Gillette,	McGregor,	Shellenberger,
Barnhardt,	Gorman,	McHenry,	Shenkel,
Bernhard,	Green,	McKay,	Shortz,
Blumberg,	Greenstein,	McKinney,	Shreiner,
Boyd,	Griffith,	Meredith,	Shugarts,
Brancato,	Habbyshaw,	Moore,	Simon,
Brennan,	Hamilton,	Myers,	Sinwell,
Brown, J. E.,	Harmuth,	Nothnagle,	Snyder,
Cannon,	Harris,	O'Keefe,	Sowers,
Carey,	Heffernan,	O'Rourke,	Spann,
Carson,	Hermansen,	Patterson,	Sterling, P.,
Chervenak,	Hewitt,	Peelor,	Stevenson,
Conner,	Himes, H. E.,	Pennock,	Stiteler,
Cooke,	Holmes, J. L.,	Perry, D. R.,	Terry,
Cordier,	Hough,	Perry, J. J.,	Turner,
Cramer,	Kane, L. P.,	Peters,	Wade,
Dane,	Laubach,	Powell,	Walker, W. A.,
Davies,	Lenahan,	Price,	Wall,
Downey, G. E.,	Long,	Quinn,	Way,
Duffy,	Lord,	Rectenwald,	Weidemann,
Dunmire,	Lose,	Reed,	Westrick,
Emhardt,	Lovett, J. E.,	Rhodes,	Williams, G. W.,
Evans,	Lynch, M.,	Roan,	Wood,
Flanagan,	Maloney,	Roth,	Woodside,
Fleisher,	Mason,	Ruby,	Wright,
Flinchbaugh,	McBride,	Ruth,	Yeakel,
Flynn,	McCandless,	Sarig,	Yourishin,
Forrest,	McCreary,	Sautter,	Zimmerman
Gallagher,	McElwee,	Schrock,	Talbot,
Gartner,	McGrail,	Sheffer,	Speaker.

NAYS—13

Bechtel,	Caputo,	O'Connor,	Sterling, R. B.,
Bennett,	Hoopes,	Schrope,	Surface,
Brown, W. L.,	Howard,	Schwab,	Wilson, L. M.,
Brownfield,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair has been informed by the Director of the Legislative Reference Bureau that due to the fact that tomorrow is the last day for the filing of bills, his office and office force are swamped with bills, and with requests from members that the bills be ready for filing tomorrow. The Director informs the Chair that this is physically impossible.

If there is no objection the Chair will rule that all legislation that has been placed in the hands of the Legislative Reference Bureau shall be considered as being filed, in order to afford an opportunity for the Bureau to typewrite these bills. The bills will then be filed with the Chief Clerk and the members who are sponsoring the bills can sign them on Monday when they return.

Does the Chair hear any objections to the ruling? The Chair hears none and the ruling of the Chair will be carried out as suggested.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1220, entitled:

An Act to amend section ten of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township, or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town requiring contracts by counties, townships, boroughs and incorporated town with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended, relieving boroughs and incorporated towns from

the responsibility for maintenance of highways and bridges under the control of the Department of Highways of the Commonwealth of Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—155

Andrews,	Haines,	McKay,	Shugarts,
Baldi,	Hamilton,	McKinney,	Simon,
Barnhardt,	Harris,	Meredith,	Sinwell,
Bennett,	Hart,	Merrell,	Snyder,
Bernhard,	Hartman,	Mohn,	Sowers,
Blumberg,	Heffernan,	Mumford,	Spann,
Boyd,	Hefferon,	Negley,	Stank,
Brancato,	Heffner,	Nothnagle,	Steedle,
Brennan,	Hermansen,	O'Connor,	Sterling, P.,
Brown, W. L.,	Hester,	O'Keefe,	Sterling, R. B.,
Brownfield,	Hewitt,	Patterson,	Stevens,
Caputo,	Himes, H. E.,	Peelor,	Stevenson,
Carey,	Holmes, J. B.,	Pennock,	Stone,
Carson,	Holmes, J. L.,	Perry, D. R.,	Storb,
Chervenak,	Hoopes,	Perry, J. J.,	Surface,
Conner,	Horst,	Peters,	Tahl,
Cooke,	Hough,	Powell,	Terry,
Cordier,	Hutton,	Powers,	Turner,
Cramer,	Jones,	Quinn,	Wade,
Dane,	Kane, L. P.,	Raub,	Wagner,
Davies,	King,	Rectenwald,	Walker, G. E.,
Downey, G. E.,	Kinney,	Reed,	Walker, W. A.,
Downey, J.,	Laubach,	Reilly,	Wall,
Dunmire,	Lewis,	Rhodes,	Way,
Dwyer,	Lord,	Roan,	Weidemann,
Ederer,	Lose,	Roth,	Welsh,
Emhardt,	Lovett, J. E.,	Ruby,	White,
Evans,	Lovett, W. S.,	Ruth,	Wike,
Fitzgerald,	Male,	Sarig,	Williams, G. W.,
Fleisher,	Malina,	Sautter,	Williams, J. J.,
Flinchbaugh,	Marcks,	Schrock,	Wilson, L. M.,
Flynn,	Mason,	Schrope,	Wood,
Gallagher,	McBride,	Schwab,	Woodside,
Gartner,	McCandless,	Scott,	Wright,
Gillette,	McClure,	Sheffer,	Yeakel,
Gorman,	McCreary,	Shellenberger,	Yourishin,
Green,	McElwee,	Shenkel,	Zimmerman,
Greenstein,	McGinnis,	Shettel,	Talbot,
Griffith,	McGrail,	Shreiner,	Speaker.
Habbyshaw,	McGregor,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 282, entitled:

An Act to amend section one of the act, approved the twenty-fourth day of July, one thousand nine hundred and thirteen (P. L. 1013), entitled "An act regulating the issuance of licenses to marry; prohibiting the issuance of such licenses to certain persons; regulating the time during which licenses shall be valid; and the time when returns shall be made of marriages solemnized to the clerk of the orphans' court; and prescribing the duties of the clerk of the orphans' court," by requiring three days to elapse between the application for, and the issuance of, the license.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—118

Andrews,	DeFrehn,	Horst,	Rice,
Baker,	Denning,	Hough,	Roan,
Baldi,	Downey, G. E.,	Howard,	Sautter,
Barnhardt,	Downey, J.,	Hutton,	Schrock,
Bechtel,	Dunmire,	Kane, J. J.,	Schwab,
Beech,	Dwyer,	Kane, L. P.,	Scott,
Bennett,	Ederer,	Kinney,	Shellenberger,
Bernhard,	Emhardt,	Labar,	Shreiner,
Blumberg,	Eroe,	Lane,	Shugarts,
Boyd,	Fitzgerald,	Laubach,	Steedle,
Brancato,	Flanagan,	Lenahan,	Stevens,
Brennan,	Fleisher,	Lord,	Surface,
Brown, J. E.,	Flinchbaugh,	Metzler,	Wagner,
Brown, W. L.,	Griffith,	Mohn,	Walker, G. E.,
Brownfield,	Hamilton,	Myers,	Walker, W. A.,
Cannon,	Harris,	O'Rourke,	Wall,
Caputo,	Hartman,	Patterson,	Way,
Carey,	Heffner,	Pennock,	Westrick,
Chervenak,	Hermansen,	Perry, D. R.,	Wilson, L. M.,
Conner,	Hewitt,	Perry, J. J.,	Woodside,
Cooke,	Himes, H. E.,	Powell,	Zimmerman,
Cordier,	Himes, L. R.,	Reed,	Talbot,
Craig,	Holmes, J. L.,	Reilly,	Speaker.
Davies,	Hoopes,		

NAYS—33

Evans,	McElwee,	Ruby,	Stevenson,
Hester,	McGinnis,	Sheffer,	Stone,
Lovett, J. E.,	O'Connor,	Shenkel,	Storb,
Lynch, C. R.,	O'Neill,	Shettel,	Terry,
Male,	Peelor,	Simon,	Wade,
Malina,	Raub,	Sinwell,	White,
McCandless,	Rhodes,	Snyder,	Williams, G. W.,
McClure,	Roth,	Stank,	Wood,
			Wright,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

COMMITTEE GRANTED PERMISSION TO SIT DURING SESSION OF THE HOUSE

Mr. SOWERS asked and obtained unanimous consent as chairman of the special committee to draft malt beverage control legislation for that committee to sit during the session of the House in Room 324.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 419, entitled:

A Joint Resolution proposing an amendment to article fifteen of the Constitution of the Commonwealth by adding thereto section five.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—124

Andrews,	Forrest,	Lose,	Sautter,
Baker,	Furman,	Lovett, J. E.,	Schrock,
Baldi,	Gallagher,	Male,	Schwab,
Barnhardt,	Gillette,	Maloney,	Scott,
Bechtel,	Gorman,	Marcks,	Shellenberger,
Beech,	Green,	McClure,	Shenkel,
Bennett,	Greenstein,	McCreary,	Shreiner,
Bernhard,	Griffith,	McGrail,	Shugarts,
Boyd,	Haines,	McKinney,	Simon,
Brancato,	Hamilton,	Meredith,	Snyder,
Brennan,	Harris,	Mohn,	Spann,
Brown, W. L.,	Hart,	Moore,	Stank,
Brownfield,	Heffernan,	Munley,	Sterling, P.,
Caputo,	Hefferon,	Negley,	Stone,
Carey,	Heffner,	Nothnagle,	Tahl,

Carson,	Hermansen,	O'Connor,	Terry,
Chervenak,	Hewitt,	O'Rourke,	Turner,
Conner,	Himes, H. E.,	Patterson,	Wagner,
Cordier,	Himes, L. R.,	Peelor,	Wall,
Cramer,	Holmes, J. L.,	Pennock,	Way,
Dane,	Hoopes,	Perry, J. J.,	Welsh,
Davies,	Horst,	Peters,	Westrick,
DeFrehn,	Howard,	Powell,	Williams, J. J.,
Dunmire,	Hutton,	Powers,	Wilson, L. M.,
Dwyer,	Jaffe,	Raub,	Wood,
Ederer,	Kane, L. P.,	Rectenwald	Woodside,
Emhardt,	King,	Reed,	Wright,
Evans,	Labar,	Rice,	Yourishin,
Flanagan,	Laubach,	Roan,	Zimmerman
Flinchbaugh,	Lenahan,	Royle,	Talbot,
Flynn,	Long,	Sarig,	Speaker.

NAYS—5

Hough,	McCandless,	Myers,	Stevens,
Kinney,	McElwee,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No .1217 (Senate Bill No. 435), as follows:

An Act to amend section sixteen of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpike or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended by providing for payment by the Commonwealth out of the Motor License Fund of damages for land or property taken injured or destroyed by the change of width lines and locations of State highways and the cost of the removal of structures where the county does not agree to such damages or removals requiring approval of the court of quarter sessions to all agreements relating to damages made by the county commissioners with property owners and fixing the time when the Secretary of Highways may begin work

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section sixteen of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads and prescribing the contents of township county borough or incorporated town providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Hghways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as last amended by section four of the act approved the twenty-sixth day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand three hundred eighty-eight) is hereby further amended to read as follows

Section 16 Before the Secretary of Highways shall undertake the construction reconstruction or improvement of any State highway on the plan of the State highways wherein a change of width or of existing lines and location is necessary and damage is likely to result to abuting property he shall notify the county commissioners of the proper county in writing of the contemplated change in such existing width lines and location After the county commissioners have agreed to such changes or refused to agree thereto as hereinafter provided the Secretary of Highways may proceed with the work of construction reconstruction and improvement After the receipt of the notice as above provided the county commissioners if they approve such change of width or of existing lines and location and agree thereto in writing shall when possible [shall] enter into an agreement with the owner or owners

of said property as to amount of damage to be paid to the said owner or owners Whenever the amount so agreed upon shall exceed the sum of three hundred dollars ($300.00) the same shall not be paid by the county until the proposed agreement shall be presented by the county commissioners to the court of quarter sessions for its approval The court shall fix a time for hearing the matter of which time the parties to such agreement and any taxpayer interested therein and their witnesses shall be heard and the court shall either approve or disapprove the agreement as it deems proper If the court disapproves the agreement it shall indicate a sum which it would approve for such case if the county commissioners and the property owner and the county commissioners should agree on the amount of damages indicated by the court as acceptable to it such agreement may be entered into and shall be final and binding on the said parties without any further approval by the court Notice of the time and place of hearing in all such cases shall be given by one publication in one newspaper of general circulation throughout the county which shall state that any taxpayer may appear at such hearing and be heard together with his witnesses Only such payments as have been approved by the court as above provided shall be paid by the county or in case an agreement satisfactory to the county commissioners and said owner or owners cannot be made and the approval of the court thereto secured the owner or owners of said property damaged thereby or the commissioners of the proper county may present their petition to the court of quarter sessions for the appointment of viewers to ascertain and assess such damages The proceedings upon said petition and by the viewers shall be governed by existing laws relating to the ascertainment and assessment of damages for opening public highways The county commissioners or any other party to such proceedings may appeal from the award of the viewers to the court of common pleas and shall be entitled to a trial by jury From the judgment of the court of common pleas an appeal may be had to the Supreme or Superior Court as in other cases Such damages when ascertained shall be paid by the county in which the State highway is located Whenever the county commissioners do not consent to or approve any such change of width or of existing lines and location and the Secretary of Highways determines such change to be necessary he shall when possible enter into an agreement with the owner or owners of said property as to the amount of damages to be paid therefor and if agreed upon such damages shall be paid by the Commonwealth out of moneys in the Motor License Fund or if such agreement cannot be made the owner or owners of said property damaged thereby or the Commonwealth may present their or its petition to the court of quarter sessions for the appointment of viewers to ascertain and assess such damage in the same manner and with the same right of appeal to the owner or owners and to the Commonwealth as is hereinbefore provided in cases where the county agreed to such change but the damages when ascertained shall be paid by the Commonwealth out of moneys in the Motor License Fund The county shall also be liable for any damages sustained by abutting property owners for a change of the width or lines of roads intersecting State highways where such damages are made necessary as a result of the changing with their consent and approval of the width lines or location for the construction of a State highway such damages to be ascertained in the same manner as herein provided for damages occasioned as a result of the change with their consent and approval of width or of existing lines and location of State highways and in case the commissioners shall not have consented to and approved such change of width or of existing lines or location then such damage shall be paid by the Commonwealth and shall be ascertained in the same manner as herein provided for damages for land taken as a result of the change of width or of existing lines and location of State highways without the consent and approval of the county commissioners and such damages shall also be paid from the Motor License Fund The county or Commonwealth shall also provide for the removal of all structures within the lines of the highway as thus established [unless otherwise] as may be provided by agreement between said county and the Secretary of Highways and in case the same is to be done by the Commonwealth the cost thereof shall also be paid out of the Motor License Fund Any moneys in the Motor License Fund necessary to make the payments required by this section are hereby specifically appropriated to the Department of Highways

Nothing contained in this act shall be construed as placing on the Commonwealth the payment of any damages or costs incident to the change of width lines or location of any State highway where such highway was widened or the lines or location changed prior to the date this act takes effect but all such damages and costs shall be paid by the county in the manner provided by this act as if the county had agreed thereto as herein provided

Section 2 This act shall take effect on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—161

Andrews,	Hamilton,	McHenry,	Shellenberger,
Baldi,	Harris,	McKay,	Shettel,
Barnhardt,	Hart,	McKinney,	Shortz,
Bechtel,	Hartman,	Meredith,	Shreiner,
Beech,	Hefferon,	Merrell,	Shugarts,
Bennett,	Heffner,	Metzler,	Simon,
Bernhard,	Hermansen,	Mohn,	Sinwell,
Blumberg,	Hester,	Moore,	Snyder,
Boyd,	Hewitt,	Mumford,	Sowers,
Brancato,	Himes, H. E.,	Munley,	Spann,
Brennan,	Himes, L. R.,	Myers,	Steedle,
Brown, J. E.,	Hoffman,	Nothnagle,	Sterling, P.,
Brownfield,	Holmes, J. B.,	O'Connor,	Sterling, R. B.,
Caputo,	Holmes, J. L.,	O'Keefe,	Stevenson,
Carey,	Hoopes,	O'Neill,	Stiteler,
Carson,	Horst,	Patterson,	Stone,
Cooke,	Hough,	Peelor,	Surface,
Cordier,	Hutton,	Pennock,	Terry,
Cramer,	Jaffe,	Perry, D. R.,	Turner,
Davies,	Jones,	Perry, J. J.,	Wade,
DeFrehn,	Kane, L. P.,	Peters,	Wagner,
Downey, G. E.,	King,	Powell,	Walker, G. E.,
Downey, J.,	Kinney,	Price,	Wall,
Dunmire,	Lane,	Quinn,	Wasserman,
Dwyer,	Laubach,	Raub,	Way,
Ederer,	Lewis,	Rectenwald,	Weidemann,
Emhardt,	Lord,	Reed,	Welsh,
Eroe,	Lose,	Reilly,	Westrick,
Evans,	Lovett, J. E.,	Rhodes,	Wike,
Fleisher,	Lovett, W. S.,	Rice,	Williams, J. J.,
Flinchbaugh,	Lynch, M.,	Roan,	Wilson, L. M.,
Flynn,	Male,	Roth,	Wilson, T. B.,
Forrest,	Malina,	Ruby,	Witkin,
Furman,	Marcks,	Ruth,	Wood,
Gallagher,	Mason,	Sarig,	Woodside,
Gillette,	McBride,	Sautter,	Wright,
Gorman,	McCandless,	Schrock,	Yeakel,
Green,	McClure,	Schwab,	Zimmerman,
Greenstein,	McCreary,	Scott,	Talbot,
Griffith,	McElwee,	Sheffer,	Speaker.
Haines,	McGregor,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 928 (Senate Bill No. 106), as follows:

An Act to amend section ten as amended of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other ap-

pointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriation to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" by providing for the construction and reconstruction on maintenance of certain bridges forming parts of State Highways in boroughs and incorporated towns by the Department of Highways

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several township or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highways and procedure theein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as last amended by section two of the act approved the twenty-sixth day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand three hundred eighty-eight) is hereby further amended to read as follows

Section 10 Anything herein contained or any apportionment of the State into highway districts shall not be construed as including or in any manner interfering with the roads streets and highways in any of the cities boroughs or incorporated towns of the Commonwealth Provided That where any road street highway or any bridge which the borough or incorporated town is obligated to maintain within the limits of any borough or in any incorporated town shall form a [continuation of] part or section of any [of the] State [highways as herein] described within the limits of any borough or incorporated towns] highway the Department of Highways shall improve or reconstruct [any] such section or sections [of such road street or highway which have heretofore been maintained by the Department of Highways to such width as it may deem advisable] or such bridge such width as it may deem advisable at the expense of the Commonwealth And provided further That nothing herein contained shall authorize [the Department of Highways to construct reconstruct or maintain any bridge over a stream on any State highway or any continuation thereof within the limits of any borough or incorporated town which have heretofore been maintained in whole or in part by the borough or incorporated town nor shall anything herein contained authorize] any assessment to be made against the Commonwealth by reason of or to assist in the elimination of any grade crossing on any highway within the limits of a borough or incorporated town as herein designated and no such assessment shall hereafter be made under any act of Assembly heretofore enacted

The maintenance of any road street or highway or any bridge which the borough or incorporated town was heretofore obligated to maintain or of any part or parts thereof [or] [which forms a continuation of any highway herein designated] in any borough or incorporated town which road or bridge forms a part of a State highway in any borough or incorporated town shall be done by the Department of Highways at the expense of the Commonwealth Provided That all improvements reconstruction and maintenance of any road street [or] highway or bridge in boroughs or incorporated towns shall be of the same character as that done in townships [such width and type as may be determined by the Secretary of Highways]

No opening shall be made in the surface of any improved highway which is maintained by the Department of Highways under the authority of this act within the limits of any borough or incorporated town until and unless a permit has been obtained for such opening either from the municipal authorities or from the Department of Highways pursuant to an ordinance passed subsequent to the approval of this act authorizing the Department of Highways to act for the municipality Where a permit is not obtained from the Department of Highways as above provided the borough or incorporated town shall require a cash deposit or bond conditioned upon the proper restoration of the surface and shall be responsible to the Department of Highways for the cost of the restoration of such surface in accordance with the adopted standards of the Department of Highways for the particular type of construction Any person firm or corporation opening the improved surface of any street or highway without having first obtained a permit as hereinbefore provided shall upon summary conviction before a magistrate be sentenced to pay a fine of not more than twenty-five ($25) dollars and in addi-

tion thereto the cost of prosecution and surface restoration cost and in default of the payment theerof shall undergo imprisonment for not more than five days Nothing in this act shall be construed as placing on the Commonwealth the payment of any cost of the construction or reconstruction of any such bridges in boroughs or incorporated towns between the first day of September one thousand nine hundred and thirty-two and the effective date of this act

Section 2 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—174

Andrews,	Habbyshaw,	McElwee,	Sheffer,
Baker,	Haines,	McGrail,	Shellenberger,
Baldi,	Hamilton,	McGregor,	Shenkel,
Barnhardt,	Harmuth,	McHenry,	Shettel,
Beech,	Hart,	McKay,	Shortz,
Bennett,	Hartman,	McKinney,	Shreiner,
Bernhard,	Heffernan,	Meredith,	Shugarts,
Boyd,	Hefferon,	Merrell,	Simon,
Brancato,	Heffner,	Metzler,	Sinwell,
Brennan,	Hermansen,	Mohn,	Snyder,
Brown, J. E.,	Hester,	Moore,	Spann,
Brown, W. L.,	Hewitt,	Mumford,	Steedle,
Caputo,	Himes, H. E.,	Munley,	Sterling, P.,
Carey,	Himes, L. R.,	Myers,	Sterling, R. B.,
Carson,	Hoffman,	Negley,	Stevens,
Chervenak,	Holmes, J. B.,	Nothnagle,	Stevenson,
Conner,	Holmes, J. L.,	O'Connor,	Stone,
Cooke,	Hoopes,	O'Keefe,	Storb,
Cordier,	Horst,	O'Neill,	Stott,
Cramer,	Hough,	O'Rourke,	Tahl,
Dane,	Howard,	Patterson,	Terry,
Davies,	Hutton,	Peelor,	Turner,
DeFrehn,	Jones,	Pennock,	Wade,
Denning,	Kane, J. J.,	Perry, D. R.,	Walker, G. E.,
Downey, J.,	Kane, L. P.,	Peters,	Walker, W. A.,
Duffy,	King,	Powell,	Wall,
Dunmire,	Kinney,	Powers,	Wasserman,
Dwyer,	Lane,	Price,	Weidemann,
Ederer,	Laubach,	Raub,	Welsh,
Emhardt,	Lenahan,	Rectenwald,	Westrick,
Eroe,	Lewis,	Reed,	White,
Evans,	Lose,	Reilly,	Wike,
Fitzgerald,	Lovett, J. E.,	Rhodes,	Williams, G. W.,
Flanagan,	Lovett, W. S.,	Rice,	Williams, J. J.,
Flinchbaugh,	Lynch, J. R.,	Roan,	Wilson, L. M.,
Flynn,	Lynch, M.,	Roth,	Wilson, T. B.,
Forrest,	Male,	Royle,	Witkin,
Furman,	Maloney,	Sarig,	Woodside,
Gallagher,	Marcks,	Sautter,	Wright,
Gartner,	Mason,	Schrock,	Yeakel,
Gillette,	McBride,	Schrope,	Yourishin,
Gorman,	McCandless,	Schwab,	Zimmerman,
Greenstein,	McClure,	Scorza,	Talbot,
Griffith,	McCreary,	Scott,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 974, entitled:

An Act providing that whenever a husband or wife creates a trust fund of personal property, reserving for himself or herself during his or her life time any part of the income or benefits therefrom, and disposing of the principal or income upon his or her death, such trust shall be subject to the rights of the surviving spouse under the intestate laws.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Miss BRANCATO. Mr. Speaker, on account of misprints in the bill, I move that it be placed upon the postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1335, as follows:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" curtailing the terms of office of the executive committees of school directors' associations providing the election of new executive committees by certain school directors in each county relating to the organization officers and conduct of such executive committees and the payment of their expenses by the Commonwealth authorizing such executive committees certain boards of school directors certain courts of common pleas and the State Council of Education to consolidate school districts requiring the consolidation of school districts having a population of less than one thousand providing for the disposition of the indebtedness obligations rights and property of districts which will be consolidated authorizing the continuation of districts which have been consolidated in order to make an equalization payment to the new district and granting certain powers relating thereto to the courts of common pleas relating to the selection of the school directors of new school districts their organization the preparation of their budgets and the levying of their taxes and providing for certain appeals to the Superior and Supreme Courts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That article one of the act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended by adding thereto Sections one hundred thirty-one one hundred thrity-two one hundred thirty-three one hundred thirty-four one hundred thirty-five one hundred thirty-six one hundred thirty-seven one hundred thirty-eight one hundred thirty-nine one hundred forty one hundred forty-one one hundred forty-two one hundred forty-three one hundred forty-four one hundred forty-five one hundred forty-six one hundred forty-seven one hundred forty-eight one hundred forty-nine one hundred fifty one hundred fifty-one one hundred fifty-two one hundred fifty-three one hundred fifty-four one hundred fifty-five one hundred fifty-six one hundred fifty-seven one hundred fifty-eight one hundred fifty-nine one hundred sixty one hundred sixty-one one hundred sixty-two one hundred sixty-three one hundred sixty-four one hundred sixty-five one hundred sixty-six one hundred sixty-seven one hundred sixty-eight one hundred sixty-nine one hundred seventy one hundred seventy-one one hundred seventy-two one hundred sevety-three to read as follows

Section 131 As used herein the term "executive committee" shall be construed to mean the executive committee of the

school directors of the school districts which in each county are under the supervision of the county superintendent

Section 132 The executive committee of each county shall have authority to consolidate for school purposes two or more school districts of the fourth class under its jurisdiction into a single compact school district in the manner and subject to the conditions and restrictions hereinafter provided

Section 133 Before undertaking any program for the consolidation of two or more school districts each executive committee and board of school directors shall give full consideration to any recommendations submitted by the Superintendent of Public Instruction by the county superintendent and by the board of school directors of any school district which would be affected by the consolidation

Section 134 When any executive committee shall desire to consolidate for school purposes two or more school districts of the fourth class under its jurisdiction it shall express such desire by a preliminary resolution adopted by the affirmative vote of two-thirds of all of its then qualified members

Section 135 Immediately after its passage of a preliminary resolution for the consolidation of any school districts the executive committee shall send to the Superintendent of Public Instruction and to the secretary of the board of school directors of each school district to be affected by the proposed merger a copy of the resolution and a plot or map of the territory to be affected together with notice that objections thereto may be filed with the secretary of the executive committee at a stated address on or before a date therein specified not less than one month after the date of such notice The executive committee shall except as otherwise provided in this section also cause the same notice together with a concise statement of the contents of the resolution to be published once a week for three weeks in at least two newspapers of general circulation published in the territory comprising the one or more school districts to be affected by the proposed consolidation If there shall be but one such newspaper published in such territory the advertisement shall be made in that newspaper and one other newspaper of general circulation published at the county seat of the county in which such area or the greater part thereof is located If no such newspaper shall be published in the affected territory publication shall be made in any two newspapers of general circulation published in the county one of which shall be a newspaper published at the county seat If no newspapers shall be published at the county seat such publication in any two newspapers published in the county shall be sufficient If there be but one newspaper published in the county publication in that newspaper shall be sufficient If no newspapers are published in the county the advertisement shall be made in the two newspapers most widely circulated in the area to be affected by the consolidation No publication required by this section need be made in any legal periodical

Section 136 On or before the date fixed by the aforesaid notice one or more objections to the proposed consolidation may be filed in writing with the executive committee by the Superintendent of Public Instruction the board of school directors of any affected school district or by twenty-five freeholders of any such school district If any such objections shall be filed the executive committee shall hold a public hearing at which all objectors shall be given an opportunty to be heard Written notice of the time and place of the hearing shall be given to each objector at least fifteen days prior to the holding of the hearing

Section 137 If after such a hearing and any adjournments thereof which the executive committee may allow two-thirds of the executive committee shall be of the opinion that the proposed consolidation will be for the best interests of the school districts to be affected it shall by the affirmative vote of at least two-thirds of all of its then qualified members adopt a final resolution declaring its intention to effect such consolidation for school purposes The executive committee shall give written notice by mail of the adoption of such final resolution to the Superintendent of Public Instruction to the board of school directors of each affected school district and to each person who shall have filed an objection to the proposal as herein provided

When an executive committee shall have adopted such a final resolution and no appeal therefrom shall have been taken as herein provided the consolidation for school purposes shall except as herein otherwise provided become effective upon the beginning of the next school year of the new school district

Section 138 Within one month after the passage by the executive committee of a final resolution for the consolidation of any school districts the board of school directors of any district affected by the consolidation or any fifty or more freeholders of any such district may appeal from such final resolution to the State council of Education Each such appeal shall act as a supersedeas When an appeal is taken by fifty or more freeholders at least ten of that number shall be persons who filed objections to the preliminary resolution of the executive committee

When an appeal is taken by a board of school directors it shall be signed by its president and secretary when an appeal is taken by the freeholders it shall be signd by at least fifty of the appellants Each such appeal shall be accompanied by an affidavit that the appeal is not taken for purposes of delay in appeals by fifty or more freeholders the affidavit shall be taken by at least five of the appellants in an appeal by a board of school directors the affidavit shall be taken by the president

Each such appeal shall be filed with the State Council of Education Within ten days after the filing of such an appeal the State Council of Education shall send a notice of the contents of the appeal to the executive committee and to the secretary of the board of school directors of each school district to be consolidated Upon receipt of such notice each executive committee shall send to the State Council of Education a list of the names and addresses of all persons who shall have filed objections to the proposed consolidation and shall send a notice of the appeal to each of such persons

Section 139 Within fifteen days after the filing of such an appeal unless a longer time shall be specifically allowed by the Superintendent of Public Instruction as president of the State Council of Education the appellants shall file with the Council a plot or map of the territory to be affected a description of the existing educational facilities of that area and a specification of the grounds shall immediately serve a copy thereof upon the executive committee and upon the secretary of the board of school directors of each school district affected by the consolidation on demand furnish a copy thereof to each person who shall become a party to the proceedings conducted before the State Council of Education

Section 140 At any time prior to the hearing before the State Council of Education any other persons or boards of school directors who might have appealed in the first instance may intervene in the appeal by the filing of an order of intervention with the State Council of Education Each such order of intervention shall if opposed to the consolidation be accompanied by a specification of the grounds or the objections and any other relevant facts if in favor of the consolidation it shall set forth the advantages to accrue from the proposed consolidation together with any other relevant facts

Section 141 Upon receipt of the appellant's specifications of objection the State Council of Education after having given reasonable notice to all interested parties shall hold a hearing with such adjournments thereof as it may deem necessary in order to determine the advisability of such consolidation At such hearing all parties to the proceedings incident to the appeal shall have an opportunity to present either in person or by counsel their reasons in favor of or in opposition to the consolidation After such hearing the State Council of Education shall make an order dismissing the appeal and approving the consolidation for school purposes or sustaining the appeal and prohibinting the consolidation Writeen notice of its order shall be given by the State Council of Educatin to all interested parties within fifteen days after the making of the order Such decision of the State Council of Education shall be final

If the order of the State Council of Education shall be one of approval the consolidation for school purposes shall except as herein otherwise provided become effective upon the beginning of the next school year of the new school district

Section 142 When an executive committee shall desire to consolidate for school purposes into one compact school district one or more school districts of the fourth class under its jurisdiction with any school district of the first second or third class or with any school district or districts of the fourth class situated in another county such executive committee shall confer with the board of school directors of such first second or third class school district or with the executive committee having jurisdiction of the fourth class district of the other county If such executive committee and board of school directors or such executive committees can agree upon the proposed con-

solidation each shall adopt a preliminary resolution give notice thereof advertise receive any objections and hold one or more hearings in the manner herein provided for the performance of such acts by an executive committee for the consolidation of districts under its jurisdiction Each such executive committee and board of school directors or such executive committees may adopt a final resolution in the manner herein provided for the adoption of a final resolution by an executive committee for the consolidation of districts under its jurisdiction Each executive committee and board of school directors which shall adopt a final resolution shall give notice thereof by mail to the other party to the agreement for the consolidation to the board of school directors of each affected school district and to each person who shall have filed an objection to the proposed consolidation

Section 143 Whenever a board of school directors shall desire to consolidate for school purposes into one compact school district its district and one or more school districts of the fourth class under the jurisdiction of an executive committee such board shall confer with such executive committee If such board and executive committee can agree upon the proposed consolidation each shall adopt a preliminary resolution give notice advertise receive objections and hold one or more hearings in the manner herein provided for the performance of such acts by an executive committee for the consolidation of districts under its jurisdiction After thus proceeding each such board and executive committee may adopt a final resolution in the manner herein provided for the adoption of such a resolution by an executive committee for the consolidation of districts under its jurisdiction Each such executive committee and board of school directors which shall have thus adopted a final resolution shall give notice thereof by mail to the other party to the agreement for the consolidation to the board of school directors of any affected school district and to each person who shall have filed an objection to the proposed consolidation

Section 144 An appeal to the State Council of Education may be taken within one month after two (2) executive committees or an executive committee and a board of school directors have both passed a final resolution for a consolidation in pursuance of an agreement to such effect Such an appeal may be taken by like parties and shall be conducted in the same manner as is herein provided for the conduct of an appeal from the final resolution of an executive committee for the consolidation of districts of the fourth class within a county

When both parties to the agreement for a consolidation whether such parties shall be two executive committees or an executive committee and a board of school directors shall both have adopted such final resolution and no appeal shall have been taken as herein provided from either of such resolutions the consolidation for school purposes shall except as herein otherwise provided become effective upon the beginning of the next school year of the new school district

Section 145 If after an agreement for a consolidation for school purposes has been made by two executive committees or by an executive committee and a board of school directors only one of such parties to the agreement shall have within three months following the making of such agreement adopted a preliminary resolution for the consolidation given notice thereof advertised conducted a hearing or hearings adopted in the manner herein provided a final resolution in favor of such consolidation and given notices thereof the executive committee or the board which shall have performed such acts may file its petition for such consolidation with the State Council of Education Each such petition shall set forth the request for the consolidation a map or plot of the territory to be affected a description of the existing educational facilities of the school districts the advantages to accrue from the proposed merger a list of the names and addresses of all persons who filed objections to the preliminary resolution and any other relevant facts

Section 146 If no agreement can be reached for the consolidation of one or more school districts of the fourth class with a school district of the first second or third class or with one or more districts of the fourth class situated in another county as herein provided the executive committee or board of school directors which proposed the consolidation may after it has in the manner herein provided adopted a preliminary resolution for the consolidation given notice thereof advertised conducted a hearing or hearings adopted a final resolution in favor of such consolidation and given notice thereof file its petition with the State Council of Education Each such petition shall set forth the request for the consolidation a map or plot of the territory to be affected a description of the existing educational facilities of the school districts the advantages to accrue from the proposed consolidation a list of the names and addresses of all persons who filed objections to the preliminary resolution and any other relevant facts

Section 147 When a petition for a consolidation shall have been presented to the State Council of Education by an executive committee or by a board of school directors as herein provided the board of school directors of any school district affected by the consolidation any executive committee having jurisdiction over any district affected by such consolidation of thirty-five or more freeholders of any of such affected districts may become a party to the proceeding before the State Council of Education by the filing of an order of intervention with the Council Each such order of intervention shall if opposed to the consolidation be accompanied by a specification of the grounds for the objections together with any other relevant facts if in favor of the consolidation it shall be accompanied by a statement of the advantages to accrue from the proposed consolidation together with any other relevant facts

Section 148 Upon receipt from an executive committee of a petition for a consolidation of one or more districts of the fourth class under its jurisdiction with a school district of the first second or third class or with one or more school districts of the fourth class situated in another county or upon the receipt from a board of school directors of a school district of the first second or third class of a petition for a consolidation of its district with one or more districts of the fourth class the State Council of Education after having given reasonable notice to the boards of school directors of the school districts to be affected by the proposed consolidation to the executive committee or committees in the county or counties wherein such districts are situated and to any other parties to the proceedings shall hold a hearing with such adjournments thereof as it shall deem necessary to determine the advisability of such consolidation After such hearing or hearings the State Council of Education shall make an order consolidating the districts or refusing the request of the petition Written notice of its order shall be given by the State Council of Education to all interested parties within ten days after entry thereof

Within one month after the State Council of Education shall have made such an order granting or refusing a consolidation for school purposes as herein provided any party to the proceedings before the State Council of Education except as this section otherwise provides may appeal from such order to the court of common pleas of the county wherein the school districts or the larger part thereof in area shall be located When fifty freeholders have been a party to the proceedings before the State Council of Education any thirty-five of such freeholders may so appeal

If no appeal shall be taken from any such order granting the consolidation for school purposes shall except as herein otherwise provided become effective upon the beginning of next school year of the new district

Section 149 Each such appeal which shall be taken by an executive committee or by a board of school directors shall be signed by its president and secretary each appeal taken by the freeholders shall be signed by at least thirty-five of the appellants Each such appeal shall be accompanied by an affidavit that the appeal is not taken for purposes of delay In appeals by thirty-five or more freeholders the affidavit shall be taken by at least five of the appellants in appeals by an executive committee or by a board of school directors the affidavit shall be taken by the president

Each such appeal shall be filed with the prothonotary of the proper court and shall act as a supersedeas Within ten days after the filing of such an appeal the appellants shall serve notice of the appeal on each executive committee and board of school directors affected by the annexation and on each person who was a party to the proceedings conducted before the State Council of Education

Within fifteen days after the filing of such an appeal unless a longer time shall be specially allowed by the court the appellants shall file with the prothonotary of such court a plot or map of the territory to be affected a description of existing educational facilities of that area and a specification of the grounds for the objection to or the support of the annexation The appellants shall immediately serve a copy thereof upon each executive committee and board of school directors affected and shall on demand furnish a copy thereof to every other party who shall enter an appearance in the proceedings

The appellants shall also file with such court a certified copy of the final order of the State Council of Education and of

the one or more final resolutions which shall have been adopt to effect such consolidation Such final order and the one o more final resolutions shall constitute part of the record upon the appeal

Any service required by the provisions of this section may be made by mail addressed to the president or secretary of the board of school directors or executive committee and to each individual or by personal service upon their counsel

Section 150 At any time prior to the hearing by the court each party to the proceedings conducted by the State Council of Education may intervene in the appeal by the filing of an order of intervention with the prothonotary of the court Each such order of intervention shall if opposed to the consolidation be accompanied by a specification of the grounds for the objections together with any other relevant facts if in favor of the consolidation it shall be accompanied by a statement of the advantages to accrue from the proposed consolidation together with any other relevant facts

Section 151 Upon the filing of an appeal from the order of the State Council of Education the court in which such appeal shall have been filed shall fix a day for a hearing not less than forty-five days after such appeal shall have been filed Notices of such hearing shall be given to all parties interested in such manner as the court shall direct On such hearing it shall be the duty of the court to determine on its own findings whether or not the proposed consolidation will subserve the best interests of the school children the residents and the taxpayers of the area covered by the proposed merger and to make an order approving or refusing the consolidation for school purposes The prothonotary of the court shall send a certified copy of the order to the Department of Public Instruction

If no appeal acting as a supersedeas shall be taken as herein provided from any such order approving the consolidation the consolidation shall except as herein otherwise provided become effective upon the beginning of the next school year of the new school district

Section 152 Any party to the proceedings may appeal from such final order or decree to the Supreme Court on matters of law of the thirty-five freeholedrs who have been a party to the proceedings before the court of common pleas as herein provided any twenty-five or more may appeal to the Supreme Court Such appeal shall be taken and prosecuted in the same manner and form and with the same effect as is provided in other cases of appeal to the Supreme Court The record which shall be certified to the Supreme Court shall contain all that was before th court of common pleas and the final order or decree of such court Such appeal shall act as a supersedeas upon the filing of a bond for costs on the appeal in such amount as shall be fixed by any judge of the court of common pleas or of the Supreme Court

If the judgment of the Supreme Court shall be in favor of the consolidation for school purposes such consolidation shall except as herein otherwise provided become effective upon the beginning of the next school year of the new school district

Section 153 Each executive committee having under its jurisdiction a school district which has a population of less than one thousand as determined by the United States decennial census of nineteen hundred thirty shall prior to the first day of the year one thousand nine hundred thirty-five consolidate each of such school districts with another school district or districts in such manner that each of the districts under its jurisdiction will have a population of more than one thousand Each such executive committee shall perform such consolidation in the manner herein provided for the consolidation of school districts of the fourth class with a school district or school districts of the first second third or fourth class

If any such consolidation shall not have been completely effected by the first day of the year one thousand nine hundred thirty-five the State Council of Education shall have the power and its duty shall be to consolidate each such school district with another school district The decree of the State Council of Education effecting such consolidation for school purposes shall be final Any consolidation made by such an order of the State Council of Education shall except as herein otherwise provided become effective upon the beginning of the next school year of the new school district

Section 154 When any school district having a population of less than one thousand shall be created and when any decennial United States census shall reveal that the population of any school district has fallen below one thousand the executive committee having under its jurisdiction any such school district shall within one year after the creation of such school district or within one year after the official certification of the sult of such census institute proceedings to consolidate every such school district with another school district or districts in the manner herein provided for the consolidation of a school district of the fourth class with a school district or school districts of the first second third or fourth classes

If any such consolidation shall not have been completely effected within two years of the creation of such district or of the official certification of the results of a census as aforesaid the State Council of Education shall have the power and its duty shall be to consolidate such school district with another school district The decree of the State Council of Education effecting such consolidation shall be final Such consolidation for school purposes shall except as herein otherwise provided become effective with the beginning of the next school year of the new district

Section 155 When any two or more school districts which are not located in the same county are consolidated into a single school district of the fourth class the consolidated district shall be under the jurisdiction of the executive committee of the county in which at the time of the consolidation the greatest portion of the population of the consolidated district is located

Section 156 When any school districts shall have been consolidated by the entry of a final order or decree of any court or of the State Council of Education and there has elapsed the period for the taking of an appeal without any appeal having been taken and when any school districts shall have been consolidated by the passage of a resolution or resolutions by one or more executive committees or by an executive committee and a board of school directors and there has elapsed the period for the taking of an appeal without any appeal having been taken the Superintendent of Public Instruction shall issue his certificate stating the class of school districts to which the consolidated school district shall belong

When any such consolidation shall have been effected by the passage of a final resolution by one or more executive committees or by an executive committee and a board of school driectors without an appeal therefrom having been taken each executive committee or board which shall have adopted one of such resolutions shall file a true and attested copy thereof with the clerk of the court of quarter sessions of each county in which any of the territory of the new district will be located When any such consolidation shall have been effected by the final order of the State Council of Education without an appeal therefrom having been taken the executive committee having jurisdiction over a district of the fourth class to be consolidated shall file a true and attested copy of such decree with the clerk of the court of quarter sessions of each county in which any territory of the new district will be located When two or more executive comittees shall be involved the executive committee of the county having the larger or largest area shall file the decree The State Council of Education shall furnish without charge true and attested copies of its decrees to the executive committees

Section 157 When two or more school districts shall be consolidated for school purposes as herein provided all of the debts and obligations of such original districts shall become the debts and obligations of the new district all of the rights and property of such original districts shall become the rights and property of the new district but shall remain subject to the same trusts conditions and liabilities which were previously applicable thereto All rights of creditors against any of such original districts shall be preserved against the new district All debts and taxes owing to such original districts and all moneys in their treasuries shall be paid to the new district

Section 158 In order to produce an equitable adjustment of the rights property debts and obligations of two or more districts which may be consolidated for school purposes as herein provided the boards of school directors of such original districts may by an agreement or in lieu of such an agreement a court of common pleas may as herein provided require that any one or more of such districts shall pay to the new district a sum of money herein termed an "equalization payment" Such agreement of the boards or order of the court shall set forth the period within which any such equalization payment shall be made If such boards shall be of the opinion that no equalization payment should be made by any district they may enter into an agreement to that effect

In the making of any such agreement or order the following items shall be considered the amount and value of the rights and property and the extent of the indebtedness and obligations of each of such original districts as they will exist or did exist immediately preceding the effective date of the consolida-

tion the property of each of such original districts which will probably be used in whole or in part by the pupils of one or more of the other original districts the indebtedness of each of such original districts which was incurred in the erection of buildings or the providing of equipment which will probably be used in whole or in part by the pupils of one or more of the other original districts and any other relevant facts or circumstances

Section 159 When two or more school districts shall be consolidated for school purposes into a new school district as herein provided the corporate entity of each of such original districts shall be continued after the effective date of the consolidation for the purpose of determining whether any of such original districts shall make an equalization payment to the new district

In each of such original districts the board of school directors as constituted immediately prior to the effective date of the consolidation shall possess the power to represent its district in the making of an agreement relating to an equalization payment and in any proceedings in the court of common pleas relating to such a payment

Section 160 Any agreement made by the boards of school directors of two or more districts which are to be or shall have been consolidated shall be final and conclusive and shall be filed by such boards with the prothonotary of the court of common pleas of the county in which such districts or the greater part thereof in area are located The filing fee shall be divided equally among the districts The provisions of this section shall apply whether such agreement shall state that none of such districts shall make any equalization payment or that one or more shall make such a payment

Section 161 If within nine months after the effective date of the consolidation of two or more school districts no agreement relating to an equalization payment shall have been made and no petition has been presented to the court as herein provided each of such original districts shall be deemed in fact and law to have agreed that none of such districts shall be required to make such a payment

Section 162 If prior to or within three months after the effective date of any consolidation of school districts for school purposes the boards of school directors of such original districts shall not have entered into an agreement setting forth either that none of such original districts shall make an equalization payment or that one or more shall make such a payment any of such boards of school directors or twenty-five or more freeholders of any of such original districts may petition the court of common pleas of the county in which such districts or the greater part thereof in area are located to order that one or more of such districts should make an equalization payment to the new district Such petitions may be presented only during the six months immediately following such three months period

Each such petition shall contain a statement of the facts or grounds on which the demand for the equalization payment is based

Section 163 The board of school directors or the freeholders who shall file any such petition shall immediately serve a copy thereof upon the board of school directors of each of the one or more school districts which shall have been consolidated Such service may be made by mail addressed to the president or secretary of such board of school directors or by personal service upon its solicitor

When any such petition shall have been presented by the freeholders the board of school directors of the district represented by the freeholders may become a party to the proceedings by filing with the court an order of intervention

Section 164 Upon receipt of such petition the court shall appoint three disinterested commissioners Such commissioners after having conducted a hearing or hearings due notice of which they shall give to the several districts interested as the court may direct and after having taken into consideration the various items herein required to be considered by the boards of school directors in the making of an agreement relating to an adjustment payment shall make a report to the court In such report the commissioners shall state whether any of such districts shall make an equalization payment to the new district and the period within which any such payment shall be made

Section 165 The commissioners shall give to the boards of school directors of the districts which have been consolidated and if freeholders have presented the petition to the court to such freeholders at least five days' notice of the time when their report will be filed in the court of common pleas Unless exceptions to the report are filed by any of the boards of school directors of the districts which have been consolidated or by fifteen or more of the twenty-five freeholders who presented the petition as herein provided within thirty days after its filing the report shall be confirmed absolutely by the court The commissioners shall be allowed three dollars per day for each day actually spent by them in the performance of their duties together with their actual necessary expenses The court may impose the costs of such proceedings upon the new district the freeholders who have petitioned or may add them to the amount to be paid by any district as an equalization payment

Section 166 If exceptions shall be filed to the report of the commissioners the court shall after holding any hearing it may deem necessary make a final order or decree from which any party to the proceedings may take an appeal on questions of law to the Superior or Supreme Court

Such appeal shall be taken and prosecuted in the same manner and form and with the same effect as is provided in other cases of appeal to such courts The record which shall be certified to the appellate court shall contain the final order of and all that was before the court of common pleas Such an appeal shall act as a supersedeas upon the filing of a bond in such amount as shall be fixed by any judge of the court of common pleas or of the appellate court

Section 167 An agreement relating to an equalization payment which has been entered into after a petition has been presented to the court as herein provided shall have no force or effect unless all of the parties to the proceedings before the court shall join in such a reement

Section 168 When two or more school districts shall be consolidated into a new school district the corporate entity of each of such original districts if any which shall be required by an agreement or order of court to make an equalization payment as herein provided shall be continued by the new school dsitrict each such continuation of the original district or districts shall be only for the purpose of levying and collecting a tax throughout the territory of such original district in order to make the equalization payment For this purpose the board of school directors of the new district shall constitute the board of each such original district which shall be required to make such a payment

Section 169 Each board of school directors which shall be vested with the power and charged with the duty of collecting a tax to make an equalization payment for an original district shall in the collection of such tax and the payment of it to the new district possess the same powers be under the same duties and be subject to the same restrictions as shall be applicable to such board in the exercise of its functions relating to the new district

Each such board shall provide for the making of the adjustment payment owed by any original district by the annual levying of a tax upon the property and persons taxable for school purposes in the territory of such original district For such territory the board shall annually fix the amount of such tax at the number of mills which will enable it to make the adjustment payment of such original district within the time required by any agreement or order of court

Section 170 Each such tax levied to make the adjustment payment shall for such original district be added to the regular annual tax levy of the new district and shall be collected as a part of such regular levy

The per centum of all of the taxes collected from the territory of such original district which shall be allocated to the equalization payment shall be equal to the per centum which the millage levied for such adjustment payment is of the total millage for school purposes, including both the regular and the additional millage

Such taxes shall annually be levied for the equalization payment until the total of the annual sums allocated as provided in this section for such purposes shall equal the total required equalization payment

Section 171 When any consolidation for school purposes shall be completed the board of school directors of the new school district shall prior to the effective date of such consolidation or new school istrict prepare the budget and levy and assess the taxes for the new school district for the first school year in the manner herein provided for other school districts of that class

Section 172 When the proceedings for the consolidation for school purposes of two or more school districts into a new district of the first class shall be completed between the first Monday of November and the first day of the following Jan-

uary the dates provided by law for the filing of the duplicates of the valuation of the taxable property and the taxable residents within such new district the certification of the levy and the filing of the duplicates with the tax collector or receiver the dates for the return of the tax duplicates the dates for discounts and penalties and all other dates connected with the assessment levy and collection of the school taxes of such new district shall be postponed such period not to exceed two months as the board of school directors of such new district shall determine

Section 173 When the proceedings for the consolidation for school purposes of two or more school districts into a new school district of the second third or fourth class shall be completed between the first day of May and the first Monday of the following July the dates provided by law for the filing of the certificates of the valuation of the taxable property and of the taxable residents within such new district the certification of the levy and the filing of the duplicates with the tax collector or receiver the dates for the return of the tax duplicates the dates for discounts and penalties and all other dates connected with the assessment levy and collection of the taxes of such new district shall be postponed such period not to exceed two months as the board of school directors of the new district shall determine

Section 2 That Section one hundred sixteen of said act which was last amended by Section one of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (Pamphlet Laws two hundred forty-three) is hereby further amended to read as follows

Section 116 Whenever a new school district may be created by the creation of a new city borough township or independent school district or an existing school district of the fourth class is affected by the annexation to a city or borough or township of territory included within a school district of the fourth class [or by the consolidation of two or more districts as a union district] the clerk of the courts or other proper officer shall within ten days thereafter make a certified copy of the petition therefor agreement or ordinance and the decree or order creating such new city borough township or independent school district [or union school district] or of the decree of the court or vote of the electors effecting such annexation and mail the same to the Superintendent of Public Instruction Department of Public Instruction Harrisburg Pennsylvania Upon receipt of said certified copy which shall be deemed an application for the creation of a new school district of the fourth class or change in the boundaries of an existing school district of the fourth class the Superintendent of Public Instruction shall within sixty days thereafter cause the State Council of Education to be convened and said council shall thereupon determine and consider such application If the newly created city incorporated town borough or township or independent school district [or union school district] or the part of a school district remaining after the separation would if the application is approved constitute a school district of the fourth class the State Council of Education shall determine whether such new school district or independent school district [or union school district] or change in the boundaries of an existing school district of the fourth class is necessary and whether the welfare of the pupils within the territory affected thereby will be promoted by the creation of such district or change in the boundaries of such existing district If the council shall approve such application it shall certify its findings and its approval of such new district or change in such existing district thereon and transmit a certified copy thereof to the clerk of the courts or other proper officer from whom the application was received who shall file the same in such original proceedings If in the judgment of the council the said application should not be granted it shall endorse thereon "not approved" and transmit a certified copy thereof to the Clerk of the Courts or other proper officer from whom the application was received who shall file the same in the original proceedings In such event the boundaries of the existing school districts shall remain unchanged Provided The State Council of Education may for cause shown upon subsequent application by ten taxables of a school district of the fourth class not coterminous with a city borough incorporated town or township vacate such refusal and may approve the creation of such new district of the fourth class or change in boundaries of an existing district of the fourth class and thereupon the same proceedings shall be had as herein provided upon the original application If such refusal is vacated and the application is approved the new city borough incorporated town or township will thereupon become a new school district of the fourth class or the school district of the fourth class remaining after such annexation shall constitute a separate school district as so changed

Section 3 That Section one hundred thirty of said act which was amended by Section four of the act approved the twentieth day of May one thousand nine hundred twenty-one (Pamphlet Laws one thousand twenty-three) is hereby further amended to read as follows

Section 130 Whenever any two or more school districts shall hereafter be consolidated into a union school district as herein provided all the debts and liabilities of the several districts shall become the debts of the union school district [unless otherwise provided by an agreement in writing approved by a majority vote of each board of school directors] All rights of creditors against any of the said districts shall be preserved against the union school district All property heretofore vested in the several districts shall become vested in the union district and all debts and taxes owing to the districts uncollected in the several districts and all moneys in the treasuries of the several districts shall be paid to the treasurer of the new district

Section 4 That Section two hundred twelve of said act which was last amended by Section four of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (Pamphlet Laws two hundred forty-three) is hereby further amended to read as follows

Section 212 (a) When any school district in this Commonwealth hereafter for any cause becomes a school district of another class as herein provided a new board of school directors shall be appointed therein if it becomes a district of the first class in the same manner as school directors in districts of the first class are now appointed If it becomes a district of any of the other classes and the number of directors therein is increased the additional directors shall be appointed or elected as vacancies in the board of directors are now filled When the change reduces the number of directors in such district the school directors then in office shall hold office during the respective terms for which they were elected and as vacancies are about to happen by the expiration of the terms of any directors a sufficient number of directors shall be elected at the municipal election preceding such vacancies to provide such district with the number of directors to which it is entitled under the class of districts to which it belongs

(b) When in any proceeding two or more school districts all being of the same class are consolidated or annexed for school or municipal purposes the terms of all the directors of such original districts shall terminate upon the date on which the consolidation shall become effective On or before such effective date the court of common pleas of the county in which such original districts or the greater part thereof in area are located shall appoint from among the directors in office immediately preceding such effective date a board of school directors of the number required for a school district of the class to which the new district shall belong This board shall serve until the first Monday of December next following the first municipal election occurring more than thirty days after the formation of the new district At such election a complete board shall be elected as in other districts of that class At the time of such appointment the court shall determine and decree the term for which the various directors to be elected at such first municipal election shall serve The court shall so arrange these terms that the number and terms of those directors whose places are to be filled at each succeeding municipal election shall be the same as the number and terms of those directors whose places are filled at the corresponding elections in other school districts of the same class At all municipal elections subsequent to the first municipal election occurring more than thirty days after the formation of the district the directors shall be elected as herein provided for other districts of that class

(c) When in any proceeding two or more school districts all of which do not belong to the same class are consolidated or annexed for school or municipal purposes the school directors of each district which belongs to a class of districts based upon a higher population than is a class to which one or more of the other districts beling shall become school directors of the new district and shall hold office for the remainder of the terms for which they were elected The terms of office of the directors of the other district or districts shall except those of the president and

vice-president of each district expire on the date on which such consolidation shall become effective The president and vice-president of such district shall become school directors of the new district and shall hold office during the respective terms for which they were elected No election for school director in the district shall be held unless on the first Monday of January next following a municipal election there would be a less number of directors than is provided by law for districts of the class to which such district shall belong At each subsequent municipal election only so many school directors shall be elected as will on the first Monday of December then next following bring the number of school directors to the proper number for the district

[When territory comprising a separate school district is annexed to a city or borough or township the terms of office of all the school directors of such annexed territory shall expire at the begining of the first school year after such annexation is affected except the terms of the president and vice president who shall hold office during the respective terms for which they were elected or when two or more school districts are consolidated as a union school district or when two or more school districts are consolidated as a result of the consolidation of boroughs as provided in the General Borough Act the school directors the in office in both or all of the districts shall hold office during the respective terms for which they were elected No election for school director in the district shall be held unless on the first Monday of January next following a municipal election there would be a less number of the directors than is provided by law for the district of the same class

At each subsequent municipal election only so many school directors shall be elected as will on the first Monday of January then next following bring the number of school directors to the proper number for the district]

Section 5 That Section 301 of said act which was last amended by Section 5 of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (Pamphlet Laws two hundred forty-three) is hereby further amended to read as follows

Section 301 In all school districts of the first class the school year shall begin on the first day of January each year and in all other school districts in this Commonwealth the school year shall begin on the first Monday of July each year In school districts of the first class the school directors appointed as herein provided shall meet and organize annually on the second Monday of November and in school districts of the second third and fourth class the school directors regluarly elected or appointed shall meet and organize annually on the first Monday of December each year When a new school district is created except upon the consolidation or annexation for school or municipal purposes of two or more school districts or when the offices of all the school directors of a district become vacant the school directors appointed by the court in any such case shall meet and organize within ten days after their appointment

[When two or more school districts are consolidated or because of the consolidation of boroughs as provided by the General Borough Act the school directors of such consolidated districts shall organize on the first Monday of July following such consolidation by electing a president and vice-president who shall hold their respective offices until the first Monday of December following their election and by the election of a secretary for the consolidated district who shall serve for the remainder of the term for which secretaries are elected and by the election of a treasurer for the consolidated district who shall hold office for the school year]

When two or more school districts shall be consolidated or annexed for school or municipal purposes and the board of school directors of the new district shall have been appointed by the court the new board shall meet and organize within thirty days after the appointment of a complete board of school directors When two or more school districts shall be consolidated or annexed for school or municipal purposes and the board of the new district shall be composed of directors of the original districts who are continued in office as herein provided the new board shall meet and organize within thirty days after the proceedings for the consolidation or annexation shall been completed At each organization meeting held after the consolidation or annexation of two or more school districts the school directors shall adopt a name for the new district and shall elect a president and vice-president who shall hold their respective offices until the first Monday of December following their election they shall also elect a secretary who shall serve for the remainder of the term for which secretaries are elected and a treasurer who shall hold office for the first school year of the new district

Section 6 That section five hundred four of said act is hereby amended to read as follows

Section 504 In case a new school district is created after taxes have been assessed and levied in the district out of which it is partly or wholly created but before the beginning of the school year therein then in such cases all the taxes assessed and levied in said year by the board of school directors on the property or residents within the limits of the new school district shall be collected by the tax collector of the district out of which the new district was created and all such taxes collected on property or from residents within the limits of a new school district shall be paid over by him to the treasurer of such new school district The provisions of this section shall not apply upon the creation of a new school district by the consolidation of two or more school districts for school purposes

Section 7 That Section 804 of said act is hereby amended to read as follows

Section 804 When the school directors have assembled in such annual convention [they] for the year one thousand nine hundred thirty-five and every two years thereafter the directors from the districts under the supervision of the county superintendent shall elect from among the directors coming from [school] such district [under the supervisions of the county superintendent] the following officers to wit a president two vice-presidents a secretary and a treasurer which officers shall serve [until the end of the next annual convention of school directors in said county or] until their successors are chosen and each of said officers shall perform such duties as may be assigned to him and as usually devolve upon such official [Every school director attending such convention shall have the right to vote in the election of said officers]

Section 8 That Section eight hundred and seven of said act is hereby amended to read as follows

Section 807 It shall be the duty of the county superintendent and of the district and assistant county and district superintendents in the county to attend such annual conventions and they [shall be members ex officio of the executive committee and] shall render such assistance and aid to the executive committee of such association as may be required of them Provided That they shall have no vote in the convention or in approving the selection of assistant county superintendents

Section 9 That article eight of said act is hereby amended by adding thereto Sections eight hundred nine eight hundred ten eight hundred eleven eight hundred twelve eight hundred thirteen eight hundred fourteen eight hundred fifteen eight hundred sixteen eight hundred seventeen eight hundred eighteen eight hundred nineteen eight hundred twenty eight hundred twenty-one eight hundred twenty-two eight hundred twenty-three eight hundred twenty-four eight hundred twenty-five eight hundred twenty-six eight hundred twenty-seven eight hundred twenty-eight eight hundred twenty-nine eight hundred thirty and eight hundred thirty-one to read as follows

Section 809 Within thirty days after the effective date of this act each county superintendent shall call a convention of all of the school directors of the county The superintendent shall give all such directors at least one week's notice by mail of the time and place of the meeting

At such convention the school directors from the districts under the supervision of the county superintendent shall elect from among the directors from such districts a president two vice-presidents a secretary and a treasurer The terms of such officers shall begin upon their election and continue until their successors are elected as herein provided

The terms of the officers of the school directors' association who are in office immediately preceding such convention shall terminate upon the election of the new officers as herein provided

The compensation and expenses of the directors attending such convention and the necessary expenses of such conventions shall be paid as provided by law for annual county conventions of school directors

Such convention for counties which prior to such time shall not have held the annual convention for the year one thousand nine hundred and thirty-three shall be considered the

annual convention of the school directors which must be called by each county superintendent

Section 810 Each person elected or appointed a member of the executive committee shall serve without compensation Each member shall however be entitled to receive reimbursement for expenses actually incurred in the performance of his official duties if an itemized statement of such expenses shall be properly presented and approved as provided herein

Section 811 The county superintendent shall be ex officio a member of the executive committee but shall have no power to vote

Section 812 Three members of an executive committee shall be necessary to form a quorum If less than a quorum shall be present at any meeting no business shall be transacted at such meeting nor except as otherwise provided in this section shall any election of any new members to fill any vacancies on the executive committee be held The members present may however adjourn to some stated time However if there are not a sufficient number of qualified members on the executive committee to form a quorum a majority of all of the then qualified members may at any such meeting fill vacancies in the manner herein provided

Section 813 Each executive committee shall establish specified times and places at which it shall hold its regular meetings such regular meetings shall be held at least once every two months All such meetings which the executive committee is required to hold at stated times and all meetings for organization purposes or any adjournments of them shall be known as "regular meetings" all other meetings shall be known as "special meetings"

Section 814 If the president of the executive committee shall fail to call a special meeting after having received a written request therefor from two members of the committee three members of the committee may at any time call a special meeting

Section 815 The secretary of each executive committee shall give written notice of every special meeting to each member of the executive committee a reasonable length of time before each such meeting

Section 816 No business shall be transacted at any special meeting except that named in the call sent to the members for such special meeting Special meetings may however be called for general purposes

Section 817 The president of each executive committee shall be the executive officer of such committee he shall possess the following power and his duty shall be

(1) To preside at all meetings

(2) To call at any time he may deem proper a special meeting or meetings of the executive committee

(3) To call a special meeting of the executive committee upon the written request therefor of two (2) members of the executive committee

(4) To execute when directed by the executive committee all papers and instruments pertaining to the affairs of such committee which require the signature of the president

(5) To sign all orders on the treasurer which state their amount and the name of the payee and which are for the payment of any account or bill which has first been approved by the executive committee

(6) To perform such other duties as are herein required or that the executive committee may direct and which pertain to his office

Section 818 In the absence of the president the vice-president shall act in his stead as presiding officer or the executive committee and may by express direction of the committee approve orders on the treasurer during any continued absence or incapacity of the president

Section 819 In the absence of both the president and vice-president the executive committee may elect a president pro-tempore for such meeting only in the absence of the secretary the executive committee may elect a secretary pro-tempore for such meeting only The election of such temporary officers shall be noted upon the minutes of the meeting

Section 820 The secretary of each executive committee shall have the following power and his duty shall be

(1) To keep a correct and proper record of all proceedings of the executive committee and to prepare such reports and keep such accounts as are herein required

(2) To prepare and sign an order on the treasurer for the payment of each bill or account which shall have been approved by the executive committee

(3) To attest in writing the execution of all papers and instruments that are to be executed by the executive committee

(4) To furnish reports concerning the affairs of the executive committee on such forms and in such manner as the State Council of Education or the Superintendent of Public Instrction may require

(5) To have custody of all of the records papers office property and official seal if any of the executive committee and at the expiration of his term of office turn over the same to his successor

(6) To keep correct accounts of the finances of the executive committee and to present a statement of such accounts at each regular meeting of the executive committee These statements shall be entered in full upon the minutes

(7) To exercise general supervision over the business affairs of the executive committee subject to the instructions and directions of such committee

(8) To record the vote of each member of the executive committee when the committee has voted upon the adoption of a rsolution in favor of a consolidation for school purposes

(9) To perform such other duties pertaining to the business of the executive committee as herein are required or as the executive committee may direct

Section 821 The secretary of the executive committee shall receive no compensation for the performance of his duties in such office

Section 822 The treasurer of each executive committee shall receive all State disbursements for the committee and all other funds belonging to the executive committee He shall pay out funds only upon proper orders approved by the executive committee signed by the president and attested by the secretary At the end of each quarter the treasurer shall make a report to the executive committee of the amount of funds recived by him during the quarter

Section 823 Each treasurer of an executive committee shall before entering upon the duties of his office furnish to the executive committee a bond in such amount and with such surety or sureties as the committee may require The bond shall be conditioned upon the faithful performance of such person's duties as treasurer

The cost of the bond shall be paid by the executive committee

Section 824 The treasurer of each executive committee shall perform such other acts and duties pertaining to his office as the executive committee may direct or as may be required by law At the end of each term of office the treasurer shall promptly pay over to his successor in office the balance of any and all money remaining in his hands and shall deliver to him al books accounts and other property of the executive committee which shall be in his possession

Section 825 Each executive committee shall annually at the time of electing a treasurer determine what his compensation if any shall be for the ensuing year Any such compensation shall be a fixed salary and shall not be in the form of a commission The compensation received by any such treasurer for the preceding year shall be reported annually to the Superintendent of Public Instruction and be printed in his report

Section 826 Each exective committee may appoint or the executive committees of two or more counties may join in the appointment of a solicitor If a solicitor shall be appointed by two or more committees his compensation shall be paid by those committees in such proportion as they may jointly determine

Section 827 If any persons elected as a member of an executive committee shall neglect or refuse to attend two successive meetings unless detained by sickness or prevented by necessary absence from the county or if in attendance at any meetings shall neglect or refuse to act in his official capacity as a member of the executive committee the remaining members after having given at least five days' notice to that member may by a majority vote of all of such remaining members declare his office as a member of the executive committee vacant

Section 828 If one or more vacancies in the membership of an executive committee shall occur but a majority of the whole committee remains in office the remaining members of the committee shall by a majority vote thereof fill such vacancy or vacancies within thirty days If by reason of a tie vote or otherwise each such vacancy shall not be filled by the executive committee within thirty days after such vacancy shall

have occurred the court of common pleas of the county upon the petition of the county superintendent shall fill each such vacancy by the appointment of a suitable person to serve for the unexpired term

If one or more vacancies shall occur in an executive committee whereby the membership of the majority of the members of the committee shall become vacant the remaining members by a majority vote of all of the then qualified members shall fill such vacancies one at a time giving the new appointee such reasonable notice of his appointment as to enable him to meet and act with the qualified members of the committee in the making of further appointments until a majority of the committee shall have been secured When a majority of the offices shall have been filled the remainder of the vacancies shall be filled as provided in the first paragraph of this section If by reason of a tie vote or otherwise each such vacancy shall not have been filled by the executive committee within forty-five days after such vacancy shall have occurred the court of common pleas of the county upon the petition of the county superintendent shall fill each such vacancy by the appointment of a suitable person to serve for the unexpired term

If at any time vacancies shall exist in the entire membership of an executive committee the county superintendent shall petition the court of common pleas of the county for the appointment of a suitable person or persons to serve for the unexpired terms Upon receipt of such a petition the court of common pleas shall make such appointments

Section 829 When any vacancy shall occur on an executive committee the remaining members may by a majority vote of such remaining members elect one of their number to the office which shall be vacant Henceforth the person so elected shall perform the duties of the office to which he shall have been elected whether such office shall be that of president vice-president secretary or treasurer

When a court of common pleas shall have appointed an entire executive committee as herein provided the members so appointed shall meet and organize within fifteen days after the appointment of the entire executive committee

Section 830 All expenses which shall be incurred by each executive committee in the performance of its official duties and which shall be approved by the Superintendent of Public Instruction shall be paid by the Commonwealth from appropriations made to the Department of Public Instruction for such purpose

At the end of each month the secretary of each executive committee shall send to the Superintendent of Public Instruction an itemized list of all accounts or debts owed by the committee The secretary shall forward with each such list a certificate of the county superintendent stating that he has approved such items and an affidavit of either the president or the secretary of the committee to the effect that all of such debts and obligations have been actually incurred If the Superintendent of Public Instruction shall approve all or a portion of such expenditures of an executive committee he shall prepare a requisition for the total amount approved for each executive committee and present it to the Auditor General for approval and payment in the manner provided by law All payments upon such requisitions shall be made to the treasurers of the respective committees The Department of Public Instruction shall have the right to audit at any time the accounts of any executive committee and of its treasurer

Section 10 This act shall become effective immediately upon its passage by the General Assembly and its approval by the Governor

On the question,

Will the House agree to the bill on third reading?

Mr. WILSON. Mr. Speaker, I move that this bill be placed on the postponed calendar.

On the question,

Will the House agree to the motion?

Mr. WILSON. Mr. Speaker and ladies and gentlemen of the House, these six bills represent the educational program as prepared and presented to the committee and sent out from the committee with their endorsement. I very reluctantly move to put these bills on the postponed calendar. But gentlemen in whom I have a lot of confidence have come to me and urged me to do this and I am bound to follow their advice.

Personally, I have enough of confidence in my colleagues in this House, not that they will vote for this program, but that they will have courage enough to vote as their consciences and convictions tell them to vote.

If these were my bills, and my bills alone, I would put them on the calendar this morning for final passage. I am satisfied that when the members of this House realize the work and the energy that has been put back of this, the time and the attention that the committee and the sub-committee of the Senate and the House have given to this legislation, that there would be votes enough in this House to pass it. I am urged to do what I am doing and I am yielding to the advice of those in the House in whom I have confidence.

I am going to call these bills up and present them to the House. I tell you now that this is your program; this is the program that the committee and the sub-committee have built up, and we think it is the only program that we can make with the material that we have in front of us.

It was not my desire nor was it my wish to build a program like this, nor is it the wish of the fine committee I have the honor to be chairman of. We would like to make up a program that would give more money to the schools and build them up, and I know that that is the wish of every member of this House. It is necessary in order that this matter may be properly considered that these bills be postponed for the present and I will make motions, one after the other for the postponement of the other bills, but when I do it, I do it most reluctantly. In doing it I feel that I owe the House an apology, because I know that the members of this House will vote according to the way they think they ought to vote regardless of the telegrams and messages and letters and the interests that are deluging this House in an effort to get the members to vote in a way that will be for their personal interest and not in the way that will be for the interest of the Commonwealth and its needs.

I have confidence in the members of this House and I feel they will vote, when the time comes, as they ought to vote. Mr. Speaker, I make this motion very reluctantly.

On the question recurring?

Will the House agree to the motion?

It was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1386, as follows:

A Supplement to the act approved the eigtheenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local of any parts thereof that are or may be inconsistent therewith" as amended temporarily reducing the reimbursement by the Commonwealth to school districts for salaries of full-time members of the teaching and supervisory staffs for salaries of the teaching and supervisory staffs engaged in special education for closed schools and for the transportation of pupils

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Reimbursement for Teachers' and Supervisors' Salaries In computing the reimbursement to be paid by the Commonwealth to each school district under the provisions of subsection nineteen of section one thousand two

hundred ten of the act as amended to which this act is a supplement for the salary of each full-time teacher supervisor principal and of any other full-time member of the teaching and supervisory staff there shall be deducted from the amount computed under the terms of such section the sum of thirty dollars during the first year of the biennium which shall begin on the first day of June one thousand nine hundred thrirty-three and forty dollars during the second year of such biennium

Section 2 Reimbursement for Special Education In lieu of the further reimbursement to be made to school districts under the provisions of subsection nineteen of section one thousand two hundred ten of the act as amended to which this act is a supplement on the basis of the number of full-time teachers of special classes full-time supervisors or principals of special schools or classes organized by the district and approved under legislation providing for the special education of physically or mentally handicapped pupils the Commonwealth shall pay during each year of the biennium which shall begin on the first day of June one thousand nine hundred thirty-three to districts of the first class twelve and one-half per centum and to other districts fifteen per centum of the minimum salaries prescribed in the act and its amendments to which this act is a supplement for elementary teachers in such districts

Section 3 Closed School Subsidies In lieu of the apportionment to be made to school districts of the fourth class under the provisions of subsection nineteen of section one thousand two hundred ten of the act as amended to which this act is a supplement for each school permanetly closed or discontinued in such district since one thousand nine hundred eleven or which may hereafter be permanently closed or discontinued or which was heretofore permanently closed or discontinued under the provisions of the Act of April twenty-five one thousand nine hundred one (Pamphlet Laws one hundred five) entitled "An act to provide for the centralization of township schools and to provide high schools for townships" the Commonwealth shall pay the sum of one hundred and fifty dollars for each such school during each year of the biennium which will begin on the first day of June one thousand nine hundred thirty-three.

Section 4 Reimbursement for Compulsory Transportation and Board and Lodging In computing the amount to be paid during each year of the biennium beginning on the first day of June one thousand nine hundred thirty-three to each school district of the third and fourth class under the provisions of section one thousand four hundred six of the act as amended to which this act is a supplement for the transportation and board and lodging which the district is required to furnish to its pupils twelve per centum shall be subtracted from the amount of each per centum set forth in such section for the computation of the amount which the Commonwealth shall pay for such transportation or board and lodging

The provisions of this section however shall not be construed as affecting the fifteen per centum contained in said section one thousand four hundred six as amended for the computing of the charge for depreciation and repairs of district owned school conveyances

Section 5 Reimbursement for Transportation of Pupils Residing Two Miles from a School In computing the amount to be paid to each school district under the provisions of section one thousand four hundred eighteen of the act as amended to which this act is a supplement for the proper free transportation of those of its pupils who are under sixteen years of age and who do not reside within two miles by the nearest public highway of a public school which is in session there shall be subtracted twelve per centum from the amount of each per centum set forth in section one thousand four hundred six of said act as amended for the computation of the amount which the Commonwealth shall pay for the transportation of such puipls during each year of the biennium beginning on the first day of June one thousand nine hundred thirty-three

The provisions of this section however shall not be construed as affecting the fifteen per centum contained in said section one thousand four hundred six as amended for computing the charge of depreciation and repairs of district owned school conveyances

Section 6 Effective Date This act shall become effective immediately upon its passage by the General Assembly and its approval by the Governor

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. WILSON. Mr. Speaker, I move that this bill be placed on the postponed calendar.

It was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1374, as follows:

An Act relating to the minimum salaries and annual increments of the teaching and supervisory staffs of the public schools granting power to the State Council of Education to permit as to certain school districts temporary reductions in the salary schedules authorizing the State Council of Education to suspend mandatory provisions of the act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintaining the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" and of its amendments and supplements prohibiting school districts from demanding requesting or accepting gifts or donations from members of the teaching and supervisory staffs and empowering the Superintendent of Public Instruction to forfeit certain State subsidies for violations thereof relating to the effect of payment of salaries which are less than those prescribed by salary schedules and temporarily superseding any inconsistent acts and parts of acts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Definitions The following terms shall be construed in this act to have the following meanings

1 "Teacher or supervisor" A member of the teaching or supervisory staff or other appointee of any school district to whom any statutory minimum salary schedule shall be applicable

2 "Salary schedule" A schedule of minimum basic salaries plus required increments prescribed by any Act of Assembly for the payment of salaries of teachers or supervisors

Section 2 Re-employed Teachers and Supervisors During the period in which this act shall be in effect no school district shall be required to pay to any teacher or supervisor who during the year preceding the effective date of this act shall have been in its employ or who during such year shall have been in the employ of any school district whose territory shall wholly or in part comprise such district any salary or compensation at a rate greater than ninety per centum of the minimum amount which such teacher or supervisor would have been entitled to receive under the salary schedule if he or she had entered the employ of such district immediately prior to the effective date of this act

Section 3 New Teachers and Supervisors During the period in which this act shall be in effect no school district shall be required to pay to any teacher or supervisor who during the year preceding the effective date of this act was not employed by such school district or by a district whose territory shall wholly or in part comprise such district any salary or compensation at a rate greater than ninety per centum of the minimum amount which such teacher or supervisor would have been entitled to receive under the salary schedule if he or she had entered the employ of such district immediately prior to the effective date of this act

Section 4 Additional Reductions When the board of school directors of any school district shall present to the Superintendent of Public Instruction evidence which shall convince him that the district does not and will not have sufficient funds to pay the salaries required by the salary schedule as modified by the foregoing provisions of this act or that the payment of the salaries of the schedule as thus modified would be unreasonably

oppressive upon the school district the Superintendent of Public Instruction may for such district and for the period during which this act shall be in effect reduce the percentage herein provided from ninety to a percentage which he shall deem to be just and reasonable for that district

In lieu of or in addition to thus reducing the above percentage the Superintendent of Public Instruction may as to any such district and for such period suspend any provisions of the act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" and of its amendments and supplements when such provisions require and make mandatory any action by the school district or its board of school directors

Section 5 Effect of Payment of Salaries Which Are Less Than Those Prescribed by Salary Schedule There shall be no deduction from the amount to be paid by the Commonwealth to a school district as a partial reimbursement for the salary or compensation of any teacher or supervisor because the district pays such person any time during the biennium beginning on the first day of June one thousand nine hundred thirty-three a smaller salary or compensation than is prescribed for such person by the salary schedule so long as the amount which the district pays is not less than the amount permitted by the provisions of this act or than that allowed by the Superintendent of Public Instruction in pursuance of the provisions of this act

Section 6 Prohibition Against Demanding Requesting or Accepting Gifts or Donations During the period in which this act shall be in effect it shall be unlawful for any board of school directors to demand request or accept directly or indirectly any gift or donation from any teacher or supervisor within its employ

Section 7 Forfeiture of Subsidies When during the period during which this act shall be in effect the Superintendent of Public Instruction shall be of the opinion that any school district shall have violated the provisions of this act by demanding requesting or accepting any gift or donation from one or more teachers or supervisors he shall subject to the restrictions herein provided have the power to declare forfeited for the then current school year any State subsidy which is to be paid to the district as a partial reimbursement of the salary of each such teacher or supervisor

Before declaring any such forfeiture as to any school district the Superintendent of Public Instruction shall mail to the board of school directors of the district a statement setting forth the alleged violations and the names of the one or more teachers or supervisors from whom the gifts or donations are alleged to have been demanded requested or accepted The statement shall be accompanied by a notice stating that unless a denial of such allegations verified by the affidavit of the president or secretary of the board is received by the Superintendent of Public Instruction within fifteen days he will declare a forfeiture as to such subsidy for each such teacher or supervisor If such a denial shall not be received within such fifteen days the Superintendent of Public Instruction may declare such one or more forfeitures

If such a denial shall be received the Superintendent of Public Instruction shall conduct a hearing to determine whether or not there have been any such violations He shall give reasonable notice of the time and place of the hearing to the board of school directors of the district and at the hearing shall give the board the right to be heard and to be represented by counsel

If after the hearing the Superintendent of Public Instruction shall be of the opinion that one or more of the violation set forth in the statement which he shall have sent to the board as herein provided did actually occur he may as herein provided forfeit the subsidies to be paid to the district as a partial reimbursement for the salary of each teacher or supervisor listed in such statement from whom in his opinion the district or its representatives shall have demanded requested or accepted a gift or donation

Section 8 Impairment of Contracts Nothing in this act shall be construed as impairing the obligation of any contract made before the effective date of this act

Section 9 Constitutional Construction The provisions of this act shall be severable and if any of its provisions shall be held to be unconstitutional the decisions of the court as to those provisions shall not affect the validity of the remaining provisions of this act It is hereby declared as a legislative intent that this act would have been adopted by the General Assembly had such unconstitutional provisions not been included herein

Section 10 Effective Date Period During which Act Shall be Effective This act shall become effective immediately upon its passage by the General Assembly and its approval by the Governor and shall remain in effect until the first day of July one thousand nine hundred thirty-five

Section 11 Inconsistent Provisions All acts and parts of acts inconsistent with the provisions of this act are hereby superseded for the period during which this act shall be in effect

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. WILSON. Mr. Speaker, I move that this bill be placed on the postponed calendar.

It was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1385, as follows:

A Supplement to an act approved the first day of May one thousand nine hundred thirteen (Pamphlet Laws one hundred thirty-eight) entitled "An act defining vocational education providing for the establishment and regulation of vocational schools and providing for State aid in the maintenance thereof and for the payment of tuition by certain school districts and reimbursement thereof by the State" as amended temporarily restricting the amount of the reimbursement of the Commonwealth to school districts for vocational and continuation schools and departments

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Limitation on Disbursements for Vocational Education The amount paid by the Commonwealth to any school districts union school district or combination of school districts under the provisions of section nine of the act as amended to which this act is a supplement for approved instruction in vocational and continuation schools and departments from funds appropriated by the General Assembly for such purposes shall not exceed during either year of the biennium beginning June first one thousand nine hundred thirty-three an amount equal to fifty-five per centum of the amount which the Commonwealth paid during the twelve months preceding the first day of July one thousand nine hundred thirty-two under the provisions of section nine of said act as amended for such purposes from funds appropriated by the General Assembly for such purposes.

Section 2 Effective Date This act shall become effective immediately upon its passage by the General Assembly and its approval by the Governor

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. WILSON. Mr. Speaker, I move that this bill be placed on the postponed calender.

It was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1384, as follows:

A Supplement to the act approved the eighteenth day of June one thousand nine hundred nineteen (Pamphlet Laws four hundred ninety-eight) entitled "An act defining consolidation of schools providing for the estblishment and regulation of consolidated schools and providing for State aid for the transportation of pupils to and from consolidated schools" as amended temporarily reducing the reimbursements of the Commonwealth to school districts for the transportation of pupils to and from consclidated schools

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Reimbursement of Transportation To and From Consolidated Schools In computing the amount to be paid during each year of the biennium beginning on the first day of June one thousand nine hundred thirty-three to each school district and union of school districts under the provisions of section four of the act as amended to which this act is a supplement for the transportation of pupils to and from approved consolidated elementary schools or approved consolidated junior high schools or approved joint consolidated schools twelve per centum shall be subtracted from the amount of each per centum set forth in section four of said act as amended for the computation of the amount which the Commonwealth shall pay for such transportation

The provisions of this section however shall not be construed as affecting the fifteen per centum contained in section four of said act as amended for computing the charge for depreciation and repairs of district owned schcol conveyances

Section 2 Effective Date This act shall become effective immediately upon its passage by the General Assembly and its approval by the Governor

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. WILSON. Mr. Speaker, I move that this bill be placed on the postponed calendar.

It was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1009, entitled:

An Act fixing the minimum salaries of county and assistant county superintendents for the first year of their terms which will begin on the first Monday of July, one thousand nine hundred thirty-four; providing for the payment of such minimum salaries by the Commonwealth; and temporarily superseding any inconsistent acts and parts of acts.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. WILSON. Mr. Speaker, I move that this bill be placed on the postponed calendar.

It was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 781 (Senate Bill No. 11), entitled:

An Act to amend sections four and seven of the act approved the twenty-fifth day of July, one thousand nine hundred and thirteen (P. L. 1043), entitled "An act to provide for the registration and enrollment of the voters of the State according to their respective party preferences; fixing the compensation of assessors and registry assessors for making said registration and enrollment; and prescribing penalties for false registration or enrollment; and for voters voting or attempting to vote, and for election officers wilfully permitting or conspiring to permit them to vote, at a primary, by or on any other than their own party ticket"; eliminating one of the days required of the assessors and registry assessors sitting at the polling places.

And said bill having been read at length the third time, considered and agreed to.

One the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz

YEAS—156

Andrews,	Haines,	McCandless,	Scott,
Baldi,	Hamilton,	McClure,	Shellenberger,
Barnhardt,	Harris,	McCreary,	Shenkel,
Bechtel,	Hart,	McElwee,	Shettel,
Beech,	Hartman,	McGrail,	Shreiner,
Bennett,	Heffernan,	McGregor,	Shugarts,
Bernhard,	Hefferon,	McHenry,	Sinwell,
Brancato,	Heffner,	McKay,	Snyder,
Brennan,	Hermansen,	McKinney,	Sowers,
Brown, J. E.,	Hester,	Meredith,	Spann,
Brown, W. L.,	Hewitt,	Merrell,	Steedle,
Brownfield,	Himes, H. E.,	Moore,	Sterling, P.,
Caputo,	Himes, L. R.,	Mumford,	Stevens,
Carson,	Hoffman,	Munley,	Stevenson,
Chervenak,	Holmes, J. L.,	Myers,	Stiteler,
Cohen,	Hoopes,	Negley,	Storb,
Conner,	Horst,	Nothnagle,	Surface,
Cooke,	Hough,	O'Keefe,	Tahl,
Cordier,	Howard,	O'Neill,	Terry,
Craig,	Hutton,	O'Rourke,	Turner,
Dane,	Jaffe,	Patterson,	Wade,
DeFrehn,	Jones,	Peelor,	Walker, G. E.,
Downey, G. E.,	Kane, L. P.,	Pennock,	Walker, W. A.,
Downey, J.,	King,	Perry, D. R.,	Wall,
Dunmire,	Kinney,	Perry, J. J.,	Way,
Dwyer,	Labar,	Peters,	Weidemann,
Ederer,	Lane,	Powell,	Westrick,
Emhardt,	Laubach,	Price,	White,
Evans,	Lenahan,	Rectenwald,	Wike,
Flanagan,	Lose,	Reed,	Williams, G. W.,
Flinchbaugh,	Lovett, J. E.,	Rhodes,	Williams, J. J.,
Flynn,	Lovett, W. S.,	Roan,	Wilson, L. M.,
Forrest,	Lynch, J. R.,	Roth,	Witkin,
Furman,	Male,	Royle,	Woodside,
Gallagher,	Malina,	Ruby,	Wright,
Gillette,	Maloney,	Sarig,	Yourishin,
Gorman,	Marcks,	Schrock,	Zimmerman,
Green,	Mason,	Schrope,	Talbot,
Greenstein,	McBride,	Schwab,	Speaker.
Habbyshaw,			

NAYS—2

Cannon, O'Connor,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

BILLS INTRODUCED

Mr. SOWERS. Mr. Speaker, your committee appointed to draft malt beverage control legislation has performed its duty, and the gentleman from Philadelphia, Mr. Conner, and I sponsor the measure and I now offer it. I ask that it be referred back to the Committee under the terms of the resolution.

REPORT FROM COMMITTEE

Mr. EMHARDT, from the Committee on Insurance, reported as committed, House Bill No. 1729 (Senate Bill No. 639), entitled

An Act relating to insurance companies exchanges associations societies orders and individuals under the supervision of the Insurance Department authorizing the Insurance Commissioner during the existing emergency to suspend laws relating to certain payments by insurers and to impose conditions upon the conduct of the business of insurance and providing penalties.

RESOLUTION

MALT BEVERAGE CONTROL BILLS TO BE COMMITTED TO SPECIAL COMMITTEE

Mr. SOWERS asked unanimous consent to offer a resolution and asked that it lie over for printing, which was read by the Clerk as follows:

In the House of Representatives, March 22, 1933.

Whereas, This House by Resolution No. 24, Serial No. 39, Printer's No. 57, appointed a Committee to draft a bill to regulate liquor control, and on Monday last amended the resolution substantially creating the Committee to draft, consider, amend, and hold public hearings on all liquor control bills, and for the said Committee to better and more efficiently function all liquor control bills ought to be referred to it for consideration, and action as is done and practiced by the other Committees of the House.

Now, therefore be it resolved by the House of Representatives that all bills on the subject of liquor control be referred to the said special committee appointed by the Speaker for consideration and action in conformity to the usual practice of committees of the House.

The SPEAKER. Will the House give its unanimous consent to the introduction of the resolution at this time? Are there objections?

Mr. PHILIP STERLING. Mr. Speaker, I object.

Mr. SOWERS. Mr. Speaker, I understand from the gentleman from Philadelphia, Mr. Sterling, that he has no objection to the introduction of the resolution, and I have not asked that it be given immediate consideration. I ask that it lie over for printing.

The SPEAKER. The question before the House was would it give unanimous consent to the gentleman from Philadelphia, Mr. Sowers, to offer the resolution? The Chair heard objection from the gentleman from Philadelphia, Mr. Sterling.

Mr. PHILIP STERLING. Mr. Speaker, I insist upon that objection.

The SPEAKER. The Chair hears objection and unanimous consent is not granted.

BILL ON FINAL PASSAGE

Mr. LONG. Mr. Speaker, I desire to call up at this time House Bill No. 1371, Printer's No. 213, on page 17 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Long.

The House resumed the consideration on final passage of House Bill No. 1371, entitled:

An Act to further amend sections three, five and six of the act approved the tenth day of June, one thousand eight hundred and ninety-three (P. L. 419), entitled "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections"; by increasing the number of signers to nomination papers, changing the time for filing same and changing the time for filing objections thereto.

RECONSIDERATION OF VOTE

Mr. LONG. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. HOOPES. Mr. Speaker, I ask unanimous consent t offer amendments at this time.

The SPEAKER. The amendments will be read by the Cler for information.

The Clerk read the amendments as follows:

Amend title, page 1, line 1 of the title, by striking out th word "three"

Amend Sec. 1, page 1, line 4, by striking out the words "sec tion three" and inserting in lieu thereof; "section five and six

Amend Sec. 1, page 2, line 4, by striking out the wor "was" and inserting in lieu thereof: "were"

Amend bill, pages 2, 3 and 4, by stirking out all the word on said pages, following "teen" in line 6 on page 2, to and in cluding the word "nineteen" in line 11 on page 4.

The SPEAKER. Will the House give unanimous consen to the insertion of the amendments at this time? Is there an objection? The Chair hears none and the amendments wi be inserted in accordance with the instructions of the Hous

On the question.

Will the House agree to the bill on third reading a amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair is desirous of referring all bill that have been filed with the Bill Clerk. The Chair is desir ous of having a recess for a sufficient length of time to refe these bills and we will then go back into session, if there i no objection, and clear the desk, which will permit us t adjourn today so the committees may meet.

RECESS

The SPEAKER. If there are no objections the Chair wi declare a recess until 1.15 P. M. Are there objections? Th Chair hears none and (at 12.55 P. M.) declares a recess unti 1.15 P. M.

AFTER RECESS

The House reconvened at 1.28 P. M.

The SPEAKER (Grover C. Talbot) in the Chair.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUS BILL No. 1

The Clerk of the Senate being introduced, informed that th Senate has insisted upon its amendments, nonconcurred in b the House of Representatives, to House Bill No. 1, entitled:

An Act relating to baseball and footbll on Sunday prohibitin baseball and football on Sunday during certain hours and als during certain hours unless the electors of the Commonwealt are in favor of the same and a license has first been secure from the municipal authorities providing for referendums t ascertain the will of the electors and for the enactment an repeal of licensing ordinances and resolutions in accordanc therewith providing penalties and repealing inconsistent laws

And has appointed Messrs. Trainer, McClure and Coyne committee of conference to confer with a similar committe of the House of Representatives (already appointed) on th subject of the differences existing between the two houses i relation to said bill.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 180

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 22, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 180, Printer's No. 85, entitled, "An Act authorizing townships of the first class to fund floating indebedness orders or indebtedness of any previous year or years or carried over from any previous year or years or indebtedness evidenced by any outstanding note or notes now existing and now due or hereafter to become due by the issuance and sale of bonds obligations or certificates and regulating the manner of the issuance and sale of such bonds obligations or certificates."

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL No. 1027

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 22, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 1027, Printer's No. 116, entitled "An Act to ratify confirm and make valid certain contracts entered into by the supervisors of townships of the second class."

This bill would validate certain township road contracts which appear to have been regular and proper in every respect except that they were entered into without previous formal action of the board of supervisors. Subsequently, however, the supervisors, at a regular meeting, adopted a resolution approving and ratifying the contracts.

If this was the only irregularity in the inception of the contracts, it was not only curable but was, in fact, cured by the ratifying resolution of the supervisors. No validating legislation is needed for such a case.

On the other hand, if the bill is designed to avoid the consequences of other irregularities which are not disclosed, it is improper.

For these reasons the bill is not approved.

GIFFORD PINCHOT.

On the question,

Shall the bill become a law, the veto of the Governor to the contrary notwithstanding?

Mr. HOWARD. Mr. Speaker, I move the communication, together with the bill be laid upon the table.

The motion was agreed to.

SPECIAL ORDER ON HOUSE BILLS Nos. 1335, 1386, 1374, 1385, 1384 and 1009

Mr. WILSON. Mr. Speaker, I move that House Bills, Nos. 1335, 1374, 1385, 1384 and 1009 be made a special order of business for Monday evening March 27, at 11.00 o'clock.

The motion was agreed to.

(Remarks by Mr. Malina, Mr. Wilson and motion of Mr. Hutton expunged from record.)

BILLS INTRODUCED AND REFERRED

By Mr. LONG. HOUSE BILL No. 1803.

An Act relating to Sunday music; permitting musicians to receive compensation for services rendered on Sunday; authorizing pay concerts to be given and broadcast on Sunday under certain circumstances; and allowing school and certain public buildings and parks to be used therefor; conferring powers and imposing duties on the Department of Public Instruction, and imposing penalties.

Referred to the Committee on Law and Order.

By Mr. ANDREWS. HOUSE BILL No. 1804.

An Act relating to criminal procedure before aldermen, justices of the peace, and magistrates, in cases of misdemeanors, and providing for the assessment of costs in such cases, and the commitment of the prosecutor or defendant in case of default.

Referred to the Committee on Judiciary General.

By Mr. WILLIAM A. WALKER. HOUSE BILL No. 1805.

An Act providing that the county commissioners of counties of the second class shall create a county department of welfare; defining the powers and duties of said department; providing for an advisory board and supervisory committees for institutions; providing for the taking over by the county of certain municipal functions and property, for the adjustment of indebtedness, and for the levy of taxes and incurring of indebtedness; abolishing the office of director of the poor; and providing for the transfer of certain functions to said department with the consent of the court.

Referred to the Committee on Counties.

By Mr. BLUMBERG. HOUSE BILL No. 1806.

An act to eliminate reckless and irresponsible drivers from the public highways and to protect the safety of users of the public highways by providing in certain cases for the suspension and revocation of operator's licenses and privileges (whether resident or non-resident) and for the establishment of ability to respond in damages for injury to property and persons including injuries resulting in death caused by the use or operation of motor vehicles (including unlicensed operators and unregistered motor vehicles) conferring powers and imposing duties upon the Department of Revenue the Insurance Commissioner insurance carriers and clerks of the courts requiring certain provisions in motor vehicle liability insurance policies and providing penalties.

Referred to the Committee on Judiciary General.

By Mr. JOHN L. HOLMES. HOUSE BILL No. 1807.

An Act to amend section one of the act, approved the twenty-seventh day of February, one thousand eight hundred and sixty-five (Pamphlet Laws, four) entitled "An act to increase the fees of mercantile appraisers in certain counties of this Commonwealth.

Referred to the Committee on Counties.

By Mr. GRIFFITH. HOUSE BILL No. 1808.

An Act to amend section one thousand eight hundred and six of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the adminstrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor Lieu-

tenant Governor and certain other executive and administrative officers; providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," defining the powers of persons appointed to police State parks.

Referred to the Committee on State Government.

By Mr. RHODES. HOUSE BILL No. 1809.

An Act to amend section forty of the act approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," as amended, changing the number of trout to be caught in one day.

Referred to the Committee on Fisheries.

By Mr. GRIFFITH. HOUSE BILL No. 1810.

An Act to repeal the act approved the twelfth day of June, one thousand nine hundred and seven (Pamphlet Laws, five hundred and twenty-seven), entitled "An act establishing precautionary regulations to prevent forest fires on lands in which oil wells and gas wells are situated, and diminish danger therefrom; making certain violations thereof misdemeanors and prescribing punishment for the same, and in other cases affixing penalties and declaring liabilities for damages."

Referred to the Committee on Forestry.

By Mr. YOURISHIN. HOUSE BILL No. 1811.

An Act to provide for maps or plans of the workings or excavations of coal mines and colleries and defining the character and contents of the maps and plans and the requirements for extensions and changes to be made on the maps from time to time in counties of the third class, in order to ascertain the value of coal land for assessment and taxation purposes by the board for the assessment and revision of taxes.

Referred to the Committee on Mines and Mining.

By Mr. GORMAN. HOUSE BILL No. 1812.

An Act relating to policies of indemnity insurance; requiring such policies to contain provisions covering cases of insolvency and bankruptcy of the insured, and to permit injured persons or their personal representatives to maintain suits against the insurer in such cases.

Referred to the Committee on Insurance.

By Mr. STEVENSON. HOUSE BILL No. 1813.

An Act establishing as State highways all existing township roads in townships of the second class which have not heretofore been established as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; authorizing the Secretary of Highways under certain conditions to petition the Court of Quarter Sessions to vacate certain of said roads; and making an appropriation out of the Motor License Fund.

Referred to the Committee on Highways.

By Mr. SOWERS. HOUSE BILL No. 1814.

An Act to amend sections six hundred and five and six hundred and six of the act approved the fourteenth day of May, one thousand nine hundred and twenty-five (P. L. 762), entitled "An act concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth, except in counties of the first and second class; and revising, amending, consolidating and changing the law relating thereto; by limiting the number of persons to be authorized to attend meetings of associations of directors of the poor and charities and corrections; reducing the amount of membership subscription and providing for certification of days of attendance of attending officers.

Referred to the Committee on Counties.

By Mr. PHILIP STERLING (by request). HOUSE BILL No. 1815.

An Act creating in counties of the first class a commission of fiscal and budgetry supervision; giving each such commission advisory supervision over budgets, tax rates, capital expenditures and borrowings of the county and all cities, school districts and other local governments and governmental authorities wholly or partly within the area of the county for which it was created; requiring officers, employes, agencies and other authorities of the county and of all cities, school districts and other local governments and governmental authorities to submit fiscal estimates, proposals and programs to such commission; providing for representation on such commission of each council, board, commission or other local authority levying taxes in excess of five hundred thousand dollars per annum; and requiring each such council, board, commission, or other authority to provide proportionately for the expenses of the commission.

Referred to the Committee on Counties.

By Mr. PHILIP STERLING. HOUSE BILL No. 1816.

An Act to amend section five of the act, approved the twenty-ninth day of May, one thousand eight hundred eighty-five (Pamphlet Laws, twenty-nine), entitled "An act to provide for the incorporation and regulation of natural gas companies," by requiring natural gas corporations to amend their charters in order to enlarge or alter their territory of distribution.

Referred to the Committee on Public Utilities.

By Mr. JONES. HOUSE BILL No. 1817.

An Act providing for the appointment of Deputy Sheriffs, prescribing their powers and providing for their removal.

Referred to the Committee on Counties.

By Mr. JONES. HOUSE BILL No. 1817.

An Act to provide revenue by imposing a State excise license tax on exclusive fishing privileges; declaring certain streams, lakes and ponds on lands posted against trespassing to constitute exclusive fishing privileges; providing for the collection of such tax; imposing duties on fish wardens; and fixing penalties.

Referred to the Committee on Fisheries.

By Mr. FURMAN. HOUSE BILL No. 1819.

A supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one, (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Greene.

Referred to the Committee on Highways.

By Mr. FURMAN. HOUSE BILL No. 1820.

A supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one, (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construc-

tion of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Greene.

Referred to the Committee on Highways.

By Mr. STEEDLE. HOUSE BILL No. 1821.

An Act making an appropriation to the Department of the Auditor General to defray the expenses of the committee to investigate and study charges made against the Public Service Commission, appointed pursuant to resolution number ten of the House of Representatives, adopted on the seventeenth day of February, one thousand nine hundred and thirty-one.

Referred to the Committee on Appropriations.

By Mr. BEECH. HOUSE BILL No. 1822.

An Act to authorize cities of the third class to insure and reinsure buildings.

Referred to the Committee on Cities.

By Mr. BEECH. HOUSE BILL No. 1823.

An Act to amend section eight hundred and three of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibusses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by adding thereto paragraph (f) providing that fire department and fire patrol apparatus may have a red head lamp on the left side.

Referred to the Committee on Highways.

By Mr. SHEFFER. HOUSE BILL No. 1824.

An Act to amend section two of the act approved the third day of April, one thousand nine hundred and twenty-nine, (P. L. 135), entitled, "An act authorizing the Department of Justice, acting for the Department of Forests and Waters, to institute suits on behalf of the Commonwealth to recover from persons, associations, copartnerships, and corporations, and their officers, agents, and employes, causing forest fires, the expenses incurred by the Department of Forests and Waters on account of such fires," authorizing the Department of Forests and Waters to institute suit for such purposes where such expenses do not exceed three hundred dollars.

Referred to the Committee on Judiciary General.

By Mr. DENNING. HOUSE BILL No. 1825.

An Act to repeal section eight of the act approved the twenty-seventy day of March, one thousand nine hundred and twenty-three (P. L. 34), entitled, "An act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in, and possession of intoxicating liquors for beverage purposes, and articles and substances designed or for use in the manufacture thereof; defining intoxicating liquor; providing for penalties, forfeitures, and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws"; so as to eliminate the provisions relating to search warrants.

Referred to the Committee on Law and Order.

By Mr. DENNING. HOUSE BILL No. 1826.

An Act to repeal section seven of the act approved the twenty-seventh day of March, one thousand nine hundred and twenty-three, (P. L. 34), entitled, "An act concerning alcoholic liquors; prohibiting the manfacture, advertising, furnishing, traffic in, and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; defining intoxicating liquor; providing for penalties, forfeitures, and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws"; so as to abolish proceedings by injunction to abate nuisances.

Referred to the Committee on Law and Order.

By Mr. HOOPES. HOUSE BILL No. 1827.

An Act imposing a capital levy upon all property within the Commonwealth or owned by residents thereof; providing deductions; providing for the collection of such tax; imposing duties upon the Department of Revenue; and providing penalties.

Referred to the Committee on Ways and Means.

By Mr. SCHWAB. HOUSE BILL No. 1828.

An Act to amend sections twenty and forty as amended, and section two hundred and fifty-five of the act approved the second day of May, one thousand nine hundred and twenty-five, (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," changing the closed season for certain species of trout, further limiting the lawful daily catch of trout and giving the Board of Fish Commissioners further powers to set aside streams and lakes for nursery purposes.

Referred to the Committee on Fisheries.

By Mr. O'CONNOR. HOUSE BILL No. 1829.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one, (Act No. 203) entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Indiana.

Referred to the Committee on Highways.

By Mr. O'CONNOR. HOUSE BILL No. 1830.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one, (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional highway in the County of Indiana.

Referred to the Committee on Highways.

By Mr. SPANN. HOUSE BILL No. 1831.

An Act authorizing and empowering cities of the second class of this Commonwealth to make application to the Board of Viewers for a report as to probable damages in an improvement or improvements contemplated to be made by such cities and authorizing and empowering the viewers to make a report thereon.

Referred to the Committee on Cities.

By Mr. PETERS. HOUSE BILL No. 1832.

An Act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act.

Referred to the Committee on Highways.

By Mr. PETERS. HOUSE BILL No. 1833.

An Act providing for the taking over of certain roads in townships of the first class as State highways and providing for their construction, improvement and maintenance by the Commonwealth, including certain bridges thereon and drainage facilities connected therewith, and conferring powers upon township and county commissioners.

Referred to the Committee on Highways.

By Mr. PETERS. HOUSE BILL No. 1834.

An Act to amend section five of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 720), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A and third class as State highways and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act;" extending the responsibility of the Commonwealth for the construction and maintenance of streets taken over under the act, to the space between curb and curb; and providing for the taking over of additional streets.

Referred to the Committee on Highways.

By Mr. TAHL. HOUSE BILL No. 1835.

An Act to amend section nine hundred and six of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by increasing the penalties for driving upon any bridge, causeway or viaduct, any vehicle which, together with its load, exceeds the maximum weight permitted and mentioned in the posted signs erected and maintained.

Referred to the Committee on Highways.

By Mr. TAHL. HOUSE BILL No. 1836.

An Act to amend the last paragraph of section nine hundred and three of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissable as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by changing the penalty for overloading vehicles.

Referred to the Committee on Highways.

By Mr. SCHROCK. HOUSE BILL No. 1837.

An Act to enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for the years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two, and validating the liens of such taxes.

Referred to the Committee on Judiciary General.

By Mr. LORD. HOUSE BILL No. 1838.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one, (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highawys; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Jefferson.

Referred to the Committee on Highways.

By Mr. LORD. HOUSE BILL No. 1839.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one, (Act No. 203, entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construc-

tion of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Jefferson.

Referred to the Committee on Highways.

By Mr. LORD. HOUSE BILL No. 1840.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Jefferson.

Referred to the Committee on Highways.

By Mr. LORD. HOUSE BILL No. 1841.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Jefferson.

Referred to the Committee on Highways.

By Mr. WILSON. HOUSE BILL No. 1845.

An Act authorizing school districts to issue and sell bonds for certain purposes, and for a certain period of time; providing for a trust fund and a sinking fund for the payment thereof, and defining the duties of the officers and members of the school board in relation to said funds, and fixing a penalty for the violation thereof.

Referred to the Committee on Education.

By Mr. JOHN L. HOLMES. HOUSE BILL No. 1846.

An Act to amend section one of the act approved the twenty-ninth day of April, one thousand nine hundred and twenty-five (P. L. 357), entitled "An act prohibiting the manufacture of gambling machines and providing penalties;" extending the provisions of the act to the selling, transporting, shipping, exhibiting, possession and storage of gambling machines.

Referred to the Committee on Judiciary General.

By Mr. HAINES (by request). HOUSE BILL No. 1847.

An Act to protect the public health; defining and providing for the licensing of bakeries and regulating the inspection, maintenance and operation of bakeries and premises, stores and shops connected therewith; defining and regulating the manufacture, sale and offering for sale of baker products; conferring powers on the Department of Agriculture; and providing penalties.

Referred to the Committee on Public Health and Sanitation.

By Mr. McKAY. HOUSE BILL No. 1848.

An Act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Internal Affairs in respect thereto; providing for the licensing and registration of airmen and aircraft; establishing the legal status of air navigation; providing for sovereignty in and ownership of space; providing for the lawfulness of flights; regulating civil cases of action arising out of operation of aircraft; fixing the status of contracts, crimes and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition, and repealing certain existing laws.

Referred to the Committee on Aeronautics.

By Mr. BAKER. HOUSE BILL No. 1849.

An Act to amend sections one and thirty-one of the act approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 337), entitled "An act relating to the jurisdiction, powers, and procedure of the several orphans' courts in proceedings for the partition and valuation of real estate, and for the sale of real estate for the purpose of distribution; and the fees, costs, and expenses therein"; extending the provisions of said act to include real estate of a decedent left in trust or in which a life estate was devised by the will thereof, when the surviving spouse is entitled to an interest therein by reason of taking against said will, and permitting the surviving spouse to take such real estate in kind as the distributive share thereof.

Referred to the Committee on Judiciary General.

By Mr. WIKE. HOUSE BILL No. 1850.

An Act to further amend the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by prohibiting the issuance of certain registration plates unless applied for on a form prescribed and furnished by the department and accompanied by an extra fee.

Referred to the Committee on Highways.

By Mr. ROBERT B. STERLING. HOUSE BILL No. 1851.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Fayette.

Referred to the Committee on Highways.

By Mr. ROBERT B. STERLING. HOUSE BILL No. 1852.

An Act to amend Route 26044 of the act approved the twenty-second day of June, one thousand nine hundred and thirty-

one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act."

Referred to the Committee on Highways.

By Mr. ROBERT B. STERLING. HOUSE BILL No. 1853.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an adidtional route in the County of Fayette.

Referred to the Committee on Highways.

By Mr. SOWERS and Mr. CONNER. HOUSE BILL No. 1854.

An Act to regulate and restrain the traffic in malt, brewed and vinous beverages as herein defined; creating a commission for each of several districts, defining their powers and duties; providing for the licensing of the manufacture, sale, transportation and distribution of such beverages; imposing taxes and license fees; and providing for collection and distribution of revenues therefrom; restricting ownership and interest in licensed places; making appropriations for carrying the same into effect; providing penalties and repealing existing acts.

Referred to the Select Committee on Liquor Control.

By Mr. GARTNER (by request). HOUSE BILL No. 1855.

A Joint Resolution creating an Unemployment Reserves Commission, defining the powers and duties of said Commission and making an appropriation.

Referred to the Committee on State Government.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 320. (HOUSE BILL No. 1842).

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section seventeen.

Referred to the Committee on Constitutional Amendments.

SENATE BILL No. 638. (HOUSE BILL No. 1843).

An Act providing for the appointment by the court of quarter sessions of the directors of the poor of the Erie County Poor District and abolishing the elected directors providing for the appointment and compensation of a director of welfare investigators assistants experts and employes and for the employment and compensation of elected directors whose terms have not expired and repealing existing laws.

Referred to the Committee on Judiciary General.

SENATE BILL No. 682. (HOUSE BILL No. 1844).

An Act authorizing and regulating the issue and sale of preferred stock by banks and trust companies.

Referred to the Committee on Banking.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Immediately after adjournment today, the Speaker requests the Chairmen of the various committees to meet in the House Caucus Room.

ADJOURNMENT

Mr. HARTMAN. Mr. Speaker, I move that this House do now adjourn until tomorrow morning at 10.00 o'clock.

The motion was agreed to, and (at 1.53 o'clock P. M.) the House adjourned until tomorrow morning at 10.00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1933 — 130th of the General Assembly

Vol. 15 — HARRISBURG, PA., THURSDAY, MARCH 23, 1933. — No. 36

HOUSE OF REPRESENTATIVES

THURSDAY, March 23, 1933.

The House met at 10.00 o'clock A. M.

The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Chaplain, Rev. George F. Conner, offered the following prayer.

Dear Heavenly Father, shed forth Thy blessed spirit, richly upon the Speaker and ladies and gentlemen of the House this morning. Make each member an instrument in Thy hands for the good of the Commonwealth.

Oni has said, "my strength is as the strength of ten, because my heart is pure." Dear Lord, purify our hearts, make us strong in mind and body, that we break not under the tremendous strain and pressure of urgent tasks

Supported by Thee, we can stand unmoved as an oak in the storm, or rock in the flood.

Vouchsafe Thy peace to rest upon us this day and every day; sweeten our trials, cheer us in our work, keep us faithful to the high trust reposed in us, and finally crown our labors with success. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on the motion of Mr. Lord, the further reading was dispensed with and the Journal approved.

REMARKS EXPUNGED FROM RECORD

Mr. HUTTON. Mr. Speaker, referring to the Malina episode of yesterday's session, and in order to entirely clear the record, I move at this time that the remarks of the gentleman from McKean, Mr. Wilson, and the rejoinder of the gentleman from Philadelphia, Mr. Malina, also be expunged from the record.

The motion was agreed to.

BILLS INTRODUCED AND REFERRED

By Mr. RUTH (By request). HOUSE BILL No. 1856.

An Act making it unlawful to use foreign made equipment or material in the construction or repair of public buildings or works; and providing penalties.

Referred to the Committee on Judiciary General.

By Mr. RUTH (By request). HOUSE BILL No. 1857.

An Act fixing the compensation of assessors and registry assessors performing duties relating to elections in counties other than first class, and repealing existing acts relating thereto.

Referred to the Committee on Elections.

By Mr. WALTER S. LOVETT. HOUSE BILL No. 1858.

An Act to amend section three of the act approved the twenty-eighth day of May, one thousand nine hundred and thirty-one (P. L. 202), entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream, artificial or natural body of water, or non-tidal waters of any river within the Commonwealth; conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners, including the enforcement of certain existing laws; and prescribing penalties"; fixing the fee for the licensing of motor boats

Referred to the Committee on Ways and Means.

By Mr. HORST (by request). HOUSE BILL No. 1859.

An Act to amend section eight hundred and three of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by adding thereto paragraph (f), requiring headlights of motor vehicles, other than motorcycles, to have deflectors attached thereto.

Referred to the Committee on Highways.

By Mr. BAKER. HOUSE BILL No. 1860.

An Act to amend section twenty of the act approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 388), entitled "An act relating to the jurisdiction, powers and procedure of the orphans' court and the court of common pleas as to sales, mortgages, conveyances on ground-rent, leases, extinguishment of ground-rents, partition, exchange, squaring and adjusting of lines between adjoining owners, consolidation and combination of mining lands and the leasing thereof, the joining of by owners of undivided interests in making and taking conveyances in order to change the route or location of any right of way or passage over adjoining or other lands, and the subdivision of premises so as to command the highest price or greatest rents, and, for such purpose, the laying out or dedication of roads, streets, and alleys, or the vacation of such as have not been accepted by the public authorities, where the court shall be of opinion that such decree will be to the interest and advantage of all those interested; and where the legal title is held by minors, lunatics, habitual drunkards, or weak-minded persons, a married person whose spouse is a lunatic, or has abandoned him or her for one year or has been absent and unheard of for seven

years; by corporations having no capacity to convey or by any unincorporated association, by any religious, beneficial, or charitable society or association, incorporated or unincorporated, and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or by law; by a corporation, or individual or individuals, and is subject to a trust of any description whatever; by any person as to whom a presumption of death may have arisen, or any interest wherein is held by any person under legal disability to dispose thereof; where the legal title is an estate tail or is subject to the lien of debts of a decedent not of record, contingent remainders, executory devises, or remainders to a class, some or all of whom may not be in being or ascertained; where estates shall have been devised or granted for special or limited purposes, where there is a power of sale but the time may not have arrived for its exercises, any preliminary act may not have been done to bring it into exercise, the time limited for its exercise may have expired, or any one or more persons required to consent or join in its exercises may be non compos mentis, have removed out of the State, have died, refuse to act, unreasonably withhold consent, or be absent and unheard of; where there has been or shall be a defective appointment in any deed or will, and the necessary power is not given to the executor, devisee, or appointee to make sale and conveyance; where a trust has been created, and no power conferred on the trustee to do any of the acts which the court is hereby empowered to authorize or confirm; and to the effects of such decrees," giving the orphans' court power to order a division of real estate to be taken in kind by a surviving spouse who takes against a will which left such real estate in trust or devised a life estate therein.

Referred to the Committee on Judiciary General.

By Mr. DANE. (By Request). HOUSE BILL No. 1861.

An Act regulating the operation of motor vehicles used as common cariers of passengers or freight; prescribing the time that any person may operate, or be required or permitted to operate, such motor vehicles; and imposing penalties.

Referred to the Committee on Highways.

By Mr. SHETTEL. HOUSE BILL No. 1862.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; by establishing an additional route in the County of York.

Referred to the Committee on Highways.

By Mr. SHETTEL. HOUSE BILL No. 1863.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; confering certain pawers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of York.

Referred to the Committee on Highways.

By Mr. O'NEILL. HOUSE BILL No. 1864.

An Act to amend paragraph seven, section one thousand and six of the act approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," as amended, providing that the borough secretary may be a member of council.

Referred to the Committee on Boroughs and Townships.

BILLS RE-REFERRED

Mr. BENNETT returned from the Committee on Municipal Corporations with the recommendation that it be re-referred to the Committee on State Government, House Bill No. 363, entitled:

An Act reducing the salaries of all officers and employes of the State and of counties, cities, boroughs, towns townships, schol districts and poor districts.

The SPEAKER. The bill is now re-referred to the Committee on State Government.

Mr. BRENNAN returned from the Committee on Municipal Corporations with the recommendation that it be re-referred to the Committee on Judiciary General, House Bill No. 1162, entitled:

An Act to amend section thirty-two of the act approved the twenty-ninth day of April, one thousand eight hundred and forty-four (P. L. 486), entitled "An act to reduce the state debt, and to incorporate the Pennsylvania canal and railroad company," as amended, making the real estate of public service companies subject to taxation.

The SPEAKER. The bill is now re-referred to the Committee on Judiciary General.

Mr. JOHN J. PERRY returned from the Committee on Municipal Corporations, with the recommendation that it be re-referred to the Committee on State Government, House Bill No. 973, entitled:

An Act to provide relief for the unemployed, and promote the general welfare of the people of the Commonwealth by providing for the creation of County Employment Service Districts, authorized to acquire, sell and distribute necessities of life, including food, clothing, shelter and public utility service; authorizing the board of directors of such district to furnish employment to the unemployed, and to exercise the right of eminent domain; defining the powers and duties of such district and the officers thereof; conferring jurisdiction on the courts of common pleas in connection therewith; and imposing certain costs and charges perliminarily on counties.

The SPEAKER. The bill is now re-referred to the Committee on State Government.

COMMUNICATION

The SPEAKER laid before the House the following communication which was read by the Clerk.

PROTESTING ELIMINATION OF TEACHERS COLLEGES

Jewish Ladies Aid Society of Brownsville, addressed to Hon. Reuben Howard.

Referred to the Committee on Education.

LEAVES OF ABSENCE

Mr. HARRY E. HIMES asked and obtained leave of absence for Mr. McGregor.

Mr. WADE asked and obtained leave of absence for Mr. Wall.

Mr. MALINA asked and obtained leave of absence for Mr. Leslie R. Himes.

Mr. BRENNAN asked and obtained leave of absence for Mr. Lose.

REPORTS FROM COMMITTEES

Mr. NEGLEY, from the Committee on State Government, reported as amended, House Bill No. 1189, entitled:

An Act providing for the registration of contractors and builders as herein defined by the Department of Labor and Industry; providing for the issuing, suspension and revocation of licenses; and imposing penalties.

Mr. DAVIES, from the Committee on Municipal Corporations reported as committed, House Bill No. 1245, entitled:

An Act to amend section thirty-two of the act approved the twenty-ninth day of April, one thousand eight hundred and forty-four (P. L. 486), entitled "An act to reduce the state debt, and to incorporate the Pennsylvania canal and railroad company;" as amended; making the real estate of public service companies subject to taxation, and providing certain exceptions.

Mr. HERMANSEN, from the Committee on Mines and Mining, reported as committed, House Bill No. 1180, entitled:

An Act to amend section one of article one of the act approved the second day of June, one thousand eight hundred and ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the antharcite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," by extending the provisions of the act to all anthracite mines or collieries that employ five or more persons, and authorizing the mine inspectors to enter and inspect all mines employing from two to five persons for the purpose of determining whether or not the mine is generally safe.

Mr. STITELER, from the Committee on State Government, reported as committed, House Bill No. 1407, entitled:

An Act to amend sections ten, eleven and thirteen of the act, approved the twelfth day of July, one thousand nine hundred and nineteen (P. L. 933), entitled "An act to regulate the practice of architecture in the Commonwealth of Pennsylvania by providing for the examination and registration of architects by a State Board of Examiners; defining the power and duties of said board of examiners; and providing penalties for the violation of this act," fixing the fee for renewal certificates, and extending the powers of the board as to revocation and suspension of certificates.

Mr. HAMILTON, from the Committee on Mines and Mining, reported as committed, House Bill No. 1157, entitled:

An Act to amend section three of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 831), entitled "An act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth; prescribing the qualifications, defining the powers and duties and fixing the compensation of such examiners; providing for the appointment and removal of inspectors of anthracite mines; prescribing their qualifications, and regulating their salaries and terms of office; and abolishing the terms of office of the present mine inspectors of the anthracite mines," by defining the term "coal miners."

Mr. BROWNFIELD, from the Committee on Mines and Mining, reported as committed, House Bill No. 1730, entitled:

An Act providing for the ascertainment and assessment of damages for coal underlying property condemned for highway purposes.

Mr. HEWITT, from the Committee on Mines and Mining, reported as committed, House Bill No. 1811, entitled:

An Act to provide for maps or plans of the workings or excavations of coal mines and colleries and defining the character and contents of the maps and plans and the requirements for extensions and changes to be made on the maps from time to time in counties of the third class, in order to ascertain the value of coal land for assessment and taxation purposes by the board for the assessment and revision of taxes.

Mr. SHENKEL, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1358 (Senate Bill No. 362), entitled:

An Act validating certain proceedings and elections of municipalities had and held pursuant to the provisions of an act, approved the twentieth day of April ,one thousand eight hundred and seventy-four (P. L. 65), entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

Mr. NOTHNAGLE, from the Committee on Municipal Corporations, re-reported as amended, House Bill No. 329, entitled:

An Act to amend sections twenty-nine and thirty-one of the act, approved the sixteenth day of May, one thousand nine hundred and twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales. and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessd, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," by providing that under certain circumstances a municipality may purchase for the record, costs, subject to the lien of taxes and municipal claims, property sold to satisfy a judgment on a tax or municipal claim, and that a judicial sale on a tax or municipal claim shall discharge all mortgages, ground-rents and other charges on or estates in the land included in the lien, and repealing certain acts or parts of acts so far as they may be inconsistent with this amendment.

RESOLUTIONS

PETITIONING BOARD OF PARDONS TO PARDON PERSONS CONVICTED OF VOLSTEAD VIOLATIONS

Mr. SOWERS offered the following resolution which was twice read and laid over under the rules:

In the House of Representatives, March 23, 1933.

Whereas, The Federal Congress has by proper action submitted to the several state the question of the repeal of the Eighteenth Amendment; and

Whereas, Federal Congress is about to enact a law declaring beer of increased alcoholic content to be non-intoxicating; and

Whereas, The majority of the citizens of this Commonwealth have indicated clearly by their support of candidates at elections, their disapproval of the enforcement of the liquor laws in so far as beer is concerned; and

Whereas, Numbers of residents of this Commonwealth are at present incarcerated, being convicted of manufacture, sale or possession of beer alone; now therefore be it

Resolved, That the House of Representatives respectively petition the Board of Pardons and His Excellency, the Governor, that the Board shall recommend and the Governor shall pardon, all persons who are undergoing imprisonment by reason of having been convicted in any court of this Commonwealth of the manufacture, possession or sale of beer alone; and be it further

Resolved, That the Chief Clerk of the House of Representatives shall upon its pasasge, transmit a copy of this resolution to the Governor of this Commonwealth and to the Board of Pardons.

MALT BEVERAGE LEGISLATION TO BE REFERRED TO SPECIAL COMMITTEE

Mr. SOWERS and Mr. CONNOR offered the following resolution which was twice read and laid over under the rules:

In the House of Representatives, March 22, 1933.

Whereas, This House by resolution No. 24, Serial No. 39, Printer's No. 57, appointed a Committe to draft a bill to regulate liquor control, and on Monday last amended the resolution substantially creating the Committee to draft, consider, amend, and hold public hearings on all liquor control bills, and for the said Committee to better and more efficiently function all liquor control bills ought to be referred to it for consideration, and action as is done and practiced by the Committees of the House.

Now, therefore be it resolved by the House of Representatives that all Bills on the subject of liquor control be referred to the said special committee appointed by the Speaker for consideration and action in conformity to the usual practice of committees of the House.

BILL INTRODUCED

Mr. SOWERS. Mr. Speaker, your committee on liquor control has drafted the balance of the bills, and as sponsor I offer them and ask that they be referred back to the Committee.

The SPEAKER. The bills will be filed with the Bill Clerk.

RESOLUTIONS

RECALLING HOUSE BILL NO. 70 FROM THE GOVERNOR

Mr. BAKER offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, March 23, 1933.

Resolved (if the Senate concur), That House Bill No. 70, entitled "An act to amend sections sixty-nine and seventy-one of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred ninety-four), entitled 'An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act' by increasing the obligation of the Commonwealth in the construction of certain structures located on such highways," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

EXTENDING TIME FOR INTRODUCTION OF BILLS

Mr. HUTTON from the Committee on Rules offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, March 23, 1933.

Resolved, That notwithstanding the provisions of House Resolution of March 13, 1933, Serial No. 70, the last day for the introduction of bills for raising revenue (including taxes, license fees and any other form of income), in the House of Representatives, shall be Thursday, March 30, 1933.

COMMITTEE TO INVESTIGATE LIQUIDATION OF BUILDING AND LOAN ASSOCIATIONS

Mr. MALINA offered the following resolution, which was twice read and laid over under the rules:

In the House of Representatives, March 23, 1933.

Whereas, A number of Building and Loan Associations are now under the control of the Banking Department of the State for liquidation and

Whereas, They have been for a long period of time in the said Department without being liquidated and stockholders in the said Associations are therefore at great loss and

Whereas, Practices have been indulged in by the Department of Banking in the selection of Attorneys and receivers for the said Associations who have been charging large fees for their services and

Whereas, The maintenance, management and control of the said Associations are costing the stockholders in the said associations unnecessarily large sums of money and

Whereas, It is believed that the said Associations have been placed under the control of certain individuals for political reasons and

Whereas, A large number of the Associations are still dominated and controlled even though under the control of the Banking Department by former Directors of the Associations who have wrecked and dissipated their assets and

Whereas, It would seem for the good and protection of the assets of the Association to the advantage of the stockholders that the same be investigated, Now therefore be it

Resolved (if the Senate concur), That a committee of seven, four of whom shall be appointed by the Speaker of the House and three by the President Pro Tempore of the Senate for the purpose of investigating the conditions generally as to the management and liquidation of the Building and Loan Associations in the hands of the Banking Department for liquidation for the purpose of ascertaining the cause of the long delay in liquidation; the reasons why officers formerly in control of the Associations are still retained by the Banking Department; why large sums of money are expended for attorneys fees; why a large amount of money is expended unnecessarily for maintenance and operation instead of liquidation; why political influences are allowed by the Department to dominate and control the present management and liquidation of the Associations; why said Associations have not been liquidated by the Department and be it further

Resolved, That this Committee be authorized and empowered to compel the attendance of all witnesses necessary to the proper investigation and the production of all records both of the Banking Department, Building and Loan Associations and all other records and report to the next Legislature the result of its findings together with any suggested Legislation to be proposed for enactment of laws to correct and remedy the same.

RESOLUTION NO. 51

Mr. WELSH. Mr. Speaker, I desire to call up at this time Resolution No. 51, Printer's No. 288.

The resolution was read by the Clerk as follows:

In the House of Representatives, March 21, 1933.

Whereas, Much criticism is heard of the expenses attended to the distribution of relief funds of the Commonwealth to and among unemployed persons; and

Whereas, It is rumored that excessive salaries are paid to persons who assist in the administration of relief funds; and

Whereas, If such criticism is justified, it should be known so that proper measures can be adopted to prevent its continuation, and if unture the criticism can best be stopped by a revelation of the actual amounts spent for salaries and wages; therefore be it

Resolved, That the State Emergency Relief Board is hereby requested to furnish to this House not later than April first, a complete list of all persons employed in any capacity in the distribution of relief funds to the unemployed, together with their addresses and the amount of compensation paid to them, the service performed and the time devoted to such service; and be it further

Resolved, That a copy of this resolution be immediately sent to the State Emergency Relief Board by the Chief Clerk of this House.

On the question,

Will the House adopt the resolution?

Mr. HUTTON. Mr. Speaker and members of the House, this is the resolution in my judgment is covered by the Blumberg Resolution, to which the Governor has already responded I therefore ask that the House vote down this resolution.

Mr. QUINN. Ladies and gentlemen of the House, this resolution is of vital importance in view of the fact that an outstanding citizen of Washington County, a Mr. Arthur Sweeney, who is the editor and publisher of Westmoreland Tribune and who is chairman of the relief association in his county, has made very serious charges which have been published in the newspapers of this State, in which he charged the functioning of that organization was practically a racket. This charge was made in connection with his resignation submitted to the Governor of this State. In that charge, if my memory serves me aright, he said the operating expenses, the matter of salaries in the Westmoreland County organization was $91,000 a month. I remember vividly that the salary list given for my own county of Allegheny is $100,000 a month. These charges were never denied.

I want to tell you briefly something of my own experience in connection with the functioning of that organization which has its headquarters in my county directly opposite my office. This organization is headed by a woman who is credited with receiving a salary of four hundred dollars a month. I have personally visited these headquarters fourteen different times in an effort to get matters straightened out for some deserving people. I was treated with utter contempt and with insolence of the most brazen kind. This organization is conducted by a lot of girls, none of whom are residents of that community. They come to these headquarters at very late hours in the morning and leave there at very early hours in the afternoon. It is a social proposition in everything that that word "social" means. They are highly dressed. they are very nicely upholstered, and you would imagine that they were attending an afternoon tea rather than dealing with the alleviation of human misery. It is commonly understood that they receive salaries ranging from two hundred to three hundred dollars a month, and it is necessary, I understand, to have a university education to be qualified as one of these investigators. In other words, it is necessary before you are qualified to give to a suffering human being a loaf of bread, that you must understand what an archipelago is.

Citizens of my community who are just as good citizens as you and I are, and better perhaps, have under my own observations been treated with the utmost contempt and disregard of their need. Some of them finally got into the office of the adjuster and there they were told that their cases will be investigated, and somewhere, I believe, in the dim distant furture they will be, but certainly they will not be in the year 1933, the way this organization is functioning.

I put this matter up to one gentleman whom I presumed to be one of their officials in Pittsburgh, and I got a long lengthy telephone conversation, that afternoon while there was surrounding that headquarters a crowd of fifteen hundred people seeking aid. This crowd startd in the town of Rankin as a hunger march of some two hundred people and grew to about fifteen hundred which finally made a demand on headquarters for help. The sheriff sent out half a dozen deputies. The police tried to quiet them but it lookd serious for a while. I got a lot of conversation in my attempt to explain all of this to that organization with principal headquarters in Pittsburgh and heard a lot of words.

Ladies and gentlemen of this House. I think it is only fit and proper that we know whether this money is being spent for salaries and how, or whether it is being made a racket in human misery. I cannot for the life of me conceive why any person, if they have nothing to be ashamed of, why they should fail to tell the members of this House, where their money and the people's money of this State is being spent, whether it is being spent on human welfare among the deserving men and women—decent, upright American citizens—whether it is being spent for the relief of human conditions, shelter, food and clothing, whether it is spent for that, or whether it is being spent for salaries. I ask you as decent American citizens, let us know the facts, give us the light and we will know.

Mr. COHEN. Mr. Speaker, I desire to interrogate the gentlemn from Franklin, Mr. Hutton.

The SPEAKER. Will the gentleman from Franklin, Mr. Hutton, permit himself to be interrogated?

Mr. HUTTON. I will, Mr. Speaker.

Mr. COHEN. Mr. Speaker, the gentleman intimated that these same matters pertaining to this resolution were covered by the Blumberg resolution.

Mr. HUTTON. I so understood.

Mr. COHEN. Mr. Speaker, that resolution is serial No. 21, Resolution No. 9, Printer's No. 15.

Mr. HUTTON. Mr. Speaker, I have read the resolution.

Mr. COHEN. In that resolution it says 'before the fifteenth of February, a report should be made;' is that correct?

Mr. HUTTON. I believe so.

Mr. COHEN. Has that report been made?

Mr. HUTTON. I understand it has.

Mr. COHEN. Has it been given to the House?

Mr. HUTTON. I understand so.

Mr. COHEN. Where will we find that in the record?

Mr. HUTTON. That ought to be with Mr. Blumberg.

Mr. COHEN. The resolution says that it will be furnished to the House and the Senate. Has that information been furnished?

Mr. HUTTON. I understand it has and that that information is available.

Mr. COHEN. Apparently it has not.

Mr. Speaker, apparently the House has not been furnished with that information according to the Blumberg Resolution No. 9, Printer's No. 15. If any member or officer of the House has that information, the members of the House ought to have it, and I can see no reason why we should not accentuate the fact that we desire that information by passing the resolution before the House.

The SPEAKER. The Chair desires to inform the House, that the gentleman from Franklin, Mr. Hutton, is in error, and the requirements of the resolution have not been met by His Excellency the Governor.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

MOTON TO DISCHARGE COMMITTEE

Mr. SOWERS. Mr. Speaker, I move that House Bill No. 65 Pink, introduced on the 9th day of January, 1933, and on the 9th day of January, 1933, referred to the Committee on Constitutional Amendments, and having remained in the hands of that committee for more than ten days, that the same committee be discharged from further consideration of said House Bill, and the bill be placed upon the calendar for action by the House.

The SPEAKER. The Chair requests the gentleman from Philadelphia to inform him, according to his motion, it is seconded by Mr. Schwartz and that is crossed out, is that correct?

Mr. SOWERS. No. Mr. Speaker, Mr. Long seconded the motion.

On the question,

Will the House agree to the motion?

MOTON TO MAKE MOTION A SPECIAL ORDER

Mr. SOWERS. Mr. Speaker, I move you that the motion be made a special order of business for Monday evening next at 10 o'clock.

The SPEAKER. The Chair desires to inform the gentleman from Philadelphia, Mr. Sowers, that memorial services have been arranged for 10 o'clock Monday evening.

Mr. SOWERS. 11.20 P. M. then, Mr. Speaker.

The SPEAKER. The gentleman is further informed that six bills have been made a special order of business for 11 o'clock P. M. Monday.

Mr. SOWERS. Then 10.30 P. M., if the Speaker please. I will change my motion to read then 11.30 P. M.

The SPEAKER. The Chair informs the gentleman from Philadelphia, Mr. Sowers, that it is indefinite as to the time the House will take on the six bills which are on special order of business for 11 o'clock P. M. Therefore, if we were in business under the special order on the six bills, the motion could not be effective. It is rather unfortunate that the time is consumed as it is, while the Chair has no suggestion to make to the gentleman, it probably better be delayed until after the six bills are out of the way that are under special order.

Mr. SOWERS. Mr. Speaker, I will make that 9.30 P. M. It is only a matter of a roll call.

The SPEAKER. The Chair further desires to inform the gentleman from Philadelphia, Mr. Sowers, that it is the desire of the Speaker, who sponsored the relief bill, that that might be made a special order for 9.30. That request has not been made yet, because the bill has not passed second reading. If the gentleman desires the Speaker to give up that plan, he will be glad to do so.

Mr. SOWERS. Mr. Speaker, I do not desire to interfere with your plans, and therefore I make it 12 o'clock midnight.

On the question recurring,

Will the House agree to the motion?

It was not agreed to.

Mr. HOOPES. Mr. Speaker, I ask for a roll call.

The SPEAKER. The gentleman is informed that the Chair has announced his decision that the noes have it.

The Chair is desirous of informing the members what business is before the House. The Chair stated after the vote that the noes appeared to have it, the noes have it. The gentleman from Berks, Mr. Hoopes, then asked for a roll call. The motion was defeated when the Chair declared that the noes have it, before the Speaker heard the gentleman's demand for a roll call.

MOTION MADE SPECIAL ORDER

Mr. SOWERS. Mr. Speaker, I move you that the motion be made a special order of business for 11 o'clock A. M. on Tuesday.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. Sowers and Mr. Hoopes.

The SPEAKER. The Chair desires to inform the gentleman from Philadelphia, Mr. Sowers, that the rules of the House provide that the session shall start at 11.00 o'clock. If the motion would prevail it would mean that we would not officially open the session on Tuesday morning, March 28th. Does the gentleman desire to change the time?

Mr. SOWERS. Mr. Speaker, I would change the time from 11.00 o'clock to 11.30 o'clock A. M.

Mr. SPEAKER, if it meets with the approval of my friend from Berks, who seconded the demand for the roll call, I am satisfied to withdraw that and have it decided by a standing vote.

The SPEAKER. Does the gentleman from Berks, Mr. Hoopes, acquiesce.

Mr. HOOPES. Mr. Speaker, on the request of Mr. Sowers, I will withdraw my request.

On the question recurring,

Will the House agree to the motion.

It was agreed to.

MOTION TO DISCHARGE COMMITTEE

Mr. SOWERS. Mr. Speaker, I move that House Bill No. 67, pink, introduced on the 9th day of January, 1933, and on the 9th day of January, 1933, referred to the Committee on Constitutional Amendments, and having remained in the hands of that committee for more than ten days, that the said committee be discharged from further consideration of said House Bill, and the bill be placed upon the calendar for action by the House.

On the question,

Will the House agree to the motion?

MOTION MADE SPECIAL ORDER

Mr. SOWERS. Mr. Speaker, I move you that the motion be made a special order of business for Tuesday next at 11.45 A. M.

The motion was agreed to.

RESOLUTION

COMMITTEE TO INVESTIGATE LIQUIDATION OF BANKS AND TRUST COMPANIES

Mr. MALINA offered a resolution which was twice read as follows:

In the House of Representatives, March 23, 1933.

Whereas, A large number of banks, banking institutions and Trust Companies have been placed under the control of the Department of Banking of the State for liquidation; and

Whereas, Some of the said banks, banking institutions and Trust Companies have been in the hands of the Department of Banking for liquidation for over a period of two years with no final or complete liquidation occurring; and

Whereas, Very small percentage have been paid to the depositors of the said banks, banking institution and Trust Companies in satisfaction of their deposits; and

Whereas, A great deal of costs have been entailed in the payment of interest on mortgages, maintenance of offices, taxes, on property, custodian costs, attorney fees and a list of other costs which eventually will be borne by the depositors and deducted from their accounts; and

Whereas, There seems inadequate legislation remedies to overcome delays in liquidation; and

Whereas, It would seem that a more definite, comprehensive and speedy liquidation for the benefit of saving the accounts of depositors in said banks, banking institutions and Trust Companies employed and should be legislative for; and

Whereas, Effectiveness and thoroughness of banking inspectors of the Department of banking seem to be inadequate and lacking in thoroughness in the investigation of the accounts of banks prior to liquidation; and

Whereas, Large amounts of moneys have been withdrawn from banks, banking institutions and Trust Companies a few day prior to them being taken over by the Banking Department; therefore be it

Resolved (if the Senate concur), That a Committee of seven four of whom shall be appointed by the Speaker of the House and three by the President pro tempore of the Senate for the purpose of investigating the conditions generally as to the

banks, banking institutions and Trust Companies in process of liquidation under the control of the Banking Department, for the purpose of ascertaining the necessity of postponing final liquidation for such a long period; as to why such small amounts of percentages are paid to depositors; as to the necessity of the large amount of costs paid for maintenance of offices, interest on mortgages, taxes on property, custodian costs and large and execessive attorney fees reducing amounts to be paid depositors; the adequacy of the bank examiners and the thoroughness of their examinations of banks, banking institutions and Trust Companies; and as to why large sums of money were permitted to be withdrawn from banks, banking institutions and Trust Companies within a few days prior to them being taken over by the Banking Department; and be it further

Resolved, That this Committee be authorized and empowered to compel the attendance of all witnesses necessary to the proper investigation and the production of all records both of the Banking Department and of the banks, banking institutions and Trust Companies in liquidation and report to the next Legislature the result of its findings together with the suggested Legislation to be proposed for enactment of law to correct and remedy the same.

QUESTION OF PARLIAMENTARY PROCEDURE

Mr. MALINA. Mr. Speaker, I rise to a question of parliamentary procedure.

The SPEAKER. The gentleman will state his question of parliamentary procedure.

Mr. MALINA. Mr. Speaker, in that resolution there seems to be a typographical error. It says the President Pro Tempore is to appoint two, it should be three. Could that be corrected at the rostrum, or does there have to be a new resolution drawn.

The SPEAKER. The Chair desire to inform the gentleman on his question of parliamentary procedure that the Chair is returning the resolution to the gentleman's desk and he will have the privilege of changing and returning it.

The resolution lies over under the rules.

COMMITTEE GRANTED PERMISSION TO SIT DURING SESSION OF HOUSE

Mr. KING asked and obtained unanimous consent for the Committee on State Government to be permitted to meet during the session of the House in the House Caucus Room.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1234, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of an arbitration award for architectural services rendered in connection with the construction of the Farm Show Building.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No 950, entitled:

An Act prohibiting the marking of articles manufactured, assembled, or produced without the United States as having been manufactured, assembled or produced within the United States, prohibiting the removal of tags or markings therefrom showing foreign manufacture and prohibiting the sale of foreign made articles as having been manufactured in the United States and providing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 664, entitled:

An Act making an appropriation for the purpose of maintaining the public roads through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1163, entitled:

A Supplement to the act, approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred thirty), entitled "An act relating to the erection of a dam at the outlet of Pymatuning Swamp, and the establishment of a reservoir for the flood control of the Shenango and Beaver Rivers; conferring and continuing certain powers and duties on the Department of Forests and Waters in relation to the establishment and maintenance of such reservoir; providing for the acquisition of necessary lands thereto, and the necessary agreements and releases relating thereto, and the disposition of surplus land and materials," authorizing the construction of a dam and spillway at the outlet of Pymatuning Swamp on lands acquired therefor, and making an appropriation to the Department of Forests and Waters.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1449 (Senate Bill No. 283), entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Manufacturing Fund.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1502 (Senate Bill No. 176), entitled:

A Joint Resolution proposing an amendment to section three article seventeen of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1489 (Senate Bill No. 38), entitled:

An Act making a deficiency appropriation to the Board of Finance and Revenue.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1453 (Senate Bill No. 287), entitled:

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Banking Department Fund.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1454 (Senate Bill No. 288), entitled:

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Game Fund.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1451 (Senate Bill No. 285), entitled:

An Act making an appropriation from the Fish Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Fish Fund.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1452 (Senate Bill No. 286), entitled:

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Motor License Fund.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1450 (Senate Bill No. 284), entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensaion from the State Workmen's Insurance Fund.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1315 (Senate Bill No. 65), entitled:

An Act concerning townships of the second class; and amending, revising, consolidating and changing the law relating thereto.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. WOODSIDE. Mr. Speaker, I move that this bill be recommitted to the Committee on Boroughs and Townships for the purpose of further consideration.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1729 (Senate Bill No. 639), entitled:

An Act relating to insurance companies, exchanges, associations, societies, orders, and individuals under the supervision of the Insurance Department; authorizing the Insurance Commissioner during the existing emergency to suspend laws relating to certain payments by insurers and to impose conditions upon the conduct of the business of insurance; and providing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 876, entitled:

An Act to amend sections one hundred ten six hundred twelve six hundred twenty-one six hundred twenyt-two eight hundred eight clause two of section one thousand seven hundred and two and sections one thousand seven hundred and fifteen two thousand and sixty-three and two thousand three hundred and two of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand two hundred six) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" regulating advertising fixing the voting powers at county conventions of township officers correcting certain section headings proviing the security to be given by depositories prescribing penalties for the enforcement of ordinances and for delinquent taxes permitting certain municipal claims to be embraced in one claim and providing that the width of sidewalks may be fixed by resolution

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That one hundred ten four hundred seven four hundred eight five hundred thirty six hundred twelve six hundred twenty-one six hundred twenty-two eight hundred eight clause two of section one thousand five hundred and two sections one thousand seven hundred and fifteen two thousand and sixty-three two thousand and seventy two thousand three hundred and one two thousand three hundred and two and three thousand two hundred and one of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand two hundred six) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" are hereby amended to read as follows

Section 110 Legal Advertising Whenever under the provisions of this act notice is required to be published in one newspaper such publication shall be made in a newspaper of general circulation as defined by the Newspaper Advertising Act approved May sixteenth one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand seven hundred eight-four) printed [in the township if there is such a newspaper and if not then in a newspaper] or circulating generally in such township If such notice is required to be published in more than one newspaper it shall be pubished in at least one newspaper of general circulation defined as aforesaid printed [if there be such a newspaper] or circulating generally as above provided in the township When such notice relates to any proceeding or matter in any court or the holding of an election for the increase of indebtedness or the issue and sale of bonds to be paid by taxation such notice shall also in counties of the second third fourth and fifth classes be published in the legal newspaper if any designated by the rules of court of the proper county for the publication of legal notices and advertisements unless such publication be dispensed with by special order of court Provided however That ordinances auditors' statements summaries of auditors'

statements advertisements inviting proposals for public contracts and for bid for material and supplies or lists of delinquent taxpayers shall be published only in newspapers of general circulation defined as aforesaid

Section 407 Schedule for Election of Commissioners in Townships First Divided Into Wards When a township is first divided into wards the township commissioners then in office shall continue in office until the expiration of their respective terms

At the first municipal election occurring at least ninety days after such division into wards there shall be elected by the qualified electors of each ward of the township one township commissioner who [need not] shall reside in the ward for which he is elected At such election the township commissioners elected in even-numbered wards shall be elected for terms of two years each and those in odd-numbered wards for terms of four years each or vice versa as the case may be in order that the expiration of such terms will harmonize with the expiration of term of township commissioners elected for such numbered wards under the provisions of this act Thereafter successors to such commissioners elected by ward shall be elected for term of four years each at the municipal election immediately preceeding the expiration of the terms of ward commissioners

If the number of wards into which the township has been divided is less than five then at the municipal election preceding the expiration of the terms of any commissioner or commissioners theretofore elected at large if such expiration of terms will leave the township with less than five township commissioners there shall be elected at large a sufficient number of township commissioners so that the total number of commissioners elected by wards and at large in the township shall thereafter be five If one township commissioner is elected at large at such election he shall be elected for a term of four years If two township commissioners are elected at large at such election one shall be elected for a term of two years and one for a term of four years If three township commissioners are elected at large at such election two shall be elected for terms of four years each and one for a term of two years Successors to such township commissioners elected at large at such election shall be elected for terms of four years each

All terms of office of township commissioners elected at large or by wards shall commence on the first Monday of January next following their election

Section 408 Schedule of Election of Commissioners in Newly Created Wards Whenever in a township previously divided into wards a new ward is created and the number of wards thereafter in such township including the new ward is less than five then at the municipal election next following the expiration of the term of the commissioner or commissioners elected at large whose terms shall first expire after such creation there shall be elected by the qualified electors of such new ward one township commissioner who [need not] shall reside in the ward for which he is elected for a term of two or fours years so that the expiration of his term will harmonize with the expiration of terms of commissioners for such numbered wards under the provisions of this act Successors to such township commissioners shall be elected for term of four years The number of commissioner thereafter elected at large in any such township shall be the difference between the number of wards and five and a sufficient number of commissioners shall be elected at large at each municipal election preceding the expiration of terms of commissioners at large so that the total number of commissioners in the township will at all times be five

Whenever in any township previously divided into wards a new ward is created and the number of wards thereafter in such township is five then at the municipal election preceding the expiration of the term of office of any commissioner or commissioners elected at large a township commissioner shall be elected for such ward who [need not] shall reside in the ward Such election shall be for a two or four year term so that the expiration of his term will harmonize with the expiration of terms of commissioners for such numbered wards under the provisions of this act The successor to such ward commissioner shall be elected for a four-year term No township commissioner shall thereafter be elected at large in such township

If the number of wards in such township including the new ward shall be more than five the court of quarter sessions shall appoint a township commissioner for such new ward who shall hold office until the first Monday in January succeeding the first municipal election at which township commissioners are elected in such numbered wards under the provisions of this act at which election and every four years thereafter a township commissioner who [need not] shall reside in the ward shall be elected by the qualified electors of said ward for a term of four years

All township commissioner selected under this section shall take office on the first Monday of January next succeeding their election

Section 530 Township Commissioners When a vacancy occurs in the office of township commissioners in any township by reason of death resignation removal from the township or ward or otherwise the court of quarter sessions upon the petition of twenty qualified voters of the ward or township as the case may be in which the vacancy occurs may appoint a qualified voter of the township to fill such vacancy If such petition is not presented to the court within thirty days after such vacancy occurs the board of township commissioners of the township may appoint a qualified voter of the township to fill the vacancy In either event the person so appointed shall hold office until the next municipal election at which election a township commissioner shall be elected for the unexpired term of the person whose place he is elected to fill

Section 612 Officers of Association Ex-Officio Membership The officers of the association shall consist of a president two vice presidents a secretary and a treasurer all of who except the secretary shall be members of the association and shall hold office for one year or until their successors are chosen If desirable the secretary may be a person not a regular member of the association and may be paid for his service such compensation not exceeding ten dollars per annum as the other officers may determine Every township [oiffcer attending such convention may vote in the election of officers] shall have one vote in the convention The mayor of any city the burgess of any borough or their duly appointed representative the county commissioners and the judges of the court in the county the township engineer of the State Highway Department the assistant engineers of the division of township highways and the superintendent of State highways in charge of such county shall be eligible to membership but shall not be entitled to vote nor to hold office

Section 621 Delegates from [County Associations] Townships Each township shall send one township officer as a delegate to each annual meeting of said State association who shall be selected by the commissioners of the township of which he is a commissioner or an officer

Section 622 Expenses of Delegates Paid by [County Associations] Townships The expenses of the delegates and other officers attending the annual meeting shall not exceed seven dollars and fifty cents per day for each officer attending for not more than three days together with the actual mileage at the prevailing rate of railroad fare and shall be paid by the respective townships

Section 808 Depositories of Township Funds Selection [of] Bonds The Board of commissioners shall from time to time designate by resolution a depository or depositories for township funds and tax collectors' funds Such depository or depositories shall be banks barking institutions or trust companies located in this Commonwealth

Depositories so designated shall upon receipt of notice of their selection as a depository of township funds either furnish a bond to secure payment of deposits of township and tax collectors funds and any interest to the township with a proper warrant to confess judgment in favor of the township secured by a surety company or individual sureties to be approved by the board of commissioners or deposit United States municipal or county bonds to be approved by the board of commissioners to secure the payment of township deposits and any interest thereon Such surety bonds shall be in a

sum to be fixed by ordinance or resolution at least equal to the probable greatest amount of such deposit at any one time The current market value of deposit bonds shall be at all times at least equal to the amount of township funds then on deposit with such depository Such deposit bonds shall be accompanied by proper assignments or powers of attorney to transfer the same In the event of the failure of the depository to pay to the township the full amount of such deposit and interest thereon such bonds and the proceeds of sale thereof shall belong to the township until it shall receive therefrom the full amount of such deposits and interest thereon and the township shall have a prior standing as respects such bonds and be in all respects preferred to any and all claims except such as have heretofore been preferred by law

The township treasurer shall upon the designation and qualification of such depository or depositories immediately transfer thereto the township funds and shall thereafter keep such deposits solely in such depository or depositories in the name of the township

No township treasurer or tax collector complying with the provisions of this section nor his surety or sureties shall be chargeable with losses in township funds caused by the failure or negligence of such depository or depositories

Section 1502 Clause II Fines for Violation of Ordinances To prescribe fines and penalties not exceeding three hundred dollars in any instance for the violation of township ordinances which fines and penalties may be collected by suit brought in the name of the township before any justice of th peace in like manner as debts of like amount may be sued for by existing laws

Section 1715 Penalties All persons who fail to make payment of any tax charged against them in the duplicate within the period of sixty days from the date of notice thereof by the township treasurer shall be charged with a penalty of two per centum additional on the amount of tax and thereafter an additional penalty of [one] one-half per centum for each month or fractional part thereof [during the remainder of the fiscal year for which the tax is levied] until paid which penalties shall be added to the tax by the treasurer and collected by him [or his deputy] for the benefit of the township Provided however That said penalty of one-half of one per centum per month shall cease at any time when and if interest is added to such taxes under laws providing for the return of unpaid taxes or the filing of liens therefor

Section 2063 Collection of Assessments If any assessment shall remain unpaid at the expiration of the notice it shall be the duty of the township solicitor to collect the same with interest from the time of completion of the improvement by action of assumpsit or by a lien to be filed and collected in the same manner as municipal claims When an owner has two or more lots against which there is an assessment of the same improvement all of such lots [shall] may be embraced in one claim

(k) Trees [and] Shrubbery and Obstructions within Limits of Highways

Section 2070 [Saving Trees and Shurbbery Where any highway passes through or along forested lands wild lands or uncultivated lands no trees growing within the limits of such highway at a distance beyond fifteen feet on either side of the center line thereof and which measure four inches or over in diamter at a point two feet from the surface of the ground shall be cut down or destroyed by the commissioners or persons employed by them or any other person without first obtaining the consent of the abutting owners

Whenever any highway running through improved or cultivated lands has been opened and there are growing along the roadside and within the road limits shrubs or trees not interfering with public travel no commissioners or other persons in their employ shall remove cut injure or destroy or in any other manner interfering with such shrubs or trees If such removal or cutting is absolutely necessary for the purpose of maintaining the highway at its highest efficiency the commissioners or other persons in their employ may so cut or remove such shrubs or trees after notifying the abutting property owners and entering into an agreement with them relating to the removal cutting or interference with said shrubs or trees]

In order to provide for easy and convenient traveling upon the public highways the township commissioners may cut alter or remove any trees shrubbery underbrush refuse or obstructions within the legal width of any public road street lane or alley or any part thereof All logs cordwood or other forms of wood derived from the destruction or removal of any trees growing along such highways become the property of the abutting owners provided that such abutting owners shall within ten days after notice from the township remove such logs cordwood or other forms of wood from the legal width of the highway In the event of their failure to do so they shall forfeit all interest therein and the same may be disposed of as the township commissioners deem proper

Section 2301 Power to Lay Out Ordain and Establish Grades Townships may lay out ordain and establish sidewalks upon any [of the roads streets lanes and alleys of the township] public road street lane or alley including State and State-aid highways and county roads and may establish grades for such sidewalks which grades may be separate and apart from the grade established for the highway and for this purpose any township may acquire land by purchase gift or by the right of eminent domain

Section 2302 Width The width of any sidewalk shall be fixed by the township commissioners either by ordinance or resolution

Section 3201 Power to Create Planning Commission Residence of Commissioners Employes Rules and Regulations The township commissioners may create by ordinance and appoint a Planning Commission consisting of five persons in the first instance one member of said commission shall be appointed for one year one for two years one for three years one for four years and one for five years and annually thereafter a member of said commission shall be appointed for a term of five years An appointment to fill a vacancy shall be for the unexpired portion of the term All members of the commission shall reside within the [zone of jurisdiction of said commission as hereinafter defined] township [The Planning Commission may make and alter rules and regulations for their own organization and procedure consistent with the ordinance of the township and the laws of the Commonwealth] They shall serve without compensation and make annually to the township commissioners a report of their transactions The Planning Commission may with the consent of the township commissioners [employ engineers and other persons whose salaries and wages and other necessary expenses of the commission shall be provided for through proper appropriation by the township commissioners] retain the services of an engineer or engineers as well as other necessary employes. The township commissioners shall appropriate such sum as they deem necessary for defraying the expenses of the Planning Commission and in no event shall the expenses of the Planning Commission including the salaries of the engineer or other employes exceed the amount of the appropriation

On the question,

Will the House agree to the section?

Mr. WEIDEMANN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 2, line 11, by striking out the word "clause"

Amend Sec. 1, page 2, line 12, by striking out the words "two of section one thousand five hundred and two"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second and third sections were separately read and agreed to as follows:

Section 2 That sections two thousand seventy-one two thousand seventy-two two thousand seventy-three two thousand seventy-four two thousand seventy-five three thousand two hundred two three thousand two hundred three three thousand two hundred four three thousand two hundred five and three thousand two hundred six of said act are hereby repealed

Section 3 That said act is hereby amended by adding thereto the following sections

(bb) Reestablishment of Townships of the Second Class

Section 209 Ascertainment of Population At any time not less than one year before the time fixed for taking a decennial census of the United State whenever the owners of twenty-five per centum of the assesed valuation of the real estate of any township of the first class shal present their petition to the court of quarter sessions averring that the township no longer has a population of three hundred inhabitants to the square mile and shall give such security as the court may prescribe for the payment of all costs and expenses which may be incurred in any procedure had upon said petition the court shall appoint a commissioner to perform the duties hereafter prescribed

The said commissioner shall make an enrollment of the inhabitants of such township and make report thereof to the court at the next ensuing term Upon the filing of the report the same shall be confirmed nisi which confirmation shall become absolute unless excepted to within thirty days thereafter during which time notice of the said filing and confirmation shall be advertised in a newspaper published in the county once a week for three weeks If exceptions are filed to the report within the said thirty days the court upon consideration thereof shall confirm the report or modify the said finding After final confirmation the clerk of the court shall certify to the county commissioners and to the township supervisors of the township the population of the township as shown by said proceedings The costs and expenses of the proceedings including a reasonable fee for the commissioner and attorney shall be paid by the petitioners or by the township or partly by each as the court shall direct

In addition to the procedure provided in the preceding paragraph the county commisisoners of each county shall following each decennial census of the United States ascertain from such census whether any township of the first class in the county no longer has a population of three hundred inhabitants to the square mile and shall immediately certify the fact that any township no longer has a population of three hundred inhabitants to the square mile to the board of commissioners of the township

Section 209a Submission of Question of Voters Returns of Election and Effect Thereof At the first general or municipal election occuring at least ninety days after the ascertainment by special enrollment or from the United States census including the United States census of one thousand nine hundred and thirty and each subsequent census that any township of the first class no longer has a pouplation of at least three hundred inhabitants to the square mile the question whether such township of the first class shall be reestablished as a township of the second class shall be submitted to the voters of the township and the county commissioners shall cause to be printed on separate ballots to be used in such township at such election a proper question framed in accordance with the election laws of the Commonwealth

The election officers shall compute the votes cast at the election provided for in the preceding paragraph and make return thereof to the clerk of the court of quarter sessions who shall tabulate the same and certify the result thereof to the county commissoiners and the township commissioners of such township If a majority of the votes cast at any such election shall be in favor of becoming reestablished as a township of the second class the government of the township of the second class shall be organized and become operative on the first Monday of January next succeeding such election at which time the terms of the officers of the township of the first class shall cease and terminate If a majority of the votes cast at any such election shall be in favor of remaining a township of the first class no further proceedings shall be had for a period of four years after which period the board of township commissioners by unanimous action may or upon petition of ten per centum of the registered voters of the township shall resubmit the question to the electors of the township in the manner hereinbefore provided

The provisions of this and the preceding section shall apply to all townships of the first class the governments of which as townships of the second class have not been actually organized at the time this act becomes effective and such townships shall continue as townships of the first class until the election hereinbefore provided shall determine otherwise

Section 3202 Maps and Plans Recommendations of Planning Commission In addition to filing an annual report it shall be the duty of the Planning Commission to make or cause to be made and to lay before the township Commissioners maps and plans of the township or any portion thereof showing the strets highways and other natural and artifical features and also any locations recommended by it for any new public buildings civic schemes parkways parks playgrounds or any other public grounds or public improvements and any widening extension or relocation of the same and thereafter from time to time the Planning Commission may lay before the township commisisoners any modification change or supplement to any prior plan or plans The Planning Commission may also from time to time make recommendations to the township commissioners with respect to any and all matters and things referred to in this section and in so doing shall have regard for the present conditions and future needs and growth of the township

Any maps or plans so submitted shall not be affective unless regularly approved and adopted by ordinance or rseolution of the township commissioners and after such approval and adoption shall be subject to revision and change from time to time as the township commissioners may deem expedient

Section 3203 Reference of Proposals to Planning Commission The township commisisoners may at their discretion from time to time submit to the Planning Commission any question or proposal relating to any of the matters or things refered to in the preceding section hereof or any other matter or thing relating to the growth or development of the township including any plans for the development of any particular sections of the township and it shall be the duty of the Planning Commission in due course to make a report with respect to any such question or proposal with its recommendation thereon

The title was read as follows:

An Act to amend sections one hundred ten, six hundred twelve, six hundred twenty-one, six hundred twenty-two, eight hundred eight, clause two of section one thousand five hundred and two, and sections one thousand seven hundred and fifteen, two thousand and sixty-three, and two thousand three hundred and two of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto"; regulating advertising, fixing the voting powers at county conventions of township officers; correcting certain section headings; providing the security to be given by depositories; prescribing penalties for the enforcement of ordinances, and for the delinquent taxes; permitting certain municipal claims to be embraced in one claim; and providing that the width of sidewalks may be fixed by resolution.

On the question,

Will the House agree to the title?

Mr. WEIDEMANN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend title, page 1, lines 1, 2, 3, 4 and 5 of title, by striking out all of said lines, both inclusive

Amend title, page 1, line 6 of title, by striking out the words "two thousand three hundred and two of" and insert "in lieu thereof"

To amend sections 110, 407, 408, 530, 612, 621, 622, 808, 1715, 2063, 2070 2301 2302 and 3201, to repeal sections 2071, 2072, 2073, 2074, 2075, 3202, 3203, 3204, 3205 and 3206, and to add sections 209, 209a, 3202 and 3203 to

Amend title, page 1, line 15, by striking out the words "the enforcement of"

Amend title, page 1, line 16, by striking out the words "ordinances and for"

Amend title, page 2, line 2 from top of page, by inserting after the word "resolution" the following:

"providing for the laying out and ordaining of sidewalks, for the removal of shrubbery and obstructions within highways; for the filling of vacancies in office; for the reestablishment of a first class township as a second class township; and defining the powers and duties of the planning commission."

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

PERMISSION GRANTED COMMITTEE TO SIT DURING SESSION OF HOUSE

Mr. STEEDLE asked and obtained unanimous consent for the Committee on Appropriations to sit during the Session of the House.

BILL ON SECOND READING

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 819, as follows:

An Act to amend clause (c) of section four hundred and ten of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by denying the right of insurance companies to contest life insurance policies for misstatements with respect to medical history

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause (c) of section four hundred and ten of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" is hereby amended to read as follows

(c) A provision that the policy shall be incontestible after it has been in force during the lifetime of the insured two years from its date of issue except for non-payment of premiums and for engaging in military or naval service in time of war without the consent in writing of an executive officer of the company and that said policy shall not be contestible after it has been in force for two years for failure of the insured to make accurate statements or for any ommission of fact or misstatement thereof in connection with his medical history examination report or questions in the application for the policy if the insured was examined by a physician of the company

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. RICE. Mr. Speaker, I move that this bill be recommitted to the Committee on Insurance for the purpose of further study.

On the question,

Will the House agree to the motion?

Mr. RICE. Mr. Speaker, this motion is made in accordance with the understanding when the bill was reported out, it was to be returned after second reading. This motion is made in accordance with the understanding with the sponsor of the bill, Mr. Gartner.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 962, as follows:

An Act relating to judicial sales of real estate the credits to be given upon obligations on account of certain sales and giving the right of subrogation to mortgagors in the event of certain sales

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where real estate shall be levied upon under any writ of execution and the execution creditor shall directly or indirectly in whole or in part become the purchaser thereof at a price which at the time of sale clearly does not equal the fair value of such real estate the execution debtor shall be entitled to such credit on account of his obligation as the court shall find to be fair and just

Section 2 In all cases where real estate not described in any mortgage given to secure the payment of the obligation for the payment of which executon is issued is levied upon and advertised for sale upon any writ of execution and it shall appear to the Court that the fair value of the real estate levied upon is in excess of the obligation with interest and costs the Court shall have the power to control the sale thereof so that the execution debtor shall receive such credit upon his obligation where the execution creditor shall be the purchaser directly or indirectly in whole or in part as the Court shall determine to be fair and just and only so much of such real estate shall be sold as shall be necessary to fully secure the payment of the obligation with interest and costs

Section 3 In all cases where a mortgagor shall have parted with title to real estate subject to the mortgage and thereafter execution shall issue for the collection of the obligation secured by such mortgage and property of the mortgagor other than that described in the mortgage shall be levied upon and sold the obligation of the mortgage as against the mortgaged property shall not be reduced or affected and the mortgagor shall be subrogated to the rights of the mortgagee in such mortgage to the extent of the price for which the property of the mortgagor was sold or the credit to which the court shall have determined he is entitled as hereinbefore provided Provided however that the rights of the mortgagee remaining in such mortgage shall be superior and prior to any right in the mortgagor

And provided further that in the event the mortgaged property or part thereof shall after such right of subrogation has arisen be levied upon and sold for the obligation secured by the mortgage and the execution creditor shall become the purchaser thereof directly or indirectly in whole or in part the Court shall have power to enter such judgment or decree or to make such charge against such real estate as shall be right and just and shall protect the right of subrogation herein given

Section 4 Whenever it shall appear to the Court at any time that the provisions of this Act have been evaded the Court shall have power to enter and enforce such judgment order or decree as shall be necessary to secure and protect the rights herein given or to assess proper damages in favor of the person injured by such evasion

Section 5 In any proceeding wherein the execution debtor can or may avail himself of the privileges or rights granted by this Act the execution creditor shall have the right prior to the sale of said real estate reasonable notice having been

given to the execution debtor to have the Court determine the credit to which the execution debtor would be entitled should he avail himself of the privileges given by this Act

Section 6 The jurisdiction herein given to the Court shall be exercised after due notice by the Court of Common Pleas out of which the writ of execution upon which the sale was had shall have been issued and shall be exercised upon petition in the same proceeding The Court shal have power to bring necessary additional parties upon the record by citation

Section 7 This Act shall become effective immediately upon final enactment

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 454, as follows:

An Act relating to change of poling places

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be lawful for the County Commissioners of the proper County at least three weeks prior to any Primary General Municipal or Special election upon petition of at least ten qualified electors of any election district alleging that the location or arrangement of the polling place in said election district is such as to require encourage promote or allow unlawful or fraudulent election conduct or practice and specifying the particulars thereof one week's notice having been given to the owner or occupant of said polling place to hear and determine the facts set forth in said Petition

Section 2 In the event the County Commissioners shall determine that the location or arrangement of the polling place in said election district is such as to require encourage promote or allow unlawful or fraudulent election conduct or practice they shall cause said polling place to be moved to some other proper location

Section 3 This Act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 1086, as follows:

An Act to amend section one of the act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine (Pamphlet Laws one hundred seventeen) entitled "An act making it unlawful for any person to hold himself out or advertise himself as a lawyer attorney-at-law or counsellor-at-law in any county of the State of Pennsylvania unless duly admitted to practice by a court of record of any county in this Commonwealth and providing a penalty therefor" as amended by defining and prohibiting certain acts related to the practice of the law by persons partnerships associations and corporations not duly and regularly admitted to practice law

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine (Pamphlet Laws one hundred seventeen) entitled "An act making it unlawful for any person to hold himself out or advertise himself as a lawyer attorney-at-law or counsellor-at-law in any county of the State of Pennsylvania unless duly admitted to practice by a court of record of any county in this Commonwealth and providing a penalty therefor" as amended by the act approved the seventeenth day of April one thousand nine hundred and thirteen (Pamphlet Laws eighty) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall not be lawful for any person partnership association or corporation in any county in the State of Pennsylvania to practice law or to hold himself herself or itself out to the public as being entitled to practice law or use or advertise the title of lawyer attorney-at-law attorney and counsellor-at-law counsellor or the equivalent in any language in such manner as to convey the impression that he she or it is a practitioner of the law of this or any other State nation country or land or in any manner to advertise that he she or it either alone or together with another person or persons has owns conducts or maintains a law office or law and collection office of any kind for the practice of the law of this or any other State nation country or land without having first been duly and regularly admitted to practice law in a court of record of any county in this Commonwealth in accordance with the regularly established rules governing such admissions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. WOODSIDE. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General for the purpose of amendment

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1543, entitled:

An Act to amend section five of the act approved the nineteenth day of August one thousand nine hundred and thirty-two (Pamphlet Laws ninety-two) entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by venders as herein defined prescribing the method and manner of collecting such tax and providing penalties" extending the period for payment of part of the tax

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of the act approved the nineteenth day of August one thousand nine hundred and thirty-two (Pamphlet Laws ninety-two) entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors as herein defined prescribing the method and manner of collecting such tax and providing penalties" is hereby amended to read as follows

Section 5 Assessment and Payment of Tax Every vendor at the time of making the return required under section four shall compute and pay to the department the tax due to the Commonwealth by him for the preceding six months' period The amount of all taxes imposed under the provisions of this act shall be due and payable at the time the return for such six months period is required to be filed with the department by this act Provided however That any vendor may on or before the first day of May one thousand nine hundred and thirty-three pay one-half of such tax concurrently with the filing of such report and may pay the remaining one-half of the said tax in a single instalment on or before the fifteenth day of May one thousand nine hundred and thirty-three but the amount of the tax not paid on or before the first day of April one thousand nine hundred and

thirty-three shall bear interest at the rate of six per centum per annum until the fifteenth day of May one thousand nine hundred and thirty-three and twelve per centum per annum thereafter

On the question,

Will the House agree to the section?

Mr. RHODES. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 2, line 12, by striking out the word "May" and insert in lieu thereof "April."

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section five of the act approved the nineteenth day of August, one thousand nine hundred and thirty-two (P. L. 92), entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors, as herein defined; prescribing the method and manner of collecting such tax; and providing penalties"; extending the period for payment of part of the tax.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 92, entitled:

An Act permitting fishing on Sunday with one rod and two hooks and fixing penalties

The first section was read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be lawful for any person subject to the observance of other provisions of the laws of this Commonwealth relating to fishing to fish on the first day of the week commonly called Sunday No person fishing on Sunday shall use more than one rod nor more than two hooks

On the question,

Will the House agree to the section?

MOTION TO RECOMMIT

Mr. BAKER. Mr. Speaker, I move that this bill be recommitted to the Committee on Fisheries for the purpose of further study.

On the question,

Will the House agree to the motion?

Mr. SOWERS. Mr. Speaker, I desire to interrogate the gentleman from Union, Mr. Baker.

The SPEAKER. Will the gentleman from Union, Mr. Baker, permit himself to be interrogated?

Mr. BAKER. I will, Mr. Speaker.

Mr. SOWERS. What further study is needed on this bill?

Mr. BAKER. Mr. Speaker and members of the House, this bill is a bill that pertains to fishing. This bill has not been in the Fishing Committee and the Committee on Fisheries has had no opportunity to study this bill.

Mr. SOWERS. Does the Fisheries Committee want to determine whether a line shall have one hook or two hooks?

Mr. BAKER. Mr. Speaker, in answer to that I want to say that all bills pertaining to fishing should be referred to the Committee on Fisheries, and the committee has had no chance whatever to study this bill.

Mr. SOWERS. Does the Committee on Fisheries want to specify whether a rod shall be of wood or iron?

Mr. BAKER. Mr. Speaker, I cannot answer that for the committee.

Mr. SOWERS. Can you give any information as to what further study is needed on this one rod, two hooks and a line?

Mr. BAKER. Mr. Speaker, I would say the committee has had no chance to give this bill any study.

Mr. SOWERS. Mr. Speaker and members of the House, I can find no reason why the Committee on Fisheries should need this bill back for further study; the bill only provides for some little lad to fish with one rod and two hooks.

The SPEAKER. The Chair desires to inform the gentleman that the motion before the House is to recommit, and the bill is not debatable.

Mr. SOWERS. The gentleman asked to have the bill recommitted for further study. Now the study becomes the subject——

The SPEAKER. The Chair desires to refer the gentleman to the rule and the point of order that was raised thereunder: "The Speaker ruled that the merits of the bill were not open to discussion on a motion to recommit. Legislative Journal, April 27, 1931, page 3541, and other decisions."

Mr. SOWERS. Mr. Speaker, may I suggest that this is not a motion to recommit ordinarily, this is a motion——

The SPEAKER. The motion before the House is to recommit the bill.

Mr. SOWERS. For study, Mr. Speaker.

The SPEAKER. And the House decides whether a bill shall go back to the committee or not.

Mr. SOWERS. Mr. Speaker and members of the House, I hope you will vote down this motion and let the House study it.

Mr. HOOPES. Mr. Speaker and members of the House, I want to urge you to vote against this motion. This bill provides for Sunday fishing. It has the endorsement of the Rod and Gun Club, the Isaak Walton League and members of other fishing organizations. It has been carefully considered in the Committee on Law and Order and reported to this House. I think that the members of the House are able to pass upon it without further study by any other committee.

I ask you to vote no on this motion.

Mr. SARIG. Mr. Speaker and members of the House, I also ask the members to vote down this motion. This bill has been here for many years. It has been brought here by Democrats, by Republicans and by the Socialist members from Berks county. There is a great deal of sentiment down in my section of the State for Sunday fishing. Our people believe there are many things going on on Sunday that are much worse than sitting quietly by the side of a stream with rod and line. I ask you to give immediate consideration——

POINT OF ORDER

Mr. HUTTON. Mr. Speaker, I rise to a point of order,

The SPEAKER. The gentleman from Franklin, Mr. Hutton, will state his point of order.

Mr. HUTTON. Mr. Speaker, the gentleman is not speaking upon the motion.

The SPEAKER. The point of order is well taken and the gentleman from Berks, Mr. Sarig, will confine his remarks to the motion before the House to recommit.

Mr. SARIG. Mr. Speaker and members of the House, I see no necessity why the bill should go back to committee.

I am thoroughly satisfied that every member of the Committee on Fisheries thoroughly understands this bill and there exists no reason why this bill should be sent back to committee.

I ask you to vote no on this motion.

Mr. BERNHARD. Mr. Speaker, being a member of the Committee on Fisheries, I want to sustain the Chairman of that Committee on the stand he has taken on this particular motion.

Mr. BAKER. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Berks, Mr. Hoopes, permit himself to be interrogated?

Mr. HOOPES. Mr. Speaker, I will.

Mr. BAKER. Mr. Speaker, does this bill pertain to fishing?

Mr. HOOPES. Mr. Speaker, this bill does pertain to fishing on Sunday.

Mr. BAKER. Mr. Speaker, may I ask the gentleman from Berks if any other bills pertaining to fishing have been referred to the Committee which reported out this bill?

Mr. HOOPES. I do not know, Mr. Speaker. I know that many other bills pertaining to Sunday have been referred to this committee as this bill was, and I understand it is the policy to refer all bills pertaining to Sunday activities to the Committee on Law and Order.

Mr. BAKER. Mr. Speaker, may I ask the sponsor of this bill whether it would not be proper, just and fair to have the Committee on Fisheries study this bill?

Mr. HOOPES. Mr. Speaker, I do not think that this bill needs any further study on the part of the committee. It has received careful consideration from one committee of this House, and I do not think that it is necessary to have it considered by another committee. I did not pick the committee to which it was referred.

Mr. BAKER. Mr. Speaker, ladies and gentleman of the House, as chairman of the Committee on Fisheries, I would like to make this brief statement, that we have had no other bills which pertain to fishing assigned to the Committee on Law and Order. I contend that the Committee on Fisheries should have had a chance to make a study of this bill. This bill pertains to fishing——

POINT OF ORDER

Mr. STEEDLE. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Allegheny will state his point of order.

Mr. STEEDLE. The gentleman is not talking on the motion that is before the House. He is talking on the bill.

The SPEAKER. The point of order is well taken. The gentleman from Union will confine his remarks to the motion before the House.

Mr. BAKER. I thank you. That is all, Mr. Speaker.

Mr. HEWITT. Mr. Speaker, and members of the House, in defense of Mr. Baker, and as a member of the Committee on Fisheries, I wish to state that I have not had a chance to study this bill, which came from the Law and Order Committee, and I hope that Mr. Baker will be sustained.

Mr. SOWERS. Mr. Speaker, I desire to interrogate the gentleman from Indiana, Mr. Hewitt.

The SPEAKER. Will the gentleman from Indiana permit himself to be interrogated?

Mr. HEWITT. I will, Mr. Speaker.

Mr. SOWERS. Mr. Speaker, does not the gentleman think that he will have enough time between now and next Monday night to study the bill?

Mr. HEWITT. I want to study it in the committee, please, Mr. Speaker.

Mr. JOHN L. HOLMES. Mr. Speaker and members of the House, I want to give the reason why I think this bill should be referred to the Committee on Fisheries. Two years ago this was referred to the Committee on Fisheries. There are two issues at stake in this bill: One is the moral question, and, of course, that will go to the Committee on Law and Order——

POINT OF ORDER

Mr. FITZGERALD. Mr. Speaker, I rise to a point or order.

The SPEAKER. The gentleman from Erie will state his point of order.

Mr. FITZGERALD. Mr. Speaker, the gentleman is speaking on the merits of the bill.

The SPEAKER. The Chair did not understand that the gentleman from Centre was speaking on the merits of the bill.

Mr. JOHN L. HOLMES. Mr. Speaker and members of the House, this has been considered from a moral point of view. It is going to have such a bearing on fishing in the State of Pennsylvania that it may be necessary for the committee to prepare a bill if this should become a law, in order to shorten the season.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Baker and Mr. Wood and were as follows:

YEAS—52

Baker,	Holmes, J. L.,	Negley,	Stevens,
Bernhard,	Hutton,	Patterson,	Stevenson,
Brennan,	Jones,	Peelor,	Surface,
Dane,	Lord,	Perry, D. R.,	Turner,
DeFrehn,	Lovett, W. S.,	Rhodes,	Wade,
Dunmire,	Male,	Rice,	Walker, W. A.,
Evans,	McCandless,	Schrock,	Way,
Flynn,	McCreary,	Sheffer,	White,
Gillette,	McElwee,	Shellenberger,	Wike,
Griffith,	McKay,	Shettel,	Wood,
Habbyshaw,	McKinney,	Shortz,	Woodside,
Heffner,	Mohn,	Shreiner,	Talbot,
Hester,	Mumford,	Snyder,	Speaker.
Hewitt,			

NAYS—82

Barnhardt,	Flinchbaugh,	Long,	Reilly,
Bechtel,	Gallagher,	Lovett, J. E.,	Roan,
Beech,	Gorman,	Lynch, M.,	Roth,
Bennett,	Haines,	Malina,	Ruth,
Boyd,	Hamilton,	Marcks,	Sarig,
Brancato,	Harmuth,	McBride,	Scorza,
Brown, J. E.,	Harris,	McGinnis,	Shugarts,
Brown, W. L.,	Hart,	McGrail,	Sinwell,
Brownfield,	Hefferon,	Melchiorre,	Sowers,
Cannon,	Hermansen,	Munley,	Steedle,
Caputo,	Holmes, J. B.,	Myers,	Sterling, R. B.,

Carson,	Hoopes,	O'Keefe,	Stiteler,
Cohen,	Horst,	O'Rourke,	Wagner,
Cordier,	Hough,	Perry, J. J.,	Walker, G. E.,
Craig,	Howard,	Peters,	Weidemann,
Davies,	Kane, J. J.,	Powell,	Welsh,
Downey, G. E.,	Kane, L. P.,	Powers,	Williams, J. J.,
Duffy,	King,	Price,	Wilson, L. M.,
Emhardt,	Lane,	Quinn,	Yeakel,
Eroe,	Lenahan,	Reed,	Yourishin,
Fitzgerald,	Lewis,		

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second, and third sections and title were separately read and agreed to.

Section 2 Any person violating the provisions of this act shall upon conviction in summary proceedings be sentenced to pay a fine of not more than fifty dollars

Section 3 All acts and parts of acts inconsistent herewith are repealed

An Act permitting fishing on Sunday with one rod and two hooks and fixing penalties.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 197, as follows:

An Act to amend sections eight hundred and eight hundred and one of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred sixty-two) entitled "An act concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth except in counties of the first and second class and revising amending consolidating and changing the law relating thereto" defining legal settlement and the liability of poor districts for support

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eight hundred of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred sixty-two) entitled "An act concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth except in counties of the first and second class and revising amending consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 300 [HOW GAINED A settlement may be gained in any poor district by any person not a public charge married or single who bona fide comes to inhabit therein and counties to reside there for one year Persons born in a place whether legitimate or illegitimate shall be deemed to be settled there unless the parent having their custody be settled elsewhere and all children shall follow the settlement of the parent or parents stepfather or stepmother having their custody until the age of sixteen years] LEGAL AND QUASI SETTLEMENTS LIABILITY FOR SUPPORT (a) A legitimate person is first settled in the poor district of birth unless the father shall then have a known settlement elsewhere in which case the first settlement of such person is in the district where the father was then settled

(b) An illegitimate person is first settled in the poor district of birth unless the mother shall then have a known settlement elsewhere in which case the first settlement of such person is in the district where the mother was then settled

(c) The settlement of a person in a poor district continues until a new one is acquired in this State or elsewhere A settlement is lost only by acquiring a new one

(d) Except as hereinafter otherwise provided every adult and every emancipated minor whether married or single legitimate or illegitimate may acquire a new settlement in any poor district of this Commonwealth by coming bona fide to establish a permanent abode therein and continuing to reside therein for one whole year if such person or minor is of sufficient mental ability to make a bargain and is not or does not become a public charge during said year

(e) The settlement of a married woman during coverture follows that of her husband and continues after his death in the district where he was last settled but she may thereafter acquire a new settlement for herself If the husband has no known settlement then she is settled whether he be living or dead in the district where she was last settled The settlement of a woman After divorce absolute or from bed and board or desertion by the husband or withdrawal by the wife from cohabitation with the husband on account of his cruelty inebriety or lack of support continues in the district where the husband was last settled but she may acquire a new settlement for herself

(f) A minor whether legitimate or illegitimate cannot be amancipated before age sixteen and becomes emancipated absolutely at age twenty-one if then of sufficient mental ability to make a bargain After age sixteen and before age twenty-one a minor of sufficient mental ability to make a bargain may become emancipated by his own acts of the parent stepfather or stepmother having had the custody When a person is emancipated he or she is capable of establishing a new settlement

(g) A minor whether legitimate or illegitimate who is so mentally deficient as to be unable to make a bargain cannot be emancipated after age sixteen and such a person does not become emancipated at age twenty-one and so long thereafter as said mental condition continues The settlement of such a person shall at all times during mental disability be ascertained as provided in clauses (h) and (i) of this section for the settlement of minors not emancipated

(h) Before emancipation the settlement of a legitimate minor is and remains that of the father unless

(1) The father is dead and the mother acquires a new settlement in which case it follows that of the mother or

(2) The father deserts his family in which case it follows that of the mother or

(3) The mother withdraws from cohabitation with the husband on account of his cruelty inebriety or lack of support in which case it follows that of the parent having the custody or

(4) The parents are divorced either absolutely or from bed and board in which case it follows that of the parent having the exclusive custody but where custody is divided between the parents the settlement remains that of the father or

(5) Both parents are dead and the minor is in the custody of a stepfather or stepmother in which case it follows that of the stepfather or stepmother having the custody

(i) Before emancipation the settlement of an illegitimate minor at all times follows that of the mother and in case of her death before emancipation of such minor continues in the poor district in which she was last settled until such person established a new settlement after emancipation

(j) If a person has no known settlement in this Commonwealth and cannot for any reason whatever be removed into the State or country where settled he shall have a quasi-settlement in the poor district where he or she becomes a public charge which district shall be liable for his or her support

(k) If a person becomes a public charge in a poor district other than the one in which settled such district shall be liable for support until the district of settlement is discovered and removal to such district takes place but the poor district of settlement shall be liable to the district in which the person became a charge for the amount of relief advanced costs and the expenses of removal

Section 2 That section eight hundred and one of said act is hereby amended to read as follows

Section 801 ORDER OF REMOVAL In case any person shall have no settlement in the district wherein he has become or is likely to become a public charge it shall be the duty of the directors as soon as may be to notify the directors of the district of his settlement of the facts [and from the time of such notice the cost of his relief shall be charged to the district of his settlement] If the directors so notified refuse or neglect to receive him or to make arrangements for his proper support and maintenance and to pay the amount of relief advanced the directors furnishing such relief may apply to the court of quarter sessions of their county or to any judge thereof by petition asking for a citation to the directors so refusing or neglecting requiring them to appear before such court at a time specified therein and show cause why an order should not issue for the removal of such person into their district. The said court shall proceed to hear and determine the cause upon its merits and their decree shall be final unless an appeal therefrom be taken with thirty days

The citation herein provided for accompanied by a copy of the petition shall be served by the sheriff of the county who may for that purpose deputize the sheriff of the county of the respondent upon one or more of the directors named therein or with the approval of the court service may be had by sending such copy by registered mail and shall be served or mailed at least ten days before the day fixed for such hearing Provided That upon the hearing and argument before said court of quarter sessions of said citation for an order of removal of paupers from one district to another it shall be lawful for either of the parties to the issue to except to any decision of the court upon any point of evidence or law which exception shall be noted by the court and filed of record as in civil cases and an appeal to an appellate court may be taken by either party from the judgment or decree of the court with like effect as in civil cases

Section 3 That section nine of the act approved the thirteenth day of June one thousand eight hundred and thirty-six (Pamphlet Laws five hundred thirty-nine) entitled "An act relating to the support and employment of the poor" is hereby repealed

All other acts and parts of acts general local and special inconsistent with this act are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 198, as follows:

An Act to amend sections one two and three of the act approved the sixth day of April one thousand nine hundred and five (Pamphlet Laws one hundred twelve) entitled "An act providing for the relief of poor persons regulating their settlements in poor districts providing a means of enforcing the removal of a poor person to the district of his settlement the payment for relief furnished to him and the payment of costs thereto and authorizing courts of quarter sessions to compel certain relations to contribute to the relief of poor persons" defining legal settlement and the liability of poor districts for support

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the sixth day of April one thousand nine hundred and five (Pamphlet Laws one hundred twelve) entitled "An act providing for the relief of poor persons regulating their settlements in poor districts providing a means of enforcing the removal of a poor person to the district of his settlement the payment for relief furnished to him and the payment of costs thereto and authorizing courts of quarter sessions to compel certain relations to contribute to the relief of poor persons" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That [a settlement may be gained in any poor district by any person married or single who bona fide comes to inhabit therein and continue to reside there for one year Persons born in a place whether legitimate or illegitimate shall be deemed to be settled there unless the parent having their custody be settled elsewhere and all children shall follow the settement of the parent or parents stepfather or stepmother having their custody until the age of sixteen years] (a) A legitimate person is first settled in the poor district of birth unless the father shall then have a known settlement elsewhere in which case the first settlement of such person is in the district where the father was then settled

(b) An illegitimate person is first settled in the poor district of birth unless the mother shall then have a known settlement elsewhere in which case the first settlement of such person is in the district where the mother was then settled

(c) The settlement of a person in a poor district continues until a new one is acquired in this State or elsewhere A settlement is lost only be acquiring a new one

(d) Except as hereinafter otherwise provided every adult and every emancipated minor whether married or single legitimate or illegitimate may acquire a new settlement in any poor district of this Commonwealth by coming bona fide to establish a permanent abode therein and continuing to reside therein for one whole year if such person or minor is of sufficient mental ability to make a bargain and is not or does not become a public charge during said year

(e) The settlement of a maried woman during coverture follows that of her husband and continues after his death in the district where he was last settled but she may thereafter acquire a new settlement for herself If the husband has no known settlement then she is settled whether he be living or dead in the district where she was last settled The settlement of a woman After divorce absolute or from bed and board or desertion by the husband or withdrawal by the wife from cohabitation with the husband on account of his cruelty inebriety or lack of support continues in the district where the husband was last settled but she may acquire a new settlement for herself

(f) A minor whether legitimate or illegitimate cannot be emancipated before age sixteen and becomes emancipated absolutely at age twenty-one if then of sufficient mental ability to make a bargain After age sixteen and before age twenty-one a minor of sufficient mental ability to make a bargain may become emancipated by his own acts or the acts of the parent stepfather or stepmother having had the custody When a person is emancipated he or she is capable of establishing a new settlement

(g) A minor whether legitimate or illegitimate who is so mentally deficient as to be unable to make a bargain cannot be emancipated after age sixteen and such a person does not become emancipated at age twenty-one and so long thereafter as said mental condition continues The settlement of such a person shall at all times during mental disability be ascertained as provided in clauses (h) and (i) of this section for the settlement of minors not emancipated

(h) Before emancipation the settlement of a legitimate minor is and remains that of the father unless

(1) The father is dead and the mother acquired a new settlement in which case it follows that of the mother or

(2) The father deserts his family in which case it follows that of the mother or

(3) The mother withdraws from cohabitation with the husband on account of his cruelty inebriety or lack of support in which case it follows that of the parent having the custody or

(4) The parents are divorced either absolutely or from bed and board in which case it follows that of the parent having the exclusive custody but where custody is divided between the parents the settlement remains that of the father or

(5) Both parents are dead and the minor is in the custody of a stepfather or stepmother in which case it follows that of the stepfather or stepmother having the custody

(i) Before emancipation the settlement of an illegitimate minor at all times follows that of the mother and in case of her death before the emancipation of such minor continues in the poor district in which she was last settled until such person estblishes a new settlement after emancipation

(j) If a person has no known settlement in this Commonwealth and cannot for any reason whatever be removed into the State or county where settled he shall have a quasi settlement in the poor district where he or she becomes a public charge which district shall be liable for his or her support

(k) If a person becomes a public charge in a poor district other than the one in which settled such district shall be liable for support until the district of settlement is discovered and removal to such district takes place but the poor district of settlement shall be liable to the district in which the person becomes a charge for the amount of relief advanced

Section 2 That section two of said act is hereby amended to read as follows

Section 2 In case any person shall have no settlement in the district where he applies for relief it shall be the duty of the directors or poor-law officers as soon as may be to notify the directors or poor-law officers of the place of his settlement of the facts [and from the time of such notice the cost of his relief shall be charged to the district of his settlement] If the directors or poor-law officers so notified refuse or neglect to receive him the directors or poor-law officers furnishing such relief may apply to the court of quarter sessions of the peace of the county of the directors or poor-officers furnishing such relief or to any judge thereof by petition and asking for a citation to the directors or poor law officers so refusing or neglecting requiring them to appear before such court at a time to be specified therein and show cause why an order should not issue for the removal of such person into their custody to be provided for by them and the said court shall proceed to hear and determine the cause upon its merits and their decree thereon shall be final unless an appeal therefrom be taken within thirty days The citation herein provided for may be served by any officer of the law or by any agent of the petitioners and such service may be made by delivering a copy thereof to one or more of the directors or poor-law officers named therein or their clerk being within any county of this Commonwealth and shall be served at least twenty days before the day fixed for such hearing Provided That upon the hearing and argument before said court of quarter sessions of said citation for an order of removal of paupers from one district to another it shall be lawful for either of the parties to the issue to except to any decision of the court upon any point of evidence or law which exception shall be noted by the court and filed of record as in civil cases and an appeal to an appellate court may be taken by either party from the judgment or decree of the court with like effect as in civil cases

Section 3 That section three of said act is hereby amended to read as follows

Section 3 In case an order of removal is granted by any court of quarter sessions of the peace under the provisions of this act the court in the same order shall require the directors or poor-law officers of the place of settlement to pay the petitioners the cost of the proceedings the expense of removing and the proper charges for the relief of the poor person [from the date of the notice first above provided for] all of which expense cost and charges shall be ascertained and allowed by the court If an order of removal is refused the cost of the proceeding shall be paid by the directors or poor-law officers petitioning therefor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 952, as follows:

An Act prohibiting advertisements relating to foreign insurance companies not registered to do business in this Commonwealth and prescribing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it is unlawful for any person copartnership association or corporation operating any printing establishment or printing or publishing any newspaper magazine or any publication used wholly or in part as an advertising medium to print or insert in any such newspaper magazine or other medium of advertising the advertisement or announcement of any insurance company or association of another State or of a foreign country not registered or entitled to do business in this Commonwealth

Section 2 Any person or the members or agents of any copartnership or associatoin or the officers or directors or agents of any corporation violating the provisions of this act shall be guilty of a misdemeanr and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars or to imprisonment for a period not exceeding one year

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 703, as follows:

An Act requiring the corporate authorities of any first second second-A and third class cities of the Commonwealth having a paid or part paid fire department fire alarm operators and fire box inspectors to ascertain the will of the electors of such cities as to salary or compensation to be paid to firemen fire alarm operators and fire box inspectors and their hours and working conditions providing an election to ascertain the will of the electors and the manner and method whereby such election may be held providing the form and manner in which the question shall be submitted to the vote of the people of such cities and the effect of such vote

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvnaia in General Assembly met and it is hereby enacted by the authority of the same That hereafter in order that the corporate authorities of first second second-A and third class cities of this Commonwealth having a paid or part paid fire department and fire alarm operators and fire box inspectors may ascertain the will of the electors of such cities as to the salary or compensation to be paid to the various classes divisions and grades of firemen fire alarm operators and fire box inspectors in the bureau of electricity and the hours and working conditions of such firemen and fire alarm operators and fire box inspectors in such cities of this Commonwealth as the necessity for the same shall from time to time arise There shall be submitted to the electors of any such cities by the corporate authorities thereof at any fall primary election or municipal election upon the written petition of equal to at least five (5) per centum of the highest number of votes cast for any office at the last previous general election in any such city the question or questions as to the salary or compensation or the hours and working conditions which it is desired to have voted upon

Section 2 The said petition shall set forth the question in the form it is desired to have the same submitted to the electors at such primary or municipal election and shall be sworn to by at least one of the petitioners

Section 3 If any such petition is sufficiently signed the question or questions wherein set forth shall be certified to the county commissioners by the corporate authorities of such city Such question or questions shall then be printed on a separate ballot prepared by the county commissioners in the form as set forth in the petition requesting such election and in the manner as is now provided by law for the preparation of official ballots Where voting machines are used such question or questions shall appear on the face of the machine the election officers shall make returns of the votes cast on such question to the county commissioners or return board who shall compute such votes for and against said question and make a certificate thereof which certificate shall be forwarded to the president of council The expenses of any such election shall be borne by such cities

Section 4 The vote taken at such election shall be mandatory upon the corporate or other proper authorities of the above classed cities

Section 5 A vote on any question provided for in this act may be had only once in any period of four calendar years

Section 6 Upon the approval of the people the will of the electors shall be included in the compilation of the following yearly budget

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. BECHTEL. Mr. Speaker, I move that this bill be recommitted to the Committee on Cities for the purpose of amendment.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be reconsidered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 788 (Senate Bill No. 158), entitled:

An Act to amend section six as amended and section eight of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" prohibiting persons from being candidates for more than one party nomination

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" which was amended by the act approved the eighteenth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred forty-four) entitled "An act to amend the first sixth and seventh sections of an act entitled 'An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation' approved the twelfth day of July Anno Domini one thousand nine hundred and thirteen so as to change the time for filing petitions of nomination and the time for the organization of State committees" is hereby further amended to read as follows

Section 6 The names of candidates for nmination as President of the United States and the names of all other party candidates shall be printed upon the official ballot of a designated party upon the filing of nomination petitions in their behalf signed by qualified electors of the State or of the political district or division as the case may be within which the nomination is to be made or election is to be held and the filing of affidavits by the candidates as provided in this act and the names of no candidates shall be printed upon an official ballot of a political party to be used at any primary unless such petitions shall have been filed and unless such candidates except they be candidates for the office of President of the United States shall have filed affidavits as hereinafter provided

(a) Each signer of a nomination petition shall sign but one such petition for each office to be filled and shall declare therein that he is a member of the party designated in such petition Provided however That where there are to be elected two or more persons to the same office each signer may sign petitions for as many candidates for such office as and no more than he could vote for at the succeeding election He shall also declare therein that he is a qualified elector of the county therein named and in case the nomination is not to be made or candidates are not to be elected by the electors of the State at large of the political district or division therein named in which the nomination is to be made or the election is to be held He shall add his occupation and residence giving city borough or township with street and number if any and shall also add the date of signing No nomination petition shall be circulated prior to forty (40) days before the last day on which such petition may be filed and no signature shall be counted unless it bears date within forty (40) days of the last day for filing the same

Said nomination petition may be on one or more sheets and different sheets must be used for signers resident in different counties Each sheet shall have appended thereto the affidavit of some person not necessarily a signer and not necessarily the same person on each sheet setting forth that the affiant is a qualified elector of the State or of the political district or division as the case may be referred to in said petition his residence giving city borough or township with street and number if any that the signers signed with full knowledge of the contents of the petition that their respective residences are correctly stated therein that they all reside in the county named in the affidavit and that each signed on the date set opposite to his name and that to the best of affiant's knowledge and belief the signers are qualified electors and members of the designated party of the State or of the poltical district or division as the case may be

(b) Each candidate for any State county city borough and township office shall file with his nomination petition his affidavit stating his residence with street number if any and his postoffice address his election district the name of the office for which he consents to be a candidate that he is eligible for such office and that he will not knowingly violate any election law or any law regulating and limiting nominations and election expenses and prohibiting corrupt practices in connection therewith That he is not a candidate for nomination therewith That he is not a candidate for nomination for the same office of any party other than the one designated in such petition In no event shall petitions of any candidates be accepted for filing for nomination by more than one party for the same office and in no event shall the name of any person consenting to be a candidate for nomination for any one office be printed as a candidate for such office upon the official primary ballot of more than one party Provided That in no event shall any person's name be printed upon the official ballot of any party as a delegate State committeeman National committeeman or party officer unless he is a qualified elector of said party

In the case of a candidate for nomination as President of the United States it shall not be necessary for such candidate to file the affidavit required in this section to be filed by candidates but the postoffice address of such candidate shall be stated in such nomination petition

(c) Each candidate for election as delegate or alternate delegate to a National party convention may include with his affidavit the statement hereinafter set forth in this sec-

tion but his failure to include such statement shall not be a valid ground on the part of the Secretary of the Commonwealth for refusal to receive and file his nomination petition Such statement if any be made shall be in substantially the following form

Delegate's Statement

I hereby declare to the voters of my political party in the (here insert "State of Pennsylvania" if a delegate or alternate delegate at large otherwise insert ".....District") that if elected and in attendance as a delegate to the National convention of the party I shall with all fidelity to the best of my judgment and ability in all matters coming before the convention support that candidate for President of the United States who shall have received the highest number of votes cast in the (here insert "State" if a delegate or alternate delegate at large otherwise insert ".....District") by the voters of my party for said office at the ensuing primary and shall use all honorable means within my power to aid in securing the nomination for such candidate for President

.....

(Signature of candidate for delegate or alternate delegate)

On a ballot used at a primary after or under the name of each candidate for delegate or alternate delegate to a National party convention shall appear the words "Promises to support popular choice of party in the (here insert "State" if a delegate or alternate delegate at large otherwise insert ".....District") for President" or "Does not promise to support popular choice of party in the (here insert "State" if a delegate or alternate delegate at large otherwise insert ".....District") for President" according as if the candidate included or failed to include the above statement with his affidavit

On the question,

Will the House agree to the section?

Mr. HOOPES. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 5, lines 14 and 15, by striking out the words "borough and township" and inserting in lieu thereof: "borough, incorporated town, township, school and poor district."

On the question,

Will the House agree to the amendment.

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section and title were separately read and agreed to as follows:

Section 2 That section eight of said act is hereby amended to read as follows

Section 8 No nomination petition shall be refused or set aside except for

(a) Material error or defects apparent on the face thereof or on the face of the appended or accompanying affidavit or

(b) Material alterations made after signing without the consent of the signers or

(c) Want of a sufficient number of genuine signatures of persons qualified with respect to age sex residence and citizenship to be electors

(d) The fact that nomination petitions have been filed for printing of the name of the same person for the same office upon the official ballot of more than one political party

The invalidity of any sheet of a petition shall not affect the validity of such petition if a sufficient petition remains after eliminating such invalid sheet

Application to set aside any nomination petition shall be by petition to the court of common pleas of the county in which such nomination petition has been filed setting forth specifically the matters objected to and must be filed within five days after the last day for filing said nomination petition Upon the presentation of such a petition the court shall make an order fixing a time for hearing which shall not be later than ten days after the last day for filing said nomination petition and specifying the time and manner of notice that shall be given to the candidate named in the nomination petition sought to be set aside

If the matters objected to are such as are specified in the subdivision (a) of this section the court upon hearing the case may in its discretion permit amendments within such time and upon such terms as the payment of costs as the said court may specify

In case the petition to set aside a nomination petition is dismissed the petitioner shall pay the whole of the costs of the proceeding including all witness fees

An Act to amend section six, as amended, and section eight of an act approved the twelfth day of July, one thousand nine hundred and thirteen (P. L. 719), entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation"; prohibiting persons from being candidates for more than one party nomination.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1214 (Senate Bill No. 392), entitled:

An Act authorizing the compromise of tax claims on real property purchased by the county on county treasurers' sales for nonpayment of taxes, and the reconveyance of such property.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 459, as follows:

An Act permitting building and loan associations to invest part of their assets in bonds of the United States or of the Commonwealth of Pennsylvania or bonds or indentures issued by a Federal Home Loan Bank

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That building and loan associations incorporated under the laws of this Commonwealth are empowered to invest not over ten per centum of their assets in bonds of the United State Government bonds of the Commonwealth of Pennsylvania or bonds or indentures issued by a Federal Home Loan Bank

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1185, as follows:

An Act creating borough and township poor districts in the County of Wyoming to be administered by overseers of the poor and abolishing the county poor district

Section 1 Be it enacted by the Senate and House of Reresentatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That each borough and township in the County of Wyoming is hereby created a separate poor district to be administered by overseers of the poor At the municipal election in the year one thousand nine hundred and twenty-three and quadrennially thereafter two overseers shall be elected in each such borough and township for terms of four years each from the first Monday of January following their election In case of a vacancy in the office of overseer the same shall be filled by appointment by the court of common pleas of the county for the unexpired term The overseers of the poor shall serve without compensation but shall be allowed all expenses necessarily incurred in the discharge of their duties

Section 2 The overseers shall have power to levy taxes for the support of the poor within their respective districts on property and occupations taxable for county purposes The rate of any such tax shall not exceed ten mills on the dollar of the assessed valuation Such taxes shall be collected by the borough or township tax collector in the same manner at the same time and with like powers duties and liabilities as in the case of county taxes The tax collector shall receive the same commissions as for the collection of county taxes Delinquent poor taxes may be collected by return to the county commissioners and county treasurers' sale thereon or by lien filed in the office of the prothonotary in the same manner as county taxes The accounts of overseers shall be audited by the borough and township auditors annually in the same manner as borough and township accounts

Section 3 The overseers of the several boroughs and townships shall administer and enforce the general laws of the Commonwealth relating to settlment and for the relief and support of the poor and destitute persons within their respective districts Provided That the County of Wyoming shall remain liable for the support of the poor until funds become available in the hands of overseers from taxation during the year one thousand nine hundred and thirty-four at which time the liability of the county shall cease and the county poor district as now existing shall be abolished

Section 4 The act shall become effective immediately upon final enactment

Section 5 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 256, as follows:

An Act to validate acts done by corporations before the recording of their charters

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where heretofore any act has been done or transfer or conveyance of any property been made to or by any corporation created or intended to be created by virtue of the provisions of the act of Assembly approved April twenty-ninth one thousand eight hundred and seventy-four or its supplements in good faith after the issuing of letters patent and before the actual recording of the certificate has been duly recorded as provided in the said act be deemed and taken to be valid and effectual for all purposes Provided This act shall not affect any proceeding now pending.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 544, as follows:

An Act relating to the pollution of waters of the Commonwealth providing additional remedies for the abatement thereof and conferring jurisdiction upon certain courts in relation thereto

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That POLLUTION NOT A NATURAL USE OF WATERS The discharge of sewage or industrial waste or any other noxious or deleterious substances by any person copartnership association or corporation whether public or private into the waters of the Commonwealth is hereby declared not to be reasonable or natural use of such waters and to be inimical and injurious to the public health and to animal and aquatic life and to uses thereof for industrial consumption and to be against the public policy of the Commonwealth and to be a public and common nuisance

Section 2 ABATEMENT OF POLLUTION All pollutions herein before declared to be nuisances shall be abateable in the manner now provided by law or equity for the abatement of public nuisances In addition suits to abate stream pollution may be instituted in equity or at law in the name of the Commonwealth upon relation of the Attorney General and after two years from the date of the approval of this act upon relation of any district attorney of any county or upon relation of the solicitor of any municipality affected Such proceedings may be brought and prosecuted in the courts of common pleas of the county where the nuisance has been or is being committed or of any county through which or along the border of which flows water into which such pollution has been discharged at any point above and to that end jurisdiction is hereby conferred in law and equity upon said courts Provided no action shall be brought by such district attorney or solicitor against any municipality discharging sewage under a permit of the Sanitary Water Board issued under the act approved the twenty-seventh day of April one thousand nine hundred and five (Pamphlet Laws two hundred sixty) and provided further except in cases of emergency where in the opinion of the court the exigencies of the cases require immediate abatement of the public nuisance the court may in its decree fix a reasonable time during which the party or parties responsible for the nuisances may make provisions for the abatement of the same

Section 3 PRELIMINARY INJUNCTION In cases where the circumstances require it or the public health is endangered mandatory preliminary injunctions or special injunctions may be issued upon the terms prescribed by the court's notice of the application therefor having been given in each case to the defendant in accordance with the rules of equity practice and in no such case shall the Attorney General the district attorney or the solicitor of any municipality be required to give bond

Section 4 EXISTING RIGHTS PRESERVED Nothing in this act contained shall be so construed as to abridge in any way the rights of action or remedies now existing in equity or under common or statutory law criminal or civil

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HERMANSEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Health and Sanitation for a public hearing.

The motion was agreed to

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 79, entitled:

An Act to amend section one thousand two hundred and five of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended reducing the time before the close of school terms for boards of school directors to terminate teachers' contracts

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand two hundred and five of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by section twenty-six of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred forty-three) entitled "An act to amend the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' providing for the continuance in office of officers in certain districts authorizing the establishment and operation of cafeterias kindergartens and school safety patrols the payment of the expenses for attending educational meetings and transporting children special tax levies the increasing of indebtedness and the salaries and increments of certain teachers regulating the procedure in purchases of school supplies and equipment empowering the Superintendent of Public Instruction to investigate and audit school district records and to control and organize schools in State and State-aid institutions including associate superintendents among the officers of districts and raising the educational requirements of such officers further regulating State-aid to districts and college certificates of teachers annulling the right of certain districts to reduce the period of compulsory attendance clarifying the provisions with respect to the employment of children of school age and school district elections providing for the attendance of migratory and nonresident children the payment by the Commonwealth of certain high school tuition teacher training in fourth class districts the election of a secretary to the Board of Presidents of State Teachers' Colleges and a corporate treasurer for school districts altering the requirements for tuition free students to State Teachers Colleges requiring the auditors of certain districts to mail a copy of such audit to the Superintendent of Public Instruction extending the time of appeal by the Commonwealth from such audits and limiting the power of auditors to surcharge directors and officers requiring bonds to protect labor and material men providing a uniform system of the publication of notices and advertisements and repealing certain sections of said act" is hereby further amended to read as follows

Section 1205 In school districts of the second third and fourth class all contracts with teachers shall be in writing in duplicate and shall be executed on behalf of the board of school directors by the president and secretary and signed by the teacher

After the thirtieth day of June one thousand nine hundred and twenty-nine each board of school directors or board of public education in school districts of the second third and fourth class in this Commonwealth shall enter into contract in writing with all teachers supervisors supervising principals principals and principals employed by them and said contract shall contain the following

"IT IS AGREED BY and between ..... Teacher and the Board of Directors of the school district of ..... Pennsylvania that said teacher shall under the authority of the said board and its successors and subject to the supervision and authority of the properly authorized superintendent of schools teach in the said school district for a term ....months for an annual compensation of $..... payable monthly or semimonthly during the school term less the contribution required by law to be paid to the Teachers' Retirement Fund

This contract is subject to the provisions of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' and the amendment thereto and to such regulations as the Board of School Directors of this district may impose consistent with the said act

AND IT IS FURTHER AGREED by the parties hereto that this contract shall continue in force year after year with the right of the Board of Education or the Board of School Directors to increase the compensation over the compensation herein stated from time too time as may be provided under the provisions and proper operation of the established salary schedule if any for the school district or to change said salary subject to the provisions of law without invalidating any other provision of this contract unless terminated by the teacher at the close of the school term by written resignation presented [sixty] thirty days before the close of said school term or by the Board of School Directors by official written notice presented to the teacher [sixty] thirty days before the close of the school term"

On the question,

Will the House agree to the section?

Mr. HERMANSEN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend bill, Section 1, page 5, line 14, by striking out the word "thirty" and inserting in lieu thereof "forty-five"

Amend bill, Section 1, page 5, line 17, by striking out the word "thirty" and insert in lieu thereof "forty-five"

On the question,

Will the House agree to the amndments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section one thousand two hundred and five of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repeal-

ing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith, as amended, reducing the time before the close of school terms for board of school directors to terminate teachers' contracts.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1247, as follows:

An Act to repeal the act approved the sixteenth day of March one thousand eight hundred and sixty-six (Pamphlet Laws two hundred three) entitled "A supplement to an act passed the thirteenth day of April one thousand eight hundred and fifty-nine relating to billiard saloons et cetera in the counties of Chester and Delaware extending the same to the counties of Erie Crawford Venango Warren Tioga Potter and McKean" so far as the same applies to the County of Crawford

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the sixteenth day of March one thousand eight hundred and sixty-six (Pamphlet Laws two hundred three) entitled "A supplement to an act passed the thirteenth day of April one thousand eight hundred and fifty-nine relating to billiard saloons et cetera in the counties of Chetser and Delaware extending the same to the counties of Erie Crawford Venango Warren Tioga Potter and McKean" be and the same is hereby repealed so far as the same applies to the County of Crawford

And said bill having been read at length the second time and and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 423, as follows:

An Act to validate certain improvements in borough highways to make the cost thereof assessable on the abutters and providing for the filing of liens therefore and the collection thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That whenever heretofore the council of any borough shall have paved any borough highway street or alley or part thereof with the oral agreement of the abutters that a portion thereof shall be assessed upon them but council has failed to pass an ordinance relating to the improvement or the assessment and the payment of an assessment on abutters cannot be enforced as was contemplated by the borough council under the Acts of Assembly relating to the subject matter now by this Act such improvements are made valid and binding and the borough may cause abutting property to be assessed according to the foot front rule to the same extent as street paving may be assessed under the general borough laws of the Commonwealth Such assessment shall be a lien upon the property assessed The lien shall date from the completion of the improvement for which the assessment is made and shall remain a lien until fully paid for and satisfied provided that a writ of scire facias shall be issued to revive within a period of five years after the lien is filed And provided further That this act shall not validate any lien against any property which has been conveyed to a bona fide purchaser thereof subsequent to the expiration of the period prescribed by law for the filing of such liens and prior to the time of the filing thereof or give the lien thus filed priority over any bona fide lien or liens filed entered or recorded or which shall have otherwise attached subsequently to the time prescribed by law for the filing of such municipal lien and prior to the time of the filing thereof

Section 2 The council of any incorporated borough of this Commonwealth entitled to a lien under this act shall file a lien therefor in the office of the prothonotary of the county within which the property lies within twelve months after the approval of this act where the improvement is now completed and the same shall be entered upon record as other municipal claims Such liens shall state the name of the party claimant which shall be corporate name of the borough making the improvement name of the owner or reputed owner of the property assessed a reasonable description of the property assessed the amount or sum claimed to be due which shall include interest from the completion of the improvement for what improvement the claim is made the date of its completion Such lien when so filed shall be prima facie evidence of all matters therein set forth and of the right of the borough to recover the amount therein claimed to be due together with interest from the date of the completion of the improvement costs and an attorney's commission of five per centum for collecting

Section 3 The claim when so filed shall be proceeded upon for collection by writ or scire facias Provided That this act shall not apply to any proceeding suit or lien wherein a final order or judgment of any court of record has already been made or entered

Section 4 This act shall be in force immediately upon its passage and approval by the Governor

And said bill having been read at length the second time and and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1500, entitled:

An Act for the development and use of unredeemed seated and unseated lands purchased by county commissioners at tax sales providing for the holding and permanent retention of such lands by the county for forest or recreational uses beneficial to the local community or for their transfer to the State under suitable restrictions for similar uses subject to certain annual charges providing for the use of revenues derived from such lands providing a procedure for the discharge of liens of record against such lands by sale after notice to owners and lien creditors providing for the sale by counties of such lands as are retained by the county providing for the appointment by local State forest advisory councils and conferring powers upon the Department of Forests and Waters and the Board of Game Commissioners with respect to the acquisition and exchange of such lands their proper organization and development and the acceptance of gifts of lands

The first and second sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following terms as used in this act are hereby defined as follows

"County Forests" Lands owned and retained by a county and organized systematically for the purpose of facilitating proper management for forestry and recreational purposes

"State Forests" Lands deeded by the county commissioners of a county to the State for organization and management as public forests or recreation areas the county retaining an interest in all future net financial returns therefrom

Section 2 Whenever any seated or unseated lands are sold at a county treasurer's sale to the county commissioners and said lands are not redeemed within a period of two years as provided by law the county commissioners may if the Department of Forests and Waters or Board of Game Commissioners within one year do not record with the county commissioners a desire to acquire such lands for State forests or State game lands retain such lands as county forests or under the provisions of this act convey such lands to the State as State forests Such lands shall however not be deemed to be held and retained as county forests nor for transfer to the State as State Forests until the board of county commissioners shall first duly adopt a resolution for such purposes and spread the same upon its minutes

The third section was read as follows:

Section 3 Except as hereinafter provided no such lands shall be held and retained as county forests or be transferred to the State as State Forests by the county against which there are any liens of record which have not been discharged by the county treasurer's sale or by failure to redeem the same In case the county commissioners desire to retain and hold such lands as county forests or to convey them to the State as State Forests they may after holding such lands for a period of two years after the county treasurer's sale advertise such lands separately for sale in the manner provided by law for the advertisement of sales for taxes by county commissioners A notice of the place and time of such sale shall be served on the owner of such lands and on any lien creditor if known and if their whereabouts are unknown then such notices shall be sent by registered mail addressed to the last known post office address of the owner and lien creditor and a return of the card showing receipt of such letter or the return of the letter itself showing a refusal to accept delivery or a failure to deliver shall be deemed sufficient service

On the question,

Will the House agree to the section?

Mr. RICE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 3, page 3, line 23, by striking out the word "suffucuent" and inserting in lieu thereof: "sufficient."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth and fifth sections were separately read and agreed to as follows:

Section 4 If at the time of such sale sufficient is not bid for such lands to pay taxes penalties interest and costs due thereon by the owner lien creditor the Department of Forests and Waters the Board of Game Commissioners or any other person the lands shall then be sold to the county commissioners without any consideration or money charge In either event such sale shall discharge all liens of record against such lands Thereafter such lands may be held and retained as county forests or be conveyed to the State as State Forests in the manner provided by this act

Section 5 (a) Whenever the board of county commissioners shall retain lands for county forests as provided for in this act the county shall become liable to pay to the township and to the school district in which such lands are located each an annual charge of two cents per acre for road and school purposes and all county township road school and poor taxes theretofore assessed against such lands and unpaid shall be and are hereby abated No further taxes shall thereafter be assessed against such lands so long as the same are retained and held by the county as county forests

(b) The county commissioners shall have full power to develop any lands so held and retained as county forests and for such purposes to employ persons including especially those unemployed and who are in need of public assistance to sell any forest products found or produced thereon and to lease areas thereof or buildings thereon at such prices or rentals as may be agreed upon

(c) The Department of Forests and Waters and the Board of Game Commissioners shall assist advise and cooperate with counties in the development of county forests and may furnish technical assistance free and also nursery stock for planting on such county forests for forest plantations and game cover as the case may require at a price not exceeding the cost of production

(d) The county commissioners may at any time transfer any such county forests to the Department of Forests and Waters or the Board of Game Commissioners for State Forests or State game lands for such price as may be agreed upon and make deed therefor to the purchaser or they may make application in the manner prescribed in this act for the transfer of such lands to the State as State Forests

The sixth section was read as follows:

Section 6 (a) Whenever the county commissioners shall desire to deed to the State for State Forests any such seated or unseated lands acquired as provided in this act they shall make application in writing to the Department of Forests and Waters using an application form furnished by that Department Such lands shall not however be deemed to have been retained for the purpose of transfer to the State for State Forests until the board of county commissioners shall first duly adopt a resolution expressing their desire to file an application with the Department of Forests and Waters to transfer such lands and spread the resolution upon its minutes

(b) In order to have its application accepted for the establishment of State Forests in a county the board of county commissioners must demonstrate to the Department of Forests and Waters

1 That it has in its possession a total of at least one thousand acres of such land which it offers to deed to the State for the establishment of State Forests in the county that no single piece of such land is less than one hundred acres in area and that such one thousand acres is located within a radius of five miles

2 That it is willing to deed the necessary land free of any and all costs to the State for the purpose of assisting in the establishment of such State Forests

3 That it is willing to convey to the Department of Forests and Waters all title rights and control over the management of such lands when established as State Forests in return for which the State shall pay an annual charge of five cents (5c) per acre for such lands as are included in the State Forests for county road and school purposes in the same manner as in the case of State forest lands and a share of not to exceed twenty-five per centum (25%) of the net income derived from the operation of such State Forests in the county if and when such net income eventuates which shall be for the use of the county

(c) After the date of the filing of an application for the establishment of State Forests in a county if the application appears to fulfill the necessary conditions the Department of Forests and Waters shall cause to be inspected the areas covered by the said application If after inspection the Department finds that the conditions on the ground are in accord with the application and that they fulfill the legal requirements then the Department shall notify the board of county commissioners that its application has been accepted and shall instruct them to proceed with the preparation of the necessary deeds and papers required for the transfer of title to the lands to the State for the establishment of a State Forest Upon the proper conveyance of the title to the lands the Department of Forests and Waters shall proceed with the work of organizing the lands as State Forests following the dictates of sound forest and land management

(d) Each year the Department of Forests and Waters shall file a report with the board of commissioners of the county which shall include a financial statement of receipts and payments and net income if any covering the administration of the State Forests

On the question,

Will the House agree to the section?

Mr. RICE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 6, page 5, line 13, by striking out the word "unesated" and insert in lieu thereof "unseated"

Amend sec. 6, page 5, line 19, by striking out the word "sresolution" and insert in lieu thereof "resolution"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The seventh, eighth and ninth sections and title were separately read and agreed to as follows:

Section 7 After the establishment of State Forests in any county if the board of county commissioners desires to add to the area of the State Forests by further transfers of unredeemed seated or unseated lands held or acquired by the board in accordance with the provisions of this act they may do so by making application with the Department of Forests and Waters in the manner hereinbefore provided The Department of Forests and Waters is also herewith empowered to accept as gifts any lands which in the Department's judgment will be useful or valuable additions to the State Forests already established. The Department of Forests and Waters is also authorized to add to the area of State Forests in a county through purchase when funds are available at prices not to exceed five dollars ($5.00) per acre and it is also empowered to make such exchanges of land as in its judgment will benefit the State Forests

Section 8 In every county where State Forests are established the Department of Forests and Waters acting in cooperation with the board of county commissioners shall appoint a local State Forest Advisory Council for that county This council shall consist of nine persons who shall serve without pay and whose duties shall be educational and advisory As far as possible the council should include public spirited residents of the county from the following walks of life

1 A farmer working on a farm in the county
2 A woodsworker in the forests of the county
3 A teacher from a rural school
4 A teacher from a high school or college in the county
5 A logger or sawmill man operating in the county
6 A labor union delegate from a labor union in the county
7 A worker from a wood-using industry in the county
8 A representative from a sportsmen's organization in the county

It shall be the duty of this council to be the intermediary between the people of the county and the representative of the Department of Forests and Waters administering the State Forests in the county The appointments to the council shall be for three years and shall rotate by having three new appointments and three terminations occur annually

Section 9 All acts and parts of acts inconsistent herewith are hereby repealed

An Act for the development and use of unredeemed seated and unseated lands purchased by county commissioners at tax sales; providing for the holding and permanent retention of such lands by the county for forest or recreational uses beneficial to the local community, or for their transfer to the State under suitable restrictions for similar uses subject to certain annual charges, providing for the use of revenues derived from such lands; providing a procedure for the discharge of liens of record against such lands by sale after notice to owners and lien creditors; providing for the sale by the counties of such lands as are retained by the county; providing for the appointment by local State forest advisory councils and conferring powers upon the Department of Forests and Waters and the Board of Game Commissioners with respect to the acquisition and exchange of such lands, their proper organization and development, and the acceptance of gifts of lands.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1097, as follows:

An Act to safeguard human health and life by providing for the licensing and regulation of persons and entities engaged in the disposal of garbage through the construction keeping maintenance or conduct of garbage disposal plants conferring powers and imposing duties on the State Department of Health and the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purpose and within the meaning of this act the following definitions shall obtain

"Adequate provision for drainage" means closed or covered drains leading from floors depositories of garbage refuse or waste into a cesspool or cesspools sewer and treatment works

"Adequate water supply" means a head and source of water of sufficient force pressure and volume when directly applied to completely flush out and clean all floors drains receptacles depositories equipment and implements used in the conduct of a garbage disposal plant as often as may be necessary to keep the same clean and sanitary at all times

"Cesspool" means a hole dug below the surface of the ground adequate to dispose of all liquids emanating from a garbage disposal plant with a device for absolutely sealing such cesspool at the top

"Department" means the Department of Health of the Commonwealth of Pennsylvania or its duly authorized representative or representatives

"Garbage" means the animal or vegetable refuse from the storage vending transportation sale preparation or use of foodstuffs such as meats fish fowl fruits or vegetables or any other organic substance or substances subject to fermentation or decay

"Garbage disposal plant" means any place where garbage is dumped spread mixed stored incinerated reduced treated buried or otherwise disposed of

"Impervious material" means any material which shall make and maintain the floors depositories of garbage and waste at all time absolutely water-tight and easily cleaned

"Municipality" means any county city borough town or township in this Commonwealth

"Persons" includes masculine and feminine and any firm copartnership institution association or corporation excepting municipal and quasi-municipal corporations and any agent servant assistant employe or representative thereof

"Waters of the Commonwealth" means all streams and springs and all bodies of surface and of ground water whether natural or artifical seasonal or constant within the boundaries of the Commonwealth

Section 2 It shall be unlawful for any person to keep maintain or conduct a garbage disposal plant within this Commonwealth without a license from the department as in this act provided It shall also be unlawful for any person to construct a garbage disposal plant within this Commonwealth until the plans and specifications therefor have been submitted to and approved by the department and a license has been issued by the department authorizing such person to keep maintain or conduct such garbage disposal plant upon its construction

Section 3 Every person desiring to construct keep maintain or conduct a garbage disposal plant within this Commonwealth shall file an application for such license with the department The application shall be on a form prescribed prepared and furnished by the department and together with such other information as the department shall require shall state

(a) The name and address of the applicant

(b) The name and address of the owner or owners of the property upon which applicant desires to construct keep maintain or conduct such garbage disposal plant

(c) The location and locility of the property

(d) The method to be employed in disposing of garbage

(e) The approximate amount of garbage to be disposed of daily

(f) The municipalities with whom the applicant has a contract for the disposal of garbage and the duration thereof

If the application is for the construction of a garbage disposal plant the applicant shall submit with such application the plans and specifications pertaining to such construction

Section 4 Upon receipt of an application for a license the department shall cause such investigation as it shall deem necessary to be made of the location and premises where the garbage disposal plant is desired to be constructed kept maintained or conducted and shall make a study of the plans and

specifications pertaining to the proposed construction of any garbage disposal plant The department shall when satisfied that the place to be used as a garbage disposal plant is a suitable place for such purpose and is properly equipped therefor and when all the requirements of this act and the rules and regulations of the advisory health board shall be complied with issue a license to the applicant upon the payment of a license fee of ten dollars which shall be paid into the State Treasury through the Department of Revenue and credited to the General Fund

All licenses issued by the department under this act shall expire on the first day of June next following the day on which issued unless sooner revoked or suspended shall be on a form prescribed by the department shall not be transferable shall be issued only for the premises named in the application shall be posted in a conspicuous place on the applicant's premises and may be renewed from year to year upon application and payment of license fee as in the procurement of an original license Applications for renewal of licenses shall be mailed to license holders by the department at least thirty days before the expiration date of such licenses

The department may refuse to grant a license or may suspend or revoke a license if the applicant or licensee does not meet or conform to the requirements of this act and the rules and regulations of the advisory health board authorized by this act Before the department shall refuse to grant a license or shall suspend or revoke a license it shall afford the applicant or licensee an opportunity to be heard and shall give at least five days' written notice of the hearing to the applicant or licensee by registered letter sent to the address set forth in the application

Section 5 No municipality shall enter into a contract for the disposal of its garbage with any person who has not secured a license from the department under the provisions of this act

Section 6 No person who keeps maintains or conducts a garbage disposal plant shall throw spread or deposit any garbage offal pomace dead animals decaying matter or organic waste substance of any kind in any ravine ditch or gutter on any street or highway into any waters of the Commonwealth or permit the same to remain exposed upon the surface of the ground

No person shall use or permit his property or property occupied by him to be used as a dumping ground or place of disposal for garbage or waste from any garbage disposal plant

Nothing contained in this section however shall be construed so as to interfere with bona fide use of recognized fertilizers for legitimate agricultural purposes

Section 7 No person who keeps maintains or conducts a garbage disposal plant shall allow any noxious exhalations odors or gases that are or may be deletrious or detrimental to public health or are vile or offensive to escape into the air or any substance that is deleterious or detrimental to public health to accumulate upon the premises or be thrown or allowed to discharge into any street roadway or public place or be thrown or allowed to discharge into any stream or other waters of the Commonwealth

Section 8 All garbage disposal plants shall have an adequate water supply for the purpose of keeping the place clean and sanitary at all times All floors shall be constructed of concrete or other impervious material and shall have adequate provisions for drainage to a cesspool to a sewer or treatment works approved by the department

Section 9 The department shall have the power to visit examine and inspect all garbage disposal plants licensed under this act The department shall have free and full access to the grounds premises and buildings of any garbage disposal plant licensed under this act and all licensees or their employes are hereby directed to give to the department such means facilities and opportunity for such visitation examination and inspection as is hereby provided and required

Section 10 The provisions of this act and the regulations made hereunder shall not be taken or deemed to repeal existing municipal ordinances or to prevent municipalities from enacting and enforcing new ordinances for the further protection of the public health Provided That this act shall be considered as establishing minimum requirements and regulations and that nothing herein contained shall be deemed to prevent municipalities from ordaining and enforcing such additional requirements in excess of the requirements and regulations hereunder as may be deemed necssary from time to time for the preservation of public health and to require applications from and to issue licenses to such persons as may be defined by local ordinances

Section 11 The advisory health board of the department is hereby authorized to adopt and promulgate rules and regulations which in its judgment are necessary for the proper administration and enforcement of this act

Section 12 Any garbage disposal plant kept maintained or conducted in violation of the provisions of this act is hereby declared to be a public or common nuisance

Section 13 Any person violating the provisions of this act shall upon summary conviction before a mayor burgess magistrate alderman or justice of the peace be sentenced to pay a fine of not more than one hundred dollars and costs of prosecution for each offense and upon the nonpayment thereof shall undergo imprisonment in the county jail for a term of not more than thirty days Provided That any person so convicted shall have the right of appeal as in other cases of summary conviction Provided also That the Commonwealth shall have the right to appeal to the appropriate appellate court in all prosecutions arising out of the violation of the provisions contained in this act The fines collected hereunder except as otherwise provided by the Constitution shall be paid into the State Treasury through the Department of Revenue and credited to the General Fund

Section 14 At the instance of the department an action to enjoin any nuisance defined in section twelve of this act or to enjoin any person from constructing keeping maintaining or conducting a garbage disposal plant without a license as provided for in this act may be brought in the name of the Commonwealth of Pennsylvania by the Attorney General or by the district attorney of the county where such nuisance exists or where such persons proposes to or has constructed or proposes to or is keeing maintaining or conducting a garbage disposal plant without a license Such action shall be brought and tried as an action in equity and may be brought in the court of common pleas of Dauphin County or of the county where such nuisance exists or where such person proposes to or has constructed or proposes to or is keeping maintaining or conducting such garbage disposal plant without a license If it is made to appear by affidavit or otherwise to the satisfaction of the court that such a nuisance exists or that such person proposes to or has constructed or proposes to or is keeping maintaing or conducting a garbage disposal plant without a license a temporary writ of injunction shall forthwith issue restraining the defendant from conducting or permitting the continuance of such nuisance or from constructing or keeping maintaining or conducting such garbage disposal plant until the conclusion of the proceedings No bond shall be required in instituting such proceedings If after hearing the court shall find such nuisance to exist or that such person proposes to or has constructed or proposes to or is keeping maintaining or conducting a garbage disposal plant without a license it shall fortwith enter a final decree ordering such nuisance to be abated or enjoining such person from constructing or from keeping maintaing or conducting such garbage disposal plant without a license

Section 15 It is the intention of the General Assembly that if this act cannot take effect in its entirely because of the judgment of any court of competent jurisdiction holding unconstitutional any part or parts thereof the remaining provisions of the act shall be given full force and effect as completely as if the part or parts held unconstitutional had not been included herein

Section 16 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

Section 17 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed wtih,

The House proceeded to the second reading ond consideration of House Bill No. 608, as follows:

An Act to amend clause fifty-three of section one thousand two hundred and two of the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act

concerning boroughs and revising amending and consolidating the law relating to boroughs" as amended authorizing boroughs to refuse contracts to bidders not domiciled in the United States

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause fifty-three of section one thousand two hundred and two of the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as amended by an act approved the ninth day of June one thousand nine hundred and thirty-one (Pamphlet Laws three hundred eighty-six) is hereby further amended to read as follows:

LIII Regulation of Contract To make contracts or purchases in connection with proper legal requirements of the borough Provided That all contracts or purchases other than purchases for water electric light and other public works of the borough or for improvement made by its employes or where the State or county is a party with the borough to a street improvement made by any borough involving an expenditure of over five hundred dollars ($500) shall be in writing and shall not be made except with and from the lowest responsible bidder after due public notice by the secretary published once a week for three weeks at intervals of seven days in one newspaper published in such borough and if no newspaper is published therein then by publication in one newspaper printed in the county and circulating generally in the borough and such bids shall be received opened and read in open meeting of council at a time fixed by such notice and not earlier than twenty-one days after the first publication thereof Provided further That a borough council may refuse to award a contract to a bidder not domiciled in the United States and may make an award to the lowest responsible bidder domiciled in the United States

In case of an emergency so declared by the affirmation vote of two-thirds of all the members of said council or a majority of council plus one when the number composing such council is less than nine the notice shall be published at least one week prior to the time fixed therein for opening bids

The acceptance of bids shall only be made by public announcement at the meeting at which bids are received or at a subsequent meeting the time and place of which shall be publicly announced when bids are received If for any reason one or both of the above meetings shall not be held the same business may be transacted at subsequent meetings provided that one weeks notice thereof shall be published in the newspaper aforesaid

The successful bidder when advertising is required herein shall be required to furnish a bond with sufficient surety in the amount of fifty per centum of the amount of the contract within ten days after the contract has been awarded and upon failure to furnish such bond within such time the previous award shall be void

It shall not be lawful for any burgess or member of council of any borough or any officer agent or employe thereof to be in any way interested either directly or indirectly in any contract for the sale or furnishing of any supplies or materials to be furnished to or for the use of such borough involving the expenditure by the borough of more than ten dollars in any one month or more than one hundred dollars in any year or to receive any award or gratuity from any person interested in such contract or sale nor shall any such burgess member of council officer agent or employe of any borough be a member of any partnership or a stockholder or officer of any corporation or an agent or employe of any individual partnership or corporation in any way interested in any contract for the sale or furnishing of any supplies or materials to be furnished to or for the use of or any work to be done for such borough involving the expenditure by the borough of more than ten dollars in any one month or more than one hundred dollars in any year and any person violating these provisions or any of them shall forfeit his office or appointment in such borough and also shall be guilty of a misdemeanor and upon conviction thereof be sentenced to pay a fine not exceeding five hundred dollars

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 775, as follows:

An Act to amend section five of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred thirty) entitled "An act for the protection of the public health in the manufacture and sale of carbonated beverages and still drinks providing for the registration thereof prohibiting the sale offering or exposing for sale exchange or giving away thereof in certain cases unless registered regulating the manufacture bottling preparation mixing and compounding of carbonated beverages or still drinks and the sale and dispensing thereof creating a special fund in the State Treasury and providing penalties" as amended by permitting the use of dextrose in such beverages

Section 1 Be it enacted by the Senate and House of Reprsentatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred thirty) entitled "An act for the protection of the public health in the manufacture and sale of carbonated beverages and still drinks providing for the registration thereof prohibiting the sale offering or exposing for sale exchange or giving away thereof in certain cases unless registered regulating the manufacture bottling preparation mixing and compounding of carbonated beverages or still drinks and the sale and dispensing thereof creating a special fund in the State Treasury and providing penalties" as amended by section two of the act approved the sixth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws eight hundred fifty-one) is hereby further amended to read as follows

Section 5 No carbonated beverages or still drinks shall be made except from syrup containing pure cane or beet sugar and/or highly refined corn sugar or dextrose and pure flavoring materials with or without added fruit acids and with or without added color Such carbonated beverages or still drinks shall contain not less than eight per centum sugar by weight The provisions of this section with respect to the amount of sugar required shall not apply to ginger ale or to non-alcoholic fruit juices This section does not prohibit the use of caramel colors or any other harmless ingredient and nothing but harmless certified approved artificial coal tar dye products and colors shall be used

All carbonated beverages or still drinks shall be deemed to be adulterated which are not in compliance with the provisions of this section or which contain any of the ingredients prohibited by section three of the act approved the eleventh day of March one thousand nine hundred and nine (Pamphlet Laws fifteen) entitled "An act relating to non-alcoholic drinks defining the same and prohibiting the manufacture sale offering for sale exposing for sale or having in possession with intent to sell of any adulterated or misbranded non-alcoholic drinks and providing penalties for the violation thereof and providing for the enforcement thereof" or which contain hydrogen peroxide or peroxides or perborates or benzoate of soda or benzoates or any other substance deleterious to health Provided That carbonated beverages and still drinks may contain not in excess of one-tenth (1-10) of one per centum of benzoate of soda or benzoates provided the bottles or other containers are labeled or in the case of bulk drinks suitable display cards are printed to show that the said drinks contain not in excess of one-tenth (1-10) of one per centum of benzoate of soda or benzoates

The Secretary of Agriculture is hereby authorized to adopt and issue rules and regulations for the proper enforcement of this act and for the protection of the public health

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1069 (Senate Bill No. 224), entitled:

An Act defining and regulating the practice of chiropody; requiring the registration and licensure of persons engaging in such practice; conferring powers and duties upon the Department of Public Instruction; and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 210 (Senate Bill No. 51), entitled:

An Act to amend the act, approved the twenty-second day April, one thousand nine hundred and nine (P. L. 122), entitled "An act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired, and to validate the conveyances and other instruments of said corporations," as amended; extending said validating provisions to January first, one thousand nine hundred and thirty-three.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1218 (Senate Bill No. 465), entitled:

An Act to repeal the act approved the third day of March, one thousand eight hundred and sixty-eight (P. L. 262), entitled "An act relative to the establishment of a law library in the County of Columbia."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1448 (Senate Bill No. 266), entitled:

An Act to provide for the hospitalization of tubercular patients in State-aided hospitals when State owned institutions established for that purpose are unable to provide therefor

The first, second, third and fourth sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Health is hereby authorized and empowered to send to State owned medical and surgical hospital and State-aided hospitals properly equipped to care for and treat tubercular patients and located within the State of Pennsylvania if such hospitals agree to receive them any tubercular patients eligible for admittance to the State owned institutions provided for the care and treatment of such patients when and if such State institutions are unable to provide for the care and treatment of such patients

Section 2 Patients sent to State and State-aided hospitals in accordance with the provisions of this act may be transferred to State owned institutions established for the care and treatment of such patients at any time within the discretion of the Department of Health

Section 3 The cost of the care and treatment of patients of the character herein mentioned and described in State and State-aided hospitals shall be paid by the State out of any appropriation made to the Department of Health and available for the care and treatment of tubercular patients in State institutions the per diem cost of the care and treatment of such patients in State and State-aided hospitals shall be the cost as determined quarterly and reported to the Pennsylvania Department of Welfare by each hospital concerned not to exceed $3 per day

Section 4 This act shall take effect immediately upon its final enactment

The title was read as follows:

An Act to provide for the hospitalization of tubercular patients in State-aided hospitals when State owned institutions established for that purpose are unable to provide therefor.

On the question,

Will the House agree to the title?

Mr. HARRY E. HIMES. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read the Clerk as follows:

Amend title line 2 by inserting before the word "State aided" the following: "State and."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1590, as follows:

An Act making an appropriation to the State Emergency Relief Board for direct relief and work relief

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two million dollars ($2000,000) is hereby specifically appropriated out of the revenues of the fiscal biennium ending May thirty-first one thousand nine hundred and thirty-three to the State Emergency Relief Fund Board for the months of April and May one thousand nine hundred and thirty-three to be allocated and be expended by said Board for direct relief and work relief in accordance with the provisions of the act approved the nineteenth day of August one thousand nine hundred and thirty-two (Pamphlet Laws ninety) entitled "An act relating to unemployment relief making an appropriation to the State Emergency Relief Board for direct relief and work relief prescribing the powers and duties of the board with reference thereto and conferring powers and imposing duties upon certain State departments"

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE BILL NO. 1590 MADE A SPECIAL ORDER

Mr. WEIDEMANN. Mr. Speaker, I move that House Bill No. 1590, be made a special order of business for third reading and final passage on Monday, March 27th, 1933, at 2:30 o'clock P. M.

The motion was agreed to.

RESOLUTION

MEMORALIZING CONGRESS TO RESCIND RESTRICTIONS ON IMMIGRATION

Mr. FLINCHBAUGH asked and obtained unanimous consent to offer the following resolution which was twice read and laid over under the rules.

In the House of Representatives, March 23, 1933.

Whereas, A reign of terror exists under the Fascist Government in Germany, and

Whereas, Atrocities are committed upon Nationalists of various religious faiths, and

Whereas, The United States Government is founded upon the priniciple of religious liberty and the free exercise of faith, and America has been at all times an asylum for the oppressed of all lands, and

Whereas, The Constitution of the United States of America provides that Congress shall declare no law regulating religion or prohibiting the free exercise thereof, and

Whereas, The Constitution of the Commonwealth of Pennsylvania, Article I, Section 3, provides that all men have a natural and indefeasible right to worship Almighty God, according to the dictates of their own conscience, and

Whereas, The German Nationalists who have emigrated to this country have generally been patriotic, law-abiding, frugal, industrious and desirable citizens, and have taken their part loyally in defense of their land of adoption in its direct need, therefore be it

Resolved, That the General Assembly of the Commonwealth of Pennsylvania memoralize Congress of the United States to rescind temporarily the restrictions on immigration of Nationalists from the German Republic, and allow the oppressed of all faiths who are proven to be law-abiding, worthy and who are not afflicted with contagious or infectious diseases, and who are not likely to become a charge upon the public, to find an asylum and a refuge among the people and in the country of the United States of America.

Resolved, That a copy of this Resolution be transmitted to the House of Representatives of the United States.

PARLIAMENTARY INQUIRY

Mr. SOWERS. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Philadelphia will state his question of parliamentary inquiry.

Mr. SOWERS. Mr. Speaker, I have before me a book which sets forth the names of the members of the Committee on Constitutional Amendments, and I desire to ask if that is a correct list of the membership of the Committee on Constitutional Amendments.

The SPEAKER. What book does the gentleman have in his hand?

Mr. SOWERS. I will pass the book up to the Speaker.

The SPEAKER. In answer to the parliamentary inquiry of the gentleman from Philadelphia, Mr. Sowers, the Chair desires to inform him that on page 28 there were added the names of six members of this House to that committee, and the book, which the gentleman has sent to the desk, was printed in the early part of the session.

Mr. SOWERS. Mr. Speaker, may I have the names of the six members appointed to this committee?

The SPEAKER. The Chair will be very glad to give the gentleman from Philadelphia the names of those members: the gentleman from Beaver, Mr. Craig; the gentleman from McKean, Mr. Wilson; the gentleman from Elk, Mr. Flynn; the gentleman from Jefferson, Mr. Lord; the gentleman from Bucks, Mr. Yeakel, and the gentleman from Lycoming, Mr. Brennan. Does that answer the gentleman's parliamentary inquiry?

Mr. SOWERS. Mr. Speaker, that answers the parliamentary inquiry.

REPORTS FROM COMMITTEES

Unanimous consent was asked and obtained to report the following bills from committees.

Mr. WEIDEMANN, from the Committee on Counties, reported as committed, House Bill No. 74, entitled:

An Act to amend section one thousand two hundred and seven of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled, "An act for the protection of the public safety, regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the court and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles, imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as amended, providing for the reimbursement from fines, penalties and forfeited bail collected of counties for costs and the maintenance of prisoners imposed on them as the result of prosecutions under this act, and for the adjustment of the accounts of counties by the Auditor General.

Mr. HUTTON, from the Committee on Constitutional Amendments, reported as committed, House Bill No. 1842, (Senate Bill No. 230), entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section seventeen.

Mr. STEEDLE, from the Committee on Appropriations, reported as committed, House Bill No. 1686 (Senate Bill No. 321), entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the expenses of government; defining the powers and duties of the Governor, the Auditor General, the State Treasurer and the Board of Finance and Revenue in relation thereto; providing for the payment of interest on, and the redemption of, such bonds and making an appropriation.

RESOLUTION

RECALLING HOUSE BILL No. 374 FROM THE GOVERNOR

Mr. STEEDLE asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, March 23, 1933.

Resolved (if the Senate concur), That House Bill No. 374, entitled "An act to authorize the purchase by the Commonwealth of historical works relative to the services of Pennsylvania volunteers," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1371, as follows:

An Act to further amend sections five and six of the act approved the tenth day of June one thousand eight hundred and ninety-three (Pamphlet Laws four hundred nineteen) entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident there to to be paid by the several counties and punishing certain offenses in regard to such elections" by increasing the number of signers to nomination papers changing the time for filing same and changing the time for filing objections thereto

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections five and six of the act approved the tenth day of June one thousand eight hundred and ninety-three (Pamphlet Laws four hundred nineteen) entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" which were last amended by the act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred thirty-two) are hereby further amended to read as follows

Section 5 Nomination papers for candidates for the offices of Presidential electors and Members of the House of Representatives of the United States and for State offices including those of judges Senators and Representatives shall be filed with the Secretary of the Commonwealth [at least sixty days before the day of election] Nomination papers for candidates for all other offices shall be filed with the county commissioners of the respective counties [at least twenty-eight days before the day of election] All such nomination papers for candidates shall be filed at least fourteen days before the day fixed for the holding of the primary in the year in which the said nomination papers are filed In determining or reckoning any period of time mentioned in this act the day upon which the act is done paper filed or notice given shall be excluded from and the date of the election shall be included in the calculation or reckoning

Section 6 It shall be the duty of the officer or officers to whom any nomination paper is brought for the purpose of filing to examine the said paper and if it lacks sufficient signatures or be otherwise manifestly defective it shall not be filed but the action of said officer or officers in refusing to receive such paper may be reviewed by the court of common pleas of the county upon an application for mandamus to compel its reception as of the date when it was brought to the office All nomination papers which have been filed shall be deemed to be valid unless objections thereto are duly made by writing filed in the court of common pleas of the county in which the paper objected to has been filed and with the officer or officers with whom such papers have been filed and within [the following periods

First In the case of papers filed with the Secretary of the Commonwealth at least fifty days before the day of election

Second In the case of other papers at least twenty-five days before the day of election] ten days after the last day for filing such nomination papers

[Third] In case the court is in session one or more judges thereof shall proceed to hear such objections without unnecessary adjournment or delay and shall give such hearing precedence before any other business before him or them With respect to papers filed with the Secretary of the Commonwealth such objections shall be heard and finally determined [at least thirty days before the day of the election and in all other cases at least eighteen days before the day of election] not later than twenty days after the last day for filing such nomination papers [and in all other cases at least eighteen days before the day of election]

In case the court is not in session any judge thereof on the presentation to him of the certificate of the prothonotary that such objections have been filed shall proceed to hear such objections No objection of any nature whatever shall be filed unless accompanied by proof of service of notice of the proposed objection upon at least one of the candidates named in the paper objected to nor shall any objection be heard in the absence of any of the said candidates without proof of service of notice of the hearing upon them If the court decide that the paper objected to was not filed by parties entitled under this act to file the same it shall be wholly void but if it be judged defective only the court shall indicate the matters in which it requires amendment and the time within which such amendments must be made and every paper amended after the time when names therein contained should have been sent to the sheriff shall be subject to the provisions of this act concerning substituted nominations

The officers with whom nomination papers have been filed shall permit the political parties or bodies who have filed them to amend them of their own motion at any time prior to the printing of the ballot

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. LONG. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1188, entitled:

An Act exempting shoe repairing machinery and tools and the appurtenances thereto, leased, loaned, hired or conditionally sold, from levy or sale on execution or distress for rent.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

MOTION TO RECOMMIT

Mr. EMHARDT. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary Special for the purpose of a hearing.

On the question,

Will the House agree to the motion?

BILL POSTPONED

Mr. HART. Mr. Speaker, I am opposed to the transfer of this bill, because the sponsor of this bill is not present, and at his request I want to make a motion that it be placed on the postponed calendar until Monday night, and then Mr. Emhardt's motion can be considered in the presence of the sponsor of the bill.

The SPEAKER. Does the gentleman from Philadelphia, Mr. Emhardt desire to withdraw his motion in view of the remarks of the gentleman from Philadelphia, Mr Hart?

Mr. EMHARDT. Mr. Speaker, as long as the bill is placed on the postponed calendar, that will be perfectly satisfactory.

On the question,

Will the House agree to the motion?

It was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1105, entitled:

An Act to amend section one paragraphs thirteen and fourteen of section five and section seven of the act approved the thirteenth day of April one thousand nine hundred and twenty-nine (P. L. 885) entitled "An act to provide for the incorporation and regulation of co-operative agricultural associations having capital stock; and defining agriculture so as to include persons engaged in agreculture dairying livestock raising, floriculture, mushroom growing, beekeeping, horticulture, and other allied occupations and providing penalties," regulating the holding and vote of common stock of co-operative agricultural associations by similar corporations or associations.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken as follows, viz:

YEAS—142

Baker,	Hefferon,	McKinney,	Shreiner,
Barnhardt,	Heffner,	Meredith,	Shugarts,
Bechtel,	Hermansen,	Merrell,	Simon,
Beech,	Hester,	Metzler,	Sinwell,
Bennett,	Hewitt,	Mohn,	Sowers,
Bernhard,	Himes, H. E.,	Mumford,	Spann,
Boyd,	Holmes, J. L.,	Munley,	Stank,
Brancato,	Hoopes,	Myers,	Steedle,
Brennan,	Horst,	Nothnagle,	Sterling, P.,
Brown, J. E.,	Hough,	O'Connor,	Stevens,
Brown, W. L.,	Hutton,	Patterson,	Stevenson,
Brownfield,	Jaffe,	Peelor,	Stiteler,
Caputo,	Jones,	Perry, D. R.,	Stone,
Cordier,	Kane, J. J.,	Perry, J. J.,	Stott,
Dane,	Kane, L. P.,	Peters,	Surface,
Davies,	Kinney,	Powell,	Terry,
DeFrehn,	Labar,	Powers,	Turner,
Denning,	Lane,	Quinn,	Wade,
Downey, G. E.,	Laubach,	Raub,	Wagner,
Duffy,	Long,	Reed,	Walker, G. E.,
Dunmire,	Lord,	Rhodes,	Walker, W. A.,
Ederer,	Lovett, W. S.,	Rice,	Wasserman,
Emhardt,	Lynch, J. R.,	Roan,	Weidemann,
Evans,	Male,	Roth,	Welsh,
Flanagan,	Malina,	Royle,	Westrick,
Flinchbaugh	Maloney,	Ruby,	Wike,
Flynn,	Marcks,	Ruth,	Williams, G. W.
Forrest,	Mason,	Sarig,	Williams, J. J.,
Gallagher,	McCandless,	Sautter,	Wilson, L. M.,
Gartner,	McClure,	Schrock,	Wood,
Gillette,	McCreary,	Schwab,	Woodside,
Griffith,	McElwee,	Scott,	Wright,
Habbyshaw,	McGinnis,	Sheffer,	Yourishin,
Haines,	McGrail,	Shellenberger,	Zimmerman,
Hamilton,	McHenry,	Shenkel,	Talbot,
Harris,	McKay,	Shettel,	Speaker.
Hart,			

NAYS—1

Carson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING

Mr. WEIDEMANN. Mr. Speaker, I desire to call up at this time House Bill No. 179, Printer's No. 102, on page 14 of today's calendar, bills on third reading postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Weidemann.

The House resumed the consideration on third reading of House Bill No. 179, entitled:

An Act to amend section two hundred and twelve of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred sixty-two) entitled "An act concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth except in counties of the first and second class and revising amending consolidating and changing the law relating thereto" by providing for depositories for funds of poor districts.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. WEIDEMANN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, line 10, by adding after the word "districts" the following: "coterminus with counties of the third class."

Amend section 1, page 2, line 20, by inserting after the word "poor" the following: "in all poor districts coterminus with counties of the third class."

Amend section 1, page 3, line 1, by inserting after the word "poor" the following: "of such poor districts."

Amend section 1, page 3, line 6, by striking out the word "the" and insert in lieu thereof: "such."

Amend section 1, page 3, line 8, by striking out the word "the" and insert in lieu thereof: "such."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

STATEMENT BY MR. SURFACE

Mr. SURFACE. Mr. Speaker, I desire to make an announcement, if you please.

The SPEAKER. The gentleman from Snyder desires to make an announcement. Are there objections? The Chair hears none. The gentleman will proceed.

Mr. SURFACE. Mr. Speaker and members of the House, on next Tuesday afternoon, at two o'clock, there will be a convention of the taxpayers, including the Pennsylvania Taxpayers' Association and the State Tax Justice League, in the auditorium of this building.

There will be several speakers including the Governor, the Lieutenant Governor, the Speaker of the House, Messrs. Fertig, Wade and Surface and several others, and the taxpayers were particularly anxious that the members of the House should be invited to be present.

They wish to advance the interests of their bill. If any persons should wish to know what these bills are by number and by title I shall be glad to give the information to them.

Mr. Speaker, I wish to say something further, if you please. I have received a telegram reading as follows:

"Hon. HARVEY SURFACE

Harrisburg Penn

"Sixty-two thousand Pennsylvania teachers expect you to vote against all bills affecting teachers salaries and will have record of yeas and nays teachers in your legislative district will

be strongly organized before next year's primaries to vote for friends at polls each block of hundred teachers controls thousand votes."

Mr. Speaker, I consider that an insult to the intelligence of a Representative. I consider it unethical, especially from those who ought to be the leaders in ethics, namely, the teachers of our State.

Mr. Speaker, there are others to consider besides the teachers. All of us are anxious to do all we can for the teachers, but the taxpayers with their heavy burdens at this time should also be considered. Therefore, I desire to offer the following resolution.

RESOLUTION

DENOUNCING THE SENDING OF THREATENING COMMUNICATIONS

Mr. SURFACE asked and obtained unanimous consent to offer the following resolution which was twice read considered and adopted.

In the House of Representatives, March 23, 1933.

Resolved, That it is the expression of the members of the House of Representatives of the State of Pennsylvania in session assembled, that it is unethical, offensive and objectionable for any person or persons to threaten them in any kind of communication with a loss of votes or political influence for the voting on any measure in any other way than that dictated by the conscience and the best judgment of the member.

Mr. SURFACE. Mr. Speaker, it is only fair, and I want to say, and I intended to say from whom the telegram came and how it was signed.

The SPEAKER. The Chair desires to ask the gentleman if he wants the telegram made a part of the record.

Mr. SURFACE. I do, Mr. Speaker. I shall ask unanimous consent for that, if you please.

The SPEAKER. If there are no objections, the telegram read by the gentleman from Centre, Mr. Surface, will be noted in the Journal and be printed in the Legislative Journal.

Mr. SURFACE. Mr. Speaker, that telegram was signed by the Committee of Hazleton School Teachers.

I am further prepared to say that when I get an anonymous communication or a communication that excuses the sender under the name of "committee," it does not receive much consideration from me. I think it ought to be signed by the actual senders.

RECESS

The SPEAKER. If there are no objections the Chair will declare a recess until 1.20 P. M. for the purpose of referring bills. Are there objections? The Chair hears none, and (at 12.25 P. M.) declares a recess until 1.20 P. M.

AFTER RECESS

The House reconvened at 1.20 P. M.

The SPEAKER (Grover C. Talbot) in the Chair.

BILL ON FIRST READING

Mr. HUTTON asked and obtained unanimous consent to have House Bill No. 1842 (Senate Bill No. 320), read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1842 (Senate Bill No. 320), entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, by adding thereto section seventeen.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL ON FIRST READING

Mr. STEEDLE asked and obtained unanimous consent to have House Bill No. 1686 (Senate Bill No. 321), read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1686 (Senate Bill No. 321), entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the expenses of government defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto providing for the payment of interest on and the redemption of such bonds and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS INTRODUCED AND REFERRED

By Mr. LORD. HOUSE BILL No. 1865.

An Act to further amend section one of the act, approved the fifteenth day of July, one thousand eight hundred and ninety-seven (Pamphlet Laws, two hundred and ninety-two), entitled "An act to provide revenue by taxation."

Referred to the Committee on Ways and Means.

By Mr. LORD. HOUSE BILL No. 1866.

An Act to further amend section one of the act, approved the thirteenth day of June, one thousand nine hundred and seven (Pamphlet Laws, six hundred and forty) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto; for the insurance of owners of real estate, mortgages, and others interested in real estate, from loss by reason of defective titles, liens, and encumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an act, entitled 'An act conferring upon certain fidelity, insurance, safety deposit, trust, and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved April twenty-ninth, Anno Domini one thousand eight hundred and seventy-four, and of the supplements thereto," approved June twenty-seventh, one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies.

Referred to the Committee on Ways and Means.

By Mr. LORD. HOUSE BILL No. 1867.

An Act to amend section three and to further amend sections, two fifteen, and thirty-nine of the act, approved the twentieth day of June, one thousand nine hundred and nineteen (Pamphlet Laws, five hundred twenty-one), entitled, as amended, "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; 'defining and taxing transfers made in contemplation of death; 'and making it unlawful for any corporation of this Commonwealth or national banking association located therein, to transfer the stocks of such corporation

or banking association, standing in the name of any such decedent until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal, by limiting the time within which debts may be allowed as deductions; extending time of payment by remaindermen; extending the Commonwealth's lien; imposing certain duties upon safe deposit companies, trust companies, banks, persons, or corporations, who or which lease safe deposit boxes; and imposing penalties.

Referred to the Committee on Ways and Means.

By Mr. LANE. HOUSE BILL No. 1868.

An Act regulating the house of service of drivers of motor vehicles for hire; the number of employes required on busses carrying passengers for hire; and providing penalties.

Referred to the Committee on Public Utilities.

By Mr. LANE. HOUSE BILL No. 1869.

An Act regulating the granting of certificates of public convenience to operate motor vehicles as common carriers and to authorize the transfer or sale of the property of companies so operating in certain cases.

Referred to the Committee on Public Utilities.

By Mr. HAMILTON. HOUSE BILL No. 1870.

An Act to amend section two of article sixteen of the act approved the twenty-fifth day of June, one thousand nine hundred and nineteen (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth," as amended; by providing that the term of office of councilmen in cities of the first class shall be two years, and terminating the respective terms of office of present members of council in such cities on the first Monday of January, one thousand nine hundred and thirty-four.

Referred to the Committee on Cities.

By Mr. SHORTZ. HOUSE BILL No. 1871.

An Act to amend section ten of the act approved the tenth day of June, one thousand nine hundred thirty-one (Pamphlet Laws four hundred eighty-five), entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure and registration of persons, and registration of corporations, engaging in the care, preparation and disposition of the bodies of deceased persons; and providing penalties," by providing the procedure on appeal from decisions of the board refusing licenses or suspending or revoking licenses.

Referred to the Committee on Education.

By Mr. SHORTZ. HOUSE BILL No. 1872.

An Act to amend that portion of section one relating to Luzerne County of the act, approved the tenth day of May, one thousand nine hundred and twenty-one (P. L. 455), entitled "An act to fix the number of Representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution," rearranging the legislative districts in Luzerne County.

Referred to the Committee on Legislative Apportionment.

By Mr. SHORTZ. HOUSE BILL No. 1873.

An Act to amend that portion of section one relating to Luzerne County of the act, approved the tenth day of May, one thousand nine hundred and twenty-one (P. L. 455), entitled "An act to fix the number of Representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution," rearranging the legislative districts in Luzerne County.

Referred to the Committee on Legislative Apportionment.

By Mr. STEVENSON. HOUSE BILL No. 1874.

A Supplement to the act approved the eighth day of March, one thousand nine hundred and thirty-three (Act No. 6), entitled "An act relating to banks, trust companies, savings banks and other banking institutions; providing for the protection of depositors therein; and empowering the Secretary of Banking to permit the withholding of payments to depositors under certain conditions"; permitting the use of withheld deposits for certain purposes.

Referred to the Committee on Banking.

By Mr. GORMAN. HOUSE BILL No. 1875.

An Act prohibiting the levy upon and sale for the nonpayment of taxes of the property of any persons other than the person against whom such taxes were assessed and levied.

Referred to the Committee on Judiciary General.

By Mr. YOURISHIN. HOUSE BILL No. 1876.

An Act to amend sections three, five and twelve of the act, approved the nineteenth day of June, one thousand nine hundred and thirty-one (P. L. 589), entitled "An act to promote the public health and safety, by providing for the examination and licensure of those who desire to engage in the occupations of barbering; regulating barber shops, barber schools and barber colleges, and apprentices and students therein; conferring certain powers and duties on the Department of Public Instruction; and providing penalties," by changing the length of time required of students to attend barber schools and colleges.

Referred to the Committee on Education.

By Mr. TURNER. HOUSE BILL No. 1877.

An Act limiting the jurisdiction of The Public Service Commission over carriers of property on the public highways.

Referred to the Committee on Public Utilities.

By Mr. LONG. HOUSE BILL No. 1878.

An Act providing for the registration of magazines and periodicals; prohibiting the sale, distribution and circulation of unregistered magazines or periodicals or magazines or periodicals containing indecent or immoral matter; conferring powers and imposing duties on the Superintendent of Public Instruction, and otherwise providing for the administration of this act, and prescribing penalties.

Referred to the Committee on Law and Order.

By Mr. LONG. HOUSE BILL No. 1879.

An Act making an appropriation to the Visiting Nurse Society of Philadelphia.

Referred to the Committee on Appropriations.

By Mr. TERRY. HOUSE BILL No. 1880.

An Act to amend section nine hundred and seven of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers, and of all deputies and other assistants and employes in certain departments, boards, commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing

that the Attorney General may retain and employ attorneys to represent the Commonwealth, in criminal proceedings, in the various districts of the Commonwealth, if requested to do so by the court of the district having jurisdiction thereof, and providing for the repeal of all acts inconsistent therewith.

Referred to the Committee on State Government.

By Mr. REED. HOUSE BILL No. 1881.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Allegheny.

Referred to the Committee on Highways.

By Mr. SARIG. HOUSE BILL No. 1882.

An Act to amend section one thousand four hundred and one of the act approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs;" defining the title acquired by a borough through the exercise of the right of eminent domain.

Referred to the Committee on Boroughs and Townships.

By Mr. POWERS. HOUSE BILL No. 1883.

An Act providing that the Bureau of Elections in counties of the second class shall instruct candidates for the office of judge and inspector of elections in the duties of such office, and requiring such candidates to be present at such instruction.

Referred to the Committee on Counties.

By Mr. STEVENSON. HOUSE BILL No. 1884.

An Act to amend section one thousand three hundred and one, and section one thousand three hundred and sixteen as amended, of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by increasing the requirements to obtain teachers' certificates and the qualifications to teach in public senior high schools or to hold official positions of higher rank.

Referred to the Committee on Education.

By Mr. McGRAIL (By request). HOUSE BILL No. 1885.

An Act to regulate and improve the civil service of the Commonwealth of Pennsylvania, to make any violation of its provisions a misdemeanor, and to provide penalties for any violation thereof.

Referred to the Committee on State Government.

By Mr. WAY. HOUSE BILL No. 1886.

An Act to amend section one thousand one hundred and ten of the act, approved the twenty-fourth day of May, one thousand nine hundred and twenty-three (P. L. 359), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," providing for the reimbursement from fines, penalties and forfeited bail collected, of counties for costs imposed on them as the result of prosecutions under this act, and for the adjustment of the accounts of counties by the Auditor General.

Referred to the Committee on Game.

By Mr. WAY. HOUSE BILL No. 1887.

An Act to amend sections one, three and four of an act, approved the twentieth day of April, one thousand nine hundred and twenty-seven (Pamphlet Laws, three hundred twenty-two), entitled "An act to amend, revsie, consolidate, and change the laws relating to bonus, and providing for the imposition, computation, and collection of bonus for State purposes on capital stock, stated capital, or capital of domestic corporations, banks, and trust companies, and certain partnerships," by changing the basis for the computation of bonus on shares without nominal or par value.

Referred to the Committee on Ways and Means.

By Mr. WAY (By request). HOUSE BILL No. 1888.

An Act to amend an act approved the eighteenth day of May, on thousand nine hundred and eleven (P. L. 309), entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith"; extending the time within which school districts of the second class may levy their taxes; conferring jurisdiction upon certain courts to review the budgets of school districts of second, third and fourth classes and relating to the effect of the institution of such proceedings upon contracts, agreements, undertakings, and the tax levy made during their pendency.

Referred to the Committee on Education.

By Mr. JONES. HOUSE BILL No. 1889.

An Act to amend section one thousand two hundred and one of the act, approved the twenty-fourth day of May, one thousand nine hundred and twenty-three (P. L. 359), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," as amended, by extending the appropriation of the Game Fund.

Referred to the Committee on Game.

By Mr. JONES. HOUSE BILL No. 1890.

An Act to amend section two hundred and eighty-five of the act, approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled, "An act relating to fish, and amending, revising, consolidating, and changing the law relating to fish in inland waters and the boundary lakes and boundary rivers of the Commonwealth," as amended, by extending the appropriation of the Fish License Fund.

Referred to the Committee on Fisheries.

By Mr. RICE. HOUSE BILL No. 1891.

An Act making an appropriation to the Department of Property and Supplies to erect steps from the Soldiers and Sailors Memorial Bridge to Baum and Linden streets.

Referred to the Committee on Appropriations.

By Mr. ROTH. HOUSE BILL No. 1892.

An Act to amend section one thousand and two of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the

operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing of operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds"; as amended, further regulating speed limits.

Referred to the Committee on Highways.

By Mr. PEETRS. HOUSE BILL No. 1893.

An Act to establish as a State highway a certain section of public road in Montgomery County and providing for its construction and maintenance at the expense of the Commonwealth.

Referred to the Committee on Highways.

By Mr. FLINCHBAUGH. HOUSE BILL No. 1894.

A supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local aucal authorities, persons, associations and corporations for sharing the cost of the maitenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of York.

Referred to the Committee on Highways.

By Mr. Hutton. HOUSE BILL No. 1895.

An Act to eliminate reckless and irresponsible drivers from the public highways and to protect the safety of users of the public highways by providing in certain cases for the suspension and revocation of operator's licenses and privileges (whether resident or non-resident) and for the establishment of ability to respond in damages for injury to property and persons including injuries resulting in death caused by the use or operation of motor vehicles (including unlicensed operators and unregistered motor vehicles) conferring powers and imposing duties upon the Department of Revenue the Insurance Commissioner insurance carriers and clerks of the courts requiring certain provisions in motor vehicle liabilty insurance policies and providing penalties.

Referred to the Committee on Highways.

By Mr. COHEN. HOUSE BILL No. 1896.

An Act making an appropriation for payment of claims allowed by the Auditor General and State Treasurer for pensions, heretofore granted, pursuant to certain acts of Assembly.

Referred to the Committee on Appropriations.

By Mr. HAMILTON. HOUSE BILL No. 1897.

An Act to further amend section twenty-four of the act approved the first day of June, Anno Domini one thousand eight hundred and eighty-nine (Pamphlet Laws, four hundred twenty), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by further defining deductions in case of reinsurance.

Referred to the Committee on Insurance.

By Mr. HAMILTON. HOUSE BILL No. 1898.

An Act to further amend section seven hundred fourteen of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, three hundred forty-three), entitled, "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts, and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivision, every person, association and corporation, required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State to pay such depository and every debtor or creditor of the Commonwealth," by further defining deductions in case of reinsurance.

Referred to the Committee on Insurance.

By Mr. HAMILTON. HOUSE BILL No. 1899.

An Act to further amend section three hundred twenty-one of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, six hundred eighty-two), entitled "An act relating to insurance, amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further defining deductions in case of reinsurance.

Referred to the Committee on Insurance.

By Mr. SOWERS. HOUSE BILL No. 1900.

An Act to regulate and restrain the traffic in alcoholic beverages as herein defined; creating a commission for each of several districts, defining their powers and duties; providing for the licensing of the manufacture, sale, transportation and distribution of such beverages; imposing taxes and license fees; and providing for collection and distribution of revenues therefrom; restricting ownership and interest in licensed places; making appropriations for carrying the same into effect; providing penalties, and repealing existing acts.

Referred to the Select Committee on Liquor Control.

By Mr. SOWERS. HOUSE BILL No. 1901.

An Act to regulate and restrain the traffic in malt brew and vinous beverages as herein defined providing for the licensing of the manufacture, sale, transportation and distribution of such beverages imposing taxes and license fees and providing for collection and distribution of revenues therefrom until other legislation is enacted and providing penalties and repealing existing inconsistent acts.

Referred to the Committee on Ways and Means.

By Mr. McCANDLESS and Mr. NEGLEY. HOUSE BILL No. 1902.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Butler.

Referred to the Committee on Highways.

By Mr. HERMANSEN. HOUSE BILL No. 1903.

An Act authorizing courts of common pleas to stay writs of execution against and tax sales of certain real estate property in certain cases; providing for the continuance of return days of writs of execution; and authorizing sales thereon without issuance of further writs.

Referred to the Committee on Judiciary General.

By Mr. McCANDLESS and Mr. NEGLEY. HOUSE BILL No. 1904.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Butler.

Referred to the Committee on Highways.

By Mr. McCANDLESS and Mr. NEGLEY. HOUSE BILL No. 1905.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Butler.

Referred to the Committee on Highways.

By Mr. McCANDLESS and Mr. NEGLEY. HOUSE BILL No. 1906.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Butler.

Referred to the Committee on Highways.

By Mr. McCANDLESS and Mr. NEGLEY. HOUSE BILL No. 1907.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Butler.

Referred to the Committee on Highways.

By Mr. DAVID R. PERRY. HOUSE BILL No. 1908.

An Act to amend section two of the act approved the fourth day of April one thousand nine hundred and twenty-five (Pamphlet Laws one hundred twenty-seven) entitled "An act relating to adoption" as amended by providing that the consent of a parent or parents of the person to be adopted shall not be necessary if the person proposed to be adopted is an adult

Referred to the Committee on Judiciary General.

By Mr. HAMILTON. HOUSE BILL No. 1909.

An Act imposing a State tax on excess insurance brokers.

Referred to the Committee on Ways and Means.

By Mr. GILLETTE. HOUSE BILL No. 1910.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route 08121 in Bradford County.

Referred to the Committee on Highways.

By Mr. GILLETTE. HOUSE BILL No. 1911.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Bradford.

Referred to the Committee on Highways.

By Mr. GILLETTE. HOUSE BILL No. 1912.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State

highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Bradford, said route being 08124.

Referred to the Committee on Highways.

By Mr. GILLETTE. HOUSE BILL No. 1913.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Bradford, said route being 08123.

Referred to the Committee on Highways.

By Mr. GILLETTE. HOUSE BILL No. 1914.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; by changing said route in Bradford County.

Referred to the Committee on Highways.

By Mr. GILLETTE. HOUSE BILL No. 1915.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route 08120 in the county of Bradford.

Referred to the Committee on Highways.

By Mr. GILLETTE. HOUSE BILL No. 1916.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Bradford, said route being 08122.

Referred to the Committee on Highways.

By Mr. McCANDLESS and Mr. NEGLEY. HOUSE BILL No. 1917.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Butler.

Referred to the Committee on Highways.

By Mr. McCANDLESS and Mr. NEGLEY. HOUSE BILL No. 1918.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Butler.

Referred to the Committee on Highways.

By Mr. McCANDLESS and Mr. NEGLEY. HOUSE BILL No. 1919.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Butler.

Referred to the Committee on Highways.

By Mr. McCANDLESS and Mr. NEGLEY. HOUSE BILL No. 1920.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Butler.

Referred to the Committee on Highways.

By Mr. McCANDLESS and Mr. NEGLEY. HOUSE BILL No. 1921.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads

as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Butler.

Referred to the Committee on Highways.

By Mr. McCANDLESS and Mr. NEGLEY. HOUSE BILL No. 1922.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Butler.

Referred to the Committee on Highways.

By Mr. McCANDLESS and Mr. NEGLEY. HOUSE BILL No. 1923.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Butler.

Referred to the Committee on Highways.

By Mr. McCANDLESS and Mr. NEGLEY. HOUSE BILL No. 1924.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Butler.

Referred to the Committee on Highways.

By Mr. HUTTON. HOUSE BILL No. 1925.

An Act authorizing persons employed under any system of State work relief to work out the per capita school taxes of himself and members of his family; and providing for the payment of such taxes.

Referred to the Committee on Education.

By Mr. BEECH. HOUSE BILL No. 1926.

An Act to amend section seventy-four of the act approved the second day of July, one thousand eight hundred and thirty-nine (P. L. 519), entitled, "An act relating to the elections of this Commonwealth," as amended, providing that the ballot boxes shall after the close of the elections be locked with combination locks to be furnished by the county commissioners.

Referred to the Committee on Elections.

By Mr. BEECH. HOUSE BILL No. 1927.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Allegheny.

Referred to the Committee on Highways.

By Mr. BEECH. HOUSE BILL No. 1928.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Allegheny.

Referred to the Committee on Highways.

By Mr. BEECH. HOUSE BILL No. 1929.

An Act to amend section twenty-two of the act approved the tenth day of June, one thousand eight hundred and ninety-three (P. L. 419), entitled, "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections," as amended, providing that the county commissioners of the respective counties shall furnish the election officers of each district rubber stamp markers in the form of a cross X, which shall be used by voters to mark their ballots.

Referred to the Committee on Elections.

By Mr. FLINCHBAUGH. HOUSE BILL No. 1930.

An Act supplementing the act, approved the twenty-sixth day of April, one thousand nine hundred and twenty-nine (P. L. 794), entitled "An act relating to mutual fire insurance companies incorporated under any general or special law of the Commonwealth of Pennsylvania; empowering any such company to regulate the number of, and the manner of nominating directors, managers, or trustees thereof; and providing a method of fixing the time of annual meetings of members of any such company," extending provisions thereof to companies organized by special law where no evidence exists of the issue of letters patent thereto, and providing for the further amendment of charters of all such mutual fire insurance companies.

Referred to the Committee on Insurance.

By Mr. HUTTON. HOUSE BILL No. 1931.

A Supplement to the act approved the thirtieth day of April, one thousand nine hundred and twenty-nine (P. L. 899), entitled "An act regulating the slaughering, handling and preparing of diseased and suspected animals for human food and

other purposes, and providing penalties." regulating the sale of meat and meat food products from such animals; and providing penalties.

Referred to the Committee on Agriculture.

By Mr. HABBYSHAW. HOUSE BILL No. 1932.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Dauphin.

Referred to the Committee on Highways.

By Mr. HUTTON. HOUSE BILL No. 1933.

An Act to amend section two of an act approved the twenty-first day of April, one thousand nine hundred twenty-seven (Pamphlet Laws, three hundred twenty-seven), entitled "An act relating to the extradition of persons charged with crime and to make uniform the law with reference thereto," by giving the Governor of this State authority to deliver up certain imprisoned persons, for the purpose of trial for murder in the demanding state, and providing for their return in case of acquittal.

Referred to the Committee on Judiciary General.

By Mr. HUTTON. HOUSE BILL No. 1934.

An Act providing for receipt by the Commonwealth of personal property bequeathed to the Commonwealth; providing for the vesting of title in the Commonwealth of real estate devised to the Commonwealth, the custody, repairs, leasing and sale thereof by the Department of Justice; and providing the payment of costs of repair of such property.

Referred to the Committee on State Government.

By Mr. O'ROURKE. HOUSE BILL No. 1935.

An Act to amend the title of, and to add section three to, the act, approved the first day of June, one thousand eight hundred and eighty-three (P. L. 52), entitled "An act to protect miners in the bituminous coal regions of this Commonwealth, so as to protect miners from fraudulent deprivation of wages; providing standard measurements for coal mines, and prohibiting the use of other standards, providing methods for the ascertainment of proper measurements; and imposing penalties.

Referred to the Committee on Mines and Mining.

By Mr. BRENNAN. HOUSE BILL No. 1936.

An Act to amend section five hundred two of the act, approved the first day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand five), entitled "An act relating to and regulating tractors and trailers and their operation; providing for their registration, and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors, and trailers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by negligent operation of tractors and trailers; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," by providing for certain changes in classes and registration fees of trailers.

Referred to the Committee on Highways.

By Mr. BRENNAN. HOUSE BILL No. 1937.

An Act to further amend the act approved the first day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand five), entitled, "An act relating to and regulating tractors and trailers and their operation; providing for their registration, and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the partment of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors, and trailers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships within the Commonwealth, liability for damages caused by negligent operation of tractors and trailers; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," by further regulating the registration of tractors and trailers and their operation on the highways; providing for a revision of registration fees of certain vehicles; revising existing regulations for length, and weight of certain vehicles; changing the method of enforcement and providing certain penalties.

Referred to the Committee on Highways.

By Mr. BRENNAN. HOUSE BILL No. 1938.

An Act to amend section seven hundred six of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing of operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds;" as amended, by providing for certain changes in classes and registration fees of trailers and semi-trailers.

Referred to the Committee on Highways.

By Mr. YOURISHIN. HOUSE BILL No. 1939.

A Supplement to an act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws 736) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder, "providing for the inclusion of occupational diseases within the scope thereof and providing definitions, provisions and procedure related to such diseases.

Referred to the Committee on Manufacturers.

By Mr. GALLAGHER. HOUSE BILL No. 1940.

An Act to relieve employes from certain prosecutions and punishments for conspiracy under common law or under the criminal laws of this Commonwealth.

Referred to the Committee on Labor.

By Mr. HAMILTON. HOUSE BILL No. 1941.

An Act to amend section seventeen of the act, approved the fifteenth day of May, one thousand nine hundred and fifteen (P. L. 534), entitled "An act relating to motion picture films, reels, or stereopticon views or slides; providing a system of examination, approval, and regulation thereof, and of the banners, posters, and other like advertising matter used in connection therewith; creating the Board of Censors; and providing penalties for the violation of this act," as amended, by reducing the fee for examination of reels and views.

Referred to the Committee on State Government.

By Mr. HAMILTON. HOUSE BILL No. 1942.

An Act to amend sections one, two and three of article seventeen of the act, approved the twenty-fifth day of June, one thousand nine hundred and nineteen (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth," by providing for the date on or before which the mayor shall furnish to the council an annual estimate of receipts and expenditures; the date on or before which the council shall adopt a financial program ordinance; and the date on or before which the council shall levy and fix a tax rate for the ensuing year.

Referred to the Committee on Cities.

By Mr. HAMILTON. HOUSE BILL No. 1943.

An Act providing for the abolition of the Roxborough Poor District in the Twenty-first Ward of the City of Philadelphia, County of Philadelphia, in accordance with "The General Poor Relief Act of one thousand nine hundred and twenty-five."

Referred to the Committee on Cities.

Mrs. WILSON. HOUSE BILL No. 1944.

An Act to amend section four of the act, approved the seventeenth day of June, one thousand nine hundred and fifteen (P. L. 1012), entitled "An act regulating the business of loaning money in sums of three hundred ($300) dollars or less, either with or without security, to individuals pressed by lack of funds to meet immediate necessities; fixing the rates of interest and charges therefor; requiring the licensing of lenders; and prescribing penalties for the violation of this act," prohibiting additional loans to persons, their sureties, guarantors, or endorsers until the previous loans are paid off.

Referred to the Committee on Banking.

BILL ON FINAL PASSAGE

Miss BRANCATO. Mr. Speaker, I desire to call at this time House Bill No. 974, Printer's No. 85, on page 15 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Miss Brancato.

The House resumed the consideration on final passage of House Bill No. 974, entitled:

An Act providing that whenever a husband or wife creates a trust fund of personal property, reserving for himself or herself during his or her life time any part of the income or benefits therefrom, and disposing of the principal or income upon his or her death, such trust shall be subject to the rights of the surviving spouse under the intestate laws.

On the question recurring,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Miss BRANCATO. Mr. Speaker, I move that the vote by which this bill passed on third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Miss BRANCATO. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend section 1, page 1, lines 1, 2 and 3, by striking out the entire said lines, and inserting in lieu thereof the following: "Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in Gneral Assembly met and it is hereby enacted by the authority of the same, That"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

ADJOURNMENT

Mr. HESTER. Mr. Speaker, I move that this House do now adjourn until Monday evening, March 27, 1933, at 9.00 o'clock.

The motion was agreed to, and (at 1.43 P. M.) the House adjourned until Monday, March 27, 1933, at 9.00 o'clock P. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1933 — 130th of the General Assembly

Vol. 15 — HARRISBURG, PA., MONDAY, MARCH 27, 1933. — No. 37

SENATE

MONDAY, March 27, 1933

The Senate met at 9 o'clock P..M.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

PRAYER

The Chaplain, Rev. George P. Donehoo; offered the following prayer:

Almighty God, our Heavenly Father, Thou art the source of all truth, and we come to Thee with our little knowledge, which is but a beam in the darkness of night when compared with what Thou art; and may our ignorance make us humble as children, that we may seek to know the truth in order that we may be free, and that if we do not know the truth we will be always slaves. Therefore make use free through the truth, and we will be free indeed. Bless this Senate tonight, bless the presiding officer and all in any position here, all the members. Guide us and direct us by Thine infinite wisdom and knowledge. We ask in Thy Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr BATCHELOR, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. BUCKMAN asked and obtained leave of absence for Mr. Chapman.

PETITIONS

PROTESTING AGAINST LEGISLATION IMPOSING A TAX ON CHAIN STORES

The Chair cleared his table and laid before the Senate petition from G. C. Murphy Company, McKeesport, protesting against legislation imposing a tax on chain stores.

Which was referred to the Committee on Finance.

PROTESTING AGAINST HOUSE BILL No. 528

The Chair cleared his table and laid before the Senate petitions from

City Council, of Pittsburgh,
Citizens Tax Committee, of Pittsburgh

protesting against House Bill No. 528.

Which were referred to the Committee on Municipal Affairs.

FAVORING LEGISLATION ON UNEMPLOYMENT RELIEF

The Chair cleared his table and laid before the Senate petition from Methodist Episcopal Ministers of Western Pennsylvania favoring legislation on unemployment relief.

Which was referred to the Committee on Appropriations.

MEMORALIZING CONGRESS RELATIVE TO THE INCLUSION OF SILVER AS A BASIS FOR THE CIRCULATING MEDIUM

The Chair cleared his table and laid before the Senate resolution from the General Assembly of Nevada memorializing Congress relative to the inclusion of silver as a basis for the circulating medium.

Which was referred to the Committee on Federal Relations.

PROTESTING AGAINST ENACTMENT OF PROPOSED SCHOOL CODE

Mr. PRINCE presented petitions from

Fort Hunter Council No. 596, Fraternal Patriotic Americans,
Star of the Valley Commandery Knights of Malta,
Camp No. 648, P. O. S. of A., of Duncannon,
Board of School Directors of Shippensburg Township,
Pomona Grange of Juniata County,

protesting against enactment of the proposed School Code.

Which were referred to the Committee on Education.

PROTESTING AGAINST PUBLIC SERVICE COMMISSION'S GENERAL ORDER NO. 29

Mr. PRINCE presented petition from citizens of Carlsile and Mechanicsburg protesting against the Public Service Commission's General Order No. 29.

Which was referred to the Committee on Public Roads and Highways.

MEMORIALIZING CONGRESS FOR RECOGNITION OF SERVICES BY VOLUNTEERS IN THE WAR WITH SPAIN, PHILIPPINE INSURRECTION AND THE CHINA RELIEF EXPEDITION

The Chair cleared his table and laid before the Senate resolution from the Legislature of the State of California memorializing Congress and the Legislatures of the several States of the Union to cooperate in program for recognition of the people of the United States of the services by volunteers who fought in the war with Spain, the Philippine Insurrection and the China Relief Expedition.

REPORT ON DRAINAGE OF AGRICULTURAL LANDS AND SYNOPSIS OF DRAINAGE LAWS

The Chair cleared his table and laid before the Senate report of W. M. Steuart, Director of the Bureau of the Census, De-

partment of Commerce, Washington, D. C., relative to drainage of agricultural lands and synopsis of drainage laws.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 70

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives,

Resolved (if the Senate concur), That House Bill No. 70, entitled:

An Act to amend sections sixty-nine and seventy-one of the act, approved the twenty-second day of June, one thouand nine hundred and thirty-one (P. L. 594), entitled "Rural State Highway Law," by increasing the obligation of the Commonwealth in the construction of certain structures located on such highways.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 374

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives,

Resolved (if the Senate concur), That House Bill No. 374, entitled:

An Act to authorize the purchase by the Commonwealth of historical works relative to the services of Pennsylvania volunteers.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House of Representatives as follows:

House Bill No. 282 (Senate Bill No. 734), entitled:

An Act to amend section one of the act, approved the twenty-fourth day of July, one thousand nine hundred and thirteen (P. L. 1013), entitled "An act regulating the issuance of licenses to marry; prohibiting the issuance of such licenses to certain persons; regulating the time during which licenses shall be valid; and the time when returns shall be made of marriages solemnized to the clerk of the orphans' court; and prescribing the duties of the clerk of the orphans' court," by requiring three days to elapse between the application for, and the issuance of, the license.

Which was committed to the Committee on Judiciary General.

House Bill No. 419 (Senate Bill No. 735), entitled:

A Joint Resolution proposing an amendment to article fifteen of the Constitution of the Commonwealth, by adding thereto section five.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1105 (Senate Bill No. 736), entitled:

An Act to amend section one, paragraphs thirteen and fourteen of section five, and section seven of the act, approved the thirteenth day of April, one thousand nine hundred and twenty-nine (P. L. 885), entitled "Co-operative Agricultural Stock Association Law," regulating the holding and vote of common stock of cooperative agricultural associations by similar corporations or associations.

Which was committed to the Committee on Agriculture.

House Bill No. 1220 (Senate Bill No. 737), entitled:

An Act to amend section ten of an act approved the thirty-first day of May, one thousand nine hundred and eleven (P. L. 468), entitled "Sproul State Highway Law," as amended, relieving boroughs and incorporated towns from the responsibility for maintenance of highways and bridges under the control of the Department of Highways of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Public Roads and Highways.

HOUSE CONCURS IN SENATE BILL No. 11

He also returned to the Senate, Senate Bill No. 11, entitled:

An Act to amend sections four and seven of the act approved the twenty-fifth day of July, one thousand nine hundred and thirteen (P. L. 1043), entitled "An act to provide for the registration and enrollment of the voters of the State according to their respective party preferences; fixing the compensation of assessors and registry assessors for making said registration and enrollment; and prescribing penalties for false registration or enrollment; and for voters voting or attempting to vote, and for election officers wilfully permitting or conspiring to permit them to vote, at a primary, by or on any other than their own party ticket"; eliminating one of the days required of the assessors and registry assessors sitting at the polling places.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 14

He also returned to the Senate, Senate Bill No. 14, entitled:

An Act to repeal certain acts and parts of acts requiring assessors and registry assessors to attend at the place of holding elections, and providing compensation therefor.

with the information that the House has passed the same without amendment.

SENATE BILL No. 106 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 106, entitled:

An Act to amend section ten as amended of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet laws, four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State High-

ways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvements; providing for payment of cost of improvement and repairs; providing penalties for injury or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," by providing for the construction and reconstruction of bridges forming parts of State Highways in boroughs by the Department of Highways.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Which was laid on the table.

SENATE BILL No. 435 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 435, entitled:

An Act to amend section sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporaed town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended, by providing for payment by the Commonwealth out of the Motor License Fund of damages for land or property taken, injured or destroyed by the change of width, lines and locations of State highways, and the cost of the removal of structures where the county does not agree to such changes or removals..

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Which was laid on the table.

SENATE BILL No. 455 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 455, entitled:

An Act to provide for a Convention to ratify or reject an amendment to the Constitution of the United States proposed by both Houses of Congress for the Repeal of the Eighteenth Amendment to the said Constitution and for the prohibition of the transportation importation delivery or use of intoxicating liquors in violation of the laws of states territories or possessions of the United States and to provide for the election of delegates to such Convention

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. McCLURE. Mr. Speaker, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. HARVEY. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 1, page 3, lines 1 and 2, by striking out all of said lines; also line 3, by inserting before the word "Convention" the following: "A"; also by inserting after the word "Convention" the following: "shall be held"; also line 5, by striking out the word "Such" and insert in lieu thereof "An"; also lines 12, 13 and 14, by striking out the words "unless the Governor fix a day for a special election prior thereto" and insert in lieu thereof "for the election of delegates to such convention"; also line 15, by inserting before the word "at" the following: "each of"; also page 6, line 4, by inserting after the word "candidates" at the end of said line, the following: "Signatures shall not be obtained on any petitions prior to one hundred and twenty days before the date of the election"; also line 7, by striking out the word "proclaimed"; also page 9, block 1, by inserting between lines 2 and 3, beneath the words "Delegates-at-Large" the following: "Favors ratification (Repeal)"; also page 9, block 2, by inserting between lines 2 and 3, beneath the words "Delegates-at-Large" the following: "Opposes ratification (Against repeal)"; also section 7, page 10, line 19, by striking out the words "the same"; also line 19, by inserting after the word "appointment" the following: "of a person"; also line 20, by inserting before the word "delegates" the following: "group of"; also line 21, by striking out the

words "present at the convention" and insert in lieu thereof "favoring ratification or opposing ratification as the case may be to which the absent delegate belonged."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Mansfield,	Rice,	Woodward,
Ealy,	Lanius,	Roberts,	Ziesenheim,

YEAS—1

Gelder,

A majority of all the Senators having voted "aye" the question was determined in the affrmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

ANNOUNCEMENTS BY THE SECRETARY

The SECRETARY. The memorial services for the late Senator Augustus F. Daix, Jr., will be held at 2.30 P. M. Wednesday, March 29, in the Senate Chamber. The memorial services for the late Senator Fred M. Sprout will be held an hour later.

Ceremonies in connection with the commissioning of Lieutenant Governor Edward C. Shannon as Major General commanding the National Guard of Pennsylvania will be held at 5.00 P. M. Tuesday, March 28, in front of the Capitol. The Senate will attend in a body, leaving the Senate Chamber at 4.50 P. M.

There will be no parking permitted on the Capitol plaza Tuesday. Parking space will be provided for Senators in the rear of the main building of the Capitol group.

REPORTS FROM COMMITTEES

Mr. SCOTT, from the Committee on Appropriations reported as committed, Senate Bill No. 572 (House Bill No. 851), entitled:

An Act lapsing all unobligated balances of appropriations for township reward heretofore made from the Motor License Fund.

Also from the Committee on Appropriations reported as committed, Senate Bill No. 573 (House Bill No. 949), entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

Also from the Committee on Appropriations reported as committed, Senate Bill No. 574 (House Bill No. 948), entitled:

An Act making an appropriation of moneys into the Motor License Fund to the Board of Finance and Revenue to meet interest and Sinking Fund requirements on the State debt.

Also from the Committee on Appropriations reported as committed, Senate Bill No. 640, entitled:

An Act to amend the first "Whereas" clause, the first paragraph of article one, clause (d) of article two, and article ten of section one, and section two as amended, of the act, approved the twenty-fifth day of June, one thousand nine hundred and thirty-one (P. L. 1352), entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration, operation, and maintenance of bridges over the Delaware River, and for the construction of additional bridge facilities across said river; authorizing the Governor, for those purposes, to enter into an agreement with the State of New Jersey; creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof, including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges; transferring to said Commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River; and making an appropriation," by providing for the appointment of an engineer by the commission, and for the repayment to the Commonwealth of appropriation herein made.

Mr. OWLETT from the Committee on Judiciary General reported as committed, Senate Bill No. 585, (House Bill No. 852), entitled

An Act validating sheriffs' sales of real estate on judgments of foreclosure in scire facias sur mortgage cases when the release of the mortgagor from liability was not filed with the praceipe.

Also from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 322, entitled:

An Act to eliminate reckless and irresponsible drivers from the public highways, and to protect the safety of users of the public highways by providing in certain cases for the suspension and revocation of operator's licenses and privileges (whether resident or non-resident), and for the establishment of ability to respond in damages for injury to property and persons, including injuries resulting in death caused by the use or operation of motor vehicles (including unlicensed operators and unregistered motor vehicles); conferring powers and imposing duties upon the Department of Revenue, the Insurance Commissioner, insurance carriers, and clerks of the courts; requiring certain provisions in motor vehicle liability insurance policies; and providing penalties.

Also from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 263, entitled:

An Act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto; requiring operators and owners of automobiles under certain circumstances to furnish proof of financial responsibility as herein defined; providing for the suspension of operators' license and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer, and prothonotaries; and prescribing penalties.

Mr. ZIESENHEIM, from the Committee on Agriculture, reported as committed, Senate Bill No. 630, entitled:

An Act declaring milk to be a public utility, creating a Milk Commission with powers to regulate the price, terms and conditions upon which milk may be sold, and providing penalties for violations thereof.

Mr. PARKINSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

NOTARIES PUBLIC

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, March 20, 1935.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

PHILADELPHIA COUNTY

Miss Mary Weisenburger, Philadelphia, March 23, 1933.

ALLEGHENY COUNTY

Everett B. Dunbar, Dormont, March 25, 1933.
Miss N. M. Gaertner, Pittsburgh, March 30, 1933.

ARMSTRONG COUNTY

Raymond A. Zeigler, Kittanning, April 9, 1933.

BEAVER COUNTY

Miss L. V. Obney, Beaver, April 16, 1933.

BEDFORD COUNTY

Miss Elizabeth Madore, Bedford, April 16, 1933.

PHILADELPHIA COUNTY

Nathan Goldsmith, Philadelphia, April 16, 1933.

WESTMORELAND COUNTY

Glenn G. Martin, Jr., Jeannette, April 16, 1933.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 20, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Estelle M. Jones, Pittsburgh.
Miss Carrie B. Mercer, Pittsburgh.
Miss Olive E. Swank, Pittsburgh.

CLARION COUNTY

Donald R. Birtcil, Knox.

DELAWARE COUNTY

M. Walker Neff, Lima.

ERIE COUNTY

Miss Bertha M. Carney, Erie.

FAYETTE COUNTY

Miss Lena E. Kramer, Uniontown.

LACKAWANNA COUNTY

H. E. Crane, Scranton.
S. Aug. Davis, Scranton.
Miss Catherine O'Malley, Scranton.

LANCASTER COUNTY

Carl H. Groff, New Holland.

LUZERNE COUNTY

B. F. Boyle, Wilkes-Barre.

MERCER COUNTY

Miss Edith I. Wagenman, Greenville.

MIFFLIN COUNTY

G. T. Cooper, Lewistown.

MONTGOMERY COUNTY

Wm. J. Cheatley, Norristown.

PHILADELPHIA COUNTY

Miss Esther Adler, Philadelphia.
M. George Bloch, Philadelphia.
S. Stone, Philadelphia.

MERCER COUNTY

Harold E. Bell, Sharon.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 20, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment at Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

William G. Jones, Pittsburgh.
Miss Virginia Meyers, Pittsburgh.
Edward R. Richardson, Pittsburgh.
Charles J. Rubenstein, Pittsburgh.
Stanley J. Walkowski, Pittsburgh.

DAUPHIN COUNTY

Max A. Kohn, Harrisburg.

DELAWARE COUNTY

Miss Mae E. Lentz, Wayne.

LYCOMING COUNTY

Clarence L. Foust, Hughesville.
Mrs. Ethel J. Neefe, Jersey Shore.

MONTGOMERY COUNTY

Norman K. Bitting, Pottstown.

PHILADELPHIA COUNTY

Lewis M. Crompton, Philadelphia.
Leo W. Lynch, Philadelphia.
John A. Martin, Philadelphia.
George Naulty, Philadelphia.
Victor Paul, Jr., Philadelphia.
Miss Elsie Schuele, Philadelphia.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 20, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Julia A. Apel, Pittsburgh.
George F. Ferrier, Pittsburgh.
Wm. G. Horne, Pittsburgh.
Earle B. Lafean, Pittsburgh.
Miss Alice M. Rimmel, Pittsburgh.
Kenneth S. Twyman, Pittsburgh.
T. F. Zacharias, Pittsburgh.

BEAVER COUNTY

Howard D. Durr, Aliquippa.

BUTLER COUNTY

Miss Sadie B. McCullough, Butler.

CLINTON COUNTY

Edward Caskey, Renovo.

COLUMBIA COUNTY

J. Roland Follmer, Berwick.

DAUPHIN COUNTY

Macey E. Klein, Harrisburg.
Walter W. Moul, Harrisburg.

FAYETTE COUNTY

J. Kemp Conn, Point Marion.

LACKAWANNA COUNTY

Clifford J. Hadley, Scranton.
Leo McNiff, Scranton.

LEHIGH COUNTY

William F. Deibert, Allentown.

LUZERNE COUNTY

Miss Bessie A. Thomas, Wilkes-Barre.

LYCOMING COUNTY

F. O. Mitstifer, Williamsport.

NORTHAMPTON COUNTY

Clayton R. Smith, Bangor.

PHILADELPHIA COUNTY

Mrs. Sallie M. Alderfer, Philadelphia.
Daniel L. Husted, Jr., Philadelphia.
W. H. Kucker, Philadelphia.
Wm. J. Martin, Philadelphia.
Wm. B. Mills, Philadelphia.
N. Charles Prismon, Philadelphia.
David T. Williams, Philadelphia.

SNYDER COUNTY

Palmer E. Dinius, Middleburg.

WARREN COUNTY

Chas. A. Hall, Sheffield.

WESTMORELAND COUNTY

Vincent J. Holden, Manor.
Jas. McB. Miller, West Leechburg.
L. J. Smith, New Kensington.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 20, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

PHILADELPHIA COUNTY

Francis X. Everman, Philadelphia, March 20, 1933.
Francis M. Smith, Philadelphia, March 20, 1933.

LUZERNE COUNTY

Miss Mary Campbell, Hazleton, March 23, 1933.

ALLEGHENY COUNTY

Frank A. Power, North Braddock, March 25, 1933.

BEAVER COUNTY

W. K. Hart, Jr., Midland, March 25, 1933.

CHESTER COUNTY

Miss Linda M. Fulmer, Parkesburg, March 25, 1933.

ELK COUNTY

Thomas M. Hickey, St. Marys, March 25, 1933.

LEHIGH COUNTY

Miss Viola J. Klase, Allentown, March 26, 1933.

NORTHAMPTON COUNTY

F. R. Musselman, Easton, March 26. 1933.

NORTHUMBERLAND COUNTY

J. Grant Kehler, Mount Carmel, March 28, 1933.

ALLEGHENY COUNTY

William Henning, Pittsburgh, March 29, 1933.
Karl S. Henning, Pittsburgh, March 30, 1933.

LUZERNE COUNTY

Miss Regina M. Kemmey, Pittston, March 30, 1933.

PHILADELPHIA COUNTY

Alfred P. Orleans, Philadelphia, March 30, 1933.
Miss Ruth G. Hodges, Philadelphia, April 1, 1933.
B. H. Wachs, Philadelphia, April 1, 1933.
Corrado J. DeSantis, Philadelphia, April 2, 1933.

BEAVER COUNTY

Miss Elsie N. Martin, New Brighton, April 3, 1933.

PHILADELPHIA COUNTY

Gustav Hemm, Philadelphia, April 8, 1933.

ALLEGHENY COUNTY

Joseph J. King, Pittsburgh, April 11, 1933.

LACKAWANNA COUNTY

Miss M. E. McLaughlin, Scranton, April 15, 1933.

LANCASTER COUNTY

Miss Beula G. Sweet, Lancaster, April 16, 1933.

ALLEGHENY COUNTY

F. S. Brainard, Pittsburgh, April 26, 1933.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 3, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BOARD OF TRUSTEES OF PENNSYLVANIA SOLDIERS' ORPHAN SCHOOL

Arthur G. Houser, Philadelphia, from August 20, 1932, for the term of four years, and until his successor is qualified.

(Mrs.) Annie Laurie Reagle, Grove City, from August 20, 1932, for the term of four years, and until her usccessor is qualified.

Charles L. Shafer, Kingston, from August 20, 1932, for the term of four years, and until his successor is qualified.

E. C. Shannon, Columbia, from August 20, 1932, for the term of four years, and until his successor is qualified.

Ray E. Taylor, Harrisburg, from August 20, 1932, for the term of four years, and until his successor is qualified.

J. Guy Griffith, New Kensingston, from August 20, 1932, for the term of four years, and until hiss uccessor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF PHILIPSBURG STATE HOSPITAL

Theo. A. Cook, Tyrone, from August 20, 1932, for the term of four years, and until his successor is qualified.

(Mrs.) Ella J. Mountz, Smithmill, from August 20, 1932, for the term of four years, and until her successor is qualified.

Robert H. Sommerville, Winburne, from December 1, 1932, for the term of four years, and until his successor is qualified.

(Mrs.) F. Blanche Cornely, Madera, from December 12, 1932, for the term of four years, and until her successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF LAURELTON STATE HOSPITAL

Clarence L. Auten, Lewisburg, from August 20, 1932, for the term of four years, and until his successor is qualified.

(Mrs.) Laura J. Gutelius, Mifflinburg, from August 20, 1932, for the term of four years, and until her successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF THE MOTHERS ASSISTANCE FUND

UNION COUNTY

(Mrs.) Martha R. Farley, New Columbia, from August 20, 1932, until June 1, 1933, and until her successor is duly appointed and qualified.

(Miss) Sarah E. Wolfe, Lewisburg, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Laura M. VonNeida, Laurelton, from September 29, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

CHESTER COUNTY

(Mrs.) Mabel H. Deininger, Phoenixville, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Mary A. Perkins, Coatesville, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Mary P. H. Brinton, West Chester, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Helen T. Scott, Coatesville, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

MEMBERS OF THE STATE PARKS COMMISSION

(Mrs.) Ruth L. Frick, Allentown, from August 20, 1932, until the third Tuesday of January, 1935, or until her successor shall have been appointed and qualified.

(Mrs.) Edith Wood Powell, Devon, from August 20, 1932, until the third Tuesday of January, 1935, or until her successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF SHAMOKIN STATE HOSPITAL

C. J. Golden, Hazleton, from August 20, 1932, for the term of four years, and until his successor is qualified.

Jos. Howerth, Shamokin, from August 20, 1932, for the term of four years, and until his successor is qualified.

George J. Jones, Natalie, from August 20, 1932, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF SELINSGROVE STATE COLONY FOR EPILEPTICS

Ralph Witmer, Selinsgrove, from November 9, 1932, for the term of four years, and until his successor is qualified.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 20, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

JUSTICE OF THE PEACE

M. J. Haldeman, of Thompsontown, Juniata County, as Justice of the Peace in the Borough of Thompsontown, Juniata County, until the first Monday in January, 1934.

GIFFORD PINCHOT.

RECORDER OF DEEDS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 13, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the appointment of Mrs. Elise Bierbower Shatto, of Carlisle, Cumberland County, as Recorder of Deeds, Clerk of the Court of Quarter Sessions, Clerk of the Court of Oyer and Terminer, Clerk of the Orphans' Court of Cumberland County, vice her father, A. Y. Bierbower deceased, until the first Monday of January, 1934, and until her successor shall be duly qualified.

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38, which requires reports of committees on nominations made by the Governor to lie on the table one day, be dispensed with, and the Senate do now resolve itself into Executive Session for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Einstein,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. GELDER. Mr. President, I move that the Executive Session do now rise.

Mr. PARKINSON. Mr. President, I second the motion.

The motion was agreed to.

BILLS INTRODUCED

Mr. COYNE read in his place and presented to the Chair, Senate Bill No. 738, entitled:

An Act to authorize boroughs to sue out writs of scire facias on certain municipal claims where more than five years have elapsed since said claims were filed, and to reduce such claims to judgment and providing for the revival and collection of such judgments.

Which was committed to the Committee on Municipal Affairs.

Also read in his place and presented to the Chair, Senate Bill No. 739, entitled:

An Act authorizing and empowering cities of the second class of this Commonwealth to make applications to the Board of Viewers for a report as to probable damages in an improvement or improvements contemplated to be made by such cities, and authorizing and empowering the Viewers to make a report thereon.

Which was committed to the Committee on Municipal Affairs.

Also read in his place and presented to the Chair, Senate Bill No. 740, entitled:

An Act making an appropriation to the Department of Property and Supplies to reimburse any contractor having a contract with the Commonwealth, for costs, expenses and losses incurred where work under such contract was not prosecuted on account of the lapsing of part of the appropriation on which the contract was based.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair, Senate Bill No. 741, entitled:

An Act permitting the establishment in counties of the second class of boards of fiscal and budgetary supervision; providing for the personnel of such boards, and their powers and duties; providing for the payment of the expenses of such boards.

Which was committed to the Committee on New Counties and County Seats.

Also read in his place and presented to the Chair, Senate Bill No. 742, entitled:

An Act providing for uniform commissions to casualty insurance, surety and bonding company agents; prohibiting additional compensation or excess commissions in any form; providing for the enforcement of the provisions of this act by the Insurance Commissioner; making casualty insurance, surety and bonding companies, associations and exchanges liable to its local agents for additional compensation in certain cases; and imposing penalties.

Which was committed to the Committee on Insurance.

Also read in his place and presented to the Chair, Senate Bill No. 743, entitled:

An Act providing for uniform commissions to fire insurance agents; fixing a maximum commission to be paid; prohibiting additional compensation or excess commissions in any form; providing for the enforcement of the provisions of this act by the Insurance Commissioner; making fire insurance companies, associations and exchanges liable to its local agents for additional compensation in certain cases; and imposing penalties.

Which was committed to the Committee on Insurance.

Mr. BELL read in his place and presented to the Chair, Senate Bill No. 744, entitled:

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligations of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Fayette.

Which was committed to the ommittee on Public Roads and Highways.

Also read in his place and presented to the Chair, Senate Bill No. 745, entitled:

An Act for the protection of the public health by defining and regulating the possession, control, dealing in, giving away, delivery, dispensing, administering, prescribing, and use of certain drugs, and keeping records thereof; by providing for the licensing of certain persons manufacturing, compounding, mixing, cultivating, growing, producing, or supplying certain drugs; by providing for the revocation and suspension of licenses of physicians, dentists, veterinarians, pharmacists, druggists, and registered nurses for certain causes, and providing for the enforcement of this act, and penalties.

Which was committed to the Committee on Public Health and Sanitation.

Mr. OWLETT read in his place and presented to the Chair Senate Bill No. 746, entitled:

An Act to amend section two hundred and four of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by providing that the coroner shall act in case the sheriff resigns.

Which was committed to the Committee on New Counties and County Seats.

Also read in his place and presented to the Chair, Senate Bill No. 747, entitled:

An Act to amend clause tenth of section one of the act approved the ninth day of July, one thousand nine hundred and one (P. L. 614), entitled "An act relating to the service of certain process in actions at law, and the effect thereof, and providing who shall be made parties to certain writs," as amended, by requiring plaintiffs in writs of scire facias sur mortage to file an affidavit, setting forth who are the owners of mineral gas or oil rights in property effected.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair, Senate Bill No. 748, entitled:

An Act authorizing and regulating the reorganization of banks and trust companies.

Which was committed to the Committee on Banks and Building and Loan Associations.

Mr. GRAFF, read in his place and presented to the Chair, Senate Bill No. 749, entitled:

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations, and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Butler.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair, Senate Bill No. 750, entitled:

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-two (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintennace, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such high-

ways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the Counties of Butler and Venango.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair, Senate Bill No. 751, entitled:

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Butler.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair, Senate Bill No. 752, entitled:

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations, and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Butler.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair, Senate Bill No. 753, entitled:

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Butler.

Which was committed to the Committee on Public Roads and Highways.

Mr. REED read in his place and presented to the Chair, Senate Bill No. 754, entitled:

An Act to further amend section five of the act, approved the nineteenth day of April, one thousand nine hundred and one (Pamphlet Laws, eighty-eight), entitled "An act relating to replevin, and regulating the practice in cases where the writ of replevin is issued," as amended by section one of the act approved the nineteenth day of March, one thousand nine hundred and twenty-three (Pamphlet Laws, fourteen), providing that no affidavit of defense shall be required before the return day of the writ.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair, Senate Bill No. 755, entitled:

An Act to amend section five of the act approved the nineteenth day of August, one thousand nine hundred and thirty-two (Pamphlet Laws ninety-two) entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors as herein defined prescribing the method and manner of collecting such tax and providing penalties" extending the period for payment of part of the tax.

Which was committed to the Committee on Finance.

Mr. HARVEY read in his place and presented to the Chair, Senate Bill No. 756, entitled:

An Act making an appropriation to the Department of Military Affairs for the use of the State Armory Board for the partial payment of arbitration award to the general contractors for services rendered in connection with the construction of the Wilkes-Barre Artillery Armory.

Which was committed to the Committee on Appropriations.

Also (By Request) read in his place and presented to the Chair, Senate Bill No. 757, entitled:

An Act authorizing the president judge of any court of oyer and terminer and general jail delivery to summon a special grand jury under certain circumstances.

Which was committed to the Committee on Judiciary General.

Mr. HOMSHER read in his place and presented to the Chair Senate Bill No. 758, entitled:

An Act limiting the jurisdiction of The Public Service Commisison over carriers of property on the public highways.

Which was committed to the Committee on Judiciary General.

Mr. HARRIS (By Request) read in his place and presented to the Chair, Senate Bill No. 759, entitled:

An Act providing that the State Board of Pharmacy shall discontinue the registration of assistant pharmacists, and giving certain ones now registered, the right to be registered as a pharmacist upon passing an examination.

Which was committed to the Committee on Public Health and Sanitation.

Mr. PRINCE (By Request) read in his place and presented to the Chair, Senate Bill No. 760, entitled:

An Act to provide for the leasing and releasing of land within the beds of streams, lakes and other bodies of water, wholly or partly within, or forming part of the boundary of, this Commonwealth, when such land is owned by the Commonwealth; conferring powers and imposing duties upon the Water and Power Resources Board; requiring lessees to establish an amortization fund for improvements placed or erected upon such land; granting certain preference and exemption rights to municipalities of the Commonwealth; and prescribing penalties.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair, Senate Bill No. 761, entitled:

An Act to amend section seven hundred and twenty-two of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless

trolley omnibuses, bicycles, pedestrains, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribing fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissable as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as amended, exempting Young Men's Christian Associations and Young Women's Christian Associations from payment of fees for certificate of title or registration of motor vehicles, trailers and semi-trailers owned and used by them.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair, Senate Bill No. 762, entitled:

An Act to amend the act approved the twenty-fifth day of February, one thousand eight hundred and seventy-five (P. L. 4), entitled "A supplement to the act, approved March thirty-first, one thousand eight hundred and sixty, entitled 'An act to consolidate, revise and amend the penal laws of this Commonwealth, further defining the offence of kidnapping, and affixing additional penalties thereto," by increasing the penalty for kidnapping with intent to extort money for restoration.

Which was committed to the Committee on Judiciary General.

Mr. BUCKMAN read in his place and presented to the Chair, Senate Bill No. 763, entitled:

An Act to amend sections one and four of the act approved the fourteenth day of May, one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred four) entitled "An act authorizing the Secretary of Highways with the approval of the Governor to establish the width and lines of State Highways for future construction where it appears uneconomical to widen existing highways providing for acknowledgment by the Secretary of Highways and recording of plans therefor in the proper county and providing further that no allowance shall be made for buildings or improvements erected or made within the limits of any such highway and providing for the payment of damages" by providing for the maintenance of the existing highway.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair, Senate Bill No. 764, entitled:

An Act to amend section one of the act approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred and twenty-eight), entitled "An act authorizing the Secretary of Highways with the approval of the Governor to establish construct and maintain roads parallel to existing State highways in order to relieve traffic congestion providing certain conditions and restrictions for the assessment and payment of damages for property taken thereby and providing that such highway when constructed shall become a part of the system of State highways of the Commonwealth" by providing that roads taken over as parallel highways may intersect or cross over the highway to which they are parallel.

Which was committed to the Committee on Public Roads and Highways.

Mr. McCLURE read in his place and presented to the Chair, Senate Bill No. 765, entitled:

An Act to amend section two of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 720), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purpose of this act."

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair, Senate Bill No. 766, entitled:

An Act making an appropriation to the Chester Hospital, in the City of Chester, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. PARKINSON read in his place and presented to the Chair, Senate Bill No. 767, entitled:

An Act to add section seven hundred and thirty-seven to the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh, and eighth classes; and revising, amending and consolidating the laws relating thereto," by authorizing two or more counties jointly, with the consent of the Department of Highways, to levy and collect tolls and certain toll bridges acquired and rebuilt by such counties for the purpose of paying off the indebtedness incurred or reimbursing such counties for moneys expended in the acquisition, rebuilding and maintenance of such toll bridges.

Which was committed to the Committee on Public Roads and Highways.

Mr. STAUDENMIER read in his place and presented to the Chair, Senate Bill No. 768, entitled:

An Act making an appropriation to the Department of Military Affairs for payment of property damages occasioned by a motor truck the property of the Federal Government issued to and in possession of the National Guard of Pennsylvania.

Which was referred to the Committee on Appropriations.

Also read in his place and presented to the Chair, Senate Bill No. 769, entitled:

An Act authorizing and empowering certain public officers, boards, commissions, departments and other bodies to enter into contracts, and to provide the moneys for the payment of service rendered thereunder, for the photographic reproduction of papers, documents, instruments, indexes and volumes and other public records within their jurisdiction.

Which was committed to the Committee on Judiciary General.

Mr. THOMPSON read in his place and presented to the Chair, Senate Bill No. 770, entitled:

An Act fixing the cost of tuition of non-resident pupils attending high schools in school districts required to admit them.

Which was committed to the Committee on Education.

Mr FRAZIER (By Request) read in his place and presented to the Chair, Senate Bill No. 771, entitled:

An Act to amend section twenty-one of the act, approved the seventh day of June, one thousand nine hundred and fifteen (P. L. 900), entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of berths and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics, as required to be established by the State Department of Health; and, in order to secure prompt and faithful registration of births, marriages, deaths, and diseases, of practitioners of medicine and surgery, of midwives, nurses, and undertakers, and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages, and diseases throughout the State, as provided in section ten of an act, entitled 'An act creating the Department of Health and defining its powers and duties,' approved the twenty-seventh day of April, nineteen hundred and five, and providing penalties for violations of this act," as amended, by providing for special certificates of the birth of adopted persons; and requiring school authorities to accept such certificates for certain purposes.

Which was committed to the Committee on Education.

Also (By Request) read in his place and presented to the Chair, Senate Bill No. 772, entitled

An Act relating to building and loan associations; providiing a method for definitely determining the amount of losses of any building and loan association, and the establishment by order of the court of common pleas of a reduced liability to shareholders of such association, and the establishment of a new withdrawal value of said shares.

Which was committed to the Committee on Banks and Building and Loan Associations.

Mr. ROBERTS read in his place and presented to the Chair, Senate Bill No. 773, entitled

An Act to repeal section thirteen of the Act approved the twenty-fifth day of March, one thousand eight hundred and forty-two (P. L. 192), entitled "An act to appoint commissioners to re-survey and mark that portion of the county line, which divides the township of Bristol, in the county of Philadelphia, from the township of Cheltenham, in the county of Montgomery, and for other purposes."

Which was committed to the Committee on Judiciary General.

Mr. SNYDER read in his place and presented to the Chair, Senate Bill No. 774, entitled:

An Act authorizing the issuance of resident fishing licenses to unemployed persons who are receiving public aid.

Which was committed to the Committee on Game and Fisheries.

Also read in his place and presented to the Chair, Senate Bill No. 775, entitled:

An Act to amend article eleven of the act, approved the fourteenth day of May, one thousand nine hundred and twenty-five (P. L. 762), entitled "An act concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth, except in counties of the first and second class; and revising, amending, consolidating, and changing the law relating thereto," as amended, by extending the time of temporary loans to meet unusual expenditures; and authorizing the directors to make temporary loans payable out of current revenue, when the district is out of funds.

Which was committeed to the Committee on Finance.

Mr. TRAINER read in his place and presented to the Chair, Senate Bill No. 776, entitled:

An Act to amend sections one and three of the act, approved the eighteenth day of April, one thousand nine hundred and nineteen (P. L. 70), entitled "An act declaring it a misdemeanor for any maker or drawer, with intent to defraud, to make or draw or utter or deliver any check, draft, or order, when such person has not sufficient funds in, or credit with, the depository upon which the same is drawn," extending the provisions of said act to the withdrawal, with fraudulent intent, of funds necessary to honor an unpaid check, draft or order, declaring a certificate of protest evidence for certain purposes, and eliminating the period of grace for the payment of such dishonored check, draft or order.

Which was committed to the Committee on Banks and Building and Loan Associations.

Also read in his place and presented to the Chair, Senate Bill No. 777, entitled:

An Act to provide for medical, physical and mental examination of prisoners confined and incarcerated in State penitentiaries, State or county prisons within the Commonwealth of Pennsylvania; petitioning State board of pardons and paroles within said Commonwealth or any court within said Commonwealth for release or discharge from said State penitentiaries, State or county prisons; and for admitting evidence and testimony of the physical and mental condition of said prisioners upon hearing of petition of said prisoners.

Which was committed to the Committee on Public Health and Sanitation.

Also read in his place and presented to the Chair, Senate Bill No. 778, entitled:

An Act to provide for the employment, appointment, reappointment and reinstatement of competent, efficient and trustworthy guards of known integrity to have charge, by and under direction of boards of inspectors, trustees, governors, wardens and deputy wardens, of prisoners confined and incarcerated in penitentiaries, prisons, jails, penal institutions, houses of corrections and detention, maintained, operated and conducted by State as well as county authority within the Commonwealth of Pennsylvania.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair, Senate Bill No. 779, entitled:

An Act to provide for the temporary hospital care and treatment of prisoners, convicts and inmates whose mentally or nervous systems shall have been impaired by incarceration or imprisonment in any State or county prison or jail within the Commonwealth of Pennsylvania, and defining the method and manner of procedure therein for effecting the purposes, conditions and provisions of this act.

Which was committed to the Committee on Public Health and Sanitation.

Also read in his place and presented to the Chair, Senate Bill No. 780, entitled:

An Act to provide for daily inspection and examintion by the warden, deputy warden or chief overseer of State penitentiaries, State and county prisons and houses of correction and detention of all food-stuffs to be served to and consumed by inmates thereof, and for daily reports in writing their

respective findings; and providing dismissal for failure or neglect to make said examination, inspection and report as required by this act.

Which was committed to the Committee on Public Health and Sanitation.

Also read in his place and presented to the Chair, Senate Bill No. 781, entitled:

An Act to provide proof and verification of all bills and claims for all foodstuff and sundry merchandise and supplies of every kind and kinds furnished and delivered hereafter from time to time to State penitentiaries, prisons or jails as well as to all county prisons, jails and county houses of correction within the Commonwealth of Pennsylvania, as well as charges incurred and contracted by proper authority for the erection and construction of new buildings to be used as State penitentiaries and State and county prisons, jails and house of correction and other appurtenant buildings and the additions, improvement, alteration and repairing of said buildings situate within the said Commonwealth of Pennsylvania; and providing penalties.

Which was committed to the Committee on Public Health and Sanitation.

Also read in his place and presented to the Chair, Senate Bill No. 782, entitled:

An Act providing for segregation of certain classes of prisoners convicted of offenses of immoral practices and serving sentences of imprisonment or incarceration in State and county penal institutions; and defining the duty of overseers, wardens and guards of said penitentiaries, prison and jails in the enforcement of this act.

Which was committed to the Committee on Judiciary General

Also read in his place and presented to the Chair, Senate Bill No. 783, entitled:

An Act to provide for and to prescribe the manner of conducting hearings of prisoners charged with and accused of violation and infraction of rules and regulations of State penitentiaries, and State and county prisons.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair, Senate Bill No. 784, entitled:

An Act to provide privacy in writing and mailing letters by prisoners in all State and county prisons within the Commonwealth and defining the said writing privileges to be extended, accorded to and exercised by said prisoners.

Which was committed to the Committee on Judiciary General.

Mr. MILLER read in his place and presented to the Chair, Senate Bill No. 785, entitled:

An Act to amend section fifty and section two hundred and twenty, as amended, of the act approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by permitting and regulating the use of eel chutes.

Which was committed to the Committee on Game and Fisheries.

Mr. SALUS read in his place and presented to the Chair, Senate Bill No. 786, entitled:

An Act making an appropriation to the Southern Dispensary, three hundred and eighteen Bainbridge Street, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

RESOLUTION EXTENDING SYMPATHY TO SENATOR CHAPMAN ON THE DEATH OF HIS FATHER

Mr. SCOTT offered the following resolution, which was twice read, considered and agreed to:

In the Senate, March 27, 1933.

Members of the Senate of Pennsylvania have learned with sorrow of the death of A. L. Chapman, of Warren, Pennsylvania, father of Honorable Leroy E. Chapman, member of this Senate from the Forty-ninth District. Mr. Chapman lived a long life of usefulness and earned the respect and esteem of the people of his community.

Be It Resolved, That the members of the Senate extend their sympathy to Senator Chapman and the members of the bereaved family.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL NO. 38

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives.

Resolved (if the Senate concur), That House Bill No. 38, entitled:

An Act to amend section one of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred forty-seven) entitled "An act placing upon the Commonwealth the responsibility for the construction and maintenance of certain bridges on State highway routes or continuations of State highway routes in boroughs incorporated towns cities of the third class and townships under certain conditions and restrictions and appropriating money in the motor license fund for such puorposes providing for a limitation of the Commonwealth's liability for reconstruction and maintenance in certain cases under orders of court or the Public Service Commission providing for the Commonwealth to succeed to the rights of the county under certain existing agreements or contracts authorizing the department to issue licenses to public service companies for occupancy of such bridges in accordance with existing laws subject to certain conditions and restrictions providing for the crediting of certain moneys to the motor license fund and providing for the return to the county or disposal of said bridges in certain cases and repealing certain acts with reference to county bridges" placing on the Commonwealth the responsibility for the construction and maintenance of additional county bridges and eliminating the provisions whch places upon the counties fifty per centum of the cost of construction and maintenance of certain bridges

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RELATIVE TO PROVISIONS FOR PAYMENT OF SALES TAX IN INSTALMENTS

Mr. PARKINSON offered the following resolution, which was twice read:

In the Senate, March 27, 1933.

Whereas, The Act of August 19, 1932, P. L. 92, imposing an emergency sales tax, provides for the filing of returns and payment of such tax on or before April 1, 1933; and

Whereas, Legislation is pending providing for payment of only one-half of said tax on or before April 1, 1933, concurrently with the filing of said report and the remaining one-half on or before May 15; and

Whereas, Said legislation cannot be adopted before April 1, and many taxpayers are uncertain as to what steps are to be taken with respect to the filing of returns and payments of said tax; therefore be it

Resolved (if the House of Representatives concur), That every vendor liable for the payment of the emergency sales tax under the provisions of the Act of August 19, 1932, P. L. 92, entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors, as herein defined; prescribing the method and manner of collecting such tax; and providing penalties," may on or before April 1, 1933, pay one-half of such tax concurrently with the filing of his report and may pay the remaining one-half of said tax in a single instalment on or before the 15th day of May, 1933, but the amount of the tax not paid on or before April 1, 1933, shall bear interest at the rate of six per centum per annum until May 15, 1933, and twelve per centum per annum thereafter.

Resolved, That the General Assembly hereby declares its purpose forthwith to enact suitable legislation more fully to effectuate this resolution and to authorize the Department of Revenue to accept payment, and to settle said emergency sales tax in accordance with this resolution.

Resolved, That this resolution shall be effective immediately upon its approval by the Governor.

Mr. PARKINSON. Mr. President, I ask unanimous consent that Rule 39, which requires concurrent resolutions to be referred to an appropriate committee, be suspended and that the Senate do now proceed to the immediate consideration of the resolution just read.

Mr. PRESIDENT. Is their objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows

APPROVAL OF SENATE BILL NO. 212

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 22, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 212, Printer's No. 83, entitled "An act to authorize boroughs and townships of the first class to sue out writs of scire facias on certain municipal claims where more than five years have elapsed since said claims were filed and to reduce such claims to judgment and providing for the revival and collection of such judgments."

GIFFORD PINCHOT.

VETO OF SENATE BILL 349

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 24, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I return herewith, without my approval, Senate Bill No. 349, Printer's No. 81, entitled "An act to amend sections two and three of the act approved the twenty-fifth day of July one thousand nine hundred and thirty-two (Pamphlet Laws ten), entitled 'An act authorizing counties cities boroughs towns townships school districts and poor districts to install by ordinance or resolution a system for the collection of taxes in instalments and specifying certain conditions and penalties in such cases' by providing for the return of lands on which instalments of taxes are delinquent and for the filing of liens for and interest on delinquent instalments."

This bill would alter the penalties imposed on delinquent tax-payers who have elected to pay their taxes in instalments. It attempts to provide that where unpaid instalments are returned to the county treasurer, or are made the subject of liens entered in the prothonotary's office, they shall not bear interest or incur the penalties ordinarily imposed when those procedures are followed. Instead, this bill would fix a flat penalty on each instalment as it becomes delinquent and shortly thereafter interest on the tax and the penalty would begin to run at the rate of eight per centum a year. This interest would be computed, however, only to the first day of the month in which the tax is paid.

Our tax collection system is far from satisfactory. This bill would but increase the confusion and add to the lack of uniformity. Delinquent taxpayers who did not elect to pay in instalments, or who had no opportunity to do so, would be subject to the penalties fixed by the various taxing acts, and upon their taxes being returned to the county treasurer, and additional six percentum a year would be added under the Act of May 29, 1931, P. L. 230. Meanwhile, delinquent taxes of instalment taxpayers, returned under the same act, would be subject only to the penalties provided by this bill.

Confusion, lack of uniformity and inequity would result if this bill were to become a law.

For these reasons the bill is not approved.

GIFFORD PINCHOT.

Mr. McCLURE. Mr. President, I move that the communication just read be laid on the table.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor, being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows and referred to the Committee on Executive Nominations:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 27, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

DELAWARE COUNTY

Miss Florence Gardner, Upper Darby.

MONTGOMERY COUNTY

Miss Margaret Ibach, Norristown.

PHILADELPHIA COUNTY

William J. Benham, Philadelphia.
Joseph Braverman, Philadelphia.
Robert J. Darrah, Philadelphia.
Walter A. Driscoll, Philadelphia.
Raymond C. Grubb, Philadelphia.
Mrs. Jadwiga Lange, Philadelphia.
Henry C. McVey, Philadelphia.

POTTER COUNTY

Mrs. Beryl Burrous, Genesee.

VENANGO COUNTY

E. J. Weaver, Oil City.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, Pa., March 27, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following

persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Curtis A. Artman, Homestead.

BEAVER

Richard M. Townsend, Beaver Falls.

DAUPHIN COUNTY

Miss Hyacinth M. Stringer, Harrisburg.

DELAWARE COUNTY

Ernest Hibbard, Media.

LEBANON COUNTY

H. F. King, Myerstown.

LUZERNE COUNTY

Constantine Yonelunas, Pittston.

LYCOMING COUNTY

Mrs. Gertrude F. Fisher, Williamsport.

MONTGOMERY COUNTY

N. Lane Irwin, Bryn Mawr.

NORTHAMPTON COUNTY

Charles P. Warner, Easton.

NORTHUMBERLAND COUNTY

Lewis S. Sober, Sunbury.

PHILADELPHIA COUNTY

Angelo De Palma, Philadelphia.
Mrs. Anna Z. McKinney, Philadelphia.
Miss Eva Orlow, Philadelphia.
Miss Lida B. Sloan, Philadelphia.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 27, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

BERKS COUNTY

Miss Mildred E. Kress, Reading

BLAIR COUNTY

Miss Viola Howard, Altoona.
Gerald R. Stultz, Altoona.

BRADFORD COUNTY

Miss Elizabeth L. Lake, Sayre.

CAMBRIA COUNTY

James F. Horan, Barnesboro.

LUZERNE COUNTY

Leo B. Corgan, Luzerne.

MONTGOMERY COUNTY

A. Clarence Emery, Norristown.

PHILADELPHIA COUNTY

Clarence L. Bailey, Philadelphia.
Alexander Z. Brister, Philadelphia.
Benjamin Cobrin, Philadelphia.
Miss Rose Goodman, Philadelphia.
D. Bernard Hefferman, Philadelphia.
Joseph A. Martin, Philadelphia.
Miss Dorothy D. Mathues, Philadelphia.
Morris E. Neely, Philadelphia.

WESTMORELAND COUNTY

Laird F. Shrader, Jeannette.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harirsburg, March 27, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

LACKAWANNA COUNTY

F. M. Clemens, Dunmore, March 30, 1933.
John J. Hennigan, Scranton, March 31, 1933.

ALLEGHENY COUNTY

Albert J. Halter, Pittsburgh, April 4, 1933.

DELAWARE COUNTY

Miss C. E. Mundis, Upper Darby, April 6, 1933.

PHILADELPHIA COUNTY

Miss Helen G. Bayne, Philadelphia, April 8, 1933.

ALLEGHENY COUNTY

William George Over, Pittsburgh, April 11, 1933.

LUZERNE COUNTY

Lawrence C. McHugh, Wilkes-Barre, April 13, 1933.

ALLEGHENY COUNTY

Floyd Bixler, Pittsburgh, April 14, 1933.
Miss Beulah Irene May, Pittsburgh, April 15, 1933.

PHILADELPHIA COUNTY

Samuel L. Sack, Philadelphia, April 15, 1933.

LACKAWANNA COUNTY

Miss Ethel M. Wilkins, Scranton, April 18, 1933.

DAUPHIN COUNTY

John H. Alricks, Harrisburg, April 25, 1933.

GIFFORD PINCHOT.

MEMBERS OF BOARD OF TRUSTEES OF LOCUST MOUNTAIN STATE HOSPITAL

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, March 27, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the appointment of Harry McDonald, of Shenandoah, Schuylkill County, as a member of the Board of Trustees of the Locust Mountain State Hospital, vice C. A. Wade, of Pottsville, resigned, for the term of four years, and until his successor is qualified.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 27, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the appointment of Francis M. Ciurczak, of Oil City, Venango County, as Alderman of

the 8th Ward of the City of Oil City, Venango County, until the first Monday of January, 1934.

GIFFORD PINCHOT.

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed consideration of Senate Bill No. 385, as follows:

An Act providing for the fixing of salaries or compensation of all appointed officers clerks and other employes paid from the county funds in counties of the sixth seventh and eighth classes and creating salary boards in certain counties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all counties of the sixth seventh and eighth classes the salaries or compensation of all appointed officers and of all clerks and other employes who are paid out of the county funds whether such salary or compensation is fixed or provided for by existing law or is now fixed by any other officer or tribunal under existing law shall hereafter be fixed by the salary board of the county

Section 2 In all such counties where no salary board is provided for by existing law a salary board to be composed of the county commissioners and the county controller if there is such an office otherwise the county treasurer is hereby created Whenever any salary or compensation is to be fixed for any appointed officer or employe of any county office court or tribunal the head of such county office court or tribunal shall also be a member of the salary board Any such officer clerk or employe dissatisfied with the amount of salary or compensation allowed by the salary board may appeal from the action of such board to the court of common pleas which court shall after hearing make an order fixing the salaries or compensation of such appointees

Section 3 All acts and parts of acts fixing the salary or compensation of any appointed officer or of any clerk or other employe paid from the county funds in any such counties or providing for the fixing of such salaries or compensation by any other officer or tribunal are hereby repealed

Section 4 The provisions of this act shall become effective immediately upon its final enactment

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Einstein			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. COYNE. Mr. President, I move that Senate Bill No. 474 (House Bill No. 528), on final passage, entitled:

An Act providing for vacations and other time away from duty of policemen in cities of the second class

be recommitted to the Committee on Municipal Affairs.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed consideration of Senate Bill No. 487, as follows:

An Act to amend section one thousand thirty-four of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing how executions on judgments against counties may be issued the procedure thereon authorizing the court to direct the levy of a tax to satisfy such judgments and fixing the rate of interest which such judgments shall bear

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand thirty-four of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 1034 Execution Against County (a) If judgment shall be obtained against a county in any action or proceeding the party entitled to the benefit of such judgment may have execution thereof as follows and not otherwise namely [It shall be lawful for the] The court [in which such] of common pleas of the county against which judgment shall be obtained or to which [such] a judgment may [be] have been removed by transcript from a justice of the peace or alderman [to issue thereon a writ] on application of the party entitled to the benefit of such judgment may direct the issue of a writ thereon commanding the commissioners of the county to cause the amount [thereof] of the judgment with the interest and costs to be paid to the party entitled [to the benefit of such judgment] out of any moneys [unappropriated of such] of the said county which are not appropriated or pledged for any specific purpose and which are not required to meet the current operating expenses of the county during the then fiscal year and [or] if there be no such moneys then out of the first moneys [that shall be received for the use of such county and to enforce obedience to such writ by attachment] coming into the hands of its treasurer and which have not been appropriated or pledged to any specific purpose and are not required to meet the current operating expenses of the county during the fiscal year Provided That if such judgment shall have been recovered on an obligation secured by a sinking fund payment thereof may be directed out of any moneys in the sinking fund

(b) If such judgment be not paid by the commissioners as directed by such writ they shall within fifteen days after service thereof make answer showing the reasons for not having made payment as commanded

(c) If it appear from said answer that the county does not have moneys not appropriated or pledged for specific purposes and not required for current operating expenses with which to pay said judgment and that it will not during the then fiscal year have sufficient funds not appropriated or pledged for specific purposes and not required to meet current operating expenses to enable the payment of such judgment or judgments the court after hearing shall direct the levy of a tax to be levied and collected during the succeeding fiscal year or years sufficient to pay such judgment or judgments

(d) In directing the levy of such tax the court shall take into consideration the number of judgments against the county and the writs issued and shall have power to decide during how many years the tax shall be levied but it shall not direct the levy of a tax for any one year in excess of one-half of one per centum of the assessed valuation of the taxable property of the county

(e) The taxes thus directed to be levied shall be levied by the commissioners at the same time the next levy for general

county purposes is made and shall be levied and collected as other taxes are by law levied and collected but shall be listed in the duplicates as a separate tax and shall be kept distinct from all other of the county's funds and applied in payment of the judgment or judgments for which collection is directed as from time to time received but one levy may be made for the satisfaction of more than one judgment and the fund shall be applied to the satisfaction of the judgments in the order in which the writs were issued

(f) The court shall have power to enforce by attachment or otherwise all orders and decrees entered in pursuance of the powers hereby granted

(g) All judgments and unpaid parts thereof shall bear interest at the rate of six per centum per annum but not compounded

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Einstein,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 98, entitled:

An Act to amend section one thousand three hundred and five of, and to add section nine hundred and eleven to, the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," removing the administration of the law library and legislative document section from the Department of Public Instruction to the Department of Justice, providing where it shall be housed, and the hours it shall remain open.

And said bill having been read at length the third time, on the question,

Will the Senate agree to the bill?

Mr. REED. Mr. President, I ask unanimous consent to amend title, page 2, lines 3 and 4, by striking out the words "of anll deputiaes and ments" and insert in lieu thereof "in certain departments."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL OVER IN ORDER

Mr. GELDER. Mr. President, I ask unanimous consent that Senate Bill No. 296, on third reading, entitled:

An Act to amend sections five and six of the act approved the twenty-second day of June, one thousand nine hundred thirty-one (Pamphlet Laws, seven hundred twenty), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act" by providing for the limit of width of construction and maintenance on said streets.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT. Mr. President, I move that Senate Bill No. 334, on third reading, entitled:

An Act to regulate private carriers of property by motor truck; requiring them to obtain permits from the Public Service Commission; defining the conditions under which permits will be granted and under which permits may be transferred or revoked; requiring the filing of schedules of rates with the Public Service Commission; granting to the Public Service Commission authority to regulate the rates and hours of service of operators; requiring private carriers to furnish certain information to the Public Service Commission relative to the conduct of their business; prescribing penalties for violation of the provisions of this act and providing for the enforcement of the same; and prescribing, in certain respects, the public policy of this Commonwealth governing the use of the public highways for the transportation of property for hire, and the relation of such transportation to the transportation needs of the general public.

be recommitted to the Committee on Public Roads and Highways.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 388, as follows:

An Act providing for the appointment promotion reduction removal and reinstatement of paid officers firemen and employes of fire departments and of fire alarm operators and fire box inspectors in the bureaus of electricity in cities of the first second and third class and defining the powers and duties of civil service commissions for such purposes and fixing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the first day of July one thousand nine hundred and thirty-three appointments to and promotions in all paid fire departments or as fire alarm operators and fire box inspectors in the bureaus of electricity of cities of the first second and the third class shall be made according to qualifications and fitness to be ascertained by examinations which so far as practicable shall be competitive as hereinafter provided On and after said date no person shall be reinstated appointed promoted demoted or discharged as a paid member of any fire department (except the chief and deputy chiefs) regardless of rank or position in any fire department or as a fire alarm operator or fire box inspector in the bureau of electricity in any city of the first second or third class in any manner or by any means other than those prescribed in this act

Section 2 The civil service commission in each city within the terms of this act shall

First Prescribe amend and enforce rules and regulations for carrying into effect the provisions of this act All rules so prepared may from time to time be added to amended or rescinded All rules shall be approved by the mayor and the council before they go into effect and when so approved shall not be annulled or changed except by the commission with the approval of the mayor and the council If the mayor or council takes no action on a rule or amendment submitted to them within a period of twenty days from the date of its submission then the rule or amendment shall become effective as though approved by the mayor and council

Second Keep minutes of its own proceedings and records of its examinations and other official actions All recommendations of applicants for employment received by the commission or by any officer having authority to make appointments shall be kept and preserved for a period of ten years and all such records (recommendations of former employes excepted) and all written causes of removal filed with it shall subject to reasonable regulation be open to public inspection

Third Make investigations either as a body or through a single commissioner concerning all matters touching the enforcement and effect of the provisions of this act and the rules and regulations prescribed thereunder concerning the action of any examiner or subordinate of the commission or of any person in the public service in respect to the execution of this act In the course of such investigations each commissioner shall have the power to administer oaths and affirmations and to take testimony

Fourth Have power to subpoena and require the attendance of witnesses and the production of books and papers pertinent to the investigations and inquiries hereby authorized and to examine them and such public records as it shall require in relation to any matter which it has the authority to investigate The fees of such witnesses for attendance and travel shall be the same as for witnesses before the courts of common pleas and shall be paid from the appropriations for the incidental expenses of the commission All officers in the public service and their deputies clerks subordinates and employes shall attend and testify when required to do so by the commission Any disobedience to or neglect of any subpoena issued by the said commissioners or any one of them to any person shall be held a contempt of court and shall be punished by the court of common pleas as if such subpoena had been issued therefrom Any judge of any of said courts shall upon the application of any one of said commissioners in such cases cause the process of said court to issue to compel such person or persons disobeying or neglecting any such subpoena to appear and to give testimony before the said commissioners or any one of them and shall have power to punish any such contempt

Fifth Make an annual report to the mayor showing its own actions and rules and regulations and all the exceptions thereto in force and the practical effects thereof and any suggestions it may approve for the more effectual accomplishment of the purposes of this act Such report shall be available for public inspection five days after the same shall have been delivered to the mayor

Section 3 The civil service commission in each city shall make rules and regulations providing for examinations for positions in the paid fire department and as fire alarm operators and fire box inspectors in the bureau of electricity in each city and for appointments to and promotions therein and for such other matters as are necessary to carry out the purposes of this act Due notice of the contents of such rules and regulations and of any modifications thereof shall be given by mail in due season to appointing officers affected thereby Such rules and regulations and modifications thereof shall also be printed for public distribution All original appointments to any positions in the fire department and as fire alarm operators and fire box inspectors within the terms of this act shall be for a probationary period of three months At any time during the probationary period the appointee may be dismissed for just cause in the manner provided in section sixteen of this act If at the close of such probationary term the conduct or capacity of the probationer has not been satisfactory to the appointing officer the probationer shall be notified in writing that he will not receive permanent appointment whereupon his employment shall cease otherwise his retention in the service shall be equivalent to his permanent appointment

Section 4 All examinations for positions or promotions shall be practical in their character and shall relate to such matters and include such inquiries as will fairly and fully test the comparative merit and fitness of the persons examined to discharge the duties of the employment sought by them All examinations shall be open to all applicants who have fulfilled the preliminary requirements required by this act All applicants for any position in the fire department and as fire alarm operators and fire box inspectors in the bureau of electricity shall subject to regulations adopted by the civil service commission be required to submit to a physical examination before being admitted to the regular examinations held by the commission Each applicant shall have been a resident of the city in which he seeks employment for one year next preceding date of his application Adequate public notice of the time and place of every examination held under the provisions of this act together with information as to the kind of position or place to be filled shall be given at least one week prior to such examinations The commission shall adopt reasonable regulations for permitting the presence of representatives of the press at the examinations The commission shall post in a public place at its office the eligible lists containing the names and grades of those who have passed examinations and shall indicate thereon such appointments as may be made from said lists

Section 5 The civil service commission in each city shall require persons applying for admission to any examination provided for under this act or under the rules and regulations of the said commission to file in its office within a reasonable time prior to the proposed examination a formal application in which the applicant shall state under oath or affirmation

First His full name residence and post office address

Second His citizenship age and the place and date of his birth

Third His health and his physical capacity for public service

Fourth His business and employments and residences for at least three years previous

Fifth Such other information as may reasonably be required touching the applicant's qualifications and fitness for the public service

Blank forms for such applications shall be furnished by the commission without charge to all persons requesting the same The commission may require in connection with such application such certificate of citizens physicians or others having knowledge of the applicant as the good of the service may require The commission may refuse to examine an

applicant or after examination to certify as eligible one who is found to lack any of the established preliminary requirements for the examination or position or employments for which he applies or who is physically so disabled as to be rendered unfit for the performances of the duties of the position to which he seeks appointment or who is addicted to the habitual use of intoxicating liquors or drugs or who has been convicted of any crime or whose conduct is infamous or notoriously disgraceful or who has been dismissed from the public service for delinquency or misconduct or who has made a false statement of any material fact or practiced or attempted to practice any deception or fraud in his application in his examination or in establishing his eligibility or who refuses to comply with the rules and regulations of the commission

If any applicant feels himself aggrieved by the action of the commission in refusing to examine him or after an examination to certify him as an eligible as provided in this section the commission shall at the request of such applicant appoint a time and place for a public hearing at which time such applicant my appear by himself or counsel or both and the commission shall then review its refusal to make such examination or certification and testimony shall be taken The commission shall subpoena at the expense of the applicant any competent witnesses requested by him After such review the commission shall file the testimony taken in its records and shall again make a decision which decision shall be final

Section 6 Every position or employment unless filled by promotion reinstatement or reduction shall be filled only in the following manner The appointing officer shall notify the civil service commission of any vacancy in the service which he desires to fill and shall request the certification of eligibles The commission shall forthwith certify from the appropriate eligible list the names of the three persons thereon who received the highest averages at the last preceding examination held under the provisions of this act The appointing officer shall thereupon with sole reference to the relative merit and fitness of the candidates make an appointment from the three names so certified If the appointing officer makes objection to the commission to one or more of the persons named for any of the reasons stated in section eleven of this act and if such objections are sustained by the commission the commission shall thereupon strike the name of such person from the eligible list and certify the next highest name for each person so stricken off If any name shall be three times rejected for the same or another position such name shall be stricken from the list When there are a number of positions of the same kind to be filled at the same time each appointment shall be made separately and in accordance with the foregoing provisions

Section 7 Whenever there are urgent reasons for filling a vacancy in any position in the fire department or as fire alarm operators or fire box inspectors in the bureau of electricity and there is no list of persons eligible for appointment the appointing officer may nominate a person to the civil service commission for non-competitive examination and if such nominee shall be certified by the commission as qualified after such non-competitive examination he may be appointed provisionally to fill such vacancy until a selection and appointment can be made after competitive examination in the manner prescribed by this act No such provisional appointment shall continue for a longer period than three months nor shall successive provisional appointments be made to the same position

Section 8 Vacancies in positions in the fire department and as fire alarm operators and fire box inspectors in the bureau of electricity shall be filled so far as practicable by promotions from among persons holding positions in the next lower grade in the department Promotions shall be based upon merit to be ascertained by tests to be provided by the civil service commission and upon the superior qualifications of the persons promoted as shown by his previous service and experience Provided however That no person shall be eligible for promotion from the lower grade to the next higher grade until such person shall have completed at least two years service in the next lower grade in the department The commission shall have the power to determine in each instance whether an increase in salary constitutes a promotion

Section 9 All applicants for any position in the fire department and as fire alarm operators and fire box inspectors in the bureau of electricity shall undergo a physical examination which shall be conducted under the supervision of a commission composed of doctors of medicine appointed for that purpose by the mayor Said commission shall certify that an applicant is free from any bodily or mental defects deformity or diseases that might incapacitate him from the performance of the duties of the position desired before said applicant shall be permitted to take further examinations No application will be received if the person applying is less than twenty-one years of age or more than thirty-five years of age at the date of his aplication Provided however That in event any applicant has formerly served upon the fire department or as a fire alarm operator or fire box inspector in the bureau of electricity of the city to which he makes application for a period of more than six months and no charges of misconduct or other misfeasance were made against such applicant within a period of two years next of the city then such person shall be eligible for reinstatement in the discretion of the civil service commission even though such applicant shall be over the age of thirty-five years Such applicant providing his former term of service so justifies may be reappointed to the fire department or as a fire alarm operator or fire box inspector in the bureau of electricity without examination other than a physical examination If such person is reinstated he shall be the lowest in rank in the department next above the probationers of the department

Section 10 No member of any fire department and no fire alarm operator fire box inspector in any bureau of electricity within the terms of this act shall be removed discharged or reduced in rank or pay except for just cause which shall not be religious or political nor in any event until he shall have been furnished with a written statement of the reasons for such action In every case of such removal or reduction a copy of the statement of reasons therefor and of the written answer thereto if the person sought to be removed desires to file such written answer shall be furnished to the civil service commission and entered upon its records If the person sought to be removed or reduced shall demand it the civil service commission shall grant him a public hearing which hearing shall be held within a period of fifteen days from the filing of the charges in writing and the written answer thereto At such hearing the burden shall be upon the removing officer to justify his action In the event that the civil service commission fails to sustain the action of the removing officer the person sought to be removed shall be reinstated with full pay for the entire period during which he may have been prevented from performing his usual employment and no charges shall be recorded against him A written record of all testimony taken at such hearing shall be kept and preserved by the civil service commission which record shall be sealed and not be available for public inspection unless an appeal is taken from the action of the commission In the event that the civil service commission shall sustain the action of the removing officer the person removed shall have an immediate right of appeal to the court of common pleas Such appeal shall be taken within ninety days from the entry by the civil service commission of its final order The court shall proceed to hear the appeal upon the original record taken therein and no additional proof shall be introduced Any employe dissatisfied with the decision of the court of common pleas shall have the right of appeal to the Supreme Court The removing officer and the person sought to be removed shall have the right to employ counsel to represent him before said civil service commission and upon appeal

Section 11 If for reasons of economy or other reasons it shall be deemed necessary by any city to reduce the number of paid members of any fire department or the number of fire alarm operators or fire box inspectors in the bureau of electricity then such city shall follow the following procedure

First If there are any paid firemen fire alarm operators or fire box inspectors eligible for retirement under the terms of any pension fund then such reduction in numbers shall be made by retirement on pension of all the oldest in age and service

Second If the number of paid firemen fire alarm operators and fire box inspectors eligible for retirement under the pension fund of said city if any is insufficient to effect the

reduction in number desired by said city or if there is no eligible person for retirement or if no pension fund exists in said city then the reduction shall be effected by suspending the last man or men including probationers that have been appointed Such removal shall be accomplished by suspending in numerical order commencing with the last man appointed all recent appointees until such reduction shall have been accomplished Whenever such fire department or fire alarm operators or fire box inspectors in the bureau of electricity shall again be increased in numbers to the strength existing prior to such reduction of members or if any vacancies occur the employes suspended under the terms of this act shall be reinstated to their former class before any new appointees are appointed

Section 12 No question in any form of application or in any examination shall be so framed as to elicit information concerning the political or religious opinions or affiliations of any applicant nor shall inquiry be made concerning such opinions or affiliations and all disclosures thereof by any applicant shall be discountenanced No discrimination whatsoever shall be exercised threatened or promised by any person in the fire department or in the bureau of electricity against or in favor of an applicant eligible or employe in such fire department or as fire alarm operator or fire box inspector in the bureau of electricity under this act because of his political or religious opinions or affiliations

Section 13 Any person who makes an appointment to officer or selects a person for employment contrary to the provisions of this act or wilfully refuses or neglects otherwise to comply with or to conform to any of the provisions of this act or violate any of such prvisions shall be guilty of a misdemeanor

Section 14 Any commissioner or examiner or any other person who wilfully by himself or in cooperation with one or more persons defeats deceives or obstructs any person in respect to his right of examination or registration under the provisions of this act or under any rules or regulations adopted pursuant thereto or who wilfully or corruptly falsely marks grades estimates or reports upon the examination or proper standing of any person examined registered or certified pursuant to the provisions of this act or aids in so doing or who wilfully or corruptly furnishes to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of appointment of any person so examined registered or certified or to be examined registered or certified or who impersonates any other person or permits or aids in any manner any other person to impersonate him in connection with any examination or registration or application or request to be examined or registered shall for each offense be guilty of a misdemeanor

Section 15 Any person guilty of a misdemeanor under the provisions of this act shall upon conviction thereof be sentenced to pay a fine of not less than fifty dollars nor more than one thousand dollars or by imprisonment for a term not exceeding one year or by both such fine and imprisonment in the discretion of the court

Section 16 All paid firemen fire alarm operators and fire box inspectors in the bureau of electricity in the employ of any city upon the effective date of this act shall continue to hold their positions subject to the provisions of this act

Section 17 All acts and parts of acts general special or local inconsistent with this act are hereby repealed It is the purpose of this act to furnish a complete and exclusive system for the appointment promotion reduction removal and reinstatement of all officers firemen or other employes of fire departments and of all fire alarm operators and fire box inspectors in the bureaus of electricity in all cities of the first second and third class wherein such officers and employes are paid

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Einstein,	Miller,	Scott,
Aron,	Fay,	Norton,	Shapiro,
Batchelor,	Gelder,	Owlett,	Snyder,
Baumer,	Graff,	Parkinson,	Sones,
Bell,	Harris,	Pethick,	Sordoni,
Bennett,	Harvey,	Pierson,	Staudenmeier,
Boyd,	Homsher,	Prince,	Thompson,
Brandt,	Howell,	Quigley,	Trainer,
Buckman,	Krause,	Reed,	Williamson,
Clark,	Lanius,	Rice,	Woodward,
Coyne,	Mansfield,	Roberts,	Ziesenheim,
Ealy,	McClure,	Salus,	

NAYS—2

Frazier, Hunsicker,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. SCOTT. Mr. President, I move that Senate Bill No. 403, on third reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905), entitled "For the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrains and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates alderman justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissable as evidence imposing owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by revising existing regulations for length height and weight of certain vehicles changing method of enforcement and providing certain penalties.

be recommitted to the Committee on Public Roads and Highways.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL POSTPONED

Mr. CLARK. Mr. President, I move that the further consideration of Senate Bill No. 466, on third reading, entitled:

An Act to amend sections seven and eight of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1229), entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption; conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties," by regulating the pasteurization of milk and the importation of cream for certain purposes.

be postponed for the present.

Mr. WILLIAMSON. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 498, entitled:

An Act authorizing counties, cities, boroughs, townships of the first and second class and school districts to issue and sell bonds for certain purposes and for a certain period of time; providing for a trust fund and a sinking fund for the payment thereof and defining the duties of the officers and governing bodies of the said municipalities or quasi municipalities in relation to said funds, and fixing a penalty for the violation thereof.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Snyder,
Bell,	Graff,	Owlett,	Sones,
Bennett,	Harris,	Parkinson,	Sordoni,
Boyd,	Harvey,	Pethick,	Staudenmeier,
Brandt,	Homsher,	Pierson,	Thompson,
Buckman,	Howell,	Prince,	Trainer,
Clark,	Hunsicker,	Quigley,	Williamson,
Coyne,	Krause,	Reed,	Woodward,
Ealy,	Lanius,	Rice,	Ziesenheim,

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. COYNE. Mr. President, I asked unanimous consent that Senate Bill No. 538, on third reading, entitled:

An Act prohibiting the publication printing or radio broadcasting of advertisements or notices of insurance companies, associations, exchanges or persons not authorized to do business in this Commonwealth; requiring certificates from the Insurance Department before accepting insurance or broadcasting the same by radio; and fixing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 548, as follows:

A Supplement to act number four-A approved the fourteenth day of April one thousand nine hundred thirty-one (Appropriation Acts of one thousand nine hundred thirty-one page five) entitled "An act providing for the investigation and study of the effect of the diversion of water for water supply purposes upon the lower Delaware River and the purposes upon the lower Delaware River and the industries using water therefrom imposing certain duties upon the Sanitary Water Board and making an appropriation" making an appropriation to the Department of Health for the use of the Sanitary Water Board for the continuation of the investigation and study of the effect of the diversion of water for water supply purposes from the lower Delaware River and the industries using water therefrom and extending the scope of the investigation and study

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of Twenty-five Thousand Dollars ($25,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Health for the use of the Sanitary Water Board for the two fiscal years commencing June one one thousand nine hundred thirty-three for the continuation of the investigation and study of the effect of the diversion of water from the tributaries of the upper Delaware River upon the lower Delaware River and the industries using water therefrom which was authorized by the act to which this act is a supplement and for the investigation and study of the effect of such diversion upon municipalities using water from such river and the effect of any other diversion of water from the Delaware River The moneys hereby appropriated may be expended for the employment of such engineers experts draftsmen investigators and other assistants and employes as may be deemed necessary the purchase of supplies and automotive nautical and other equipment through the Department of Property and Supplies as purchasing agency the payment of traveling expenses and any incidental expenditures which the Sanitary Water Board with the approval of the Department of Health may deem advisable

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Einstein,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 578, entitled:

An Act to amend section three of the act, approved the eighteenth day of April, one thousand nine hundred and nineteen (P. L. 70), entitled "An act declaring it a misdemeanor for any maker or drawer, with intent to defraud, to make or draw or utter or deliver any check, draft, or order, when such person has not sufficient funds in, or credit with, the depository upon which the same is drawn," by providing for the admission in evidence of the protest of nonpayment of checks, drafts and orders.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Einstein,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. BUCKMAN. Mr. President, I ask unanimous consent that Senate Bill No. 580 (House Bill No. 127), on third reading, entitled:

An Act to amend section one thousand two hundred seven of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act [to amend the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled 'An act] relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" [,] taking out of operation the Fiscal Code questions relating to the lien and payment of liquid fuel taxes and referring such questions to the provisions of the liquid fuels tax acts

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN. Mr. President, I ask unanimous consent that Senate Bill No. 601 (House Bill No. 126), on third reading, entitled:

An Act to amend section one thousand four hundred one of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due to the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" limiting the lien and procedure for collection of taxes bonus and other moneys due to Commonwealth in certain cases

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 605 (House Bill No. 490), entitled:

An Act to amend section one of the act approved the twenty-sixth day of August one thousand nine hundred and thirty-two (Pamphlet Laws one hundred) entitled "An act authorizing the abatement of penalties on local taxes" providing further for the abatement of tax penalties and providing for an extension of time for delivery of duplicates to collectors of delinquent taxes in certain cases.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 629, entitled:

An Act to prohibit the employment by the Commonwealth and by counties, cities, boroughs, towns, townships, departments, boards, commissions, and by certain corporations, hospitals, homes and institutions, of aliens who entered the United States unlawfully; and providing penalties.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Einstein,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 645, entitled:

An Act to amend section five of the act approved the nineteenth day of August, one thousand nine hundred and thirty-two (P. L. 92), entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors, as herein defined; prescribing the method and manner of collecting such tax; and providing penalties;" extending the time for payment of the emergency relief sales tax by extending the time of payment of said tax under certain circumstances.

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. PARKINSON. Mr. President, I ask unanimous consent to amend section 1, page 2, line 12, by striking out the word "May" and insert in lieu thereof "April."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 656 (House Bill No. 1182), entitled:

An Act to authorize the Department of Highways and the county commissioners to occcupy and relocate rights of way of public service companies in certain cases and to acquire by purchase or condemnation the necessary land therefor

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Snyder,
Bell,	Graff,	Owlett,	Sones,
Bennett,	Harris,	Parkinson,	Sordoni,
Boyd,	Harvey,	Pethick,	Staudenmeier,
Brandt,	Homsher,	Pierson,	Thompson,
Buckman,	Howell,	Prince,	Trainer,
Clark,	Hunsicker,	Quigley,	Williamson,
Coyne,	Krause,	Reed,	Woodward,
Ealy,	Lanius,	Rice,	Ziesenheim,

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determinde in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 670, entitled:

An Act to amend section one of act number three hundred twenty-nine-A, approved the fifteenth day of May, one thousand nine hundred twenty-nine (Appropriation Acts of One Thousand Nine Hundred Twenty-nine, page one hundred sixty-one), entitled "An act making an appropriation to the Department of Property and Supplies for the purchase or condemnation of additional lands for the Commonwealth of Pennsylvania," by extending the scope of the appropriation to the Department of Property and Supplies for the purchase or condemnation of additional lands for the State Military Reservation, and ratifying certain expenditures heretofore made by said department.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 3, as follows:

An Act authorizing cities of the first second and third classes to defray the expenses of National encampments of certain organizations of veterans

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be lawful for any first second or third class city of the Commonwealth of Pennsylvania to expend out of public funds of such municipality such amount as may be necessary to defray the expenses of the National encampment of the Grand Army of the Republic United Spanish War Veterans American Legion Veterans of Foreign Wars Disabled American Veterans the divisional organizations of the Twenty-eighth Division the Seventy-ninth Division and the Eightieth Division Where the Grany Army of the Republic or any of the other military organizations referred to above has ceased to exist or to function such appropriation may be made to a duly constituted organization composed of veterans of any war in which the United States was engaged Such payment shall be made to defray the actual expenses only Before any payment is made the organization receiving the same shall submit verified accounts of its expenditures

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 341, as follows:

An Act to amend section four of an act approved the thirteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws two hundred eighty-six) entitled "An act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation therto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" by changing the hours of labor permitted for minors under sixteen years of age and prescribing a daily lunch period of not less than forty-five minutes for such employed minors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four of an act approved the thirteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws two hundred eighty-isix) entitled "An act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" is hereby amended to read as follows

Section 4 No minor under sixteen years of age shall be permitted to work in about or in connection with any establishment or in any occupation for more than [fifty-one] forty-four hours in any one week or more than [nine] eight hours in any one day or before six o'clock in the morning or after eight o'clock in the evening of any day In computing the maximum number of hours per day or per week permitted under this act the hours spent in school by said minors shall be considered as part of the working day or working week Not less than forty-five minutes for the mid-day meal shall be allowed to every minor under sixteen years of age employed or permitted to work in about or in connection with any establishment or in any occupation which period shall not be considered a part of the working day or working week

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred and thirty-three

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. WOODWARD. Mr. President, I move that Senate Bill No. 341, the bill just read, be recommitted to the Committee on Judiciary General.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 500, as follows:

An Act to amend sections one seven fifteen and twenty-three as amended and sections twenty-four and twenty-six of the act approved the eighteenth day of April one thousand nine hundred twenty-nine (Pamphlet Laws five hundred forty-nine) entitled "An act to permit the use of voting machines for recording and computing the vote at all elections including primaries in any county city borough or township of the Commonwealth at the option of the electors thereof prescribing regulations with reference to the adoption requirements examination purchase installation preparation custody and demonstration of use of voting ma-

chines providing rules and regulations for the conduct of elections held with voting machines prescribing the qualifications number and duties of election officers in election districts in which voting machines may be used placing duties upon county commissioners and the Secretary of the Commonwealth providing for redivision of wards of cities and boroughs into election districts and the consolidation of election districts providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used and providing penalties for violation of the provisions of this act" by making provisions for voting machines designed to be made secure by the use of two or more seals providing the requirements of and rules and regulations for the conduct of elections held with voting machines equipped with mechanism for printing paper proof-sheets providing for the printing and distribution of said proof-sheets providing for their use in canvassing the vote making them part of the election returns and defining their probative value and effect

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the eighteenth day of April one thousand nine hundred twenty-nine (Pamphlet Laws five hundred forty-nine) entitled "An act to permit the use of voting machines for recording and computing the vote at all elections including primaries in any county city borough or township of the Commonwealth at the option of the electors thereof prescribing regulations with reference to the adoption requirements examination purchase installation preparation custody and demonstration of use of voting machines providing rules and regulations for the conduct of election held with voting machines prescribing the qualifications number and duties of election officers in election districts in which voting machines may be used placing duties upon County Commissioners and the Secretary of the Commonwealth providing for the redivision of wards of cities and boroughs into election districts and the consolidation of election districts providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used and providing penalties for violation of the provisions of this act" as amended by section one of the act approved the twenty-third day of June one thousand nine hundred thirty-one (Pamphlet Laws one thousand one hundred eighty-five) entitled "An act to amend sections one three four five six seven nine ten eleven twelve thirteen fourteen fifteen sixteen seventen nineteen twenty-one twenty-two twenty-three and twenty-seven of the act approved the eighteenth day of April one thousand nine hundred twenty-nine (Pamphlet Laws five hundred forty-nine) entitled 'An act to permit the use of voting machines for recording and computing the vote of all elections including primaries in any county city borough or township of the Commonwealth at the option of the electors thereof prescribing regulations with reference to the adoption requirements examination purchase installation preparation custody and demonstration of use of voting machines providing rules and regulations for the conduct of elections held with voting machines prescribing the qualifications number and duties of election officers in election districts in which voting machines may be used placing duties upon county commissioners and the Secretary of the Commonwealth providing for redivision of wards of cities and boroughs into election districts and the consolidation of election districts providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used and providing penalties for violation of the provisions of this act' be and the same is hereby further amended to read as follows

Section 1 Definition of Terms Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the list of offices and candidates and the statements of questions on the voting machine shall be deemed an "official ballot"

As used in this act

(1) The words "ballot-labels" shall mean the cards paper or other material containing the names of offices and candidates and statements of questions to be voted on

(2) The word "diagram" shall mean an illustration of the official ballot when placed upon the machine showing the names of the parties offices and candidates and statements of the questions in their proper places together with the voting devices therefor and shall be considered a specimen ballot

(3) The word "question" shall mean a statement of such constitutional amendment or other proposition as shall be submitted to a popular vote at any election

(4) The words "irregular ballot" shall mean the paper or other material on which a vote is cast on a voting machine for persons whose names do not appear on the ballot-labels

(5) The word "vote indicator" shall mean those devices with which votes are indicated for candidates or for or against questions

(6) The words "candidates counters" and "question counters" shall mean the counters on which are registered numerically the votes cast for candidates and on questions respectively

(7) The words "public counter" shall mean a counter or other device which shall at all times publicly indicate how many times the machine has been voted on at an election

(8) The words "protective counter" shall mean a counter or protective device or devices that will register each time the machine is operated and shall be constructed and so connected that it cannot be reset altered or operated except by operating the machine

(9) The words "voting machine booth" shall mean the enclosure occupied by the voter when voting

(10) The word "model" shall mean a mechanically operated model of a portion of the face of the machine illustrating the manner of voting

(11) The word "custodian" shall mean the person charged with the duty of testing and preparing the voting machine for the election and instructing the election officers in the use of the voting machine

(12) The words "election" and "elections" whenever used in this act shall be held to include and mean all general municipal primary and special elections

(13) The word "borough" shall be held to include incorporated town

(14) The word "seal" and other words of the singular number relative thereto shall include the plural number as applied to a voting machine designed to be made secure with two or more seals

Section 2 That section seven of said act as amended by section six of said amending act be and the same is hereby further amended to read as follows

Section 7 Requirements of Voting Machines No voting machine shall be approved by the Secretary of the Commonwealth or by any examiner appointed by him unless it shall satisfy the following requirements

(a) It shall provide facilities for voting for such candidates as may be nominated and upon such questions as may be submitted

(b) It shall permit each voter at other than primary elections to vote a straight party ticket in one operation and in one operation to vote for all the candidates of one party for presidential electors and in one operation to vote for all the candidates of one party for every office to be voted for except those offices as to which he votes for individual candidates

(c) It shall permit each voter at other than primary elections to vote a ticket selected from the nominees of any and all parties from independent nominations and from persons not in nomination

(d) It shall permit each voter to vote at any election for any person and for any office for whom and for which he is lawfully entitled to vote whether or not the name of such person appears upon a ballot-label as a candiate for nomination or election and to vote for as many persons for an office as he is entitled to vote for and to vote for or against any question upon which he is entitled to vote

(e) It shall preclude each voter from voting for any candidate or upon any question for whom or upon which he is not entitled to vote and from voting for more persons for any office than he is entitled to vote for and from voting for any candidate for the same office or upon any question more than once except in districts and for offices where cumulative voting is authorized by law

(f) It shall be capable of adjustment by election officers so as to permit each voter at a primary election to vote only for the candidates for nonpartisan nomination if any and for the candidates seeking nomination by the political party in which he is enrolled if he is enrolled as a member of a

political party and so as to preclude him from voting for the candidates seeking nomination by any political party in which he is not enrolled

(g) It shall permit each voter to deposit write in or affix upon receptacles or devices provided for the purpose ballots containing the names of persons for whom he desires to vote whose names do not appear upon the machine

(h) It shall permit each voter to change his vote for any candidate or upon any question appearing upon the ballot-labels up to the time he begins the final operation to register his vote or indicates or expresses his intention to register his vote

(i) It shall permit and require voting in absolute secrecy and shall be so constructed that no person can see or know for whom any other elector has voted or is voting save a voter whom he has assisted or is assisting in voting as prescribed by law

(j) It shall have voting devices for separate candidates and questions which shall be arranged in separate parallel rows or columns so that at any primary election one or more adjacent rows or columns may be assigned to the candidates of a party and shall have paralled office columns or rows transverse thereto

(k) It shall have a counter or other device the register of which is visible from the outside of the machine which shall show during any period of voting the total number of voters who have operated the machine during said period of voting

(l) It shall have a protective counter or other device the register of which cannot be rest which shall record the cumulative total number of movements of the operating mechanism

(m) It shall be provided with a lock or locks by the use of which immediately after the polls are closed or the operation of the machine for an election is completed all movement of the registering mechanism is absolutely prevented

(n) It shall be provided with a screen hood or curtain which shall conceal the actions of the voter while voting

(o) It shall be constructed of material of good quality in a neat and workmanlike manner

(p) It shall when properly operated register or record correctly and accurately every vote cast

(q) It shall be so constructed that a voter may readily learn the method of operating it

(r) It shall be safely transportable

(s) It shall be so constructed and controlled that during the progress of voting it shall preclude every person from seeing or knowing the number of votes registered for any candidate and from tampering with any of the registering mechanism

(t) If it is of a type equipped with mechanism for printing paper proof-sheets and not requiring the counters to be made visible in order to canvass the votes recorded on the machine the door or other device concealing such counters or keeping the same concealed shall be equipped with a lock or locks requiring the simultaneous use of three separate and substantially different keys to open or operate the same

Section 3 That clauses (a) and (d) of section fifteen of said act are hereby amended and clause (g) of section fifteen of said act as amended by section thirteen of said amending act is hereby further amended to read as follows

(a) The county commissioners shall deliver the keys which unlock the operating mechanism and the registering counters or counter compartment of the voting machine to the judge of election not earlier than noon the Saturday preceding an election nor later than three-quarters of an hour before the time set for the opening of the polls and shall take his receipt therefor The keys shall be enclosed in a sealed envelope on which shall be written or printed (1) the number of the voting machine (2) the name or designation of the election district (3) the number of the seal and (4) the number registered on the protective counter or device as reported by the custodian Provided however that if the type of voting machine used requires the simultaneous use of three keys to unlock the registering counters or counter compartment only two of said keys shall be enclosed in said sealed envelope the third key being retained by the custodian the county commissioners or such other person as they shall have authorized

(d) But if the numbers on the seal and the protective counter or device shall both be found to agree with the numbers on the envelope the envelope shall be opened and where the voting machine provided is not equipped with mechanism for printing paper proof-sheets the election officers shall examine the registering counters and for that purpose shall open the doors concealing such counters if the construction of the voting machine shall so require and before the polls are opened the judge and each inspector shall carefully examine every counter and shall see that it registers zero (000) and shall allow the watchers to examine the counters When the voting machine provided is equipped with mechanism for printing paper proof-sheets the judge of election shall deliver one of the two keys aforesaid to the minority inspector to be retained by him as hereinafter provided and shall then print at least two proof-sheets one of which the judge and each inspector shall carefully examine to ascertain whether every counter registers zero (000) and shall then preserve to be signed by them and returned to the prothonotary or the county commissioners as the case may be with the duplicate return sheet and the remainder of which shall be given to the watchers for their examination The key delivered by the judge of election to the minority inspector as aforesaid shall be retained by the minority inspector until the polls have been closed and the voting and counting mechanism of the machine shall have been locked and sealed against voting and shall then be returned to the judge of election for return by him to the county commissioners as hereinafter provided

(g) The machine shall remain locked against voting until the polls are opened and shall not be operated except by voters in voting If any counter is found not to register zero (000) the election officers shall immediately notify the custodian or the county commissioners who shall if practicable adjust or cause the counters to be adjusted at zero (000) but if it shall be found impracticable for the custodian or other person authorized by the county commissioners to arrive in time so to adjust such counters before the time set for opening the polls the election officers shall immediately make a written record of the designation or designating letter or number of each counter together with the number registered thereon herinbelow called the initial number and shall sign and post the same upon the wall of the polling place where it shall remain until the polls are closed provided however that if the voting machine used is equipped with mechanism for printing paper proof-sheets in any case where any counter is shown by such proof-sheet not to register zero (000) if it shall be found impracticable to have such counter adjusted before the time set for opening the polls the election officers shall sign such printed proof-sheet and post the same upon the wall of the polling place where it shall remain until the polls are closed and in filling out the returns of the election if the final number of such counter is greater than the initial number the election officers shall subtract the initial number from the final number and enter the difference on the returns as the vote for the candidate or on the question represented by such counter if the final number of such counter is less than the initial number the election officers shall add one thousand to the final number and shall subtract the initial number from the sum so ascertained and shall enter upon the returns as the vote for the candidate or on the question represented by such counter the final number plus one thousand less the initial number

Section 4 That clauses (b) and (c) of section twenty-three of said act as separated and amended by section nineteen of said amending act are hereby further amended to read as follows

(b) If the type of voting machine provided shall require the counters to be seen in order to enable the election officers to canvass the vote the election officers in the presence of the watchers and all other persons who may be lawfully within the polling place shall then make visible the registering counters and for that purpose shall unlock and open the doors or other covering concealing the same giving full view of all the counter numbers If the voting machine is equipped with mechansim for printing paper proof-sheets the election officers shall forthwith print not less than four proof-sheets and as many more as may be necessary to supply one to each member of the election board overseer candidate watcher representative of a newspaper and other person who may be lawfully present within the polling place requesting the same The judge of election shall then under the scrutiny of the two inspectors of election the overseers if any and the watchers and in the order of the offices as their titles are arranged on the machine read from the counters or from one of the proof-sheets as the case may be and announce in distinct

tones the designation or designating number and letter on each counter for each candidate's name the result as shown by the counter numbers the votes recorder for each office for persons other than nominated candidates and the designation or designating numbers and letters on each counter and the results as shown by the counter numbers for and against each question voted on The counters shall not be read consecutively along the party rows or columns but shall always be read along the office columns or rows completing the canvass for each office or question before proceeding to the next The vote as registered shall be entered by the election officers in ink on duplicate return sheets and also on a general return sheet and statement all of which after the canvass is completed shall be signed by the election officers and certified by the overseers if any The vote for presidential electors shall be computed and returned as provided hereinbefore in section nineteen of this act If more than one voting machine is used in any election district the vote registered on each machine shall be ascertained in like manner and separately entered in appropriate spaces on the general and duplicate return sheets and statement The total vote cast for each candidate and for and against each question shall then be computed and entered on the general and duplicate return sheets and statement There shall also be entered on the general return sheet and statement the number of voters who have voted as shown by the lists of voters and the number who have voted on each machine as shown by the public counters and also the number registered on the protective counter or device on each machine immediately prior to the opening of the polls and immediately after the closing thereof and sealing of the machine The number or other designation of each machine used shall also be entered thereon In the case of primary elections duplicate return sheets shall be prepared for each party If the type of voting machine used requires the counters to be seen in order to canvass the vote the registering counters of the voting machine shall remain exposed to view until the said returns and all other reports have been fully completed and checked by the inspectors and overseers if any During such time any candidate or duly accredited watcher who may desire to be present shall be admitted to the polling place

(c) The proclamation of the result of the votes cast shall be announced distinctly and audibly by the judge of election who shall read the name of each candidate the designation or designating numbers and letters of his counters and the vote registered on each counter also the vote cast for and against each question submitted During such proclamation if the type of voting machine used requires the counters to be seen in order to canvass the vote ample opportunity shall be given to any person lawfully present to compare the results so announced with the counter dials of the machine and any necessary corrections shall then and there be made by the election officers after which the doors or other cover of the voting machine shall be closed and locked Any ballots deposited written or affixed in or upon the voting machine shall be inclosed in properly sealed packages and properly indorsed and shall be delivered by the judge of election as hereinafter provided The judge of election shall promptly deliver to the county commissioners or their duly authorized representative the keys of the voting machine inclosed in a sealed envelope if the construction of the voting machine shall permit their separate return Said envelope shall have indorsed thereon a certificate of the election officers stating the number of the machine the election district where it has been used the number on the seal and the number on the protective counter or device at the close of the polls

Section 5 That section twenty-four of said act is hereby amended to read as follows

Return of Votes The general return sheet duplicate return sheets and statements shall be printed to conform with the type of voting machine used and in form approved by the Secretary of the Commonwealth The designating number and letter if any on the counter for each candidate shall be printed thereon opposite the candidates name Immediately after the vote has been ascertained the statement thereof shall be posted on the door of the polling place The minority inspector shall retain one of said duplicate return sheets one numbered list of voters sealed as aforesaid the voting check list (in districts other than cities) and one set of oaths of election officers and other affidavits The other duplicate return sheet numbered list of voters oaths of election officers and affidavits of voters and others and the ballot check list (in districts other than cities) shall be sealed up and given to the judge of election who shall deliver them together with the general return sheet and the package of ballots deposited written or affixed in or upon the voting machine to the prothonotary in the case of general municipal or special elections and to the county commissioners in the case of primary election provided that returns of elections for borough and township officers shall be made to the officer directed by law to receive them If the type of voting machine is equipped with mechanism for printing paper proof-sheets one of said proof-sheets shall be posted on the door of the polling place with the statement aforesaid one shall be retained by the minority inspector one shall be placed in the envelope and delivered with the general return sheet and one shall be sealed in the envelope with the duplicate return sheet and delivered by the judge of election to the prothonotary or to the county commissioners as the case may be The printed proof-sheet returned with the general return sheet and the printed proof-sheet returned with the duplicate return sheet shall each be part of the returns of the election

Section 6 That section twenty-six of said act is hereby amended to read as follows

Provision for Recanvass of Vote (a) Whenever it shall appear that there is a discrepancy in the returns of any election district or upon petition of three voters of any district verified by affidavit that an error although not apparent on the face of the returns has been committed therein the court of common pleas board of county commissioners or other return board shall at any time prior to the completion of the computation of all the returns for the county summon the election officers of the district and said officers in the presence of said court or board shall make a record of the number of the seal upon the voting machine and the number on the protective counter or other device shall make visible the registering counters of such machine and without unlocking the machine against voting shall recanvass the vote cast thereon Before making such recanvass the said court or board shall give notice in writing to the proper custodian of voting machines and to each candidate and to the county chairman of each party or independent nominating body affected by the canvass and each such candidate may be present in person or by attorney and each of such parties or nominating bodies may send two representatives to be present at such recanvass If upon such recanvass it shall be found that the original canvass of the returns has been correctly made from the machine and that the discrepancy still remains unaccounted for the said court or board with the assistance of the custodian in the presence of the election officers and the authorized candidates and representatives shall unlock the voting and counting mechanism of the machine and shall proceed thoroughly to examine and test the machine to determine and reveal the true cause or causes if any of the discrepancy in returns from such machine Each counter shall be reset at zero (000) before it is tested after which it shall be operated at least one hundred times After the completion of such examination and test the custodian shall then and there prepare a statement in writing giving in detail the result of the examination and test and such statement shall be witnessed by the persons present and shall be filed with the said court or board If upon such recanvass it shall appear that the original canvass of the returns by the election officers was incorrect the said returns and all the papers being prepared by the said court or board shall be corrected accordingly

(b) Provided however that in the case of returns from any election district wherein the election was held by the use of a voting machine equipped with mechanism for printing paper proof-sheets said proof-sheets if mutually consistent shall be deemed to be the primary evidence of the result of the election and to be prima facie accurate and there shall not be considered to be any discrepancy or error in the returns from any such district such as to require a recanvass of the vote if all available proof-sheets from the voting machine used therein identified to the satisfaction of the return board and shown to its satisfaction to have been produced from proper custody shall be mutually consistent and if the general and duplicate returns or either of them from said district shall not correspond with said proof-sheets they and all other papers being prepared by said return board shall be corrected so as to correspond with the same in the absence of

allegation of specific fraud or error proved to the satisfaction of the return board by the weight of the evidence and only in such case shall the vote of said election district be recanvassed under the provisions of this section

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. PARKINSON. Mr. President, I move that Senate Bill No. 500, the bill just read, be recommitted to the Committee on Elections.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 523 (House Bill No. 963), entitled:

An Act to amend section two of the act approved the twenty-second day of April, one thousand eight hundred and seventy-four (P. L. 109), entitled "An act to provide for the submission of civil cases to the decision of the court, and to dispense with trial by jury"; providing that upon request of counsel the decision of the court in such cases shall state separately the facts found, the answers to points submitted and the conclusions of law.

And said bill having been read at length the second time and agreed to,

Oredered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 543, as follows:

An Act to amend section four of the act approved the twentieth day of March one thousand eight hundred and ten (Pamphlet Laws two hundred eight) entitled "An act to amend and consolidate with its supplements the act entitled 'An act for the recovery of debts and demands not exceeding one hundred dollars before a Justice of the Peace and for the election of constables and for other purposes'" by prescribing the time within which transcripts must be filed on appeals from judgments of justices of the peace in civil cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four of the act approved the twentieth day of March one thousand eight hundred and ten (Pamphlet Laws two hundred eight) entitled "An act to amend and consolidate with its supplements the act entitled 'An act for the recovery of debts and demands not exceeding one hundred dollars before a justice of the peace and for the election of constables and for other purposes'" is hereby amended to read as follows

Section IV And be it further enacted by the authority aforesaid That if either party or their agents shall refuse to refer the justice may proceed to hear and examine their proofs and allegations and thereupon give judgment publicly as to him of right may appear to belong either party having the right to appeal within twenty days after judgment being given either by the justice alone or on award of referees when such award shall exceed the sum of twenty dollars And if the parties are dismissed before an appeal is made the justice shall at the instance of the appellant notify through a constable or other fit person the adverse party to appear before him on some day certain and if the parties shall appear on the day appointed it shall be in the power of the justice with consent of the parties or their agents to open his judgment and give them another hearing but if they will not agree to such rehearing the party appellant shall be bound with surety in the nature of special bail unless such party appellant be an executor or administrator body corporate or politic in all or either of which cases the party appellant shall be entitled to the appeal without being bound with surety in the nature of special bail whether the appellee shall appear or not if the plaintiff in a sum sufficient to cover all the costs which have or may accrue with four dollars as a council fee and fifty cents per day for every day the appellee shall attend on such appeal which the appellant shall be bound to pay if the judgment of the justice shal lbe affirmed by the court or if he shall recover less than the amount of the judgment of the justice if the defendant be the appellant he shall be bound with surety as aforesaid in a sum sufficient to cover the sum in controversy all the costs council fee and daily pay aforesaid which he shall be bound to pay if the judgment of the justice shall be affirmed by the court or if theplaintiff shall recover more than the amount of the judgment of the justice but on the reversal or abatement of the amount of a judgment on an appeal the defendant if the appellant shall be allowed his daily pay council fee and costs only in case he produces no evidence before th court othr than that which he exhibited before the justice or referees or in case of his having offered security as aforesaid if he is not a freeholder for his apparance on an after day or being a freeholder was refused time to prepare or produce his proof or in case of judgment against him by default the plaintiff refused his consent to a rehearing which costs shall be taxed by the court and all which proceeding so had before the justice shall be entered at large by him in a docket or book to be kept by him for that purpose in which he shall state the kind of evidence upon which the plaintiffs demand may be founded whether upon bond note penal or single bill writing obligatory book debt damages on assumption or whatever it may be and the whole proceeding in case of appeal shall be certified to the prothonotary of the proper county who shall enter the same on his docket and the suit shall from thence take grade with and be subject to the same rules as other actions where the parties are considered to be in court and the costs accrued before the justice shall await the event of the suit Provided always That if the party appellant shall enter bail to appear within twenty days after judgment being given as aforesaid such appeal shall be effectual in case such party appellant shall file the transcript of the record of the justice in the prothonotary's office [on or before the first day of the next term of the court of common pleas of the proper county after entering such bail as aforesaid] within thirty days after the judgment was given by the justice Provided That upon any such appeal from the decision determination or order of two justices of the peace to the court of common pleas or court of quarter sessions in any county the cause shall be decided in such court on its facts and merits only and no deficiency of form or substance in the record or proceedings returned nor any mistake in the form or name of the action shall prejudice either party in the court to which the appeal shall be made Provided further nevertheless if any executor or administrator shall declare before the justice after judgment against him that he has not sufficient assets to satisfy such judgment it shall be the duty of the justice forthwith to transmit the record of his judgment to the prothonotary of the court of common pleas to be entered on his docket and the said court shall adjudge and decree thereon and appoint auditors to ascertain and apportion the assets according to law as in other cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 557, entitled:

An Act to amend section two thousand five hundred and eleven of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs," providing that in

awarding certain contracts for the erection, construction and alteration of public buildings separate bids shall be received for the structural steel and ornamental iron work.

The first section of the bill was read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two thousand five hundred eleven of the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" is hereby amended to read as follows

Section 2511 Separate Specifications In the preparation of specifications for the erection or alteration of any public building when the entire cost of such work shall exceed one thousand dollars it shall be the duty of the architect engineer or person preparing such specifications to prepare separate specifications for the plumbing heating ventilating and electrical work and the structural steel and ornamental iron work and the borough shall receive separate bids upon each of the said branches of work and award the contract for the same to the lowest responsible bidder

On the question,

Will the Senate agree to the section?

Mr. ROBERTS. Mr. President, I move to amend section 1, page 2, lines 7 and 8, by striking out the words "and ornamental iron"

Mr. BAUMER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows:

An Act to amend section two thousand five hundred and eleven of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," providing that in awarding certain contracts for the erection, construction and alteration of public buildings separate bids shall be received for the structural steel and ornamental iron work.

On the question,

Will the Senate agree to the title?

Mr. ROBERTS. Mr. President, I move to amend title, page 1, line 9 of title, by striking out the words "and ornamental iron"

Mr. BAUMER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 558, entitled:

An Act to amend section five hundred and sixty-three of the act, approved the twenty-first day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh, and eighth classes; and revising, amending and consolidating the laws relating thereto;" providing that in awarding certain contracts for the erection, construction and alteration of public buildings, separate bids shall be received for the structural steel and ornamental iron work.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five hundred sixty-three of the act approved the twenty-first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 563 Separate Specifications and Contracts for Certain Items In the preparation of specifications for the erection construction and alteration of any public building when the entire cost of such work shall exceed one thousand dollars the architect engineer or other person preparing such specifications shall prepare separate specifications for the plumbing heating ventilating and electrical work and the structural steel and ornamental iron works and the board of commissioners shall receive separate bids upon each of the said branches of work and award the contract for the same to the lowest responsible bidder for each of said branches

On the question,

Will the Senate agree to the section?

Mr. ROBERTS. Mr. President, I move to amend section 1, page 2, line 11, by striking out the words "and ornamental iron."

Mr. BAUMER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows:

An Act to amend section five hundred and sixty-three of the act, approved the twenty-first day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh, and eighth classes; and revising, amending and consolidating the laws relating thereto"; providing that in awarding certain contracts for the erection, construction and alteration of public buildings, separate bids shall be received for the structural steel and ornamental iron work.

On the question,

Will the Senate agree to the title?

Mr. ROBERTS. Mr. President, I move to amend title, page 1, last line of title, by striking out the words "and ornamental iron."

Mr. BAUMER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 559, entitled:

An Act to amend section one thousand nine hundred and six of the act approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto"; providing that in awarding certain contracts for the erection, construction, and alteration of public buildings, separate bids shall be received for the structural steel and ornamental iron work.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand nine hundred and six of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" is hereby amended to read as follows

Section 1906 Separate Bids for Plumbing Heating Ventilating and Electrical Work and Structural Steel and Ornamental IRON WORK In the preparation of specifications for the erection construction and alteration of any public building when the entire cost of such work shall exceed one thousand dollars the architect engineer or other person preparing such specifications shall prepare separate specifications for the plumbing heating ventilating and electrical work and the structural steel and ornamental iron work The person or persons authorized to enter into contracts for the erection construction or alteration of such public buildings shall receive separate bids upon each of the said branches of work and award the contract for the same to the lowest responsible bidder for each of said branches

On the question,

Will the Senate agree to the section?

Mr. ROBERTS. Mr. President, I move to amend section 1, page 2, lines 4 and 5, by striking out the words "and ornamental iron"

Mr. BAUMER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows:

An Act to amend section one thousand nine hundred and six of the act approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto"; providing that in awarding certain contracts for the erection, construction, and alteration of public buildings, separate bids shall be received for the structural steel and ornamental ironwork.

On the question,

Will the Senate agree to the title?

Mr. ROBERTS. Mr. President, I move to amend title, page 1, lines 9 and 10, by striking out the words "and ornamental iron"

Mr. BAUMER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 560, entitled:

An Act to amend section one thousand eight hundred and five of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto"; providing that in awarding certain contracts for the erection, construction and alteration of public buildinsg, separate bids shall be received for the structural steel and ornamental iron work.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand eight hundred and five of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand two hundred six) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 1805 Separate Specifications for Branches of Work In the preparation of specifications for the erection or alteration of any public building when the entire cost of such work exceeds one thousand dollars the architect engineer or person preparing such specifications shall prepare separate specifications for the plumbing heating ventilating and electrical work and the structural steel and ornamental iron work and the township shall receive separate bids upon each of such branches of work and award the contract for the same to the lowest responsible bidder

On the question,

Will the Senate agree to the section?

Mr. ROBERTS. Mr. President, I move to amend section 1, page 2, lines 9 and 10, by striking out the words "and ornamental iron"

Mr. BAUMER. Mr. President. I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows:

An Act to amend section one thousand eigh' hundred and five of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto"; providing that in awarding certain contracts for the erection, construction and alteration of public buildings, separate bids shall be received for the structural steel and ornamental iron work.

On the question,

Will the Senate agree to the title?

Mr. ROBERTS. Mr. President, I move to amend title, page 1, line 10 of title, by striking out the words "and ornamental iron"

Mr. BAUMER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 561, entitled:

An Act to amend section one of the act, approved the first day of May, one thousand nine hundred and thirteen (P. L. 155), entitled "An act regulating the letting of certain contracts for the erection, construction, and alteration of public buildings," providing that in such cases separate contracts shall be awarded for the structural steel and ornamental iron work.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the first day of May one thousand nine hundred and thirteen (Pamphlet Laws one hundred fifty-five) entitled "An act regulating the letting of certain contracts for the erection construction and alteration of public buildings" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter in the preparation of specifications for the erection construction and alteration of any public building when the entire cost of such work shall exceed one thousand dollars it shall be the duty of the architect engineer or other person preparing such specifications to prepare separate specifications for the plumbing heating ventilating and electrical work and the structural steel and ornamental iron work and it shall be the duty of the person or persons authorized to enter into contracts for the erection construction or alteration of such public buildings to receive separate bids upon each of the said branches of work and to award the contract for the same to the lowest responsible bidder for each of said branches

On the question,

Will the Senate agree to the section?

Mr. ROBERTS. Mr. President, I move to amend section 1, page 2, line 9, by striking out the words "and ornamental iron"

Mr. BAUMER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows:

An Act to amend section one of the act, approved the first day of May, one thousand nine hundred and thirteen (P. L. 155), entitled "An act regulating the letting of certain contracts for the erection, construction, and alteration of public buildings," providing that in such cases separate contracts shall be awarded for the structural steel and ornamental iron work.

On the question,

Will the Senate agree to the title?

Mr. ROBERTS. Mr. President, I move to amend title, page 1 lines 7 and 8 of title, by striking out the words "and ornamental iron"

Mr. BAUMER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 579, as follows:

An Act to amend the title and to reenact subsection (b) of section thirty-five of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred forty-seven) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien therof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" authorizing executors and administrators to sue and be sued in certain actions in which their decedent might have sued or been sued

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title of the act approved the seventh day of May one thousand nine hundred and seventeen (Pamphlet Laws four hundred forty-seven) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate dvised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the

business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally daeling with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" is hereby amended to read as follows

AN ACT

Relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof th lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate as assets for payment thereof the lien the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries authorizing executors and administrators to sue and be sued in certain actions in which their decedent might have sued or been sued investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents

Section 2 Subsection (b) of section thirty-five of said act is hereby reenacted to read as follows

(b) Executors or administrators shall have power to commence and prosecute all actions for mesne profits or for trespass to real property and all personal actions which the decedent whom they represent might have commenced and prosecuted except actions for slander and for libels and they shall be liable to be sued in any such action except as aforesaid which might have been maintained against such decedent if he had lived

Section 3 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 586 (House Bill No. 445), entitled:

An Act to amend sections 703 1015 1406 1902 2103 2403 Cl 53 2559 2562 2563 2564 2566 2567 2601 2620 2621 2706 2955 2978 3206 3211 3212 3501 3801 and 3803 of and to add sections 1913 and 2990 to the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two), entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" providing for vacancies in office and the filling thereof where persons elected fail to qualify for the publication of ordinances for the deposit of funds by the city treasurer for exemption from advertisement of contracts with the Commonwealth for a platoon system for paid men of volunteer fire departments for group insurance for the exoneration of tax collectors and the settlement of their duplicates for penalties and interest on taxes for the collection of delinquent taxes for the licensing of transient merchants and business for the acquisition of unobstructed views for detours for the construction of sewage treatment works and the acquisition of property therefor for the collection of a frontage tax for water mains and certain license taxes that the powers of the Shade Tree Commission may be exercised by council for the advertisement of contracts in trade journals and for the improvement of boundary streets.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections 703 1015 1406 1902 2103 2403 Cl 53 2559 2562 2563 2564 2566 2567 2601 2620 2621 2706 2955 2978 3206 3211 3212 3501 3801 and 3803 of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" are hereby amended to read as follows

Section 703 Elected Officers Term Eligible to Re-election Vacancies Where Elected Officer Fails to Qualify The elected officers of each city shall be a mayor fou. members of council a controller and a treasurer Each of such officers shall serve for a term of four years from the first Monday of January next succeeding his election and until his successor is elected and duly qualified and shall be eligible to re-election

Any person elected to a city office who fails to qualify within thirty days from the first Monday of January following his election shall be ineligible to qualify thereafter In such cases the council shall declare a vacancy in the said office and a person shall be appointed to fill said vacancy in the manner provided by this act and when the person so appointed to fill said vacancy qualifies for the office the term of the person holding over shall cease and terminate

Section 1015 Proof of Ordinance Evidence Time of Taking Effect Publication Recording All ordinances resolutions motions or other proceedings of council may be proved by the certificate of the city clerk under the corporate seal and when printed or published in book or pamphlet form and purporting to be published by authority of the city shall be read and received as evidence in all courts and places without further proof All ordinances shall unless otherwise provided therein or by law take effect in ten days after their passage upon their being signed by the mayor and attested by the city clerk Every ordinance prescribing a penalty for the violation thereof shall be forthwith published at least three times "each publication on a different day" in at least one and not more than two newspapers printed and circulated within the city in the manner provided by section one hundred and nine of this act All ordinances shall within one month after their passage be certified and recorded by the city clerk in a book provided by the city for that purpose which shall be at all times open to the inspection of citizens

Section 1406 Depositories of City Funds The treasurer shall keep the public funds in such banks or financial depositories as council may direct under such restrictions and safeguards as council may provide and shall verify his cash accounts monthly or whenever required to the satisfaction of council

No treasurer complying with the provisions of this section and any ordinance of the city nor his surety or sureties shall be chargable with losses of city funds caused by the failure or negligence of any such city depository

Section 1902 Regulations Concerning Contracts All work and materials required by any city of the third class or any department thereof where the amount exceeds the sum of five hundred dollars shall be furnished and performed under written contract and the contract shall be awarded and given to the lowest responsible bidder after advertising [once a week for three weeks] three times "each publication on a different day" in not more than two newspapers in accord with the provisions of section one hundred and nine of this act and the bids shall not be opened until at least ten days have elapsed after the first advertisement Provided That the requirements of this section as to advertising and contracts and bidding and to the sum of five hundred dollars shall not apply to repairs of highways sewers and other public

improvements or to resurfacing or maintaining of highways or to street and sewer cleaning or to the collection of rubbish ashes and garbage made done and provided by the officers and employes of the city or to any agreement with the Commonwealth whereby the city agrees to pay a portion of the cost of any improvement made under contract let by the Commonwealth or any department thereof And further provided That where the roadway of a street is to be paved originally and for the first time or reconstructed by putting down a new base or a sewer is to be constructed or grading done such work shall be done under written contract after advertising as provided in section one hundred and nine of this act and such contract shall be given to the lowest responsible bidder

The council shall by ordinance provide for and regulate the purchase of supplies and materials and the sale of personal property

The council may also by ordinance provide a contingent fund or funds for necessary repairs and incidental expenses not otherwise provided in the general appropriations and such funds may be expended without advertising for bids

Section 2103 Platoon System Hours of Service The director of the department having charge of the fire bureau in each city shall divide the officers and members of companies of the uniformed fire force in the employ of such cities or in the case of a volunteer fire department the firemen and drivers regularly employed and paid by the city excepting the chief engineer and assistant chiefs and those employed subject to call into two bodies or platoons one to perform day service and the other to perform night service The hours of day service shall not exceed ten commencing at eight o'clock in the morning the hours of night service shall not exceed fourteen commencing at six o'clock in the afternoon In cases of riot serious conflagration or other such emergency the chief engineer of the bureau of fire or the assistant chief deputy or chief officer in charge at any fire shall have the power to assign all the members of the fire force to continuous duty or to continue any member thereof on duty if necessary No member of either of said shifts bodies or platoons shall be required to perform continuous day service or continuous night service for a longer consecutive period than two weeks nor be kept on duty continuously longer than ten hours in the day shifts bodies or platoon or fourteen hours in the night shifts bodies or platoon excepting as may be necessary to equalize the hours of duty and service and also excepting in cases of riot serious conflagration or other such emergency as above provided

Section 2403

53 Insurance [with Mutual Companies] To make contracts of insurance with any mutual fire insurance company duly authorized by law to transact business in the Commonwealth of Pennsylvania on any building or property owned by the city

To make contracts of insurance with any insurance company authorized to transact business within the Commonwealth insuring its employes or any class or classes thereof under a policy or policies of group insurance covering life health or accident insurance and to contract with any such company granting annuities or pensions for the pensioning of such employes and for such purposes to agree to pay part or all of the premiums or charges for carrying such contracts and to appropriate out of its treasury any money necessary to pay such premiums or charges or portions thereof All contracts procured hereunder shall conform and be subject to all the provisions of any existing or future laws concerning group insurance and group annuity contracts

Section 2559 Powers of City Treasurer as Tax Collector The city treasurer as the collector of taxes may appoint as many deputies as shall be necessary to enable him to collect the said taxes or any of them which deputies shall be paid by the said treasurer The respective authorities levying the tax shall not in any wise be liable for their compensation nor for their official conduct The city treasurer as the collector of the several taxes and his deputies shall have and exercise all the powers vested by law in the several collectors of State and county taxes and in all the remedies for the collection thereof and shall have additional power and authority after five days' notice to seize by levy and distress any personal property on the premises assessed belonging to tenants purchasers or others without regard to the date of assessment or levy of the tax and to sell the same giving ten days' public notice of such sale by written or printed advertisement and to levy upon any personal property of the delinquent that may be found within the county for the collection of said taxes and after notice of sale to sell the same for the payment of said taxes The several warrants shall be effectual to autorize the said treasurer as collector of taxes to collect the said taxes [during two years from the date of each respective warrant]

Section 2562 Exonerations The council of each city shall have authority in proper cases and for sufficient cause to exonerate the tax collector from the collection of any taxes [for sufficient cause] or penalties or any part thereof

Section 2563 Reductions [and] Penalties and Interest All persons who shall make payment during the months of March and April in each year of city and poor tax shall be entitled to a reduction or abatement of one per centum from the amount thereof All such taxes shall be payable at their face during the months of May and June in each year Upon all city and poor taxes remaining unpaid on the first day of July in each year one per centum shall be added thereto and upon the first day of each succeeding month thereafter there shall be added or charged an additional penalty for nonpayment of one per centum until [such taxes are paid] and including the month of December which penalty shall be added to the taxes by said treasurer as collector and be collected by him All taxes remaining unpaid on January first of the year following the year of levy shall bear interest on the tax and penalty at the rate of six per centum per annum until paid said interest to be computed only to the first day of the month in which the tax is paid

Section 2564 [Monthly] Payment Over of Taxes Deposits Monthly Report The city treasurer as collector of taxes shall once a month or oftener if required by ordinance or resolution pay over to himself as city treasurer or charge himself therewith all the city and poor taxes collected by him At the same time he shall make a report or return to the director of accounts and finance verified by affidavit showing by whom and upon what real estate the city and poor taxes have been paid He shall at the same time deposit said moneys into a bank or financial institution which shall be a city depository named by the city council if a depository has been so named All such deposits shall be made in the name of the city treasurer or in the name of the city as council may provide

Section 2566 Satisfaction upon Duplicates Time of Final Settlement Exonerations Upon the payment to the city treasurer as collector of taxes of any taxes assessed against property it shall be his duty to satisfy the property taxes thus paid upon the duplicates in his hand He shall finally settle with the proper authorities all duplicates of city and poor taxes delivered to him on or before the first Monday of July of the year following the date of the delivery of such duplicates unless such time shall be extended by resolution of council and pay over the amount charged against him except such sums as he may be exonerated from collecting by the proper authorities and such sums as may be due upon real property for which liens are to be filed and for which schedules of taxes have been filed under oath with the city solicitor in manner and form as hereinafter provided When a duplicate has been so satisfied the liability of the tax collector and the sureties on his bond for any taxes charged in such duplicate shall be discharged

Section 2567 Rights of Treasury after Expiration of Term of Office Upon the expiration of the term of office of the city treasurer in case of any of the taxes which he was commanded to collect remain unpaid he shall have the right

(a) To collect all the delinquent taxes for the space of one year after the expiration of his term of office and for this purpose all warrants issued to him during his term of office shall be effective to him as collector of taxes for the space of one year after the expiration of his term as city treasurer

(b) To certify real estate taxes remaining unpaid and delinquent to the city solicitor for filing in the court of common pleas as a city lien

(c) Or he may turn over the unpaid or delinquent taxes on real estate to his successor in office who shall have power to collect the same [either] by having the [same] taxes filed in court as a lien [or sell] by selling the [same] property at public sale as provided by law authorizing the sale of real estate for the payment of delinquent taxes or by levying upon personal property on the premises assessed as provided in this act

In case the city treasurer as collector of taxes pays the taxes levied against any property he shall be entitled to collect the same from the person or persons who are liable therefor by his warrant so long as it is in force or have real estate taxes filed in court as a lien for his use and after the expiration of his term as city treasurer he shall continue

in office as the collector of school taxes until the end of the then current school year

Section 2601 License Taxes for Revenue Purposes Council may by ordinance levy and collect a license tax for general revenue purposes not exceeding one hundred dollars each annually on all auctioneers contractors druggists hawkers peddlers produce or merchandise venders bankers brokers undertakers pawnbrokers trading stamp or premium companies or dealers warehouses or storage houses or places merchants of all kinds persons selling or leasing goods upon instalments grocers confectioners butchers wholesale meat dealers restaurants billiard-parlors bowling alleys billiard tables pool tables and other gaming tables drays hacks carriages omnibuses automobiles carts wagons and street railway cars [and] including all other vehicles [likewise] used in the city for hire or pay all skating rinks operas theatres shows circuses menageries and all kinds of public exhibitions for pay except those for religious educational or charitable purposes all lumber dealers commisson men and all persons who make a business of buying lumber for sale at wholesale or retail all furniture dealers saddle or harness dealers stationers jewelers livery or automobile or boarding-stable keepers all real estate agents market-house companies and owners of market houses garage companies and owners of other than private garages express companies or agencies and where no other license tax is imposed on telegraph telephone steam-heating gas natural gas water electric light or power companies or agencies or individuals furnishing communication light heat or power by any of the means enumerated and to regulate the collection of the same If any person firm or corporation conducts a business at more than one location in a city the business conducted at each location shall be considered and assessed as a separate and independent business and shall be subject to a license tax The taxes assessed under this section shall be in addition to all other taxes levied and collected by the city county or Commonwealth

Section 2620 Power to Regulate and License [Every person whether principal or agent entering into beginning or desiring to began a transient retail business in any city for the sale of any goods wares or merchandise whatsoever and who hires leases occupies or uses any room apartment store shop building railway car or other place or structure for the exhibition and sale of such goods wares or merchandise shall take out a license for the same from the proper authorities of the city Provided however That nothing herein contained shall apply to farmers selling their own produce or to any sale of goods wares or merchandise donated by the owners thereof the proceeds whereof are to be applied to any charitable or philanthropic purpose] Every city shall have power by ordinance to regulate and license each and every transient retail business within such city for the sale of goods wares or merchandise and to prohibit the commencement or doing of any such business until or unless the license required by such ordinance has been procured from the proper authorities by the person firm or corporation desiring to commence such transient retail business and to enforce such ordinances by penalties not exceeding three hundred dollars and by other appropriate means The amount of such license shall not exceed two hundred dollars for each month or fractional part thereof during which any such sale is continued

Section 2621 [Amount of License Fee The amount of such license in any city shall be fixed by ordinance and shall not be less than twenty-five dollars ($25.00) nor exceed the sum of two hundred dollars ($200.00) per month or fractional part thereof to be paid to the treasurer of said city Said license shall be renewed monthly during the continuance of said sale and upon failure of said person or persons so to secure such license he she or they shall be fined in a summary proceeding a sum not less than one hundred dollars ($100.00) nor more than two hundred dollars ($200.00) to be collected as other fines are by law collectible and in default of payment of said fines shall be imprisoned in the jail of said county for a period not exceeding thirty (30) days] Farmers and Charities Excepted Nothing contained in this subdivision (c) shall be construed to apply to farmers selling their own produce or to the sale of goods wares and merchandise donated by the owners thereof the proceeds whereof are to be applied to any charitable or philanthropic purpose

Section 2706 Ordinance for Increase Publication Whenever by the Constitution and laws of this Commonwealth any city shall be authorized to increase its indebtedness by borrowing money on the faith and credit of said city the proposed ordinance to effect the loan shall be introduced at a stated meeting of the council and the draft thereof published in at least one and not more than two of the newspapers of the city if so may be published therein once a week for four weeks before the final consideration and passage therof by the said council The specific purpose or purposes for which the said loan is authorized shall be distinctly set out in the said ordinance and the moneys received for said loan shall not be used for any purpose other than those so stated except such purpose as has been changed in accordance with existing law The city shall at or before the time of authorizing the said loan provide for the collection of an annual tax sufficient to pay the interest and also the principal of the said loan within [twenty] thirty years

Section 2955 Acquisition of Unobstructed Views Any city may acquire by purchase or by the right of eminent domain a free and unobstructed view down and across lands located at or near the intersection of any two highways or a highway and a railroad or railway or at any curve in any highway as may be necessary to assure a free and unobstructed view in all directions at such crossings and to so prevent the use of such lands for any purpose or in any manner which may interfere with or obstruct the vision of any person or persons traveling upon any such highway Upon any such condemnation the city having instituted the condemnation proceedings shall file with the recorder of deeds of the proper county a plan showing the property condemned and such other detailed information which may be deemed necessary said plans to be recorded at the expense of the county and after the same is recorded said city may from time to time abate or remove or cause to be abated or removed any obstruction to such view over and across such lands

The proceedings for the condemnation of such view over and across such lands and for the assessment of damages for property taken injured or destroyed shall be in the manner provided in this act for property taken injured or destroyed

Upon the condemnation of a view over and across any lands for the purposes aforesaid the owner of such lands may make every such use thereof as will not interfere with a free and unobstructed view at such dangerous crossing or curve Unless specially provided for in such condemnation proceedings such condemnation shall not be construed to prevent the owner thereof from using such land for pasture or the growing of grass oats wheat or other crops which will not obstruct the vision more than wheat

Section 2978 Detours to be Provided When Highways Closed When any highway street or road shall be closed as hereinbefore provided it shall be the duty of the authorities authorizing the closing to immediately designate or lay out a detour on which they shall erect or cause to be erected and maintained while such detour is in use legible signs at each public highway intersection throughout its entire length indicating the direction to the main highway During the period when such detour is in use it shall be the duty of the authorites closing the main highway to maintain such detour in safe and passable condition It shall also be the duty of the authorities closing the main highway and maintaining the detour to immediately remove all detour signs when the highway originally closed is open for traffic Said authorities shall as soon as possible repair the road designated as a detour and place same in a condition at least equal to its condition when designated as a detour Whenever necessary in the creation of a detour as aforesaid the authorities responsible for laying out the detour may enter into agreement with the owners of private lands covering the acquisition of right of way privileges over private property for the period when the main highway shall be closed to traffic In case no agreement satisfactory to the parties can be reached the authorities responsible for the laying out of the dtour may proceed with the construction of the same and either such authorities or the owner of the property occupied may petition the court for the appointment of viewers to ascertain the damages if any in the same manner as damages are now ascertained for the opening of public roads in such city In the exercise of the rights conferred by this section the authorities responsible are hereby empowered to pay for the necessary mainten nce subsequent repair and land rental out of such funds as are available for the construction and or maintenance of the highways streets and roads in their charge

Section 3206 Construction of Sewerage System Assessment of Cost Any city may construct or cause to be constructed a sewerage system of sewers in streets lanes alleys and highways with extensions thereof and sewage treatment works and with lateral and branch sewers therefrom in other highways streets lanes and alleys and in public or private lands at the same

time as part of the same improvement and under the same contract and the cost and expense thereof may be assessed as is herein provided Sewage treatment works may be erected within or without the limits of the city which shall have authority to acquire property within or without the limits of the city deemed necessary for such treatment works and the sewers leading thereto

Section 3211 Rental Charge for Use of Sewers Whenever any city has constructed any sewer or sewer system or sewage [disposal plant] treatment works either wholly or partially at public expense or has acquired the same at public expense such city may provide by ordinance for the collection of an annual rental or charge for the use of such sewer sewer system or sewage [disposal plant] treatment works from the owners of the property served by it

Section 3212 Limitation of Amount of Sewer Rental Charge Such annual rental shall not exceed the amount expended annually by the city in the operation maintenance repair alteration inspection depreciation or other expenses in relation to such sewer sewer system or sewage [disposal plant] treatment works and may include any interest on money expended by the city in the construction or acquisition of such sewer sewer system or sewage [disposal plant] treatment works The said annual sum shall be apportioned equitably among the several properties served by the said sewer sewer system or sewage [disposal plant] treatment works

Section 3501 Exclusive Right to Furnish Water to City Frontage Tax Each city shall have the exclusive right at all times to supply the city with water and such persons partnerships and corporations therein as may desire the same at such prices as may be agreed upon and for that purpose to have at all times the unrestricted right by ordinance subject to the provisions of existing laws to make erect maintain all proper works machinery buildings cisterns reservoirs pipes conduits for the raising reception conveyances and distribution of water or in territory not supplied with water to make contracts with and authorize any person company or association so to do and to give such person company or association the privilege of furnishing water as aforesaid for any length of time not exceeding ten years Whenever an extension of a supply of water to portions of the city not previously supplied shall be made it shall be lawful to charge all owners of houses lots and buildings on each side of the street a frontage tax at such rate per foot as council may by ordinance fix The provisions of this section shall not apply to any city wherein the title to the waterworks therein located is in the name of the commissioners of water-works

Section 3801 Shade Tree Commission Any city may [establish] by ordinance create a commission to be known as the Shade Tree Commission of such city but in cities where the council of said city shall not elect to create by ordinance such Shade Tree Commission the said council may exercise all the rights and perform the duties and obligations imposed by this article upon the Shade Tree Commission

Section 3803 Powers may be Vested in Park Commission Whenever in any city there exists a commission for the care of public parks the council may also by ordinance provide that the park commission shall have all the powers and be subject to all the duties prescribed by this article for the shade tree commission

On the question,

Will the Senate agree to the section?

Mr. REED. Mr. President, I move to amend section 1, page 11, line 13 after the word "all" insert the word "photographers."

Mr. HARVEY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

Mr. HARVEY. Mr. President, I move to amend section 1, page 13, line 2, by inserting at the beginning of said line, before the word "retail" the following: "wholesale and"; also line 7, by inserting after the word "transient" the following: "wholesale and"

Mr. REED. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second, third, and fourth sections of the bill were read as follows and agreed to.

Section 2 That said act be amended by adding thereto the following sections

Section 1913 Advertisement of Contracts in Trade Journals Authorized Any officer of any city whose duty it is by law to advertise for bids for public works contracts supplies or equipment may at his or its discetion legally authorize the publication of such advertising in addition to the newspapers specified by law also in any publication or journal devoted to the dissemination of information about construction work published in this Commonwealth at least once a week and circulating among contractors manufacturers and dealers doing business in the community in which such public works are to be constructed or supplies or equipment purchased Provided That no advertisement for bids for public works contracts supplies or equipment shall be inserted in any publication or journal devoted to the dissmination of information about construction work which has not been established and regularly issued from a printing office and publication house in this Commonwealth for a period of at least eighteen months and that such publication and journal shall be entered or entitled to be entered for admission to the United States mails as second class matter and shall have a bona fide income from subscribers within the Commonwealth of Pennsylvania of not less than fifteen thousand dollars ($15,000) per annum duly certified by a public accountant and the rates and charges for such advertising shall not be in excess of those of newspapers of general circulation as defined by the Newspaper Advertising Act of May sixteen one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred eighty-four) of a like circulation published in the community in which the public works are to be constructed or the supplies or equipment purchased

Section 2990 Highway the Center Line Which is the Dividing Line Between a City and Borough or Township of the First Class Paving of Assessments Whenever the center line of any highway constitutes the dividing line between a city and a borough or a city and a township of the first class located in the same county the council of such city may where such improvements is through built up property or properties duly plotted and laid out in lots for building purposes and where two-thirds of the combined frontage of the two sides petition for the improvements enter into a contract with the borough or township providing for the grading curbing draining paving and macadamizing of such highway Such alterations and improvements shall be made under the supervision of the proper authorities of such city borough or township or by contract let by such city borough or township as may be provided for in the contract between the city and township

No ordinance or ordinances authorizing any such improvement where the whole or any part of the cost of the improvement is to be assessed against abutting property shall be finally adopted until the expiration of thirty days from the date of its introduction and in the meantime copies thereof shall be published once a week for two weeks in one newspaper circulating in such city borough and township immediately following the introduction thereof and at least five copies thereof shall be posted along the line of the proposed improvement

The whole cost of such alterations and improvements or any part thereof as may be agreed upon in the contract between the city borough and township may be collected from the owners of property within the city borough and within the township abutting along the line of the improvement by an equal assessment on the foot front Any portion of such cost not assessed against abutting property shall be paid one-half by each of the municipal divisions joining in the improvement

Thirty days notice of assessments of the whole cost or part of the cost of any such improvement shall be given to each party assessed either by service on the owner or his agent or posted on the premises by the clerk or secretary of the city borough or township making the improvement If any assessment made by the city shall remain unpaid at the expiration of the notice it shall be the duty of the city solicitor to collect

the same with interest from the time of the completion of the improvement by action of assumpsit or by a lien to be filed and collected in the same manner as municipal claims When an owner has two or more lots against which there is an assessment for the same improvement all of such lots shall be embraced in one claim

Section 3 This act shall become effective immediately upon final enactment

Section 4 The following acts are hereby repealed so far as they relate to cities of the third class

The act approved the fifth day of May one thousand nine hundred and thirty-one (Pamphlet Laws ninety-three) entitled "An act to amend section one of the act approved the thirtieth day of March one thousand nine hundred and fifteen (Pamphlet Laws thirty-four) entitled 'An act to promote the health and efficiency of firemen in cities of the second class by providing for a two-platoon system for firemen in the department of public safety of such cities' as amended by extending the provisions of said act to firemen and drivers of volunteer departments when paid by the cities of the first second and third class"

The act approved the twelfth day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred two) entitled "An act to amend section three of the act approved the ninth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand seven hundred and two) entitled 'An act regulating the closing of public highways and providing for the locating marking and maintenance of detours necessitated by such closing requiring boroughs cities and towns to notify the Department of Highways of the creation and discontinuance of certain detours providing penalties for removing destroying defacing signs erected for warning or detour purposes and for driving on over or across highways which are closed by the proper persons or authorities except in certain cases further providing that that authorities responsible for the maintenance of highways which have been damaged or their agents or contractors shall have the right to recover the amount of such damages from the person or persons responsible in addition to the penalties herein provided and repealing certain acts"

The act approved the twelfth day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred thirty-five) entitled "An act empowering cities towns and townships of the first class to regulate and license by ordinance any transient retail business for the sale of goods wares and merchandise and to prohibit the doing of business without a license"

The act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws six hundred seventy-two) entitled "An act providing for the grading curbing draining paving and/or macadamizing of highways the center line of which constitutes the dividing line between a city and a borough or a city and a township of the first class or a borough and a township of the first class and for the collection of the whole or part of the cost of such improvements by assessments against property abutting on the line of the improvement"

The act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws six hundred seventy-five) entitled "An act to amend section two of the act approved the fourteenth day of June one thousand nine hundred one) entitled 'An act authorizing the State Highway Department the Public Service Commission counties cities boroughs and townships to purchase or condemn by the right of eminent domain free and unobstructed view over and across lands at certain highway railroad and railway intersections and curves so as to prevent and permit removal of interference with and obstruction of the vision of users of said highways and providing for the use of such lands in such manner as not to interfere with a free and unobstructed view"

The act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws eight hundred forty-four) entitled "An act authorizing the Commonwealth of Pennsylvania or any department or division thereof and counties cities boroughs incorporated towns townships school districts and poor districts to make contracts of life health and accident policies for the benefit of employes thereof and contracts for pensions for such employes and providing for the payment of the cost thereof"

The act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws eight hundred forty-five) entitled "An act authorizing the publication of advertisements for bids for public works supplies or equipment in certain publications and journals devoted to information about construction work"

The title of the bill was read as follows and agreed to:

An Act to amend sections 703, 1015, 1406, 1902, 2103, 2403, Cl. 53, 2559, 2562, 2563, 2564, 2566, 2567, 2601, 2620, 2621, 2706, 2955, 2978, 3206, 3211, 3212, 3501, 3801 and 3803 of, and to add sections 1913 and 2990 to, the act approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto; providing for vacancies in office and the filling thereof where persons elected fail to qualify, for the publication of ordinances, for the deposit of funds by the city treasurer, for exemption from advertisement of contracts with the Commonwealth, for a platoon system for paid men of volunteer fire departments, for group insurance, for the exoneration of tax collectors and the settlement of their duplicates, for penalties and interest on taxes, for the collection of delinquent taxes, for the licensing of transient merchants and businesses, for the acquisition of unobstructed views, for detours, for the construction of sewage treatment works, and the acquisition of property therefor, for the collection of a frontage tax for water mains and certain license taxes, that the powers of the Shade Tree Commission may be exercised by council, for the advertisement of contracts in trade journals, and for the improvement of boundary streets.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 614, entitled:

An Act to amend section one thousand and eight of the act approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs," as amended, by further regulating the recording of ordinances.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand and eight of the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" which was amended by the act approved the eighth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand six hundred thirty-six) is hereby further amended to read as follows

Section 1008 Recording and Advertising Ordinances No ordinance or resolution of a legislative character in the nature of an ordinance shall be considered in force until the same is recorded in the ordinance book of the borough and is advertised as provided in this article That all ordinances or resolutions of a legislative character in the nature of an ordinance may be proved by the certificate of the borough secretary or clerk under the corporate seal and when printed or published in book or pamphlet form and purporting to be published by the authority of the borough shall be read and received as evidence in all courts and places without further proof All borough ordinances shall within one month after their passage be recorded by the borough secretary or clerk in a book provided for that purpose which shall be at all times open to the inspection of citizens Ordinances heretofore passed [within five years] prior to the date of this act executed by the officers approved by the burgess and advertised according to law [and] but no so recorded [may] shall now be recorded by the borough secretary and effective under the provisions of this section The entry of the borough ordinance in the ordinance

book by the secretary or clerk shall be sufficient without the signature thereto of the president of council burgess or other person

On the question,

Will the Senate agree to the section?

Mr. ARON. Mr. President, I move to amend section 1, page 2, by adding the following in line 11, after the word "seal": That the same was advertised in at least one newspaper of general circulation as defined by the Newspaper Advertising Act of May sixteenth, one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred eighty-four)"; also page 2, by adding the following in line 21, after the word "law": "in at least one newspaper of general circulation as defined by the Newspaper Advertising Act of May sixteenth one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand seven hundred eighty-four)."

Mr. KRAUSE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to:

An Act to amend section one thousand eight of the act approved the fourth day of May one thousand nine hundred and twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as amended by further regulating the recording of ordinances.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 615, as follows:

An Act validating certain proceedings of borough councils pursuant to the provisions of the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" and the several supplements and amendments thereto

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any ordinance or resolution in the nature of an ordinance heretofore passed by the council of any borough more than five years prior to the passage of this act which shall have been approved by the burgess and advertised as required by law but which shall not have been recorded by the borough secretary or clerk in a book provided for that purpose and as the result of said ordinance or resolution any contract or obligation shall have been entered into or assumed by the borough and the contractor therein designated the same shall be and is hereby validated and shall be recorded and effective under the provisions of this section

Section 2 This act shall become effective immediately upon its final passage

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 643, entitled:

An Act dedicating and setting aside certain lands in Lycoming, Cameron and Clinton Counties as a public park and pleasure-ground, to be known as "Bucktail State Park;" and imposing certain powers and duties in connection therewith upon the Department of Forests and Waters and the Department of Justice of the Commonwealth.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Commonwealth of Pennsylvania hereby dedicates to the public for use as a park and pleasure-ground for the benefit and enjoyment of the people all that area of land extending in length from the western city line of Lock Haven in Lycoming County to the eastern borough line of Emporium in the County of Clinton and along the course of the branch of the Susquehana River and its tributary Sinnemahining Creek in Clinton and Cameron Counties an estimated distance of seventy-five miles and in width from mountain rim to mountain rim across the valley

The said park shall be called and known as the "Bucktail State Park" in commemoration of the Bucktail Regiment which embarked from Driftwood in Cameron County in April one thousand eight hundred and sixty-one upon rafts of their own construction to hasten their arrival at the imperiled State capitol

On the question,

Will the Senate agree to the section?

Mr. QUIGLEY. Mr. President, I move to amend section 1, page 1, line 8, by striking out the word "Lycoming" and insert in lieu thereof, "Clinton"; also line 9, by striking out the word "Clinton" and insert in lieu thereof "Cameron."

Mr. KRAUSE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second, third, and fourth sections of the bill were read as follows and agreed to.

Section 2 The Department of Forests and Waters of the Commonwealth shall have full control and supervision of the public lands and other lands over which it may hereafter obtain control under the provisions of this act within the area hereinbefore dedicated as a public park and pleasure-ground with power to adopt and carry into effect plans for the improvement preservation and use thereof The department may enforce such rules and regulations not inconsistent with the laws of this Commonwealth including provisions for the use and operation of motor vehicles therein as it may make for the protection of life and property the maintenance of good order the protection and improvement of the park and the carrying into effect of the full and proper use of said property as a State park and pleasure-ground

Section 3 The Department of Forests and Waters is hereby authorized to accept in the name of the Commonwealth any land property or money given or donated by any person copartnership asscciation or corporation for use in extending the boundaries of said park or furthering its value for the purpose for which it is hereby dedicated

Section 4 The Department of Forests and Waters is further authorized and empowered to acquire by gift or for nominal consideration from persons owning property within the limits of the territory hereinbfore dedicated and set part as a public park and from others control rights or the right to

limit and prescribe the uses to which such privately owned property may hereafter be put by the owners thereof particularly the right to sell or service travelers tourists recreationists campers or seasonable dwellers the right to prohibit or limit the placing on such properties of billboards or any form of outdoor advertising except such as advertises merchandiseor services sold at roadside inns hotels stores and service stations therein and the right to remove or enforce the removal of abandoned or dilapidated and neglected buildings which have become nuisances All deeds conveyances or agreements of any kind secured by or entered into by the department for the purpose of carrying out the provisions of this section shall be subject to the approval of the Department of Justice

The fifth section of the bill was read as follows:

Section 5 The Department of Forests and Waters may also with the approval of the Governor make and carry out such plans for the profitable utilization of the dead and down timber the leasing of sites for camps cabins bungalows hotesl proper buildings for the accommodation of visitors to and travelers through the park bathing beaches bathing houses boat houses garages gasoline and service stations and refreshment stands or places of such type of construction as the department shall approve for periods of not more than twenty years and such other operations for the profitable employment of such lands as may not be inconsistent with their full use as a State park or pleasure-ground or their full enjoyment by the people and as to the Department of Forests and Waters seems to be to the best interests of the Commonwealth Any moneys derived therefrom shall be paid into the State Treasury through the Department of Revenue and credited to the General Fund

On the question,

Will the Senate agree to the section?

Mr. QUIGLEY. Mr. President, I move to amend section 5, page 3, line 26, by inserting after the word "timber" the following: "and the mineral resources."

Mr. KRAUSE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The sixth and seventh sections of the bill were read as follows and agreed to.

Section 6 All extension and improvement of highways within the boundaries of said park shall be under and in harmony with the general plan of improvement of said park and only after consultation with the Department of Forests and Waters

Section 7 This act shall become effective immediately upon final enactment

The title of the bill was read as follows:

An Act dedicating and setting aside certain lands in Lycoming, Cameron and Clinton Counties as a public park and pleasure ground, to be known s "Bucktail State Park;" and imposing certain powers and duties in connection therewith upon the Department of Forests and Waters and the Department of Justice of the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. QUIGLEY. Mr. President, I move that Senate Bill No. 643, the bill just read, be recommitted to the Committee on Forestry.

Mr. KRAUSE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 679, as follows:

An Act to amend section twenty-nine of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" by relieving townships of the duty to contribute towards the maintenance of certain State-aid highways and discharging certain existing obligations therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-nine of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certaoin existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the ex-

pense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" is hereby amended to read as follows

Section 29 The work of maintaining and repairing all State-aid highways improved under the provisions of this act or which shall have been previously reconstructed by State aid shall be done by the [State Highway] Department of Highways and fifty (50) per centum of the cost [thereof] of maintaining and repairing all State-aid highways improved under the provisions of this act shall be paid by the several townships wherein such roads may lie or by the county when such roads have been improved upon the petition of such county without the co-operation of the township All obligations of any township for the cost of maintaining and repairing any State-aid highways reconstructed by State aid previous to the passage of the act to which this is an amendment heretofore attaching and remaining unpaid whether suit shall have been instituted thereon or not are hereby cancelled and discharged and all records thereof shall be marked satisfied by the Secretary of Highways or his authorized representative

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 707, as follows:

An Act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates justices of the peace and aldermen unless names and addresses of prosecutors defendants and witnesses appear on the transcript thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no county shall hereafter be liable for the payment of any costs inany prosecution brought before any magistrate alderman or justice of the peace against any person on the charge of having committed any crime when such charge shall upon examination at a preliminary hearing appear to be unfounded and shall be dismissed or discharged by such magistrate alderman or justice of the peace and the costs thereof directed to be paid by the county unless there shall be endorsed upon the transcript of such proceedings the names and specific addresses of the prosecutor the defendant or defendants and of all the witnesses who were called and sworn and who testified at such hearing or examination

Section 2 It is unlawful for the county commissioners or the controller of any county to order authorize or approve the payment of any costs in any such proceedings unless the transcript thereof shall contain the name and specific address of the prosecutor the defendant or defendants and all witnesses as required by the preceding section of this act

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 727, as follows:

An Act providing for the regulation of aeronautics within this Commonwealth conferring powers and imposing duties upon the Department of Revenue in respect thereto providing for the licensing and registration of airman and aircraft establishing the legal status of air navigation providing for sovereignty in and ownership of space providing for lawfulness of flights regulating civil causes of action arising out of operation of aircraft fixing the status of contracts crimes and torts in by or by means of operation of aircraft imposing duties upon officers burgesses magistrates aldermen justices of the peace the courts and clerks thereof providing for denial or revocation of licenses providing for certain penalties and their disposition and repealing certain existing laws

ARTICLES

I Short Title and Preliminary Provisions
II Powers and Duties of Department of Revenue
III Qualifications of Airman and Aircraft Federal Licenses
IV Legal Status of Air Navigation
V Procedure for Denial or Revocation of Licenses
VI Violation Provisions Penalties and Procedure
VII Repeals and Construction of Act
VIII Effective Date

ARTICLE I

SHORT TITLE AND PRELIMINARY PROVISIONS

Section 101 Short Title
Section 102 Definitions
Section 103 Constitutional Construction

Section 101 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as "The Aeronautical Code"

Section 102 Definitions The following words and phrases when used in this act shall for the purpose of this act have the meanings respectively ascribed to them in this section

(a) "Aeronautics" The act or practice of the art and science of transportation by aircraft and operation construction repair or maintenance of aircraft airports landing fields or air navigation facilities and including repairs packing and maintenance of parachutes

(b) "Aircraft" Any contrivance now known or hereafter invented used or designed for navigation of or flight in the air except a parachute or other contrivance designed for such navigation but used primarily as safety equipment

(c) "Civil Aircraft" Aircraft not of the Military or Naval forces of the United States Government and aircraft not used exclusively in any governmental service of any state or country

(d) "Airman" Airman shall mean an individual (including the person in command and any pilot mechanic or member of the crew) who engages in the operation of aircraft while under way and any individual in charge of the inspecting overhauling or repairing of aircraft or parachute riggers and repairmen

(e) "Air Navigation Facilities" Shall include airports landing fields and water surfaces for landing aircraft and all aids to air navigation including but not confined to lights marks structures and electrical communicating systems

(f) "Airport" Any locality either of water or land which is adapted for the landing and taking off of aircraft and which provides facilities for shelter supply and repair of aircraft or a place used regularly for receiving or discharging passengers or cargo by air

(g) "Landing Field" Any locality either of water or land which is adapted for the landing and taking off of aircraft but which is not equipped with facilities for shelter supply and repair of aircraft

(h) "Intermediate Landing Field" Any locality either of water or land which is adopted for the landing and taking off of aircraft is located along any airway and is intermediate to airports and landing fields connected by the airway but which is not equipped with facilities for shelter supply and repair of aircraft and is not used regularly for the receiving or discharging of passengers or cargo by air

(i) "Civil Airway" A route in the navigable air space over or above the territory or waters of the State of Pennsylvania designated by the Department of Revenue as a route suitable for intrastate or interstate air commerce

(j) "Department" Department of Revenue of this Commonwealth

(k) "Navigable Air Space" Air space above the minimum safe altitudes of flight prescribed by the Department

(l) "Officer" Any constable State policeman or State Highway patrolman or other officer authorized to make arrests or to serve process

(m) "Nonresident" Shall apply to any person who has no regular place of abode or business within this State for a longer period than thirty (30) days or parts thereof not necessarily consecutive in the calendar year

(n) "Owner" Any person firm corporation partnership or association holding title to any aircraft or having legal right to register the same

(o) "Person" Any individual association copartnership firm company corporation or other association of individuals

(p) "Pilot" An individual who operates an aircraft in flight or while under way

(q) "Passenger" Any person riding in an aircraft but having no part in its operation

(r) "Secretary" Secretary of Revenue of this Commonwealth

Section 103 Constitutional Construction The provisions of this act are severable and if any provision thereof is held to be unconstitutional the decision so holding shall not be construed as affecting or impairing any other provision of this act or the act as a whole It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

ARTICLE II

POWERS AND DUTIES OF DEPARTMENT OF REVENUE

Section 201 Powers and Duties of Department of Revenue The Department of Revenue shall administer the provisions of this act and for such purpose is authorized and directed to promulgate such regulations as are necessary to execute the powers invested in it by this act and other applicable laws

It shall be the duty of the Department to

(a) Provide for the examination and rating and licensing of airports landing fields and air navigation facilities available for use of aircraft

(b) Adopt rules and regulations for the issuance expiration suspension or revocation of license of airports landing fields and air navigation facilities and of such other licenses or certificates as the Department deems necessary in administering the functions vested in said Department under this act

(c) Establish set apart and provide for the protection of necessary air space reservations within the Commonwealth of Pennsylvania in addition to and not in conflict wtih air space reservations established by the President of the United States or any Department of the United States or with any civil or military airway designated under the provisions of the Air Commerce Act of one thousand nine hundred and twenty-six and the amendments thereto or other act of Congress pertaining thereto

(d) Designate establish and chart civil airways within over and above the lands or waters of the Commonwealth of Pennsylvania and arrange for publication of maps of such airways utilizing the facilities and assistance of existing agencies of the Commonwealth as far as practicable The Department shall grant no exclusive right for the use of any civil airway airport intermediate landing field or other air navigation facility under its jurisdiction

(e) Investigate record and report the causes of accidents in civil air navigation within this Commonwealth

(f) Encourage the establishment of airports civil airways and other air navigation facilities

(g) Supervise and regulate the safety adequacy and sufficiency of all aircraft airmen airports landing fields and air navigation facilities and equipment used or to be used in private or commercial flying

(h) Adopt rules and regulations governing the instruction in flight or ground school of student flyers or mechanics and the safety adequacy and sufficiency of aircraft airmen airports landing fields and air navigation facilities and equipment used or to be used in the instruction of student flyers or mechanics

(i) Adopt rules and regulations for the marking of highways municipalities and all other aerial markings used throughout the Commonwealth

(j) Adopt rules and regulations governing the erection location and maintenance of aerial beacon lights and other aerial night lighting equipment within the Commonwealth

(k) To exchange with the Department of Commerce and other State governments through existing governmental channels information pertaining to the civil air navigation

(l) To enforce the regulations and air traffic rules promulgated as provided hereunder through the assistance and co-operation of State and local authorities charged with the enforcement of law in their respective jurisdictions

(m) To establish by regulation the minimum safe altitudes for flight and including air traffic rules

All rules and regulations prescribed by the Department under the authority of this section shall be consistent with and conform to the then current Federal legislation governing aeronautics and the regulations duly promulgated thereunder and rules issued from time to time pursuant thereto Provided That nothing in this section shall confer upon the Department the power to determine schedules issuance of stock determination of public convenience or the adequacy and sufficiency of service of common carriers engaged in commercial flying within this Commonwealth

ARTICLE III

QUALIFICATIONS OF AIRMAN AND AIRCRAFT FEDERAL LICENSES

Section 301 Aircraft Construction Design and Airworthiness Federal Licenses

Section 302 Qualifications for Airman Federal Licenses

Section 303 Possession and Display of Licenses

Section 304 Nonresidents

Section 301 Aircraft Construction Design and Airworthiness Federal Licenses The public safety requiring and the advantages of uniform regulation making it desirable in the interest of aeronautical progress that aircraft operating within this Commonwealth should conform with respect to design construction and airworthiness to the standards prescribed by the United State Government with respect to navigation of civil aircraft subject to its jurisdiction it shall be unlawful for any person or resident to operate or navigate any aircraft within this Commonwealth unless such aircraft has an appropriate effective license issued by the United States Government and is registered by the United States Government Providd however That this restriction shall not apply to aircraft owned by the United States Government or the possessions thereof nor to aircraft of any state or territory nor to aircraft licensed by a foreign country if similar reciprocal relations exist between the United States and such foreign country

Section 302 Qualifications for Airman Federal Licenses The public safety requiring and advantages of uniform regulation making it desirable in the interest of aeronautical progress that a person or resident engaging within this Commonwealth in navigating or operating aircraft in any form of navigation or while in charge of the inspecting overhauling or repairing of aircraft or the repairing packing and maintenance of parachutes shall have the qualifications necessary for obtaining and holding a license issued by the Department of Commerce of the United States it shall be unlawful for any person to operate or navigate or inspect overhaul or repair any aircraft or repair pack and maintain parachutes in this Commonwealth unless such person is the holder of an appropriate effective license or permit issued by the United States

Government Provided however That this restriction shall not apply to those persons operating aircraft owned by the United States Government or the possessions thereof or aircraft of any state or territory or aircraft licensed by a foreign country if similar reciprocal relations exist between the United States and such foreign country

Section 303 Possession and Display of Licenses The certificate of the license required for the person operating such aircraft and the certificate of the license required for aircraft and such other licenses or certificates as may be issued by the Department shall be kept in such places and exhibited to such persons at such time and under such circumstances as shall be required by the regulations of the Department

Section 304 Nonresidents The provisions of this act in so far as they relate to registration and license shall not apply to aircraft owned and operated within this Commonwealth by nonresidents of this Commonwealth for a period not to exceed thirty (30) days in the calendar year Provided That the owner or pilot can show satisfactory proof he has complied with the laws relating to registration and license of airmen and aircraft in the state territory district or country of which he is a resident And further provided That a nonresident owner or airman cannot engage within this Commonwealth in the carrying of passengers mecrchandise or property for hire or reward by means of civil aircraft or in any commercial flying for hire or reward unless he has complied with the provisions of this act governing registration and license as if he were a resident of this Commonwealth

ARTICLE IV

LEGAL STATUS OF AIR NAVIGATION

Section 401 Ownership of Space
Section 402 Lawfulness of Flight
Section 403 Damage to Persons and Property on the Ground
Section 404 Jurisdiction over Crimes and Torts
Section 405 Jurisdiction over Contracts
Section 406 Liability to Passengers
Section 407 Collision of Aircraft

Section 401 Ownership of Space The ownership of the space over and above the lands and waters of this Commonwealth is declared to be vested in the owner of the surface beneath but such ownership extends only so far as is necessary to the enjoyment of the use of the surface without interference and is subject to the right of passage or flight of aircraft Flight through the space over and above land or water at a sufficient height and without interference to the enjoyment and use of the land or water beneath is not an actionable wrong unless said flight results in actual damage to the land or water or property thereon or therein or use of the land or water beneath

Section 402 Lawfulness of Flight Flight in aircraft over the lands and water of this Commonwealth is lawful, unless at such low altitude as to interfere with the then existing use to which the land or water or the space over the land or water is put by the owner or unless so conducted as to be dangerous or damaging to persons or property lawfully on the land or water beneath The landing of an aircraft on the lands or waters of another without his consent in unlawful except in the case of a forced or emergency landing For damage caused by a forced or emergency landing the owner lessee and operator of the aircraft shall be liable as provided in section four hundred three

Section 403 Damage to Persons and Property on the Ground The owner and the pilot or either of them of every aircraft which is operated over the lands or waters of this Commonwealth shall be liable for injuries or damage to persons or property on or over the land or water beneath caused by the ascent descent or flight of aircraft or the dropping or falling of any object therefrom whether such owner was negligent or not unless the injury was caused in whole or in part by the negligence of the person injured or of the owner lessee or bailee of the property damaged in accordance with the rules of law applicable to torts on land in this Commonwealth

As used in this section "owner" shall include a person having full title to aircraft and operating it through servants and shall also include a bona fide lessee or bailee of such aircraft whether gratuitously or for hire but "owner" as used in this section shall not include a bona fide bailor or lessor of such aircraft whether gratuitously or for hire or a mortgagee conditional seller trustee for creditors of such aircraft or other persons having a security title only nor shall the owner of such aircraft be liable when the pilot thereof is in possession thereof as a result of theft or felonious conversion

The person in whose name an aircraft is registered with the United States Department of Commerce shall be prima facie the owner of such aircraft within the meaning of this section

The injured person or owner lessee or bailee of the damaged property shall have a lien on the aircraft causing the injury to the extent of the damage caused by such aircraft or objects falling therefrom

Section 404 Jurisdiction over Crimes and Torts All crimes torts and other wrongs committed by or against a pilot or passengers while in flight over or above the lands and waters of this Commonwealth shall be governed by the laws of this Commonwealth and the question whether damage occasioned by or to an aircraft while over this Commonwealth constitutes a tort crime or other wrong by or against the owner of such aircraft shall be determined by the laws of this Commonwealth

Section 405 Jurisdiction over Contracts All contractual and other relations entered into by pilots or passengers while in flight over or above the lands or waters of this Commonwealth shall be governed by the laws applicable to similar relations entered into on the lands of this Commonwealth

Section 406 Liability to Passengers The liability of the owner or pilot of an aircraft carrying passengers for injury or death to such passengers shall be determined by the rules of law applicable to torts on the lands or waters of this Commonwealth arising out of similar relationships

Section 407 Collision of Aircraft The liability of the owner of one aircraft to the owner of another aircraft or to pilots or passengers on either aircraft for damage caused by collision on land or in the air shall be determined by the rules of law applicable to torts on the lands or waters of this Commonwealth

ARTICLE V

PROCEDURE FOR DENIAL OR REVOCATION OF LICENSES

Section 501 Procedure for Denial or Revocation of Licenses The licenses of airports landing fields air navigation facilities and such other licenses or certificates that the Department may under authority of this act issue shall be denied or revoked only after the applicant or licensee shall have been accorded a hearing or opportunity for a hearing thereon Within ten (10) days after notice that application for registration and license has been denied or the license or certificate revoked the applicant or holder may file a written request with the Department for a public hearing thereon The Secretary of the Department upon receipt of the request shall arrange forthwith

(1) For a public hearing to be held within twenty (20) days after such receipt in such place as the Secretary deems most practicable and convenient and

(2) Give the applicant or holder at least ten (10) days' notice of the hearing unless an earlier hearing is consented to by him

Notice may be served personally upon the applicant or holder or sent him by registered mail The decision of the Department if in accordance with law shall be final

ARTICLE VI

VIOLATION PROVISIONS PENALTIES AND PROCEDURE

Section 601 Violation Provisions
Section 602 Summary Offenses
Section 603 Proceedings by Warrant Served as Now Provided by Law
Section 604 Arrests on View
Section 605 Appeal from Summary Conviction
Section 606 Report of Convictions
Section 607 Disposition of Fines and Forfeitures
Section 608 Registration Number Prima Facie Evidence
Section 609 Liability for Costs Not Paid by Defendant
Section 610 Admissibility of Certified Copies of Records as Evidence

Section 601 Violation Provisions It shall be unlawful for any person to commit any of following acts

(a) To operate or navigate aircraft while under the influence of intoxicating liquor or narcotic drug or habit producing drug or permit any person who may be under the influence of intoxicating liquor or narcotic or habit producing drug to operate or navigate any aircraft owned by him or in his custody or control

(b) To operate or navigate aircraft while in possession of any Federal license or to display or cause or permit to be displayed such license knowing the same to have been cancelled revoked suspended or altered

(c) To lend to or knowingly to permit the use of by one not entitled thereto any Federal airman's and aircraft license issued to the person so lending or permitting the use thereof

(d) To display or to represent as one's own any Federal airman's or aircraft license not issued to the person so displaying the same

Tampering with or making use of or navigating any aircraft without the knowledge or consent of the owner or custodian thereof

(f) To use a false or fictitious name or to give a false or fictitious address in any application or form required under the provisions of this act or the rules and regulations of the Department adopted pursuant to this act or knowingly make any false statement or report or knowingly conceal a material fact or otherwise commit a fraud in any application

Penalty Any person violating any of the provisions of subsections (b) (c) (d) or (f) of this section shall upon summary conviction before a burgess alderman magistrate or justice of the peace be sentenced to pay a fine of not less than fifty ($50.00) dollars nor more than two hundred ($200.00) dollars and the cost of prosecution or undergo imprisonment for not more than thirty (30) days or suffer both such fine and imprisonment

Any person violating any of the provisions of subsections (a) or (e) of this section shall be guilty of a misdemeanor and shall upon conviction thereof in a court of quarter sessions be sentenced to pay a fine of not less than one hundred ($100.00) dollars nor more than five hundred ($500.00) dollars and the costs of prosecution or undergo imprisonment for not more than one (1) year or suffer both such fines and imprisonment

Section 602 Summary Offenses Any person violating any of the provisions of this act unless such violation is by this act or other law of this Commonwealth declared to be a misdemeanor or any of the rules and regulations adopted by the Department pursuant to this act shall upon conviction thereof in any summary proceeding before any magistrate alderman or justice of the peace be sentenced to pay a fine of not less than fifty ($50.00) dollars and not more than two hundred ($200.00) dollars and in default of the payment of such fine and costs to undergo imprisonment in the county jail for a period not exceeding thirty (30) days

Section 603 Proceedings by Warrant Served as Now Provided by Law Proceedings under this act may be commenced by warrant and served as now provided by law

All information charging violations of any of the provisions of this act except in cases where the offense is designated a misdemeanor or felony shall be brought within thirty (30) days after the commission of the alleged offense and not thereafter except that where an information is filed against a person prima facie guilty of an offense and it subsequently appears that a person other than the person named in the information was the offender an information may be filed against such other person within thirty (30) days after his or her identity shall have been discovered

Section 604 Arrests on View Any officer may arrest when displaying a badge or other sign of authority upon view any person violating any of the provisions of this act and such officers shall forthwith make and file with the burgess magistrate alderman or justice of the peace before whom the arrested person is taken an affidavit setting forth in detail the offense complained of

If the defendant is unable to give bail as provided in this act for a hearing or for his appearance at court the burgess magistrate alderman or justice of the peace shall accept as bail any article of sufficient value or if the defendant is the owner thereof shall hold in custody the aircraft found in his possession and the court burgess magistrate alderman or justice of the peace after the trial of the defendant or when bail according to law has been given shall made such order as to the disposition of such aircraft or other articles accepted as bail as shall seem just and proper

Section 605 Appeal from Summary Conviction Any person convicted in any summary proceeding under this act shall have the right of appeal as in other cases of summary conviction

Section 606 Report of Convictions

(a) Every burgess magistrate alderman and justice of the peace in this Commonwealth shall keep a full report of every case in which a person is charged with violation of any provisions of this act and in the event that such person is convicted or that his bail is forfeited an abstract of such report shall be sent forthwith by the burgess magistrate alderman or justice of the peace to the Department but thi srequirement shall not be deemed to make such court a court of record

(b) Abstracts required by this section shall be made upon forms prepared by the Department and shall include all necessary information as to the parties to the case the nature of the offense the date of hearing the plea the judgment the amount of the fine or forfeiture and other information deemed necessary and every such abstract shall be certified by the burgess magistrate alderman or justice of the peace as a true abstract of the record of the court

(c) Each clerk of any court of record of this Commonwealth shall also within ten (10) days after final judgment of conviction under any of the provisions of this act send to the Department a certified copy of such judgment of conviction Certified copies of the judgment shall also be forwarded to the Department upon conviction of any person of manslaughter or other felony in the commission of which an aircraft was used The Department shall keep such records in its offices for at least three (3) years and they shall be open to the inspection of any person during reasonable business hours

(d) Failure refusal or neglect to comply with any of the provisions of this section shall constitute misconduct in office and shall be ground for removal therefrom

Section 607 Disposition of Fines Fees and Forfeitures All fines fees and forfeitures collected under the provisions of this act for violations of the same and all bail forfeited shall be paid to the Department and transmitted to the State Treasury and credited to the "Motor License Fund" and sworn statements of all fines and penalties so collected shall also be made upon blanks furnished by the Department by the burgess magistrate alderman justice of the peace or other officer imposing or receiving the same to the Department and such reports shall be made monthly Any burgess magistrate alderman justice of the peace or other officer who shall fail to make such monthly reports and returns or pay the same to the Department shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred ($500.00) dollars or suffer imprisonment for not more than sixty (60) days

Section 608 Registration Number Prima Facie Evidence In any proceeding for the violation of the provisions of this act or the rules and regulations of the Department adopted pursuant to this act the Federal license number or identification mark displayed on such craft shall be prima facie evidence that the owner of such aircraft was operating the same If at any hearing or proceeding the owner shall testify under oath or affirmation that he was not operating the said aircraft at the time of the alleged violation of this act and the rules and regulations of the Department shall submit himself to an examination as to who at that time was operating such aircraft and reveal the name of the person if known to him or if the information is made in a county other than that of his own residence shall forward to the burges magistrate alderman or justice of the peace an affidavit setting forth these facts then the prima facie evidence arising from the Federal license number or identification mark shall be overcome and removed and the burden of proof shifted

Section 609 Liability for Costs Not Paid by Defendant Whenever any officer whose duty it is to enforce the provisions of this act shall in good faith bring suit for any violation of such provisions and for any legal cause shall fail to receive the costs of record such costs shall be a charge upon the proper county and shall be audited and paid as are costs of like character in said county

Section 610 Admissibility of Certified Copies of Records as Evidence Any certified copies or certiffed photostatic copies of any records books papers documents determinations rulings or orders of the Department when certified under the seal of the Department shall be acceptable as evidence in the courts of this Commonwealth with the same force and effect as the originals in all cases where such original records books papers documents determinations rulings or orders of the Department would be admitted as evidence

ARTICLE VII

REPEALS AND CONSTRUCTION OF ACT

Section 701 Repeals

Section 702 Construction of Act

Section 701 Repeals The following acts of Assembly are hereby repealed

(a) The act approved April twenty-fifth one thousand nine hundred and twenty-nine (Pamphlet Laws seven hundred fifty-three) entitled "An act concerning aeronautics and establishing the legal status of air navigation providing for sovereignty in and ownership of air space imposing liability for injury or damage caused by aircraft fixing jurisdiction over and liability for contracts executed and torts and crimes committed during the operation of aircraft and repealing inconsistent legislation"

(b) The act approved the twenty-fifth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws seven hundred twenty-four) entitled "An act to regulate areonautics providing for the licensing registration rating control and regulation of aircraft airmen airports landing fields intermediate landing field and air navigation facilities conferring powers and imposing duties upon the State Aeronautics Commission in respect thereto providing for the acquisition maintenance and operation of intermediate landing fields and air navigation facilities by the Commonwealth providing for the enforcement of the provisions of this act and imposing penalties" as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws eight hundred forty-seven)

Section 702 Construction of Act The provisions of this act shall not effect any act done liability incurred or right accrued or vested or affect any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such repealed laws

ARTICLE VIII

EFFECTIVE DATE

Section 801 Time of Taking Effect The provisions of this act shall become effective immediately upon approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORT FROM COMMITTEE

Mr. PARKINSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 20, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BOARD OR REGISTRATION COMMISSIONERS IN AND FOR THE CITY OF PITTSBURGH

Mrs. Mary Jane Clark, of Pittsburgh, Allegheny County, vice John M. Henry, removed from office, until June 15, 1936, or until her successor shall have been duly qualified.

John McCarthy, of Pittsburgh, Allegheny County, vice Thomas A. Joyce, removed from office, until June 15, 1936, or until his successor shall have been duly qualified.

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38, which requires reports of committees on nominations made by the Governor to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Einstein,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. EINSTEIN. Mr. President, I move that the Executive Session do now rise.

Mr. MANSFIELD. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGE

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House of Rrepresentatives as follows:

House Bill No. 1590 (Senate Bill No. 787), entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief and work relief.

Which was committed to the Committee on Appropriations.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. OWLETT. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

BILLS SIGNED

The PRESIDENT (Lieutenant Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same bing correct, the titles were publicly read as follows:

An Act to amend sections four and seven of the act approved the twenty-fifth day of July, one thousand nine hundred and thirteen (P. L. 1043), entitled "An act to provide for the registration and enrollment of the voters of the State according to their respective party preferences; fixing the compensation of assessors and registry assessors for making said registration and enrollment; and prescribing penalties for false registration or enrollment; and for voters voting or

attempting to vote, and for election officers wilfully permitting or conspiring to permit them to vote, at a primary, by or on any other than their own party ticket"; eliminating one of the days required of the assessors and registry assessors sitting at the polling places.

An Act to repeal certain acts and parts of acts requiring assessors and registry assessors to attend at the places of holding elections, and providing compensation therefor.

An Act to provide for a Convention to ratify or reject an amendment to the Constitution of the United States proposed by both Houses of Congress for the Repeal of the Eighteenth Amendment to the said Constitution and for the prohibition of the transportation, importation, delivery or use of intoxicating liquors in violation of the laws of states, territories or possessions of the United States and to provide for the election of delegates to such Convention.

Whereupon,

The PRESIDENT (Lieutenant Governor Edward C. Shannon) in the presence of the Senate signed the same.

MOTION TO CONSIDER SENATE BILL No. 374, RECALLED FROM THE GOVERNOR

Mr. McCLURE. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 374, recalled from the Governor and laid upon the table, entitled:

An Act empowering counties, cities, boroughs, towns and townships to borrow money from the Reconstruction Finance Corporation to finance certain projects.

Mr. WILLIAMSON. Mr. President, I second the motion.

The motion was agreed to.

RECONSIDERATION OF SENATE BILL NO. 374

Mr. McCLURE. Mr. President, I move to reconsider the vote by which Senate Bill No. 374, entitled:

An Act empowering counties, cities, boroughs, towns and townships to borrow money from the Reconstruction Finance Corporation to finance certain projects.

passed finally.

The PRESIDENT. How did the Senator vote?

Mr. McCLURE. Mr. President, I voted "aye."

Mr. WILLIAMSON. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. WILLIAMSON. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring.

Shall the bill pass finally?

Mr. McCLURE. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. McCLURE. Mr. President, I voted "aye".

Mr. WILLIAMSON. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. WILLIAMSON. Mr. President, I voted "aye."

And the question recurring.

Will the Senate agree to the bill on third reading?

Mr. McCLURE. Mr. President, I ask unanimous consent to amend page 1, line 3 of the title by inserting at the end of the line after the word "projects" the following: "and prescribing the manner of such borrowing." Amend section 1, page 1, line 9, by striking out after the word "without" and before the word "bids" the following: "advertisement for" and inserting in lieu thereof the following: "soliciting or obtaining." Amend section 1, page 1, line 9 by inserting after the word "bids" and before the word "to" the word: "therefor." Amend section 1, page 1, line 9, by inserting at the end of line after the word "the" the word: "Federal." Amend section 1, page 1, line 14 by inserting at the end of the line after the word "approve" the following: "Provided that no such bonds or other obligations shall be issued or sold for less than par." Amend section 2, page 2, line 1 by striking out after the figure "2" and before the word "bonds" the word: "Such" and inserting in lieu thereof the following: "Except as herein otherwise expressly provided such." Amend section 2, page 2, line 2 by inserting after the word "manner" and before the word "and" the following: "prescribed by."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

RECONSIDERATION OF SENATE BILL NO. 645

Mr. PARKINSON. Mr. President, I move to reconsider the vote by which Senate Bill No. 645, entitled:

An Act to amend section five of the act approved the nineteenth day of August, one thousand nine hundred and thirty-two (P. L. 92), entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors, as herein defined; prescribing the method and manner of collecting such tax; and providing penalties;" extending the time for payment of the emergency relief sales tax by extending the time of payment of said tax under certain circumstances.

passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. PARKINSON. Mr. President, I voted "aye."

Mr. SCOTT. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SCOTT. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring.

Will the Senate agree to the bill on third reading?

Mr. PARKINSON. Mr. President, I ask unanimous consent to withdraw the amendment made to the bill at today's session.

The PRESIDENT. Is there objection? The Chair hears none.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Einstein,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

REPORTS FROM COMMITTEE

Mr. SCOTT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objections? The Chair hears none.

Mr. SCOTT, from the Committee on Appropriations, reported as committed Senate Bill No. 787 (House Bill No. 1590), entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief and work relief.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Corporations, reported as committed, Senate Bill No. 720, entitled:

An Act to authorize certain corporations organized under the laws of Pennsylvania, including railroad corporations organized under the laws of Pennsylvania and of any other state or states, to increase or decrease the par value of the shares of their capital stock; providing that such change of par value of shares may reduce the aggregate par value of outstanding capital stock, or alter or affect the division of authorized capital stock as between outstanding stock and authorized stock unissued; prescribing the manner in which such change shall be made; and repealing all acts and parts of acts inconsistent herewith.

He also, from the Committee on Corporations, reported as amended, Senate Bill No. 721, entitled:

An Act authorizing stock corporations with certain exceptions, to make provisions for, and to issue, shares of capital stock of any class or classes, or to change shares of authorized or outstanding capital stock of any class into one or more classes, with or without nominal or par value, and with such designations, terms, relative rights, powers, privileges, preferences, limitations, restrictions and qualifications as may be specified; regulating such corporations and the liabilities of their directors; making other provisions relating to the capital stock of such corporations; and repealing all acts or parts of acts inconsistent herewith.

Mr. HUNSICKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HUNSICKER, from the Committee on Banks and Building and Loan Associations, reported as amended, Senate Bill No. 653 (House Bill No. 192), entitled:

An Act to amend section two of the act, approved the tenth day of April, one thousand eight hundred and seventy-nine (P. L. 16), entitled "An act relating to mutual savings funds, building and loan associations, regulating the mode of charging premiums, bonus or interest in advance, of withdrawals, of re-payment and collection of loans, also restricing the power to levy excessive fines, and defining the rights and liabilities of married women stockholders, and prescribing the non-application to these associations of the bonus tax and registry laws for corporations," by further regulating withdrawals.

Mr. OWLETT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. OWLETT from the Committee on Banks and Building Associations, reported as committed Senate Bill No. 748, entitled:

An Act authorizing and regulating the reorganization of banks and trust companies.

FROM THE GOVERNOR

RESOLUTION RECALLING SENATE BILL No. 294

Mr. McCLURE. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McCLURE offered the following resolution, which was twice read, considered and agreed to.

In the Senate, March 27, 1933.

Resolved (if the House of Representatives concur), that Senate Bill No. 294, entitled "An act to amend section five of the act approved the fifth day of March one thousand nine hundred and six (Pamphlet Laws seventy-eight) entitled 'An act to regulate nomination and election expenses and to require accounts of nomination and election expenses to be filed and providing penalties for the violation of this act' as amended requiring the treasurers of political committees concerned in the nominaiton of candidates to file an account of moneys spent for such nominations" be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

MOTION TO READ BILLS FOR THE FIRST TIME

Mr. SCOTT. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 263, entitled:

An Act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto; requiring operators and owners of automobiles under certain circumstances to furnish proof of financial responsibility as herein defined; providing for the suspension of operators' licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer, and prothonotaries; and prescribing penalties.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 322, entitled:

An Act to eliminate reckless and irresponsible drivers from the public highways, and to protect the safety of users of the public highways by providing in certain cases for the suspension and revocation of operator's licenses and privileges (whether resident or non-resident), and for the establishment of ability to respond in damages for injury to property and persons, including injuries resulting in death caused by the use or operation of motor vehicles (including unlicensed operators and unregistered motor vehicles); conferring powers and imposing duties upon the Department of Revenue, the Insurance Commissioner, insurance carriers, and clerks of the courts; requiring certain provisions in motor vehicle liability insurance policies; and providing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 572 (House Bill No. 851), entitled:

An Act lapsing all unobligated balances of appropriations for township reward heretofore made from the Motor License Fund.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 573 (House Bill No. 949), entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 574 (House Bill No. 948), entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue to meet interest and Sinking Fund requirements on the State debt.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 585 (House Bill No. 852), entitled:

An Act validating sheriff's sales of real estate on judgments of foreclosure in scire facias sur mortgage cases when the release of the mortgagor from liability was not filed with the praecipe.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 630, entitled:

An Act declaring milk to be a public utility, creating a Milk Commission with powers to regulate the price, terms and conditions upon which milk may be sold, and providing penalties for violations thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 640, entitled:

An Act to amend the first "Whereas" clause, the first paragraph of article one, clause (d) of article two, and article ten of section one, and section two as amended, of the act, approved the twenty-fifth day of June, one thousand nine hundred and thirty-one (P. L. 1352), entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration, operation, and maintenance of bridges over the Delaware River, and for the construction of additional bridge facilities across said river; authorizing the Governor, for these purposes, to enter into an agreement with the State of New Jersey; creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof, including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges; transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River; and making an appropriation," by providing for the appointment of an engineer by the commission, and for the repayment to the Commonwealth of appropriation herein made.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 653 (House Bill No. 192), entitled:

An Act to amend section two of the act approved the tenth day of April one thousand eight hundred and seventy-nine (Pamphlet Laws sixteen) entitled "An act relating to mutual saving fund building and loan associations regulating the mode of charging premiums bonus or interest in advance of withdrawals of repayment and collection of loans also restricting the power to levy excessive fines and defining the rights and liabilities of married women stockholders and prescribing the non-application to these associations of the bonus tax and registry laws for corporations" by further regulating withdrawals.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 720, entitled:

An Act to authorize certain corporations organized under the laws of Pennsylvania, including railroad corporations organized under the laws of Pennsylvania and of any other state or states, to increase or decrease the par value of the shares of their capital stock; providing that such change of par value of shares may reduce the aggregate par value of outstanding capital stock, or alter or affect the division of authorized capital stock as between outstanding stock and authorized stock unissued; prescribing the manner in which such change shall be made; and repealing all acts and parts of acts inconsistent herewith.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 721, entitled:

An Act authorizing stock corporations, with certain exceptions, to make provisions for, and to issue, shares of capital stock of any class or classes, or to change shares of authorized or outstanding capital stock of any class into one or more classes, with or without nominal or par value, and with such designations, terms, relative rights, powers, privileges, preferences, limitations, restrictions and qualifications as may be specified; regulating such corporations and the liabilities of their directors; making other provisions relating to the capital and capital stock of such corporations; and repealing all acts or parts of acts inconsistent herewith.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 748, entitled:

An Act authorizing and regulating the reorganization of banks and trust companies.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 787 (House Bill No. 1590), entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief and work relief.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. SCOTT. Mr. President, I move that the Senate do now adjourn until tomorrow morning at 11.00 o'clock.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11.32 P. M. until 11.00 o'clock Tuesday morning, March 28, 1933.

HOUSE OF REPRESENTATIVES

MONDAY, March 27, 1933

The House met at 9.00 o'clock P. M.

The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Chaplain, Rev. George F. Conner, offered the following prayer:

Almighty God, our Heavenly Father, we halt the activities of this august body, to invoke Thy Divine blessing. May this moment of silent recollection of Thee, give to the ladies and gentlemen of the House, an "Inner Light," to guide them unerringly in the quest of truth, and the enactment of wise and just laws for the people of Pennsylvania.

Sustain the Speaker and his faithful coadjutors, who, through busy weeks have labored faithfully and unostentatiously for the human uplift of the Commonwealth.

Strengthen Thy servants, in their determined statesmanship, striving to banish the causes of misery, and injustice, throughout our State. To each member and officer of the General Assembly, give a sense of quiet assurance, "Still as the night and deep as the sea." Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Thursday, March 23, 1933.

The Clerk proceeded to read the Journal of Thursday, March 23, 1933, when, on motion of Mr. Schrope, the further reading was dispensed with and the Journal approved.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The members of the House are invited to attend a dinner at the Penn-Harris Hotel on Tuesday, March 28, 1933, at 7.00 o'clock, to honor Lieutenant-Governor Edward C. Shannon, who has been appointed by the Governor to succeed Major-General William G. Price, Jr., retired, as Commander of the Pennsylvania National Guard.

The ceremonies for presenting by the Governor of the Commonwealth to General Shannon his commission of office and stars, will be held Tuesday, March 28, 1933, at 5.00 o'clock P. M., on the front steps of the Capitol. The members and officers of the House are invited to attend.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

BILLS INTRODUCED AND REFERRED

By Mr. NOTHNAGLE. HOUSE BILL No. 1945.

An Act to amend paragraph two of section four as amended and paragraph two of section six as amended and paragraph one and five of section eight as amended and to add paragraph nine to section eight of the act approved the eighteenth day of July one thousand nine hundred seventeen (Pamphlet Laws one thousand forty-three) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for the payment of administrative expenses from excess interest earnings making an appropriation therefor and providing for the reduction in the rate of payment to State Annuity Reserve Account Number Two.

Referred to the Committee on Education.

By Mr. LEONARD P. KANE (by request of America First Club, Philadelphia). HOUSE BILL No. 1946.

An Act governing the marketing and sale of foreign made products; requiring notice of such source to be given prospective purchaser; and providing penalties.

Referred to the Committee on Judiciary General.

By Mr. ROAN. HOUSE BILL No. 1947.

An Act to amend section ten of the act approved the twenty-third day of May, one thousand eight hundred and eighty-seven (P. L. 158), entitled "An act relating to the competency of witnesses, and to the rules of evidence in civil and criminal cases; revising, declaring and consolidating some of the existing acts and rules of law upon these subjects and also extending some of the provisions of the same."

Referred to the Committee on Judiciary General.

By Mr. McCLURE. HOUSE BILL No. 1948.

An Act to amend section one of an act, approved the eleventh day of June, one thousand nine hundred and fifteen (P. L. 938), entitled "An act to regulate and establish the fees to be charged and collected by the several clerks of the courts of oyer and terminer, general jail delivery, and quarter sessions of the peace, in counties of this Commonwealth having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants, as computed by the last preceding United States census," as amended by extending said act to counties of the second class, changing and further fixing the fees to be charged by said clerks.

Referred to the Committee on Counties.

By Mr. PETERS. HOUSE BILL No. 1949.

An Act providing for the designation as State highways of certain existing township roads in townships of the second class by the Secretary and chief engineer of the Department of Highways; providing for their construction and maintenance at the expense of the Commonwealth under certain terms and conditions and subject to certain limitations and making an appropriation from the Motor License Fund for the purposes of this act.

Referred to the Committee on Highways.

By Mr. BRENNAN. HOUSE BILL No. 1950.

An Act providing for the preference in employment in State and State-aid improvements of persons residing in real property, the tax on which is in arrears; and providing for the application of the wages of persons so employed to the payment of taxes.

Referred to the Committee on Counties.

By Mr. BRENNAN. HOUSE BILL No. 1951.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions;

limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Lycoming.

Referred to the Committee on Highways.

By Mr. BRENNAN. HOUSE BILL No. 1952.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Lycoming.

Referred to the Committee on Highways.

By Mr. BRENNAN. HOUSE BILL No. 1953.

An Act to amend Route 41029 of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act."

Referred to the Committee on Highways.

By Mr. McHENRY. HOUSE BILL No. 1954.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Columbia.

Referred to the Committee on Highways.

By Mr. McHENRY. HOUSE BILL No. 1955.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Columbia.

Referred to the Committee on Highways.

By Mr. McHENRY. HOUSE BILL No. 1956.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Columbia.

Referred to the Committee on Highways.

By Mr. McHENRY. HOUSE BILL No. 1957.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Columbia.

Referred to the Committee on Highways.

By Mr. McHENRY. HOUSE BILL No. 1958.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Columbia.

Referred to the Committee on Highways.

By Mr. ROAN. HOUSE BILL No. 1959.

An Act to amend section forty of the act approved the thirty-first day of March, one thousand eight hundred and sixty (P. L. 427), entitled "An act to consolidate, revise and amend the laws of this Commonwealth relating to criminal procedure and pleadings"; providing for joint trials at the discretion of the court.

Referred to the Committee on Judiciary General.

By Mr. ROAN. HOUSE BILL No. 1960.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Luzerne.

Referred to the Committee on Highways.

By Mr. ROAN. HOUSE BILL No. 1961.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Luzerne.

Referred to the Committee on Highways.

By Mr. BROWNFIELD. HOUSE BILL No. 1962.

An Act to amend Route 26073 of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act."

Referred to the Committee on Highways.

By Mr. HOOPES. HOUSE BILL No. 1963.

An Act imposing a tax on incomes; providing for the assessment and collection thereof and for exemptions and deductions therefrom; requiring the filing of returns by persons, fiduciaries, copartnerships, associations and corporations; providing for the appointment of assessors of income and defining their powers and duties; imposing duties on the Department of Revenue; county commissioners and county treasurers; providing for refunds from payments of tax and for appeals from the imposition thereof; and providing penalties for failure to file returns.

Referred to the Committee on Ways and Means.

By Mr. McGREGOR. HOUSE BILL No. 1964.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Armstrong.

Referred to the Committee on Highways.

By Mr. McGREGOR. HOUSE BILL No. 1965.

An Act to amend sections five hundred and thirty-seven and five hundred and thirty-nine of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended, limiting the per capita school tax to persons not paying tax on real property.

Referred to the Committee on Education.

By Mr. SURFACE. HOUSE BILL No. 1966.

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

By Mr. SURFACE. HOUSE BILL No. 1967.

A Joint Resolution proposing an amendment to section five article five of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

By Mr. FLINCHBAUGH. HOUSE BILL No. 1968.

An Act to amend Route 66059 of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act.

Referred to the Committee on Highways.

By Mr. WOODSIDE. HOUSE BILL No. 1969.

An Act making an appropriation to the Department of Public Instruction for payment to certain school districts of the fourth class, of moneys due under the School Code for closed school buildings.

Referred to the Committee on Appropriations.

By Mr. CORDER. HOUSE BILL No. 1970.

An Act to amend section one of the act approved the thirteenth day of May, one thousand nine hundred and thirty-one (P. L. 117), entitled, "An act providing for and regulating the assessment and collection of a county poll tax, in counties of the second and third class, in lieu of the tax on trades, occupations and professions; and defining the powers and duties of assessors, assistant and registry assessors, county tax collector, county treasurer and delinquent tax collector in connection therewith," by changing the poll tax from fifty cents to five cents.

Referred to the Committee on Counties.

By Mr. RUBY. HOUSE BILL No. 1971.

An Act to amend section two hundred and twelve of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789), entitled as amended, "An act relating to insurance; establishing an insurance department; and amending, revising and consolidating the law relating to the licensing, qualification, regulation, examination, suspension and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign companies, associations or exchanges; providing penalties; and repealing existing laws," as amended, by bringing public adjusters' solicitors within the retaliatory provisions relating to agents, brokers and public adjusters.

Referred to the Committee on Insurance.

By Mr. RUBY. HOUSE BILL No. 1972.

An Act to amend section six hundred and three as amended, and section six hundred and twenty-two of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789), entitled as amended "An act relating

to insurance; establishing an insurance department; and amending, revising and consolidating the law relating to the licensing, qualification, regulation, examination, suspension and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign companies, associations or exhanges; providing penalties, and repealing existing laws," by defining the right of corporations to be licensed as insurance agents or insurance brokers.

Referred to the Committee on Insurance.

By Mr. RUBY. HOUSE BILL No. 1973.

An Act to amend section six hundred and ten of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," as added, by further defining resident agents of foreign casualty insurance companies.

Referred to the Committee on Insurance.

By Mr. BARNHARDT. HOUSE BILL No. 1974.

An Act to amend section one thousand two hundred and one of the act, approved the twenty-fourth day of May, one thousand nine hundred and twenty-three (P. L. 359), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating and changing the law relating thereto," as amended, by requiring the purchase of game and fur-bearing animals to be by contract after advertising in a prescribed manner.

Referred to the Committee on Game.

By Mr. DAVIES. HOUSE BILL No. 1975.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Lackawanna.

Referred to the Committee on Highways.

By Mr. DAVIES. HOUSE BILL No. 1976.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Lackawanna.

Referred to the Committee on Highways.

By Mr. DAVIES. HOUSE BILL No. 1977.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Lackawanna.

Referred to the Committee on Highways.

By Mr. DAVIES. HOUSE BILL No. 1978.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Lackawanna.

Referred to the Committee on Highways.

By Mr. DANE. HOUSE BILL No. 1979.

An Act to amend section one of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1229), entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption; conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties;" defining milk to include also ice cream mix.

Referred to the Committee on Agriculture.

By Mr. POWELL. HOUSE BILL No. 1980.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Northumberland.

Referred to the Committee on Highways.

By Mr. POWELL. HOUSE BILL No. 1981.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such

highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Northumberland.

Referred to the Committee on Highways.

By Mr. POWELL. HOUSE BILL No. 1982.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Northumberland.

Referred to the Committee on Highways.

By Mr. POWELL. HOUSE BILL No. 1983.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Northumberland.

Referred to the Committee on Highways.

By Mr. REED. HOUSE BILL No. 1984.

An Act to amend section two thousand five hundred and sixty-three of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," changing the reductions and penalties provided by said act on city and poor taxes.

Referred to the Committee on Cities.

By Mr. STEVENS. HOUSE BILL No. 1985.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Westmoreland.

Referred to the Committee on Highways.

By Mr. STEVENS. HOUSE BILL No. 1986.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Westmoreland.

Referred to the Committee on Highways.

By Mr. STEVENS. HOUSE BILL No. 1987.

An Act to amend Route 26501 of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act."

Referred to the Committee on Highways.

By Mr. SCHROPE. HOUSE BILL No. 1988.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Schuylkill.

Referred to the Committee on Highways.

By Mr. TURNER. HOUSE BILL No. 1989.

An Act making an appropriation out of the Motor License Fund to the Department of Property and Supplies to assist in the development of aeronautics.

Referred to the Committee on Appropriations.

By Mr. TURNER. HOUSE BILL No. 1990.

An Act making an appropriation to the Department of Internal Affairs for administration of the Aeronautical Code.

Referred to the Committee on Appropriations.

By Mr. TURNER. HOUSE BILL No. 1991.

An Act requiring county treasurers to make monthly settlements with all cities, boroughs, townships, school districts and poor boards within the county, for all delinquent taxes, penalties, fines and costs, collected during said period; and providing the manner in which same shall be made.

Referred to the Committee on Counties.

By Mr. TURNER. HOUSE BILL No. 1992.

An Act regulating and requiring the treasurer or tax collector of every township of the first class to make daily reports to the proper official of said township of all cash received from the collection of taxes, penalties, interest, costs or otherwise; and said report to show the source of receipt, bank or banks deposited in, and distribution of fund; and providing penalties.

Referred to the Committee on Boroughs and Townships.

By Mr. REED. HOUSE BILL No. 1993.

An Act to amend sections one and three of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 1054), entitled "An act providing for assistance by the Commonwealth in the improvement,

construction, reconstruction and/or maintenance of certain streets and highways in cities of the second class, second class A, and third class; and for the assessment of benefits against owners of real estate abutting on the line of the improvement; and making an appropriation," by including certain bridges within the provision of said act.

Referred to the Committee on Highways.

By Mr. MALINA. HOUSE BILL No. 1994.

A Joint Resolution creating a legislative committee to investigate and report upon the condition of closed banks banking institutions and trust companies and the administration of the Department of Banking in connection therewith; and making an appropriation.

Referred to the Committee on Banking.

CLASSIFICATION OF ACCOUNTS OF SAVING FUND SOCIETY OF GERMANTOWN

The SPEAKER laid before the House the classification of accounts as of December 31, 1932, of the Saving Fund Society of Germantown, which was read by the Clerk.

The SPEAKER. The report will be noted in the Journal and printed in the Appendix to the Legislative Journal.

COMMUNICATIONS AND PETITIONS

Th SPEAKER laid before the House the following communications and petitions which were read by the Clerk.

REQUESTING ABOLITION OF DELINQUENT TAX OFFICE —ALLEGHENY COUNTY

Dr. A. L. Lewin, Pittsburgh.

Referred to Committee on Counties.

PROTESTING REDUCTION OF TEACHERS' SALARIES— ENDORSING STERLING BILL

Business and Professional Women's Club, Chester.
Caroline V. Murdock, Media.

Referred to Committee on Education.

PROTESTING CONSOLIDATION OF SCHOOL DISTRICTS

Rutledge Parent's and Teachers' Association.

Referred to Committee on Education.

PROTESTING REVISION OF BLUE LAWS

Citizens of Glen Campbell Borough.

Referred to Committee on Law and Order.

FAVORING PASSAGE OF HOUSE BILL NO. 273

Chester Coal Conference.

Referred to Committee on Mines and Mining.

PROTESTING PASSAGE OF HOUSE BILL NO. 385

Pennsylvania Grocers Association.

Referred to Committee on Ways and Means.

FAVORING PASSAGE OF HOUSE BILL NO. 1480

Pennsylvania Grocers Association.

Referred to Committee on Ways and Means.

FAVORING PASSAGE OF HOUSE BILL NO. 1407

Pennsylvania State Association of American Institute of Architects, Philadelphia.

Referred to Committee on State Government.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, March 23, 1933.

Resolved (if the Senate concur), That House Bill No. 70, entitled "An act to amend sections sixty-nine and seventy-one of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred ninety-four), entitled 'An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act' by increasing the obligation of the Commonwealth in the construction of certain structures located on such highways," be recalled from the Governor for the purpose of amendment.

RESOLUTION

RECALLING HOUSE BILL NO. 38 FROM GOVERNOR

Mr. SIMON asked and obtained unanimous consent to offer the following resolution which was twice read, considered and adopted:

In the House of Representatives, March 27, 1933.

Resolved (if the Senate concur), That House Bill No. 38, entitled "An act to amend section one of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred forty-seven) entitled 'An act placing upon the Commonwealth the responsibility for the construction and maintenance of certain bridges on State highway routes or continuations of State highway routes in boroughs incorporated towns cities of the third class and townships under certain conditions and restrictions and appropriating money in the motor license fund for such purpose providing for a limitation of the Commonwealth's liability for reconstruction and maintenance in certain cases under orders of court or the Public Service Commission providing for the Commonwealth to succeed to the rights of the county under certain existing agreements or contracts authorizing the department to issue licenses to public service companies for occupancy of such bridges in accordance with existing laws subject to certain conditions and restrictions providing for the crediting of certain moneys to the motor license fund and providing for the return to the county or disposal of said bridges in certain cases and repealing certain acts with reference to county bridges' placing on the Commonwealth the responsibility for the construction and maintenance of additional county bridges and eliminating the provisions which places upon the counties fifty per centum of the cost of construction and maintenance of certain bridges," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, March 23, 1933.

Resolved (if the Senate concur), That House Bill No. 374, entitled "An act to authorize the purchase by the Commonwealth of historical works relative to the services of Pennsylvania volunteers," be recalled from the Governor for the purpose of amendment.

LEAVES OF ABSENCE

Mr. McGREGOR asked and obtained leave of absence for Mr. Harry E. Haimes for the balance of the week on account of illness.

Mr. WAY asked and obtained leave of absence for Mr. Shugarts.

Mr. RAUB asked and obtained leave of absence for Mr. Gorman.

RESOLUTIONS

EXTENDING SYMPATHY TO HON. WILLIAM McELWEE, JR.

Mr. EROE offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives, March 27, 1933.

Miss Mary McElwee, a sister of the Honorable William McElwee, Jr., a member of this House, died at her home in New Wilmington, Lawrence County, last week after the adjournment of the House.

Miss McElwee was a graduate of Westminster College, and the Clark Business College of Buffalo, and her death terminated an active life in the community in which she had lived; therefore be it

Resolved, That the House extends its deepest sympathy to the Honorable William McElwee, Jr. in this his time of sorrow, well realizing the loss that he must feel in the sudden ending of a relationship that had so long endured; and be it further

Resolved, That this resolution be spread upon the Journal of the House, and a copy thereof be forwarded by the Chief Clerk of the House to the said Honorable William McElwee, Jr.

RENUMBERING ROOMS IN STATE CAPITOL BUILDING

Mr. MUMFORD offered the following resolution. which was twice read and laid over under the rules.

In the House of Representatives, March 27, 1933.

Whereas, Members of the Legislature and visitors are frequently unable to find rooms in the Capitol Building, because no numbering system has ever been adopted which in any manner indicates the floor on which or portion of the building in which a room is located, therefore be it

Resolved (if the Senate concur), That the Department of Property and Supplies be requested to entirely re-number the rooms in the State Capitol Building so that the floor and location thereon of any room may readily be determined from the room number;

Resolved, That the first figure assigned to each room indicate the floor on which a room is located, except in the case of "E" floor, where the letter "E" shall precede the first number, and that after each number shall be used a letter to indicate whether the room may be reached from the North, Center or South portion of the building, such letters to be N, C or S.

The SPEAKER. The hour of 9.30 having arrived the Chair lays before the House the Special Order of business fixed for this time.

The Chair requests the gentleman from Tioga, Mr. Williams, to take the Chair.

SPECIAL ON THIRD READING

GEORGE W. WILLIAMS IN THE CHAIR

The SPEAKER. The hour of 9.30 having arrived the Chair lays before the House, House Bill No. 1590, which was fixed as a Special Order of business for this time.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1590, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief and work relief.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TALBOT. Mr. Speaker, and members of the House, you have before you tonight a bill calling for an appropriation of two million dollars for unemployment relief to finish out the present biennium ending on May 31, 1933.

My remarks may tonight carry me somewhat far afield, but I trust the members of this House will bear with me during this statement.

When this House was organized in the early part of January and I was inducted into office as your Speaker, I said at that time "we cease to be Republicans, Democrats and Independents," that we from that time on should work for the common good of the people of this Commonwealth, and I now pay tribute and attest to the fact that this membership has foregone party lines and has been faithful to the purpose for which it came here.

It is unfortunate that the entire membership of this body cannot resolve itself into the Committee of the Whole to study all legislation that is before us, but that being impossible it is necessary that important legislation be assigned to only a few committees. I desire tonight, in view of the criticism from sources beyond our control, to give not only to you members, but to give to the citizens of Pennsylvania that are here assembled the picture as it actually exists.

I am serving my fifth session in the General Assembly, and I say without fear of contradiction that the membership of this body has more seriously considered legislation, have labored more hours, than any membership of any session in which I have had the pleasure of being a member.

When we came here, we came here with three thoughts in mind. The first being the question of economy insofar as the operation of State Government is concerned; the second was the relief of the real estate burden, that we might lighten the load of those of our constituents back home, and the third was to provide an unemployment relief program for the unfortunate citizens of this Commonwealth.

I must take you back to the session of 1929 when a committee was appointed by resolution to study the finances of State Government. That Committee was renewed in the session of 1931, to giving a hurried survey, as it were to State finances. In the Special Session of 1932, that Committee, publicly known as the Sterling Committee, because the gentleman from Philadelphia, Mr. Sterling, was the chairman of the Legislative Finance Committee on State Government, as I again here attest, for over six months labored faithfully and well, as every member of this House knows by the exhaustive report submitted to this body some two weeks ago. I know these members worked not only in the daytime, but they worked nights and Saturdays and Sundays, and I know they had surrounding them a large corps of assistants, and I here and now pay them tribute for the efficient work done.

Economy being the watchword of the 1933 session of this Assembly and the fact that the administrative code could effect economies if properly studied, House Bill No. 22 was referred to the Committee on State Government. I can again attest to the hard work of that subcommittee of the Committee on State Government of which my colleague, the gentleman from Delaware, Mr. Turner, was the chairman. They too labored both day and night and Sundays and they too had

surrounding them a staff of assistants that were not being paid for their work, because neither one of these committees had received an appropriation from the General Assembly.

We have worked, and it is true that we have the past twelve weeks of the General Assembly, but the study did not stop there. The House by resolution passed what is better known as the Fay resolution which provided for a committee which was composed of the members that worked with the Sterling committee and the members that worked with the sub-committee of which Mr. Turner was chairman and they of necessity had to make a survey before the Appropriation Committee could begin to function. It is the hope of the framers of this program that not later than Monday night next these will be in the hopper for third reading and final passage. If we are willing, and if we, as members of this Legislature have the courage to stand up and do things that our constituents desire us to do we can through their recommendations save upwards of eighteen millions of dollars to the taxpayers of this Commonwealth for the coming biennium.

We have been charged, not later than two weeks ago tonight, by His Excellency the Governor, in joint assembly addressing us, that we were playing politics with the poor and unfortunate of Pennsylvania. I charge back and repeat the remarks made in the first part of my talk, that the members of this House have been sincerely trying to solve this problem by saving the money to give to unemployment relief that we may not again burden our citizens with additional taxes.

The time has now come, in spite of the minority reports which exist for peculiar reasons throughout the state, when we must resist that kind of propaganda, and when we should meet courageously the bills that have come before us.

We must realize with the anticipated decreased revenue for the coming biennium as fixed by the budget officer of this Commonwealth that expenses must be cut, in round figures to the extent of about twenty-five per cent. This is a time for departmental heads and employes of government to rise above selfishness and say we are for Pennsylvania first, last and all the time. If these recommendations, made by the Sterling Committee and the Turner Committee on House Bill No. 22 and the Appropriation bills, if we fairly cut every department of state government, I have no fear that the state government will continue to function, because those of you who were members of the 1932 Special Session recall well that the Governor said the only cut that could be made was to the extent of five million three hundred thousand dollars, yet when we finished that program we had made a cut of sixteen and one-half million dollars, and the Governor agreed to that program finally. I defy any man or woman in the Commonwealth to show me where any function of government was curtailed or rather where any citizens suffered by that lessening of the functions.

Unemployment relief has been studied by a special committee under the guidance of the gentleman from Dauphin, Mr. Rice, and some two weeks ago they made their recommendations.

Let us be honest with ourselves and the citizens and say to the citizens of this commonwealth, we cannot nor will we present an unemployment program until we have effected every dollar of economy in State Government that is possible.

The bill before you tonight is for two million dollars, and I say to you as members of this House, that this is every dollar we can appropriate, because under the decision of the Supreme Court, in what was known as the Talbot Bill, they said we could not appropriate beyond out anticipated revenues. The Governor in his message told us that there will be a surplus of one million six hundred thousand dollars, and by the Constitution we can appropriate one million dollars beyond our anticipated revenue, so that this bill is now in order.

I have discussed in many parts of the State the question of unemployment relief. I will not burden you with the facts and figures tonight, but while I am talking, ladies and gentlemen of this House, the Governor of this Commonwealth is expounding over the radio in an attempt to arouse the people, telling them that this body is playing politics with the unfortunates. I deny that in your name and in my own name. We are attempting in a sane way to solve this problem, and I believe I can say to the Governor that this Legislature will not be stampeded into hasty action.

You, ladies and gentlemen, represent Pennsylvania, and represent its future by your actions during this session. We all have faith in Pennsylvania. Let us stand steadfast; let us not be swayed by anything that is wrong, but let us do our duty as we see it, and in due course of time the citizens of this Commonwealth will thank us for the work done.

Mr. HOOPES. Mr. Speaker and members of the House, the gentleman from Delaware, who has just spoken has asked the members of the House to have the courage to express their views and truly represent the desires of their constituents.

I cannot conscientiously sit still and let this bill pass without making a few comments thereon. I expect to vote for the bill as it is the only unemployment relief bill that we have had a chance to vote on so far this session and it is absolutely necessary that an appropriation shall be made immediately in order to take care of their needs during the months of April and May, but I feel that we should, in passing this bill, realize what we are doing. I do not believe that the primary and sole purpose of this session is to effect economies at the expense of the unemployed of this Commonwealth.

I think it is absolutely necessary, I think it is the bounden duty of this Legislature to make an appropriation, together with what we may justly expect to receive from the R. F. C. to meet the need of the unemployed in this State, who are unable to get jobs, during the next two months.

Last August we passed an unemployment relief bill and appropriated twelve million dollars for a period of seven months. The smallest sum for any month during that period was one million and one-half dollars. The Governor, when he appeared before this body on February 14th, told us that in 1932 the high point of relief was two hundred and fifty thousand families. In the very beginning of 1933 already there are four hundred and fifty thousand, and there will be five hundred thousand and doubtless many more before the end of the year. Already two million people, one-fifth of our population, are on relief. With the help of Federal funds we are now spending for relief in various counties at the rate of more than eight million dollars a year. On the basis of the present methods of relief, at least one hundred million dollars will be needed before the year is out for food alone, and at least twenty-five million more for shoes, clothes and other bare necessities of life.

The Governor as chairman of the State Emergency Relief Board should know whereof he speaks. He told us that we were spending six and two-thirds millions of dollars per month for relief at that time. That was in February. This bill provides only one mililon per month for the months of April and May.

Unemployment is increasing steadily. Shops are closing down regularly. The banking situation has made the in-

dustrial situation much worse instead of better, and yet we are trying to satisfy ourselves by passing a bill appropriating only one million dollars a month to keep two million people. That is only fifty cents per month per person for relief.

Of course we expect to get some money from the R. F. C. but can we justly expect the Federal Government to add five and two-thirds million dollars to the one million dollars that this Commonwealth is appropriating? If I understand it correctly, they have refused to make any further allotment to this State until this Legislature does what it is able to do in the matter. Is the rich, wealthy State of Pennsylvania prepared to say that they are able to appropriate less than one-sixth of the sum that is absolutely necessary to keep our unemployed from starving during the months of April and May? That in effect is what this bill says. It is a stop gap. It is something, and I shall vote for it for that reason, and I shall vote for it with my tongue in my check, with the full realization that it is not sufficient.

I do not believe that we should hesitate, if it is necessary, in order to keep people from starving to levy additional taxes.

I have said before on this floor, and I say again, that if it is necessary, in order to keep the unemployed of this Commnowealth who are out of work through no fault of their own, who are forbidden to enter the industries not because they do not want to but because the industries are not operating, if it becomes necessary, in order to keep those people from starving, to take every dollar of the rich man's wealth, then it is our bounden duty to do it. I think, further, that we can raise the money to do it. You may say that every income has been reduced due to unemployment, that the rich men are not getting what they were getting. Well, members of the House, even if a few men have told you that they are not getting what they were getting, I still believe they are getting sufficient to pay taxes enough to keep the unemployed from starving. If they are not, then it is our duty as legislators of this Commonwealth to go further. If the owners of private industries are unable to open up their industries, if they are not in a position to give the unemployed jobs, in order that they may be kept from starving, then it is the duty of this Legislature to take over those industries, give the unemployed jobs and help them earn wages, so that they can buy the necessities of life for themselves. That is what they want, that is what they need, and if you cannot get it by taxation, then let us do it the other way, but don't let us fold our arms and think that we have done our duty by passing a bill that only provides fifty cents per person per month in this State.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—200

Andrews,	Griffith,	McGinnis,	Sheffer,
Baker,	Habbyshaw,	McGrail,	Shellenberger,
Baldi,	Haines,	McGregor,	Shenkel,
Barnhardt,	Hamilton,	McHenry,	Shettel,
Bechtel,	Harmuth,	McKay,	Shortz,
Beech,	Harris,	McKinney,	Shreiner,
Bennett,	Hart,	Melchiorre,	Simon,
Bernhard,	Hartman,	Meredith,	Sipwell,
Blumberg,	Heffernan,	Merrell,	Snyder,
Boyd,	Hefferon,	Metzler,	Sowers,
Brancato,	Heffner,	Mohn,	Spann,
Brennan,	Hermansen,	Moore,	Stank,
Brown, J. E.,	Hester,	Mumford,	Steedle,
Brown, W. L.,	Hewitt,	Munley,	Sterling, P.,
Brownfield,	Himes, L. R.,	Myers,	Sterling, R. B.,
Cannon,	Hoffman,	Negley,	Stevens,
Caputo,	Holmes, J. B	Nothnagle,	Stevenson,
Carey,	Holmes, J. L.	O'Connor,	Stiteler,
Carson,	Hoopes,	O'Keefe,	Storb,
Chervenak	Horst,	O'Neill,	Stone,
Cohen,	Hough,	O'Rourke,	Stott,
Conner,	Howard,	Patterson,	Surface,
Cooke,	Hutton,	Peelor,	Tahl,
Cordier,	Jaffe,	Pennock,	Terry,
Craig,	Jones,	Perry, D. R.,	Turner,
Cramer,	Kane, J. J.,	Perry, J. J.,	Wade,
Dane,	Kane, L. P.	Peters,	Wagner,
Davies,	King,	Powell,	Walker, G. E.,
DeFrehn,	Kinney,	Powers,	Walker, W. A.,
Denning,	Labar,	Price,	Wall,
Downey, G. E.,	Lane,	Quinn,	Wasserman,
Downey, J.,	Laubach,	Raub,	Way,
Duffy,	Lenahan,	Rectenwald,	Weidemann,
Dunmire,	Lewis,	Reed,	Welsh,
Dwyer,	Long,	Reilly,	Westrick,
Ederer,	Lord,	Rhodes,	White,
Emhardt,	Lose,	Rice,	Wike,
Eroe,	Lovett, J. E.,	Roan,	Williams, G. W.,
Evans,	Lovett, W. S.,	Root,	Williams, J. J.,
Fitzgerald,	Lynch, J. R.,	Roth,	Wilson, L. M.,
Flanagan,	Lynch, M.,	Royle,	Wilson, T. B.,
Fleisher,	Male,	Ruby,	Witkin,
Flinchbaugh,	Malina,	Ruth,	Wood,
Flynn,	Maloney,	Sarig,	Woodside,
Forrest,	Marcks,	Sautter,	Wright,
Furman,	Mason,	Schrock,	Yeakel,
Gallagher,	McBride,	Schrope,	Yourishin,
Gartner,	McCandless,	Schwab,	Zimmerman,
Gillette,	McClure,	Schwartz,	Talbot,
Green,	McCreary,	Scorza,	Speaker.
Greenstein,	McElwee,	Scott,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

THE SPEAKER (GROVER C. TALBOT) IN THE CHAIR

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Represntatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL No. 455.

An Act to provide for a Convention to ratify or reject an amendment to the Constitution of the United States proposed by both Houses of Congress for the Repeal of the Eighteenth Amendment to the said Constitution and for the prohibition of the transportation importation delivery or use of intoxicating liquors in violation of the laws of states territories or possessions of the United States and to provide for the election of delegates to such Convention

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, March 23, 1933.

Resolved (if the Senate concur), that House Bill No. 38, entitled "An act to amend section one of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred forty-seven), entitled 'An Act placing upon the Commonwealth the responsibility for the construction and maintenance of certain bridges on State highways routes or continuations of State highway routes in

boroughs incorporated towns cities of the third class and townships under certain conditions and restrictions and appropriating money in the motor license fund for such purposes providing for a limitation of the Commonwealth's liability for reconstruction and maintenance in certain cases under orders of court or the Public Service Commission providing for the Commonwealth to succeed to the rights of the county under certain existing agreements or contracts authorizing the department to issue licenses to public service companies for occupancy of such bridges in accordance with existing laws subject to certain conditions and restrictions providing for the crediting of certain moneys to the motor license fund and providing for the return to the county or disposal of said bridges in certain cases and repealing certain acts with reference to county bridges' placing on the Commonwealth the responsibility for the construction and maintenance of additional county bridges and eliminating the provisions which places upon the counties fifty per centum of the cost of construction and maintenance of certain bridges," be recalled from the Governor for the purpose of amendment.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 997.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 24, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 997, Printer's No. 104, entitled, "An Act to amend section fourteen of the act, approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (P. L. 280), entitled 'An Act relating to delinquent taxes on seated lands and prescribing interest charges on non-payment thereof, requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof; authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid, and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances,' providing that when the county commissioners do purchase such lands the deeds thereto shall be acknowledged in the court of common pleas."

GIFFORD PINCHOT.

MEMORIAL SERVICES IN HONOR OF DECEASED MEMBERS

The SPEAKER. The hour of 10.00 having arrived the Chair lays before the House the Special Order of business—Memorial Services to the Honorable Jacob Mathay and the Honorable Thomas J. Brown.

The Chair requests the Chairman of the Memorial Committee, the gentleman from Philadelphia, Mr. Long, to approach the rostrum and take charge of the services.

(MR. LONG IN THE CHAIR)

MEMORIAL SERVICE

The CHAIRMAN. If there are any members of the families of the Honorable Thomas Brown or the Honorable Jacob Mathay in the audience, they will kindly come forward and occupy the seats reserved for them.

Our fellow member, Honorable Reverend Frank W. Ruth, from Berks, will offer the prayer.

The Reverend Frank W. Ruth offered the following prayer:

Almighty God, our Heavenly Father, this evening we draw aside from our busy life to pay our tribute of respect to the memory of those of our number who have finished their course in this earthly life. We pray that Thou wouldst receive our gratitude and thankfulness as coming from the bottom of our hearts for their lives and efforts in behalf of Thy children, the people of our great State.

We ask Thy Divine blessing to rest upon those who mourn a dear one. May they in their sorrow look back in memory and realize the great heritage left to them by those who have been faithful.

Teach us to know that through the grim gateway whose gloomy portals open upon a mystery which the yearning eyes of humanity have never penetrated or solved, all created beings which from the beginning have trod the earth in life have passed, and through that same gateway all created beings now living or hereafter to be born must surely go. Teach us that the gift of earthly life brings with it the certainty of earthly death.

As Thou hast taught us that in the course of life youth, strength and vigor must pass from us with the lapse of years to give way to the feebleness and helplessness of age. So Thou dost also teach us that death does not always wait until the tree of life is withered, nor does it always give warning of its approach by robbing the vigorous limbs of their strength, by whitening the locks, by dimming the brightness of the eye, or causing the elastic step to become feeble and wavering. Thou dost teach us every day that death comes at times without warning to robust youth and vigorous manhood; and so the message came to those of our number whose untimely death we this evening commemorate. When to the human eye they seemed in full vigor of health, when, judging by years, they were in the very prime of manhood, death placed its finger upon their hearts and they were still.

Thus resigned to Thy Holy Will we place ourselves into Thy keeping. What our tomorrows may bring forth Thou alone knowest. Help us to be faithful and true to the great trust committed into our care, so that when our course of earthly life is completed we may come unto Thee in the knowledge that we have done the best that we could. Then we know that we shall hear Thy Divine Voice in "Well done, thou good and faithful servant, Thou has been true to thy trust, enter thou into the joy of Thy Lord."

In the Master's Holy Name, Amen.

The CHAIRMAN. Mr. Speaker, fellow members of the House, and ladies and gentlemen: In accordance with the long cherished traditions of this Legislative body, now is the time when we are called upon to proceed with our memorial services in honor of those of our former members whose souls have been transported to the Great Beyond.

It is indeed most fitting that we should pause in our legislative duties to commemorate the memory of our deceased members including more particularly the late Honorable Thomas Brown and the late Honorable Jacob Mathay, and to make a lasting public record of the honor and respect in which both of these gentlemen were and are regarded.

Members of this House of Representatives who have been intimately acquainted with these honorable men will speak to you this evening and refresh your memories of their sterling qualities of character and of their valuable and conscientious services rendered to their fellow members, to their respective constituents and to all the people of the great State of Pennsylvania.

The male chorus sang "Lead Kindly Light."

The former of these two men lived to a ripe old age of usefulness, much more than the allotted span of three score years

and ten, while the latter left us while in the prime of his life. Both of them were men we could ill afford to lose. We shall miss them, not only as our friends but we shall be deprived of their valuable assistance, their knowledge and their experience in the performance of our legislative duties. Yes, in the death of these two gentlemen the State has suffered an irreparable loss.

We have invited to be with us this evening members of the family and the friends of both of these gentlemen, and we are honored by their presence. Our hearts go out in sympathy to those dear loved ones who have suffered a more intimate loss than we have.

However, let us not be sad, but rather let us be proud in acknowledging that we have known and appreciated these God-fearing gentlemen who have heard the call of their Creator and thereto have responded.

The following lines are particularly appropriate to be read on this occasion:

"Life's span is short at best, you know;
If you like a man, then tell him so;
A flower's fragrance is always shed
Upon the living, not the dead.
The blooms we place upon the bier are of't a token,
Of kindly thoughts we've left unspoken."

The CHAIRMAN. The Chair recognizes the gentleman from Lancaster, Honorable Norman Wood.

Mr. WOOD. Mr. Chariman, ladies and gentlemen of the House, relatives and friends of our departed colleagues.

It seems fitting and proper that I should speak, briefly tonight, of the high place which Thomas J. Brown occupied in the hearts of the people, not only the members of this House but of the entire district which he had the honor to represent so capably. Those members of the House who were present at the funeral services must have been impressed by the large assemblage of people, who had gathered to pay their last tribute of respect for their friend and neighbor, whom they loved, respected and honored.

He lived to enjoy a good old age, nearly four score, years filled with many pleasures and hard work. Whatever may have been his activities in his younger years, however, prosperous he may have been during the years of his vigorous manhood, the noontime of his activities yet in the evening time of his earthly career, how venerable, how admirable he was.

Few if any of the members ever approached his duties in this House with more zeal and determination than did Thomas J. Brown. From the beginning of the session until the end he was always regularly in his seat devoting all his time to the study of the many measures under consideration.

He did not sponser many bills, believing in the principle that the fewer new laws the better, but when he put his name on a bill you knew that it had merit and was worthy of consideration. His voice was not heard often in debate on this floor, but in committee rooms, where the real work is in any legislative body, he took an active part and his advice was always good and worth listening too. His most important committees were Education, Ways and Means and Appropriations.

He weighed every subject carefully before he made a decision and when he reached a conclusion he kept to it in the face of great odds.

Mr. Brown was born in Yorkshire, England, in 1855, and was brought to this country by his parents when he was four years old. He received his education in Philadelphia and University of Pennsylvania. He entered the textile mills in Philadelphia when he was a small boy and learned the business in all its branches. In 1888, in company with his brothers, they started in the cotton and woolen business in Philadelphia, which they operated until 1891, when they moved to Mount Joy. Here he became associated with the George Brown Sons woolen and silk manufacturing. He was made president of the firm in 1919. In 1895, he became a director of the First National Bank of Mount Joy, of which he became president of the board later.

He was greatly interested in public education, being a school director of the borough of Mount Joy for many years. He also was a director of the Lancaster General Hospital. Also was president of the Lancaster Manufactures Association in 1923.

He was a home man, a man who loved his home and family as well as the community in which he lived. He loved his friends and neighbors. This is attested to by the large crowd of people who assembled to attend his funeral, people from all walks of life. He was very active in the work of his church, being a regular attendant thereof.

In 1929, Mr. and Mrs. Brown celebrated their golden wedding anniversary and a resolution was adopted by this House congratulating them on that occasion. Mr. Brown was escorted to the rostrum and thanked the members most heartily.

He first entered these halls in 1923 and has served in every regular session since and in the special sessions of 1926, 1931-1932. We entered the legislature on the same day.

While coming from the same county, I did not know Mr. Brown until that time. In the several sessions when we sat side by side I came to know and more fully appreciate the splendid qualities of the man. I can say in all that time that I never once heard him say anything but a good word of any member of this House. Where praise might not be given criticism was withheld.

Public men and women are often condemned, their positions and motives misunderstood. Therefore it is fitting and proper that we should make a public record of the splendid qualities that they possessed and to note the good they were able to accomplish.

We can say honored as he was by being chosen to public life and service in this great legislative body, that he courageously embraced the opportunity and carried on his responsibilities with dignity and honor.

He will live long in the affections of those who knew him. The inspiration of his life and achievements will not die but will live on duplicating and reduplicating itself in the lives of others. And that, I take it is a memorial greater than any of marble or bronze, a memorial in the hearts of men.

His health commenced to fail during the special session of 1931 and he was not able to attend the opening sessions but he rallied and was in attendance at the closing. During the special session of 1932 although in feeble health he insisted and did attend the entire session, many times when he should have been at home.

He was a candidate for re-election for this session, but he died one week before the general election. His constituency did him honor (for work faithfully and honorably performed in the past) by electing him for another term by a large majority.

I remember the last time that he was in this room, the final day of the last special session. We sat around after adjournment and talked. It seemed that he did not want to leave. When we shook hands and said good-by, I believe that he felt deep down in his heart that he would never return again.

In closing this brief eulogy of my former friend and colleague, let me point out that Thomas J. Brown was true to himself, to his friends, and to his public duties. In this connection, I am reminded of those lines from Shakespeare:

"This above all, to thine own self be true,
And it must follow, as the night the day,
Thou canst not be false to any man."

The male chorus sang "Abide With Me."

The CHAIRMAN. The Chair recognizes the gentleman from Philadelphia, Honorable James A. Bennett.

Mr. BENNETT. Mr. Chairman, ladies and gentlemen of this Assembly and friends of our late deceased colleague, Jacob Mathay; it was with a good deal of sadness of heart that I answered the call of your Chairman to pay a brief tribute to the memory of one whom it has been my sincere pleasure to have known for the best part of twenty years.

As a lawyer in the city of Philadelphia he came to the practice with a fine euridition and a keen and disciplined mind that won the esteem, regard and admiration, not only of his fellow practitioners, but of the gentlemen of that city that graced the bench. He lived up to the highest ethics and the highest traditions for which the city of Philadelphia stands preeminent, regarded and respected throughout the Universe where the practice of law is prevalent.

In his public life he sat in the councils of his city with honor to himself and with signal service to the people of Philadelphia. His political life may well be held aloft as an example of fine living, clean thinking, square dealing. Never one to speak, was Jacob Mathay, with the split tongue of deception; never the taint hypocracy in his actions toward his fellow men. He lived lovably, likeably and loyally.

If there is one particular tribute, if there is one distinguishing characteristic that stands out in his life, it is his gracious sense of loyalty, not only to himself, but to his fellow men that he had the pleasure to associate with, and that also had the pleasure of his association.

He came to this body ten years ago, and to the men and the women that have known him, need I speak to you? how utterly unnecessary, how halting and inadequate must be any little tribute of mine! Aye, even if the most gifted man of eloquence, oratory and brilliant phraseology could come here tonight to paint the picture in words to any man that served in this or any body of similar character, he would not, nor could not do justice to that character. Alas, too soon he left his seat in this House. Mild! reticent! humble! the hallmark of the great in life as we look over life's cavalcade of men and women, is humility. The indomitable stamp of all true greatness.

No one had to ingratiate himself into the friendship of Jacob Mathay; nobody had to crash the door of the room wherein he sat; nobody had to kowtow; nobody had to approach with the feeling that he held a superiority complex; Jacob Mathay did not swell up with importance of the duty that was placed on his shoulders in serving in this body, but he grew and expanded magnificiently like a real man. Vanity was unknown to his character. Some fine stamp of blood and heritage so marked on him at birth made him stand out through summer sun and the winds of adversity of winter, that he was always the same to all men and to all women. Truly he exemplified in man as well as anyone I know that great injunction of the Master, of the great Leader, of the great Friend, of the great Brother, He who said, "He who is greatest amongst you, let him be servant unto all." Jacob Mathay gloried in the service he gave to you and me and to his constituents of Philadelphia and to the State of Pennsylvania in general.

I could go on indefinitely and yet have painted only a frail and meager picture of that splendid character; his loyalty as a public servant, as a lawmaker, as a friend, as a colleague, as an American, as a great citizen of this great State, and yet I could not with my meager equipment do anything but poor justice to his memory.

There was a still finer side to him than anything I have just said. Essentially, fundamentally and primarily, Jacob Mathay was a home man; he loved his home. He loved to labor for his loved ones who sit here tonight bereaving his loss and bowed down with sorrow. The great center, the great core, the great preservative, if you will, of all civilization is the home, and he held his duty to his home as something sacred. The first and last consideration of all his private and public activities was his home. Tonight he has passed out with a mantle of dusk robed about him; out to the horizon of eternity, to stand in the glory of God's eternal sunlight, and hear the welcome of the hymn that you have just heard sung "Abide With Me."

His race was run nobly and cleanly; his honor was unsullied; he leaves behind him a proud heritage and legacy of character, courage, duty and work well done; a faith completely kept that is as precious as apples of silver in baskets of gold. His family! No mere words of mine can assuage their troubles or their sorrows. Nothing that I can contribute would compensate the grief and loss they must feel in their hearts tonight, but that gift remains with them, the glorious gift of memory that God alone gives to man, the superior animal of civilization and creation. Memory will always hold for them that glorious picture that in their household lived one of God's finest creatures, a man.

In this House tonight his seat stands idle and empty, but to you, my friends, I feel that we, the members of this House, who knew him over an extended number of years, or only briefly during this sesison, he shall always occupy the golden chair of friendship in the corridors of time, while memory shall last in the minds of every one of us.

I feel that I express the sentiment of this House on this sad and solemn occasion when I conclude and say:

"Bright be the stars around thee,
Friend of our happier days;
None knew thee but to love thee,
None met thee but to praise."

The CHAIRMAN. Jacob Mathay as you know was a member of the Lutheran Church. Your Committee has been informed by Mrs. Mathay that his favorite hymn was that grand old hymn written by Martin Luther, "A Mighty Fortress Is Our God," which I will now ask the male chorus to sing for us.

The male chorus sang "A Mighty Fortress Is Our God."

The Chair recognizes the gentleman from Mercer, the Reverend Hugh M. Stevenson, who will pronounce the benediction.

The Honorable Hugh M. Stevenson pronounced the benediction:

Now may the blessing of God the Father, the grace of our Lord and Savior, Jesus Christ, the communion and the fellowship of the Holy Spirit rest upon and abide with you all evermore. Amen.

The CHAIRMAN. The Chair now declares the Memorial Services at an end.

THE SPEAKER (GROVER C. TALBOT) IN THE CHAIR.

COMMITTEE GRANTED PERMISSION TO SIT DURING SESSION OF HOUSE

Mr. STEEDLE asked and obtained unanimous consent for the Committee on Appropriations to sit for a short period during the session of the House.

BILLS INTRODUCED AND REFERRED

By Mr. MALINA. HOUSE BILL No. 1995.

A Joint Resolution creating a legislative committee to investigate and report upon the condition of building and loan associations in course of liquidation and the administration of the Department of Banking in connection therewith; and making an appropriation.

Referred to the Committee on Building and Loan Associations.

By Mr. TURNER. HOUSE BILL No. 1996.

An Act to repeal an act, approved the twenty-fifth day of June, one thousand eight hundred and ninety-five (P. L. 296), entitled "An act requiring tax collectors of townships and boroughs of the Commonwealth to give a numbered tax receipt from a book furnished by the county commissioners containing a correspondingly numbered stub, and requiring a sheet setting forth name, amount of tax paid and number of receipt to be sent, twenty days before each election, to the county commissioners for public inspection, and to provide for punishment of tax collectors violating the provisions of this act."

Referred to the Committee on Boroughs and Townships.

By Mr. ANDREWS. HOUSE BILL No. 1997.

An Act to amend sections sixty-two and sixty-four of the act approved the thirty-first day of March, one thousand eight hundred and sixty (P. L. 427), entitled "An act to consolidate, revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings;" giving to the grand and petit juries control over payment of costs in all criminal cases in which bills of indictment are returned ignoramus, or the defendant is acquitted; providing for the payment of costs by the county and the collection thereof from parties responsible; and repealing inconsistent legislation.

Referred to the Committee on Judiciary General.

By Mr. DeFREHN. HOUSE BILL No. 1998.

An Act to amend section six hundred and twenty of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing of operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds;" as amended, prohibiting the operation of motor vehicles by persons who have consumed liquor containing alcohol.

Referred to the Committee on Judiciary General.

By Mr. BAKER. HOUSE BILL No. 1999.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions, and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Union.

Referred to the Committee on Highways.

By Mr. HARTMAN. HOUSE BILL No. 2000.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions, and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Adams.

Referred to the Committee on Highways.

By Mr. HARTMAN. HOUSE BILL No. 2001.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions, and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Adams.

Referred to the Committee on Highways.

By Mr. HORST. HOUSE BILL No. 2002.

An Act to amend section five hundred and nine of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same; and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for additional method of securing school deposits.

Referred to the Committee on Education.

By Mr. HORST. HOUSE BILL No. 2003.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions, and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Lebanon.

Referred to the Committee on Highways.

By Mr. HORST. HOUSE BIL No. 2004.

An Act to establish as a State highway a certain section of public road in the County of Lebanon, and providing for its construction and maintenance at the expense of the Commonwealth.

Referred to the Committee on Highways.

By Mr. HORST. HOUSE BILL No. 2005.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions, and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Lebanon.

Referred to the Committee on Highways.

By Mr. STEVENSON. HOUSE BILL No. 2006.

An Act to amend section one of the act approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on non-payment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell, seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances"; providing that two or more receivers and collectors of taxes may join in a single return for two or more different taxes on the same real estate for the same year.

Referred to the Committee on Counties.

By Mr. BRENNAN. HOUSE BILL No. 2007.

An Act to amend Route 41071 of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act."

Referred to the Committee on Highways.

By Mr. GREENSTEIN. HOUSE BILL No. 2008.

An Act to permit building and loan associations to reduce their stated liability to shareholders whenever losses resulting through depreciation of securities or otherwise exceed accumulated profits and reserve for contingent losses.

Referred to the Committee on Building and Loan Associations.

By Mr. GREENSTEIN. HOUSE BILL No. 2009.

An Act exempting the net amount payable under policies of accident and disability insurance from the claims of creditors.

Referred to the Committee on Insurance.

By Mr. SPANN. HOUSE BILL No. 2010.

An Act establishing courts of record in second class counties for control, care and treatment of delinquent, neglected and dependent children under eighteen years of age; defining their jurisdiction, powers and duties, and regulating procedure therein; providing for the transfer of certain powers, functions and duties from other courts; providing for the election of judges thereof; the appointment of referees, probation officers, other necessary staff officers and assistants; providing for the housing of same; and providing for detention facilities.

Referred to the Committee on Judiciary General.

By Mr. SPANN. HOUSE BILL No. 2011.

An Act for the protection of public health, by regulating the outer wearing apparel and towels of employes in certain stores, shops, plants or restaurants where food and drink for human consumption are handled; providing penalties and providing for the enforcement of the act by State Departments.

Referred to the Committee on Public Health and Sanitation.

By Mr. GALLAGHER. HOUSE BILL No. 2012.

An Act relating to Sunday music; permitting musicians to receive compensation for services rendered on Sunday; authorizing pay concerts to be given on Sunday under certain circumstances; and allowing school and State-owned buildings to be used therefor; conferring powers and imposing duties on the Department of Public Instruction; and imposing penalties.

Referred to the Committee on Law and Order.

By Mr. LEONARD P. KANE. HOUSE BILL No. 2013.

An Act prohibiting the Commonwealth, local governments, corporations and institutions from employing certain aliens.

Referred to the Committee on Judiciary General.

By Mr. EDWARD P. KANE. HOUSE BILL No. 2014.

An Act prohibiting the Commonwealth, local governments, corporations and institutions from employing certain persons not born in the United States.

Referred to the Committee on Judiciary General.

By Mr. SNYDER. HOUSE BILL No. 2015.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Perry.

Referred to the Committee on Highways.

By Mr. O'CONNOR. HOUSE BILL No. 2016.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and imphovement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Cambria.

Referred to the Committee on Highways.

By Mr. O'CONNOR. HOUSE BILL No. 2017.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of

Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Cambria.

Referred to the Committee on Highways.

By Mr. McGINNIS. HOUSE BILL No. 2018.

An Act relating to actions at law tried before a jury, prohibiting the granting of new trials on the ground that the verdict is against the weight of the evidence; and prohibiting trial judges from commenting on the testimony except in certain instances.

Referred to the Committee on Judiciary General.

By Mr. FLYNN. HOUSE BILL No. 2019

An Act to amend route 24013 of, and to add routes 24015 and 43031 to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act."

Referred to the Committee on Highways.

By Mr. FLYNN. HOUSE BILL No. 2020.

An Act to amend Route 24013 of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act."

Referred to the Committee on Highways.

By Mr. FLYNN. HOUSE BILL No. 2021.

An Act to amend route 24002 of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act."

Referred to the Committee on Highways.

By Mr. FLYNN. HOUSE BILL No. 2022.

An Act to amend route 24002 of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act."

Referred to the Committee on Highways.

By Mr. FLYNN. HOUSE BILL No. 2023.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an adidtional route in the County of Forest.

Referred to the Committee on Highways.

By Mr. DUFFY. HOUSE BILL No. 2024.

An Act exempting machinery used in the manufacture of wearing apparel and tools, accessories and appurtenances thereto, leased, loaned, hired or conditionally sold from levy or sale on execution or distress for rent.

Referred to the Committee on Judiciary General.

By Mr. BAKER. HOUSE BILL No. 2025.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Union.

Referred to the Committee on Highways.

By Mr. MALINA. HOUSE BILL No. 2026.

An Act creating a trust fund to be known as the Depositors Guarantee Fund for the protection of depositors in banks, banking institutions and trust companies; assigning certain assets thereto; providing for its administration and supervision; creating a first lien on all the assets of the bank, banking institution or trust company in favor of such fund; and providing for the enforcement of the provisions of this act.

Referred to the Committee on Banking.

RESOLUTION No. 47

Mr. FITZGERALD. Mr. Speaker, I desire to call up at this time Resolution No. 47, Printer's No. 235.

The Resolution was read by the Clerk as follows:

In the House of Representatives, March 20, 1933.

Resolved (if the Senate concur) That the Speaker of the House of Representatives be authorized to appoint three Members of the House of Represntativs and the President Pro Tempore of the Senate be authorized to appoint three Members of the Senate who together shall constitute a joint legislative committee whose duty it shall be to fully and impartially investigate the administration of the Workmen's Compensation Law and make report thereon to the next session of the Legislature with such recommendations for change in such administration as to it may appear advisable and proper.

Resolved That said committee shall have power to issue subpoenas under the hand and seal of its chairman requiring and commanding any person to appear before it and to answer such questions touching matters properly being inquired into by the committee and to produce such books papers records and documents as the committee may deem necessary Such subpoenas may be served upon any person and shall have the same force and effect as subpoenas issued out of the courts of this Commonwealth Each member of the committee shall

ve power to administer oaths or affirmations to witnesses pearing before it Any person who shall wilfully neglect or fuse to appear and testify before said committee or to pro- ce any books papers records or documents shall be subject the penalties provided by the laws of this Commonwealth in ch cases

On the question,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for ncurrence.

AMENDING HOUSE RULE No. 40

Mr. HERMANSEN offered a resolution and asked unanimous nsent for its immediate consideration.

The resolution was read by the Clerk as follows:

In the House of Representatives, March 27, 1933.

Whereas, The first duty of the Commonwealth is to safe- ard the people, and to make secure the lives and liberties d the happiness of the men, women and children whose in- stry and existence is at all times essential to the peace and od order of the same, and

Whereas, No people can be free and equal before the law ien the right of petition and representation is denied them the mere will and caprice of any existing majority in their ate Assembly, and

Whereas, We are confronted at this time with an existing ndition of State-wide unemployment which has deprived large rtions of our populatio in our large cities, and elsewhere, their accustomed means of livelihood, and impoverish and iously menace the stability of our homes, and our financial d industrial activities, and sufficiently endanger our existing litical institutions, and

Whereas, It is deemed desirable at this time that the right petition and the right of representation be made more gen- al and secure in this session, and all bills and resolutions in- oduced, and the sponsors thereof, given an opportunity to be ard, therefore be it

Resolved, That Rule No. 40 of this House of Representatives amended, by striking out the last seven words which are follows: "majority vote of all the members elect," and in- rting in lieu thereof the following, "a one-third vote of all e members elect, and placed upon the calendar," so that the ction as amended will read as follows:

No. 40, That when a bill or resolution has been ten days in e hands of a committee, after having been referred to it, any mmittee may be discharged from the further consideration the bill or resolution by a one-third vote of all the members ect, and placed upon the calendar.

The SPEAKER. Will the House give its unanimous consent r the immediate consideration of the resolution? Are there jections?

Mr. WITKIN. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is t granted.

The resolution lies over for printing.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and considera- on of House Bill No. 1189, entitled:

An Act providing for the registration of contractors and ilders as herein defined by the Department of Labor and dustry; providing for the issuing, suspension and revocation licenses; and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and considera- on of House Bill No. 1245, entitled:

An Act to amend section thirty-two of the act approved the twenty-ninth day of April, one thousand eight hundred and forty-four (P. L. 486), entitled "An act to reduce the state debt, and to incorporate the Pennsylvania canal and railroad company;" as amended; making the real estate of public serv- ice companies subject to taxation, and providing certain ex- ceptions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and considera- tion of House Bill No. 1180, entitled:

An Act to amend section one of article one of the act ap- proved the second day of June, one thousand eight hundred and ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the antharcite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," by ex- tending the provisions of the act to all anthracite mines or collieries that employ five or more persons, and authorizing the mine inspectors to enter and inspect all mines employing from two to five persons for the purpose of determining whether or not the mine is generally safe.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and considera- tion of House Bill No. 1407, entitled:

An Act to amend sections ten, eleven and thirteen of the act, approved the twelfth day of July, one thousand nine hun- dred and nineteen (P. L. 933), entitled "An act to regulate the practice of architecture in the Commonwealth of Pennsyl- vania by providing for the examination and registration of architects by a State Board of Examiners; defining the power and duties of said board of examiners; and providing penalties for the violation of this act," fixing the fee for renewal certifi- cates, and extending the powers of the board as to revocation and suspension of certificates.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and considera- tion of House Bill No. 1157, entitled:

An Act to amend section three of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 831), entitled "An act providing for the ap- pointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Com- monwealth; prescribing the qualifications, defining the powers and duties and fixing the compensation of such examiners; providing for the appointment and removal of inspectors of anthracite mines; prescribing their qualifications, and regu- lating their salaries and terms of office; and abolishing the terms of office of the present mine inspectors of the anthracite mines," by defining the term "coal miners."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and considera- tion of House Bill No. 1730, entitled:

An Act providing for the ascertainment and assessment of damages for coal underlying property condemned for highway purposes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1811, enteitled:

An Act to provide for maps or plans of the workings or excavations of coal mines and colleries and defining the character and contents of the maps and plans and the requirements for extensions and changes to be made on the maps from time to time in counties of the third class, in order to ascertain the value of coal land for assessment and taxation purposes by the board for the assessment and revision of taxes.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1358 (Senate Bill No. 362), entitled:

An Act validating certain proceedings and elections of municipalities had and held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 74, entitled:

An Act to amend section one thousand two hundred and seven of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled, "An act for the protection of the public safety, regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the court and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles, imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as amended, providing for the reimbursement from fines, penalties and forfeited bail collected of counties for costs and the maintenance of prisoners imposed on them as the result of prosecutions under this act, and for the adjustment of the accounts of counties by the Auditor General.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1075, as follows:

An Act to amend section seven hundred and eighteen of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred fifty-nine) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as amended by permitting the training of dogs on Sunday and providing further for field meets

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven hundred and eighteen of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred fifty-nine) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as amended by the act approved the ninth day of June one thousand nine hundred and thirty-one (Pamphlet Laws four hundred fifty-five) is hereby further amended to read as follows

Section 718 Training of Dogs on Certain Game During the period between one hour before sunrise and ten o'clock post meridian eastern standard time dogs when accompanied by and under control of their owner or handler may be trained upon any game in this Commonwealth excepting elk or deer or wild turkey from the twentieth day of August to the last day of February next following [Sundays excepted] so long as no firearms usually raised at arms length and fired from the shoulder are carried and no injury is inflicted upon said animals or birds This section does not prohibit the training of dogs on reccoons during the night time It shall also be lawful to hold field meets or trials for dogs with led game animals at any time between the first day of March and the twentieth day of August next following or field meets where [bird] dogs are permitted to work on liberated or native wild game [birds] in exhibition or contest at any time during daylight hours from the first day of March to the thirty-first day of March of each year Sundays excepted if a permit for such field meet of either kind or class has been applied for to the Board of Game Commissioners and issued by the board and a fee of twenty dollars ($20) has been paid by the applicant to the executive secretary of the board whose duty it shall be to supervise the holding of such field meet and to enforce the terms of the permits therefor and the rules and regulations of the board for the holding of such meets "Under Control" is hereby defined to mean within call except when actually on a trail or track of legal game

Any person who shall train a dog or dogs or permit a dog or dogs under his control to pursue or follow upon the track of any small game contrary to the foregoing provisions shall be liable to a fine of ten dollars for each offense

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 810, entitled:

An Act to amend section thirteen of the act approved the seventeenth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred eight) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" as amended removing the provision which prohibited the sale of medicines containing substances of glandular origin except by registered pharmacists and assistants

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that section thirteen of the act approved the seven-

teenth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred eight) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drugs' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" which was amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws six hundred fifty-six) is hereby further amended to read as follows

Section 13 That hereafter it shall be unlawful to sell drugs medicines or poisons at retail or to compound physicians' prescriptions or to conduct a pharmacy unless the person so doing shall be a pharmacist or assistant pharmacist or to practice as a pharmacist or assistant pharmacist except in compliance with the provisions of the various laws of the Commonwealth relating thereto Provided however That nothing in this act of Assembly shall be so construed as to interfere with students of pharmacy or other employes in a pharmacy from performing such duties as may be assigned to them by and under the supervision of a pharmacist or assistant pharmacist And provided further That the compounding of physicians' prescriptions or the dispensing and selling of poisons at retail shall not be permitted except under the strict supervision and in the presence of a pharmacist or assistant pharmacist

Nothing in this act of Assembly shall be construed so as to prevent an authorized practitioner of medicine from administering or dispensing such drugs to bona fide patients as he or she shall deem necessary Provided however That such drugs so administered or dispensed shall conform to the standards of strength quality and purity as fixed by the laws of this Commonwealth nor prevent the sale or manufacture of proprietary medicines nor prevent storekeepers from dealing in and selling commonly used household drugs or proprietary medicines when the same are offered for sale or sold in original packages except when administered in single doses on the premises which hav been put up ready for sale to consumers by pharmacists manufacturing pharmacists manufacturers of proprietary medicines wholesale grocers or wholesale druggists under qualified supervision Provided however That the proprietary medicines or household drugs sold or offered for sale shall not contain any opium coca leaves chloral or any of the salts derivatives or compounds thereof in any quantity whatsoever Provided also That remedial agencies that are administered hypodermically intramuscularly or intravenously and all medicial substances containing barbituric acid or its compounds and biologicals (except those biologicals distributed to State and county health officers) [and medicines containing substances of glandular origin (except intestinal enzymes)] shall be sold only by registered pharmacists or assistant pharmacists employed by or conducting a registered pharmacy Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than fifty dollars ($50.00) or more than five hundred dollars ($500.00) or imprisonment for not more than one year or either or both in the discretion of the court

On the question,

Will the House agree to the section?

Mr. DUFFY. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 3, line 27, by striking out the light-faced bracket at the beginning of the line.

Amend section 1, page 3, line 28, by inserting after the word "enzymes" and before the closing parenthesis, the following: "and all liver products."

Amend section 1, page 3, line 28, by striking out the light-faced bracket.

On the question,

Will the House agree to the amendment?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act to amend section thirteen of the act approved the seventeenth day of May, one thousand nine hundred and seventeen (P. L. 208), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words 'drug' and 'poison'; and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law; and providing for the purchase of samples of drugs for determining their quality, strength, and purity;" as amended, removing the provision which prohibited the sale of medicines containing substances of glandular origin except by registered pharmacists and assistants.

On the question,

Will the House agree to the title?

Mr. DUFFY. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend title, 3rd line from end, by inserting after the word "removing" the following: "liver products from."

Amend title, 3rd line from end, by striking out the word "prohibit" and insert in lieu thereof "prohibits."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1146, as follows:

An Act to repeal section three of the act approved the eighth day of April one thousand eight hundred and fifty-two (Pamphlet Laws two hundred ninety-six) entitled "An act relative to the county offices of Clarion county to certain streets in the borough of Brookville and to hawkers and pedlers in Bedford county"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of the act approved the eighth day of April one thousand eight hundred and fifty-two (Pamphlet Laws two hundred ninety-six) entitled "An act relative to the county offices of Clarion county to certain streets in the borough of Brookville and to hawkers and pedlers in Bedford county" is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair is informed by the Chief Clerk that there are seventeen bills in the Chief Clerk's Office that have not been signed by the members. Midnight tonight will be the deadline for the signing of these bills.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 864, as follows:

An Act to repeal article twenty-one of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That article twenty-one of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" and its amendments is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1279, as follows:

An Act to amend article fourteen of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by adding thereto a new section providing that the Department of Public Instruction shall reimburse school districts for educating children of employes of public institutions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That article fourteen of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended by adding thereto the following new section to read as follows

Section 1412A Any school district within which there is located any State institution shall receive from the Department of Public Instruction the cost of tuition for all the children of the officials or employes of such institution who are living at the institution and attending the public schools in the district and if any district is liable under the laws of this Commonwealth for the tuition or other charges on account of any such children who are attending the public schools in any other district the district so liable shall receive from the Department of Public Instruction the amount for which it is so liable

The cost of tuition in such cases shall be fixed as provided by law for tuition costs in other cases and such tuition shall be paid annually by the Department of Public Instruction

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1234, as follows:

An Act making an appropriation to the Department of Property and Supplies for the payment of an arbitration award for architectural services rendered in connection with the construction of the Farm Show Building

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of Four Thousand Eight Hundred Ninety-three Dollars and Fifty-four Cents ($4,983.54) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of an arbitration award made to the architects appointed for the Farm Show Building for architectural services rendered in connection with the construction of such building

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 950, as follows:

An Act prohibiting the marking of articles manufactured assembled or produced without the United States as having been manufactured assembled or produced within the United States prohibiting the removal of tags or markings therefrom showing foreign manufacture and prohibiting the sale of foreign made articles as having been manufactured in the United States and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it is unlawful for any person to remove or to order cause or permit any other person to remove from any manufactured or assembled article offered or to be offered for sale any tag label or other marking showing or designing such article or articles to have been manufactured assembled or produced without the United States

Section 2 It is unlawful for any person to attach or to order cause or permit any other person to attach in any manner whatsoever to any article manufactured assembled or produced without the United States and offered or intended to be offered for sale any tag label or other marketing showing or designating such article to have been manufactured assembled or produced within the United States

Section 3 It is unlawful for any person copartnership association or corporation to knowingly offer for sale within the Commonwealth any article marked by tag label or in any other manner as having been manufactured assembled or produced within the United States when such article has in fact been manufactured assembled or produced without the United States

Section 4 Any person copartnership association or corporation violating any of the provisions of this act assisting or taking part in the violation of any of said provisions shall be guilty of a misdemeanor and upon conviction thereof shall be punished for each offense by a fine of not less than twenty-five dollars nor more than one hundred dollars

Section 5 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 664, as follows:

An Act making an appropriation for the purpose of maintaining the public roads through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of six hundred dollars ($600.00) or so much thereof as may be necessary is hereby specifically appropriated for the two fiscal years beginning June first one thousand nine hundred and twenty-three to be paid to the treasurer of Elk Township Warren County Pennsylvania for the purpose of improving and maintaining in good repair the public roads and highways passing through the Cornplanter Indian Reservation in said township Said money shall be paid on warrant drawn on the State Treasurer by the Auditor General and shall be disbursed under the direction of the supervisors of Elk Township

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1163, entitled:

A Supplement to the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred thirty) entitled "An act relating to the erection of a dam at the outlet of Pymatuning Swamp and the establishment of a reservior for the flood control of the Shenango and Beaver rivers conferring and continuing certain powers and duties on the Department of Forest and Waters in relation to the establishment and maintenance of such reservoir providing for the acquisition of necessary lands therefor and the necessary agreements and releases relating thereto and the disposition of surplus land and materials" authorizing the construction of a dam and spillway at the outlet of Pymatuning Swamp on lands acquired therefor and making an appropriation to the Department of Forests and Waters

The first, second, third and fourth sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of Five Hundred Thousand Dollars ($500,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the use of the Water and Power Resources Board for the construction of a dam and spillway across the outlet of Pymatuning Swamp in Crawford County on lands heretofore acquired therefor for clearing the reservoir site for raising relocating and reconstructing railroads and higways which the Water and Power Resources Board shall deem necessary in connection with the reservoir project for acquiring additional lands rights of way and releases necessary for the completion of the reservoir and the relocation of railroads and highways for the relocation of telephone and power lines and for any other expenses of every kind and description which the Water and Power Resources Board shall deem necessary in connection with the completion and operation of the Pymatuning Reservoir Project

Section 2 The dam spillway and other works shall be constructed under the supervision of the Water and Power Resources Board in accordance with plans and specifications which have been or shall be prepared by or under the direction of the Department of Forests and Waters and which shall be approved by the Governor The Water and Power Resources Board subject to the approval of the Department of Forests and Waters shall advertise for proposals and award contracts for the construction of said dam spillway and other works in the same manner and subject to the same conditions as proposals are advertised and contracts are awarded by the Department of Property and Supplies under section two thousand four hundred eight of "The Administrative Code of one thousand nine hundred and twenty-nine"

Section 3 The Department of Forests and Waters with the approval of the Governor shall pay out of the appropriation made by this act the cost of supervision engineering and other expenses necessary for carrying out the purpose of this act

Section 4 This act shall be effective immediately upon its passage and approval by the Governor

The title was read as follows:

A Supplement to the act, approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred thirty), entitled "An act relating to the erection of a dam at the outlet of Pymatuning Swamp, and the establishment of a reservoir for the flood control of the Shenango and Beaver Rivers; conferring and continuing certain powers and duties on the Department of Forests and Waters in relation to the establishment and maintenance of such reservoir; providing for the acquisition of ncessary lands thereto, and the necessary agreements and releases relating thereto, and the disposition of surplus land and materials," authorizing the construction of a dam and spillway at the outlet of Pymatuning Swamp on lands acquired therefor, and making an appropriation to the Department of Forests and Waters.

On the question,

Will the House agree to the title?

Mr. STEVENSON. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend title, 2nd, 3rd and 4th lines from the end, page 1, by striking out the following: "authorizing the construction of a dam and spillway at the outlet of Pymatuning Swamp on lands acquired therefor"

Amend title, last line, page 1, by inserting after the word "Waters" the following: "to carry into effect the provisions of said act"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

BILL ON THIRD READING POSTPONED (SPECIAL ORDER)

The SPEAKER. The hour of 11.00 o'clock having arrived the Chair lays before the House the Special Order of business fixed for this time, bills on third reading postponed.

Mr. WILSON. Mr. Speaker, I desire to call up at this time House Bill No. 1374, Printer's No. 280, on page 2 of today's calendar, bills on third reading postponed (special order).

Agreebaly to order,

The bill having been called up from the postponed calendar by Mr. Wilson,

The House resumed the consideration on third reading of House Bill No. 1374, entitled:

An Act relating to the minimum salaries and annual increments of the teaching and supervisory staffs of the public schools; granting power to the State Council of Education to permit, as to certain school districts, temporary reductions in the salary schedules; authorizing the State Council of education to suspend mandatory provisions of the act approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws, three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," and of its amendments and amendments and supplements; prohibiting school districts from demanding, requesting or accepting gifts or donations from members of the teaching and supervisory staffs, and empowering the Superintendent of Public Instruction to forfeit certain State subsidies for violations thereof; and temporarily superseding any inconsistent acts and parts of acts.

On the question, recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. It is unfortunate that the gentleman from McKean, Mr. Wilson, has partially lost his voice, but he has the courage to go through with the bills under the special order of business. The Chair, as a special request, asks that order be maintained during the special order of business.

Mr. WILSON. Mr. Speaker and ladies and gentlemen of the House, the committee in framing this legislation was confronted by two different angles of the situation. First, a great section of our population has insisted that the structure of the Edmonds' Act be broken down entirely, and that the school districts of the State be authorized to hire teachers at such prices as they can hire them.

On the other hand there has been strong pressure to preserve for the teachers their structure, but in the meantime make some temporary arrangements by which the school districts could get through the next biennium.

We have set this bill from the Committee on Education. It has been drawn after consultation between the sub-committee of the House on Education and the sub-committee of the Senate on Education, and what it is is largely known to everybody here.

It allows the school districts, the directors of the local districts, to make, first, a ten per cent. reduction in salaries. If their financial picture is such that a ten per cent. reduction in salaries will not allow them to get through, the bill allows them to bring in to the Superintendent of Public Instruction their budget showing their financial picture, and showing that they have put their house in order, and with his consent they may make any mandatory reduction that is necessary in order to keep the schools running

There is one other provision that has to do with this bill, and the Committee on Education of this House thought it was in the bill, but it is not there, and I wish to promise the House that it will be placed in the bill in the Senate, and that is the provision by which a teacher may go on paying the rate toward retirement and the same rate as she pays now, and thus protect herself in her retirement, so that at the end of the biennium, when we take up the salary as it is now she will be unaffected. This is just what this House has had to do, and we are here saying that we are handing back to the districts this question of getting through the next two years, with the proviso that before they cut the teachers more than ten per cent., they must show that they have put their house in order.

I regret, Mr. Speaker and ladies and gentlemen of the House, that my voice is in such a condition that I cannot say more than this, but I will be glad to answer any questions and to be interrogated by anybody that wishes to interrogate me.

Mr. HERMANSEN. Mr. Speaker and members of the House, with due consideration to the work that the committee has done on these bills, with due appreciation for their sincerity and for their endeavor in trying to correct a certain condition, and with full appreciation of the desire on the part of our people back home for us to enact economy legislation, I get up at this time to oppose the passage of this bill. I feel that a wrong procedure is being pursued by the promoters of this legislation. I cannot understand why a calamity that has been brought upon us, in the first place, as an aftermath of war, by wild speculation with the peoples' money, by excessive profits and other things of that nature, a condition that cannot be charged to the teachers, can be cured by reducing the standards of education. I feel that this is a very dangerous proposition that is before us this evening. I feel that education is the most valued possession of the working class of people. I feel that they would be the sole losers if this bill goes through, and I feel that we should give very careful consideration to the matter before we take any definite action upon it.

I know the public is rather hysterical about the high expense of our educational system, but I know also that there are natural reasons why it should be high. The different faculties that have been added to the educational department in the State in the last two decades has made it impossible for it to be any different.

I believe if this measure goes through, that is the beginning of a general reduction for the laboring class all the way down. If our State government sets a precedent like this, there will be no defense for any other class of laborer.

I feel that our teachers were very patient during the war period. When other increases were being granted to the different classes of labor, they stood by and they waited until the time came when the Legislature voluntarily gave them the present school code, the Edmonds Act, and that Edmonds Act has set up standards not any too high. The teachers are entitled to all the consideration they get under that standard. It is not high compared with other professions. When we consider that teachers have to prepare themselves in a college by attending four years, and then spend pretty nearly all of their time in additional preparations to carry on the work that we demand of them, I think that their pay is very reasonable, and I believe that the Educational Department should be the last department under the State government that should be attacked by this kind of economy.

It is an easy matter for us to jump at conclusions. The system that we have today we have worked many years to obtain, and now we may come along and destroy the whole system just by a rash act.

My friends, if this legislation passes at this time, it means that we are going to trade a part of our educational system for something to put in the stomachs of the people who are hungry. It is not a permanent relief. The best we can expect from it is that it will be repeated in two years from now, and then we may be asked to take off another chunk

from our educational system of probably four or eight million dollars, and in following that procedure I want to ask how much better we can consider ourselves then Esau who was condemned for selling his birthright for a mess of pottage.

I think that education means too much in the lives of us all to take any hasty action like this and reduce the standards.

It is a matter that should be given much consideration, and therefore I ask the members of this House to consider it very carefully before giving an "aye" vote.

Mr. O'CONNOR. Mr. Speaker and members of the House, the primary feature of this bill as I view it, is one of economy. We have heard this evening the statement from our worthy Speaker that the economy program for State Government will reveal that we will not be short in funds, and that we will have sufficient funds to take care of the schools for the next two years. In addition to what my colleague has stated about this bill, I oppose it for the further reason that it is taking from the local community its right to control and regulate and maintain its own schools. All of us are familiar with that old expression that it is not disgrace to be poor, but it is mighty unhandy.

Under the terms of this bill, if the school district is unable to pay its school teachers ninety per cent of the wages they now receive, then the Superintendent of Public Instruction may step in and take charge of the school district Under those terms, members of the House, the Superintendent of Public Instruction becomes an absolute dictator. By the terms of the bill, not only may he look after the salaries of teachers, but he may suspend any provisions of the School Code, and if he may suspend any of them, he may suspend them all and that makes him sole dictator of the school system. As I view it, it will make the school system a slave to his wishes, and I oppose the bill for that reason and I hope you will help me to vote it down.

Mr. O'ROURKE. Mr. Speaker and members of the House, I feel that this bill is a very good measure, and if it were not for one section therein, I would give it one hundred per cent support. That is section four, wherein it is provided that the salaries of the instructors and teachers shall be placed on a sliding scale, and on that sliding scale there is no stopping point. We must, and I believe we will, maintain a standard for our present school system, but we will not be maintaining it if we are to place the teachers and instructors upon a starvation wage. I would suggest that the sponsor of this bill, if it possible to insert in there a stopping point on this sliding scale, a percentage point of not less than or under eight per cent., otherwise I am afraid I will have to oppose the bill because I am in favor of placing nobody of labor on a sliding scale.

Mr. TURNER. Mr. Speaker and members of the House, it seems to me that the gentleman from Allegheny is missing this point in the bill, the situation that confronts so many of our school districts, that even if given a ten or twenty percent of an allowance or a reduction in teachers' salaries, that even then they cannot meet the situation.

We have been asked to reduce these salaries twenty percent. That would not, it seems to me, be fair to our teachers about whom the gentleman from Luzerne has spoken. The fallacy of the argument of the gentleman from Luzerne lies in the fact that he measures the quality of education by the amount of money that is paid for it. That, it seems to me, is a slur upon the fine teaching corps of this state who I am certain are willing to make every sacrifice that it is possible to make to carry on the educational standards as they exist today.

We are confronted with this problem, that if we made the reduction ten percent still many of the districts could not carry on and even if we made it twenty percent many of the districts cannot carry on. Many of the districts said "Let us bargain with the teachers ourselves," but that did not seem to be fair to the teachers. Some believed that there ought to be a stopping point and some believe that there ought to be an opportunity for these districts to carry on or many of them must close.

We know that in the last session of the Legislature we were told there were at least five hundred bankrupt districts in the state and we appropriated a large sum of many to help out those districts. Since that time conditions have become steadily worse and now there are thousands of those districts in the state that have been given an opportunity to keep their schools open, and you are therefore met with the dilemma, as I see it, whether we shall find many districts where the school will have to be closed, or whether it will be necessary to close the schools and therefore throw our teachers out of employment entirely, or whether we shall devise some scheme whereby there may be a reduction. Before the teachers are called upon to take a reduction we must be certain that every economy in these school districts has been effected. Some place there must be some person, some arbitrary authority before whom these facts can be brought, some place where a budget can be adopted for every school district if we are to protect the teachers in the state during the next two years.

think this bill is fair. I think it offers the only opportun that we have to carry on, and we cannot in this depres close our schools. The American Federation of Labor has that the schools are the greatest police force in this co and I believe that. I believe we should not have sho terms, I believe we should carry on, and I believe in app to the patriotism of the teachers of this state. We shoul to the teachers, we have protected you from every angl sible, but you are like every other person in this countr has had to take a reduction and who is still carrying on we must say to the teachers of our state we will protec from every angle possible. They have taken cuts of ten, fi and even twenty percent in their salaries, and we must s the teachers of our state, if the schools are to be kept if we are to keep up this school system, if we are to have e cation for the children, you must be placed on some propo tion that will protect you.

Men, I trust that you will not heed these calls to vote again this bill but that you will give it very careful consideration.

The Governor cut the sum in the budget of fifty-eig million to fifty-three million. That was less than a ten pe cent cut. Education takes thirty-three and a third percen the public schools take one-third of the total estimate budget of one hundred and fifty-eight million dollars.

You have heard the Speaker say we have to reduce our ex penses twenty-five percent. If we are asking the school di tricts to take a cut of less than ten percent of the subsidi of the state, if we are asking the school teachers to take a cut of less than ten per cent, and beyond that if necessary. I believe that is a logical basis upon which to place them and I ask you to vote for this bill.

Mr. STEEDLE. Mr. Speaker and members of the House, it is not my intention to tarry for any length of time or to prolong this debate, but I think this is a most vital item of income, not only for the state but for municipal control.

After listening to the various objections filed by the various members, one in particular that may be misleading, and I think it is, the gentleman form Cambria, who made the statement that it is written into this proposed act that if this act were passed it would give to the Superintendent of Education the power of suspending the entire school code, if he so desires. I see no such language in this bill. If that emanates from a group of people, emanating from an untruthful statement, then they should receive the same criticism that arose on the floor of this House last Thursday morning when the gentleman from Snyder, Mr. Surface, presented a telegram issued by the teachers of Hazleton, Pennsylvania, sending out a warning to every member of the Legsilative group that "we are watching your vote and the teachers of the State of Pennsylvania will use that against you at your next attempt to be elected to the Legislative body of Pennsylvania."

The same condemnation that emanated from the gentleman to my right, Mr. Surface, should come to those ladies and gentlemen who stand sponsor for such a falsehood, because nothing in the bill provides for any suspension of any of the provisions of the Code other than the question of salaries.

Ladies and gentlemen, I not only speak from hearsay but I speak from knowledge obtained in my own particular district. There are many municipalities who are unable at this day to pay the teachers their salaries from the present return from the taxable income of the particular political subdivision. I say to every teacher within the hearing of my voice, nothing in this bill would destroy the principle or the established price for the salary of that teacher until that school directorate would come to Harrisburg and present their books and present their arguments and show that they were unable to meet their obligation, and after proving that there was no extravagance in that budget of that school district that could be surcharged, then the Superintendent of Education may, if he so desires, and honestly believes that the picture painted is one of truth and not a false statement, then he can, if he thinks in his better judgment that the people of that political subdivision cannot meet the requirements of this bill, then he can act.

Again I say, and I say this without fear of contradiction, I know of no man in Pennsylvania who stands more on all fours for the teachers of this State than Jim Rule, and I say as an experienced man who has sat in conference with him in the session of 1931, the extraordinary session of 1931 and the extraordinary session of 1932, and who to the present day still adheres to the principle that the teachers today are not overpaid but are underpaid.

I say to you, my friends, have no apprehension, Jim Rule will not destroy the teachers' salary as long as he is Superintendent of Instruction of Pennsylvania, because he endears himself with the spirit of teaching, and he is not only a student of yesterday or of five or ten years ago, but of many years. I say that somebody must be entrusted with some decency and honesty, and I know of no better man to entrust with that than Jim Rule.

There are teachers in many communities of the State who are only receiving six, ten, twelve or twenty-five per cent. of their salaries and in many townships I know of they have not received a cent of salary for four or five months.

This bill does only one thing; it sets up a reduction of ten percent. and if for any reason the school directors must make a reduction below ninety percent. they must first show their reason why, and I am willing to entrust unto James Rule as Superintendent of Instruction the particular program that this bill carries with it. I see nothing wrong in passing this bill and I hope and trust the members of the House will vote for it.

Mr. SARIG. Mr. Speaker and members of the House, I had not intended to enter into this debate, but I cannot remain silent under the statements that have been made here on the floor tonight.

In the first place, the fact that a few teachers have used poor judgment, have used improper language in appealing to the members of this House should not be held against sixty-two thousand teachers in Pennsylvania. It is entirely unfair that what a small group of teachers may do should be held against the teachers of Pennsylvania in general.

In the next place, I was reminded, when listening to the gentleman from Delaware, Mr. Turner, of a story, or rather of an occurrence that happened in my boyhood days. A farmer and his sons with six slapping horses got stuck in the mud. They started to beat the horses. One ran backward and the other ran forward, and they were getting nowhere. The wagon stuck deeper and deeper. Finally the son called to the father, "Father, hit this one quick. Here is the one that still pulls." The argument of the gentleman from Delaware, is along the same line, he uses the same psychology. He says the teachers of Pennsylvania have been patient, they have been faithful, they have been the best policemen in Pennsylvania, they have rendered excellent service, therefore they will better bear the burden that will be thrown upon them by this proposition.

I believe that is wrong in principle. I should have voted for the bill had the fourth section of the bill been cut out, because practically all of the teachers in my section of the State were in favor of Bill 1374 with section four cut out. They were willing to bear their share of the burden, they were willing to accept the ten per cent reduction as their contribution to this emergency, but they feel that any reduction beyond ten per cent would be both unfair and unjust.

Only yesterday or the day before yesterday the Governor of this Commonwealth issued a statement in which he said that he would agree to a reduction of ten per cent in the salaries of State employes, but the first twelve hundred dollars must be exempt. I have nothing against the State employes of Pennsylvania who, on the whole, are much more highly paid than the teachers of Pennsylvania. The laws of the Commonwealth have raised the standard of the teachers year after year. They have had to spend time, money and effort in order to acquire a license to teach and every year that standard has been raised higher and higher, whereas on the other hand many of these State employes are picked up here and there without any particular preparation, and yet the Governor says he will not stand for more than a ten per cent cut, and that it must be on salaries above twelve hundred dollars.

I am a member of this sub-committee that framed House Bill, or at least a part of House Bill No. 22. In that bill we provide that there shall be no cuts in salaries below fifteen hundred dollars, because that sub-committee took the stand that a man or woman working for the State of Pennsylvania was entitled to a living wage. Under the Sterling bill, the first seven hundred and fifty dollars was exempt, or rather under the Sterling report. Under practically every other bill that has been brought into this Legislature for the reduction of salaries there has been an exemption of either seven hundred and fifty dollars, a thousand dollars or twelve or fifteen hundred dollars—along that line. But here is a bill that permits no exemption. Here is a bill that cuts down to the very bottom without any stop to it, without anything at all, prac-

tically tearing down all the barriers and suggests what we may expect under the Superintendent of Public Instruction.

The last sentence of the Governor's statement issued on Saturday, and he gave warning that he would not sign any bill which would cut deeper than what the Governor said—this is the last sentence of the Governor's statement, he said that it would be unfair to cut the small fellow while the big fellow goes uncut, or at least language to that effect.

Now, then, if the highly paid employe here on Capitol Hill in the various State offices will not be cut more than ten per cent., and they then have an extention of $1,200, I ask you, is it fair that the teachers of Pennsylvania should bear this heavy burden, or bear more than their share? These teachers have spent years in preparing, and not only that, every teacher in this Commonwealth knows that after you have become a teacher, after you have received the position, you are supposed to go to a summer school practically every summer, you are supposed to keep up your preparation in order to be up-to-date, and if you do not do that you are considered a back number, and when your superintendent comes around and gives you the teaching rating, you are rated as non-progressive, you are rated as a back-number teacher, unless you have spent a few months, or at least six weeks in some summer school from time to time and from year to year. The public school teacher must ever be on the alert, she must ever keep up her studies, she must study at night her lessons and plans and prepare for the next day.

I want to say further that it has been stated that the tendency of this bill, if it is passed in this House, will mean that there will be cuts in the lower ranks, in the ranks of labor all along the line. It will serve as sort of precedent, for the Governor says that State employes earning three, four, five or six thousand dollars a year may not be cut more than ten per cent. and then have an exemption of $1,200, which may not be touched.

The teachers of Pennsylvania are willing to carry their share of the burden in this emergency. They stand willing and ready to submit to a ten per cent. cut or to any cut that is fair and reasonable, but they feel, the same as the Governor feels, the same as expressed by him in the last sentence of his statement on Saturday, that it would be unfair to cut the little fellow and to let the big fellow to remain uncut.

I want you to understand that the teachers of Pennsylvania are not trying to back out of this emergency, they are not trying to slink away and not carry their share of the burden. but they do hope for a fair deal, they are looking for a square deal. If this program is defeated there is still time to rebuild, there is still time to formulate a program which gives a squarer deal and a larger measure of justice to the teachers.

But it is not only the teachers that are affected by this bill. It means that the morale of the schools will be broken down, it means that the boys and the girls will be the first ones to suffer and to render aid in this emergency. We have one hundred million dollars of roads money, we have money for high salaries in other directions. Why should public school teachers who receive a minimum of eight hundred dollars a year, and are willing to take a cut of ten per cent that brings them down to seven hundred and twenty dollars a year, why should a seven hundred and twenty dollar a year teacher be the first one to bring in his mite and to make his contribution?

We are willing to make our contribution as is fair and equitable, but we are not willing to make our contribution while others go untouched and unscathed, those who can afford it much better and who have had less preparation in their life's work than the teachers of Pennsylvania.

Mr. TURNER. Mr. Speaker, I desire to interrogate the gentleman from Berks, Mr. Sarig.

The SPEAKER. Will the gentleman from Berks, Mr. Sarig, permit himself to be interrogated?

Mr. SARIG. Mr. Speaker, I will.

Mr. TURNER. Mr. Speaker, I would like to ask the gentleman from Berks when he is not a member of the legislature, what is his occupation.

Mr. SARIG. Mr. Speaker, my occupation is that of a teacher. I think every member of this legislature knows it.

Mr. TURER. Mr. Speaker and members of the House, I never knew that the gentleman from Berks took the Governor so seriously as to feel that his statement in the paper was that it would be enacted into legislation.

I want to point out to my friend from Berks, that under the recommendations of the Sterling Committee and under the recommendations of the Howell resolution, which is now in this House, that one of the provisions is to allow an exemption of seven hundred and fifty dollars and to make the cut on the basis of twenty per cent. In other words, if a man receives a fifteen hundred dollar salary he would deduct his maximum of seven hundred and fifty dollars and then deduct twenty per cent. of the balance or one hundred and fifty dollars, which would be a ten per cent. cut. If you will take it on a basis of a ten thousand dollar salary, you will find that the the cut is about twenty per cent. and when you get to the Governor, although it is said he takes sixteen hundred and eighty dollars, you will find in House Bill No. 22 and under the recommendation of the Sterling Committee and the Howell resolution, his cut will be thirty-five hundred dollars. Maybe he won't sign it, but maybe it will become a law anyhow.

Mr. ANDREWS. Mr. Speaker, Ladies and Gentlemen of the House. The enactment at this time of House Bill 1386—the measure now under consideration—would represent a leap in the dark.

The Committee on education—and its subcommittee have been forced to grapple with the educational problems of this Commonwealth while encased in a financial straight jacket.

The educational program presented to this House has been based upon the supposition there is exactly fifty-three million dollars—no more—no less available subject to appropriation for the support of education in this Commonwealth during the coming biennium. If the fifty-three million dollar premise is sound your educational committee has presented to you a program that is sound. Granting the validity of the premise there is no escaping the logic of your committees reasoning. A fifty-three million dollar fund can only be interpreted in terms of reduced appropriations alloted to the various districts.

So I have not arisen Mr. Speaker for the purpose of attempting to controvert the reasoning of your educational committee. Instead, I have arisen to challenge the premise. Moreover I have arisen in this forum because only the house can decide the issue. Your educational committee is bound by its budget. But this House makes budgets. I am not speaking out of any sympathy for or kindly feeling toward the so-called educational lobby which has upon occasion infested this session. Neither am I the legislative agent of those educators who would lead us to believe that a dollar denied the teacher will result in irreparable injury to the children in the schools. The boys and girls of Pennsylvania would evolve into useful men and women if the schools of the State went on half-time and were taught by instructors receiving half pay. The instructors who weep least this legislature deny educational op-

portunity to the youth of the land are usually shedding one tear for the children and three tears for themselves.

I am not opposed to reductions in the salaries paid teachers if those reductions are necessary items in a comprehensive plan. But I am opposed to a budget and a plan of procedure which starts the economy program with the teacher and gives me no assurance it is going anywhere else.

I am willing to extend my regrets to the teachers of this State and slice their salaries to any extent that is necessary. But I am not willing to cut the salary of the teachers in order that we may be certain of having enough money on hand to pay the judges, their present rate of salary. Ladies and gentlemen of the House, we could pick up $600,000 simply by putting the judges back on the 1929 salary schedule. And we could get another $125,000 by simply wiping out the extra compensation allowed the gypsy judges—holding them to an expense basis when they hold court outside their districts. I am not willing to cut the pay given the teachers just so we can be certain it will not be necessary to cut our own salaries. Before I help pare the salary paid the teacher in rural Cambria County I want to see the salary reductions to which the Department of Instruction in all its branches, branches and far flung ramifications is prepared to accept. I sympathize with the plight in which the school districts in my county find themselves. But I cannot forget it costs my county $140,000 a year to collect its taxes while the man who could get the job for $40,000 a year would make an everlasting fortune. It is not exactly cricket for a county to waste a hundred thousand dollars and then come crying for State aid or appear in support of a program designed to make both ends meet by paring the pay of the teachers.

I am willing to compel the teachers to come in under the economy tent but I don't believe in shoving them in first or compelling them to stay there alone—as a group.

I am interested in the teachers but I am more interested in the plight in which the school districts find themselves. And I am not convinced that $53,000,000 is the limit. I am not a financial expert—but if anything ever was in a state of flux its the proposed budget for the ensuing biennium. About all I know I read in the papers—and the Legislative Journal. I learn on one page that the commonwealth's general fund income during the next two years will be $158,000,000. Then I see responsible leaders of this house quoted to the effect that perhaps the income will be only $135,000,000. But the people who say $135,000,000 probably do not include the governor's $20,000,000 economy program. And the governor does not include the eight million dollar economy program sponsored by the committee on state government. And I have no way of knowing whether either the committee on state government or the governor have included any of many recommendations emanating from the Sterling committee.

And there is no certain way of telling whether either the governor, the committee on state government, or the Sterling committee have included beer among the states revenues assets. The only bench mark in the whole legislative landscape would appear to be the $53,000,000 appropriation for education. That figure is supposed to be sound and a proper point of departure in the financial deliberations of this house. Mr. Speaker, before I accept the figures I want to see the rest of the program. The budget framed by his excellency the governor did not contemplate a general salary reduction including all governmental officers and employes—particularly the judges.

I am conscious of the fact that many of the districts importuning this legislature for assistance wasted their substance in building Grecian palaces which they labeled high schools. I am conscious of the fact that many of the districts now bankrupt wasted money on elective specialties of no permanent value in a school system. I am conscious that in the past educators have been rated upon the basis of their ability to spend more and yet more money. I am conscious that in the past many districts boasted that they spent a million and a half a year on their schools without ever giving very much thought to what their schools were doing. I am conscious that many districts would not be compelled to deal so harshly financially with the teachers in the grades if they had not carried so much useless timber in their high schools. I am conscious that for the last decade or more we have had an educational department crammed with experts whose apparent business it was to find more and more ways in which districts could spend more money.

What we need now is a department of education which will point out to the districts how they can save some money. Perhaps if given guidance the districts themselves can by eliminating waste motion, by throwing unessentials overboard, by stopping leaks find a part of the fund they so badly need. Right here in the city of Harrisburg, under the shadow of this Capitol and within whispering distance of the Commonwealth's palace dedicated to education, school costs will be materially reduced through recommendations developed as a result of a fact finding survey. If Harrisburg, by taking thought, by planning, by economizing can cut two mills from the tax rate without impairing the schools—a similarly intelligent survey conducted on a State-wide basis might actually reclaim several million dollars now being wasted. School districts have become so accustomed to extravagance and emphasis upon nonessentials it is necessary in many instances actually to reestablish sound educational perspective—and practice. But, even so, it is now being proposed that we cut the pay of the teachers and reduce the allotments to the districts without having any knowledge concerning the remainder of the economy and retrenchment program.

Personally I desire information upon a number of points before I vote for this bill.

If the salaries paid the teachers are to be chopped I want to be certain everybody else is in line for similar treatment. The only omnibus bill for which I could vote with a clear conscience would be a salary reducer.

Then I want to know the final outside budget figure—and what that figure includes. I have no intention of voting for reduced school appropriations in order to avoid the abolition of fee offices. I recently listened with interest to the gentleman from Delaware while he told about a mysterious and coy nine million that was flitting from ledger to ledger and from department to department. I want to know whether there is any chance that nine million will be caught and imprisoned in the budget.

In conclusion, ladies and gentlemen of the House, I call your attention to this significant fact. Both the budget framed by His Excellency the Governor and the program sponsored by the proponents of House Bill 22 carry $53,000,000 for the schools. House Bill No. 22 carries alleged economies totaling $8,000,000 that are not found in the Governor's plan.

And the Governor's program carries economies totaling $20,000,000 that are not included in the House Bill 22 scheme. And yet with $28,000,000 to juggle around, we are told that $5,000,000 cannot be set aside for the schools—over and above

the $53,000,000 appropriation agreed upon. But gentlemen were the worst to come to the worst and the Governor's $20,000,000 in economies were to vanish and the $8,000,000 to be saved by House Bill No. 22 were to disappear it would still be possible—as a last desperate resort to create a $5,000,000 emergency equilization fund for the benefit of hard pressed school districts by drawing upon motor fund revenues.

MOTION TO POSTPONE

Mr. ANDREWS. Because I am convinced that measures reducing expenditures in other directions should be enacted before the schools are led to the slaughter, I move that House Bill 1386 be placed upon the postponed calendar.

On the question,

Will the House agree to the motion?

Mr. WILSON. Mr. Speaker and members of the House, let me say this to the members of the House. The school directors and school boards of Pennsylvania must know soon what they are going to do. This bill now before you has nothing to do with the budget, it has nothing to do with the money they spend, it is simply a bill authorizing the school directors who cannot collect their taxes, who cannot get their money to pay their proportion of the salaries to run their schools, who cannot get the money to pay their proportion of the salaries to run their schools, to do that which every business man has to do, adjust their expenses to what money they get in. Very many fine speeches have been made about the teachers. I bow to no man in this House in the admiration and respect for teachers. I never looked across the table since I was a child that I didn't look at a school teacher, and when I got married, I married one, and I don't bow to Mr. Sarig or any one else in this House in my respect for teachers. There is no other industry that always holds on to a fixed standard, so that when their income goes down below their receipts that they are bound to go on paying that rate, that fixed price, and cannot adjust their labor to their income. All that we have tried to do with the question of what they receive, with the question of what we give to the schools, is contained in the other bills. In this bill it simply says if you cannot get money enough to run your schools and you clean house and straighten up your budget and do what you can do, then if it is absolutely necessary, you may dress your expenses down as every business house did. This bill has been prepared by a sub-committee of the House and of the Senate, and it is absolutely essential that something be done, because the school authorities will now be hiring their teachers for the ensuing year and this matter must be disposed of so that they will know where they are at, and I ask you to vote the motion down to put this bill on the postponed calendar.

Mr. FITZGERALD. Mr. Speaker and members of the House, I regret very much the action of the gentleman from Cambria in moving that this bill be placed on the postponed calendar. It may be in order to make a few brief remarks on the bill at this time.

The SPEAKER. The Chair informs the gentleman that the motion before the House is a motion to place the bill on the postponed calendar. Remarks on the bill will not be in order.

On the question recurring,

Will the House agree to the motion?

It was not agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. FITZGERALD. Mr. Speaker and members of the House, during all of the debate that has ensued, there has nothing been said about the essentials of education in this Commonwealth. Truly that must be admitted, that the essentials of education are the classroom teachers. They have spoken of plans and budgets and where the money was to come from, what the purpose was to be, and a hundred kindred subjects, but they have not brought out the fact that we are about to consider the necessity of the essential education of the children of Pennsylvania on one hand, while on the other hand we appropriate seven million dollars to the institutions of higher learning in this State. I believe that you will agree with me that who need most the educational features and the essentials of education are these children attending the classroom. After a certain age it is physically impossible to give them the benefit of cultural education and classroom education. Strange and significant is the fact that these institutions of higher education should receive approximately seven million dollars when the physical and educational policies of these institutions are not under the jurisdiction of the State.

I would like very much to vote in favor of not only this bill, but all the educational bills, but as has been said before, I feel reluctant to do it until I know what cuts are to be effected in the higher bracket, and I am willing to go on record here and now before the members of this Legislature that if before these bills are enacted into laws the higher brackets are reduced, I shall gladly vote for them, but until such time, I shall be compelled to oppose them.

Mr. YOURISHIN. Mr. Speaker and members of the House, I rise at this time to oppose this bill. I happen to come from the city of Hazleton, from where on last Thursday a telegram was read to this House that a great many members took objection to. The telegram was signed by a committee of Hazelton School Teachers. I told some of the members that I did not feel that the teachers of the city of Hazelton and the vicinity knew what was in that telegram, and this evening I presented to the Speaker of the House a petition signed by between two and three hundred school teachers of the city of Hazelton and vicinity stating that they did not sanction that telegram and also stating their position on the school bill that are before the House tonight. In their petition they state they are sorry for what has happened on account of a telegram of that kind being sent to the members of this House. They do not believe in using any undue methods to coerce the members of this House to vote for or against this piece of legislation. However, they do feel as anybody else would that a ten per cent. reduction in their wages at this time is not the proper thing to do and not only that, but that it gives to the school boards and the Superintendent of Public Instruction the right to reduce their wages more if it is necessary.

I heard the gentleman from Berks, Mr. Sarig, make the statement that the minimum salary of the school teachers is eight hundred dollars. This ten per cent. cut will reduce that salary to seven hundred and twenty dollars. Can you picture to yourself a school teacher going into the schoolroom, teaching little children and living on a miserable sum of seven hundred and twenty dollars? I say that is a disgrace not only to the school districts but also to the state of Pennsylvania to allow a condition of that kind, that a school teacher must go to work and teach school, teach children, the future generation of this Commonwealth and only be paid a miserable sum of seven hundred and twenty dollars, and if the school board or the Superintendent of Public Instruction says that it is

necessary to reduce that salary further they can reduce it We would possibly have a condition in some of the districts where the school teachers who are working for school boards would have to come to the state and look for relief in order that they might be able to live.

I say to you, as some of the gentlemen prior to me have said, that I personally do not believe in any reductions whatsoever. I do not think it is the key to the situation.

Some years ago, I might say during the war, everybody was making big money, and spending it like a drunken sailor, we had prosperity, plenty of it. Somebody conceived the idea that the working people were getting a little too much money and that they would have to start to cut, and they started to cut, and they cut, and cut, with the result that we now have two million people walking the streets who are not getting anything and those who are working are getting wages just barely enough to live on. I say to you that inasmuch as we have declared morotoriums on this and that, on banks and everything we should declare a moratorium on any reductions in wages, and instead of reductions in wages we should inflate wages and bring prosperity where it should be.

Mr. PETERS. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Ederer, Forrest, Storb, Craig, Steitler, Witkin, Heffner, Wood, DeFrehn, Price, Weidemann, Wike, Rice, Shreiner, John L. Holmes, Wilson, Conner, Duffy, Stott, Mohn, Evans and others.

On the question,

Shall the main question be now put?

The motion was agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provision of the Constitution, the yeas and nays were taken and were as follows, viz

YEAS—88

Baker,	Habbyshaw,	Myers,	Steedle,
Baldi,	Haines,	Nothnagle.	Sterling, P.,
Bennett,	Harris,	Patterson,	Stevenson,
Blumberg,	Heffernan,	Peelor,	Stiteler,
Brennan,	Heffner,	Pennock,	Storb,
Carey,	Hester,	Perry, D. R.,	Tahl,
Cohen,	Hewitt,	Peters,	Turner,
Cooke,	Himes, L. R.,	Price,	Wade,
Craig,	Holmes, J. L.,	Raub,	Wall,
DeFrehn,	Horst,	Rectenwald,	Wasserman.
Duffy,	Hutton,	Rhodes,	Way,
Dwyer,	Jaffe,	Root,	Weidemann,
Ederer,	King,	Royle,	Wike,
Emhardt,	Laubach,	Ruby,	Williams, G. W.,
Evans,	Lord,	Schrock,	Witkin,
Fleisher,	Lose,	Schwab.	Wood,
Flinchbaugh.	Lynch, M.,	Schwartz,	Woodside,
Flynn,	McGregor,	Shellenberger,	Wright,
Forrest,	McKay,	Shettel,	Yeakel,
Gillette,	Metzler,	Shreiner,	Zimmerman.
Green,	Moore,	Simon,	Talbot,
Greenstein,	Mumford,	Snyder,	Speaker.
Griffith,			

NAYS—113

Andrews,	Harmuth,	McCandless,	Sarig,
Barnhardt,	Hart,	McClure,	Sautter,
Bechtel,	Hartman,	McCreary,	Schrope,
Beech,	Hefferon,	McElwee,	Scorza,
Bernhard,	Hermansen,	McGinnis,	Scott,
Boyd,	Hoffman,	McGrail,	Sheffer,
Brancato,	Holmes, J. B.,	McHenry,	Shenkel,
Brown, J. E.,	Hoopes,	McKinney,	Shortz,
Brown, W. L.,	Hough,	Melchiorre,	Sinwell,
Brownfield,	Howard,	Meredith,	Sowers,
Cannon,	Jones,	Merrell,	Spann,
Caputo,	Kane, J. J.,	Mohn,	Stank,
Carson,	Kane, L. P.,	Munley,	Sterling, R. B.,
Chervenak,	Kinney,	Negley,	Stevens,
Conner,	Labar,	O'Connor,	Stone,
Cordier,	Lane,	O'Keefe,	Stott,
Cramer,	Lenahan,	O'Neill,	Surface,
Dane,	Lewis,	O'Rourke,	Terry,
Davies,	Long,	Perry, J. J.,	Wagner,
Downey, G. E.,	Lovett, J. E.,	Powell,	Walker, G. E.,
Downey, J.,	Lovett, W. S.,	Powers,	Walker, W. A.,
Dunmire,	Lynch, J. R.,	Quinn,	Welsh,
Eroe,	Male,	Reed,	Westrick,
Fitzgerald,	Malina,	Reilly,	White,
Flanagan,	Maloney,	Rice,	Williams, J. J.,
Furman,	Marcks,	Roan,	Wilson, L. M.,
Gallagher,	Mason,	Roth,	Wilson, T. B.,
Gartner,	McBride,	Ruth,	Yourishin,
Hamilton.			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL ON THIRD READING POSTPONED (SPECIAL ORDER)

Mr. WILSON. Mr. Speaker, I desire to call up at this time House Bill No. 1335, Printer's No. 279, on page 1 of today's calendar, bills on third reading postponed (Special Order).

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Wilson.

The House resumed the consideration on third reading of House Bill No. 1335, entitled:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" curtailing the terms of office of the executive committees of school directors' associations providing for the election of new executive committees by certain school directors in each county relating to the organization officers and conduct of such executive committees and the payment of their expenses by the Commonwealth authorizing such executive committees certain boards of school directors certain courts of comm on pleas and the State Council of Education to consolidate school districts requiring the consolidation of school districts having a population of less than one thousand providing for the disposition of the indebtedness obligations rights and property of districts which will be consolidated authorizing the continuation of districts which have been consolidated in order to make an equalization payment to the new district and granting certain powers relating thereto to the courts of common pleas relating to the selection of the school directors of new school districts their organization the preparation of their budgets and the levying of their taxes and providing for certain appeals to the Superior and Supreme Courts

On the question recurring,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. WILSON. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON THIRD READING POSTPONED (SPECIAL ORDER)

Mr. WILSON. Mr. Speaker, I desire to call up at this time House Bill No. 1386, Printer's No. 276, on page 2 of today's calendar, bills on third reading postponed (Special Order).

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Wilson.

The House resumed the consideration on third reading of House Bill No. 1386, entitled:

A Supplement to the act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended temporarily reducing the reimbursement by the Commonwealth to school districts for salaries of full-time members of the teaching and supervisory staffs for salaries of the teaching and supervisory staffs engaged in special education for closed schools and for the transportation of pupils and relating to the effect of payment of salaries which are less than those established by the salary schedule.

On the question recurring,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. WILSON. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON THIRD READING POSTPONED (SPECIAL ORDER)

Mr. WILSON. Mr. Speaker, I desire to call up at this time House Bill No. 1385, Printer's No. 277, on page 3 of today's calendar, bills on third reading postponed (Special Order).

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Wilson.

The House resumed the consideration on third reading of House Bill No. 1385, entitled:

A Supplement to the act, approved the first day of May, one thousand nine hundred thirteen (Pamphlet Laws, one hundred thirty-eight), entitled "An act defining vocational education; providing for the establishment and regulation of vocational schools; and providing for State aid in the maintenance thereof, and for the payment of tuition by certain school districts, and reimbursement thereof by the State," as amended, temporarily restricting the amount of the reimbursements of the Commonwealth to school districts for vocational and continuation schools and departments.

On the question, recurring,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. WILSON. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON THIRD READING POSTPONED (SPECIAL ORDER)

Mr. WILSON. Mr. Speaker, I desire to call up at this time House Bill No. 1384, Printer's No. 278, on page 3 of today's calendar, bills on third reading postponed (Special Order).

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Wilson.

The House resumed the consideration on third reading of House Bill No. 1384, entitled:

A Supplement to the act, approved the eighteenth day of June, one thousand nine hundred nineteen (Pamphlet Laws, four hundred ninety-eight), entitled "An act defining consolidation of schools; providing for the establishment and regulation of consolidated schools; and providing for State aid for the transportation of pupils to and from consolidated schools," as amended, temporarily reducing the reimbursements of the Commonwealth to school districts for the transportation of pupils to and from consolidated schools.

On the question, recurring,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. WILSON. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON THIRD READING POSTPONED (SPECIAL ORDER)

Mr. WILSON. Mr. Speaker, I desire to call up at this time House Bill No. 1009, Printer's No. 197, on page 3 of today's calendar, bills on third reading postponed (Special Order).

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Wilson.

The House resumed the consideration on third reading of House Bill No. 1009, entitled:

An Act fixing the minimum salaries of county and assistant county superintendents for the first year of their terms which will begin on the first Monday of July, one thousand nine hundred thirty-four; providing for the payment of such minimum salaries by the Commonwealth; and temporarily superseding any inconsistent acts and parts of acts.

On the question recurring,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. WILSON. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The question was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1449 (Senate Bill No. 283), entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Manufacturing Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 1502 (Senate Bill No. 176), entitled:

A Joint Resolution proposing an amendment to section three article seventeen of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 1489 (Senate Bill No. 38), entitled:

An Act making a deficiency appropriation to the Board of Finance and Revenue.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 1453 (Senate Bill No. 287), entitled:

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Banking Department Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 1454 Senate Bill No. 288), entitled:

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Game Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 1451 (Senate Bill No. 285), entitled:

An Act making an appropriation from the Fish Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Fish Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 1452 (Senate Bill No. 286), entitled:

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Motor License Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 1450 (Senate Bill No. 284), entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensaion from the State Workmen's Insurance Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 1729 (Senate Bill No. 639), entitled:

An Act relating to insurance companies, exchanges, associations, societies, orders, and individuals under the supervision of the Insurance Department; authorizing the Insurance Commissioner during the existing emergency to suspend laws relating to certain payments by insurers and to impose conditions upon the conduct of the business of insurance; and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 1842 (Senate Bill No. 320), entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, by adding thereto section seventeen.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 1686 (Senate Bill No. 321), entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the expenses of government defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto providing for the payment of interest on and the redemption of such bonds, and making an appropriation

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That POWER TO BORROW MONEY The Governor the Auditor General and the State Treasurer on the behalf of the Commonwealth of Pennsylvania are hereby authorized if the electors adopt the amendment to the Constitution of the Commonwealth during the fiscal biennium beginning June first one thousand nine hundred and thirty-three from time to time on the credit of the Commonwealth of Pennsylvania such sum or sums of money as may be deemed necessary to defray the expenses of the State Government during the said biennium

On the question,

Will the House agree to the section?

Mr. STEEDLE. Mr. Speaker, I desire to offer the following amendments.

The Speaker. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 1, line 3, by striking out at the end of the line after the word "same" the word: "[That]"

Amend section 1, page 1, line 4, by striking out after the word "money" and before the word "Governor" the word "[The]" and inserting in lieu thereof the following: "That in the event a certain proposed amendment to article nine of the Constitution of Pennsylvania, which reads as follows:

'Section 17 The Governor the Auditor General and the State Treasurer immediately upon the adoption of this amendment by the electors may borrow an amount not exceeding twenty-five million dollars to defray the expenses of the State Government for the biennium beginning June first one thousand nine hundred thirty-three provided the General Assembly at its regular session of one thousand nine hundred thirty-three has authorized the borrowing of money for this purpose' shall be adopted by the people at the municipal election in November one thousand nine hundred thirty-three the."

Amend section 1, page 1, line 5, by inserting after the word "Treasurer" and before the word "on" the following: "in accordance with the provisions thereof and."

Amend section 1, page 1, line 6 by striking out at the end of the line after the word "authorized" the following: "[if the]."

Amend section 1, page 1, by striking out line 7.

Amend section 1, page 1, line 8, by striking out at the beginning of the line before the word "during" the word "[Commonwealth]" and inserting in lieu thereof the following: "and directed."

Amend section 1, page 1, line 10, by inserting after the word "time" and before the word "on" the following: "to borrow."

Amend section 1, page 2, line 1, by inserting after the word "money" and before the word "as" the following: "not exceeding in the aggregate the sum of twenty-five million dollars ($25,000,000)."

On the question,

Will the House agree to the amendment?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read and agreed to as follows:

Section 2 BONDS ISSUE MATURITY INTEREST ET CETERA (a) As evidence of the indebtedness herein authorized bonds of the Commonwealth of Pennsylvania shall beissued from time to time for such total amounts in such form in such denominations and subject to such terms and conditions of issue redemption and maturity not to exceed ten years rate of interest not to exceed four and one-half per centum per annum and time of payment of interest as the Governor Auditor General and State Treasurer shall direct

(b) All bonds issued under the authority of this act shall bear the facsimile signatures of the Governor Auditor General and State Treasurer and a facsimile of the great seal of the Commonwealth of Pennsylvania and shall be countersigned by two duly authorized officers of the duly authorized loan and transfer agent of the Commonwealth

(c) The principal and interest of such bonds shall be payable in lawful money of the United States All bonds issued under the provisions of this act shall be exempt from taxation for State and local purposes

(d) Such bonds may be issued with or without interest coupons attached In case interest coupons are attached they shall contain facsimile signatures of the State Treasurer and the Auditor General

(e) The Governor the Auditor General and the State Treasurer shall proceed to have the necessary bonds prepared and printed The bonds as soon as they are prepared and printed shall be forthwith deposited with the duly authorized loan and transfer agent of the Commonwealth there to remain until sold in accordance with the provisions of this act

The third section was read as follows:

Section 3 SALE OF BONDS Whenever bonds are so issued they shall be offered for sale at not less than par and accrued interest and shall be sold by the Governor the Auditor General and State Treasurer to the highest and best bidder or bidders after due public advertisement on such terms and conditions and upon such open competitive bidding as the Governor Auditor General and State Treasurer shall direct

Any portion of any bond issue so offered and not sold or subscribed for may be disposed of by private sale by the Governor the Auditor General and the State Treasurer in such manner and at such prices not less than par and accrued interest as the Governor shall direct No commission shall be allowed or paid for the sale of any bonds issued under the authority of this act

On the question,

Will the House agree to the section?

Mr. STEEDLE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 3, page 3, line 15 by inserting at the end of the line after the word "direct" the following: "The manner and character of such advertisement and the times of advertising shall be prescribed by the Governor the Auditor General and the State Treasurer."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth and fifth sections were separately read and agreed to as follows:

Section 4 DISPOSITION AND USE OF PROCEEDS The proceeds realized from the sale of bonds under the provisions of this act shall be paid into the general funds of the State Treasury and shall be used for the payment of appropriations made from said fund

Section 5 REGISTRATION OF BONDS The Auditor General shall prepare the necessary registry books to be kept in the office of the duly authorized loan and transfer agent of the Commonwealth for the registration of any bonds at the request of owners thereof All bonds which are issued without interest coupons attached shall be registered in the registry books kept by the duly authorized loan and transfer agent of the Commonwealth

The sixth section was read as follows:

Section 6 INFORMATION TO GENERAL ASSEMBLY It shall be the duty of the Governor during the biennial sessions of the General Assembly to give to the General Assembly in the budget full information in relation to the issuing of bonds under the provisions of this act to enable the General Assembly to provide by appropriation the moneys necessary for the sinking fund of the Commonwealth for the payment of the interest of said bonds and the principal thereof at maturity

On the question,

Will the House agree to the section?

Mr. STEEDLE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 6, page 4, line 8 by striking out at the end of the line after the word "Governor" the following: "[during the biennial]"

Amend section 6, page 4 by striking out line 9.

Amend section 6, page 4, line 10 by striking out at the beginning of the line before the word "budget" the following: "As-

sembly in the" and inserting in lieu thereof the following: "to include in every biennial"

Amend section 6, page 4, line 10 by inserting after the word "budget" and before the word "full" the following: "submitted to the General Assembly"

Amend section 6, page 4, line 10 by striking out after the word "information" and before the word "to" the following: "in relation" and inserting in lieu thereof the word: "relating"

Amend section 6, page 4, line 11 by striking out at the beginning of the line before the word "of" the word: "issuing" and inserting in lieu thereof the word: "issuance"

Amend section 6, page 4, line 12 by striking out after the word "to" and before the word "by" the word: "provided" and inserting in lieu thereof the word: "provide"

Amend section 6, page 4, line 14 by striking out after the word "interest" and before the word "said" the word: "of" and inserting in lieu thereof the word: "on"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The seventh section was read as follows:

Section 7 SINKING FUND INVESTMENTS REDEMPTION OF BONDS All bonds issued under the authority of this act shall be redeemed at maturity and all interest due from time to time on such bonds shall be paid from the sinking fund For specific purpose of redeeming said bonds at maturity and paying all interest thereon in accordance with the information received from the Governor the General Assembly shall appropriate biennially the moneys necessary for the payment of the interest on said bonds and the principal thereof at maturity All moneys so appropriated shall be paid into the sinking fund by the State Treasurer and all of such moneys not necessary to pay accruing interest shall be invested by the Board of Finance and Revenue in such securities as are provided by law for the investment of the sinking funds of the Commonwealth

The investments and such moneys and the accumulations thereon in the sinking fund shall be devoted to and be used exclusively for the payment of the interest accruing on such bonds and their redemption at maturity Provided however That the Board of Finance and Revenue is authorized at any time to use any of such funds for the purchase and retirement of all or any part of the bonds issued under the authority of this act In the event that all or any part of said bonds shall be purchased they shall be canceled and returned into the State Treasury as canceled and paid bonds and thereafter all payments of interest thereon shall cease and the canceled bonds and coupons shall be destroyed within two years after cancellation in the presence of the Governor the Auditor General and the State Treasurer and a Certificate evidencing the destruction satisfactory to the duly authorized loan and transfer agent of the Commonwealth shall be furnished to it All canceled bonds and coupons shall be so marked as to make the conceled bonds and coupons non-negotiable

On the question,

Will the House agree to the section?

Mr. STEEDLE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 7, page 5, line 11 by inserting after the word "purchased" and before the word "they" the following: "by the Board of Finance and Revenue."

Amend section 7, page 5, line 12 by striking out after the word "returned" and before the word "the" the word "(into)" and inserting in lieu thereof the word: "to"

Amend section 7, page 5, line 12 by striking out the at the end of the line after the word "State" the word: "[Treasury]" and inserting in lieu thereof the word: "Treasurer"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The eighth section was read as follows:

Section 8 The Board of Finance and Revenue shall determine the amount of money necessary for the sinking fund for the two fiscal years beginning June first one thousand nine hundred and thirty-three and the times and amounts which are to be paid into the sinking fund for such purposes and the sums so determined shall be transferred to the sinking fund from the moneys realized from the sale of such bonds by the State Treasurer and for such purposes any of such moneys are hereby appropriated

On the question,

Will the House agree to the section?

Mr. STEEDLE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk

The amendments were read by the Clerk as follows:

Amend section 8, page 8, line 22 by inserting after the figure "8" and before the word "The" the following: "SINKING FUND REQUIREMENTS"

Amend page 6 by inserting between lines 2 and 3 the following section:

Section 9 QUORUM Whenever in this act any action is to be taken or decision made by the Governor the Auditor General and the State Treasurer and the three officers shall not be able unanimously to agree the action or decision of the Governor and either the Auditor General or State Treasurer shall be binding and final except that it shall be the mandatory duty of the Governor the Auditor General and the State Treasurer to issue bonds in accordance with the constitutional amendment quoted in the first section of this act as promptly as possible after the electors shall have approved the same at the municipal election held in November one thousand nine hundred thirty-three.

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The ninth section was read as follows:

Section 9 The sum of Twenty-five thousand dollars or so much thereof as may be necessary is hereby specifically appropriated for the purpose of providing such bonds for the payment of the cost of advertising the same and for all other costs and expenses in connection with the issue of said sale and registration of said bonds Payments from said appropriation shall be made by requisition of the Auditor General after approval of vouchers by the Governor Auditor General and State Treasurer

On the question,

Will the House agree to the section?

Mr. STEEDLE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 9, page 6, line 3 by striking out after the word "Section" and before the word "The" the figure: "[9]" and inserting in lieu thereof the following: "10 APPROPRIATION"

Amend page 6 by striking after line 11 the following section: "Section 11 EFFECTIVE DATE This act shall become

ctive immediately upon the approval by the electors of constitutional amendment set forth in section one of this

n the question,
Vill the House agree to the amendments?
hey were agreed to.
n the question,
Vill the House agree to the section as amended?
was agreed to.

he title was read and agreed to as follows:

n Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the expenses of government; defining the powers and duties of the Governor, the itor General, the State Treasurer and the Board of Finance Revenue in relation thereto; providing for the payment of rest on, and the redemption of, such bonds and making appropriation.

nd said bill having been read at length the second time, agreed to as amended,
rdered, To be transcribed for a third reading.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

he Clerk of the Senate being introduced, returned bills n the House of Representatives numbered and entitled as ows:

OUSE BILL No. 490.

n Act to amend section one of the act approved the nty-sixth day of August one thousand nine hundred and ty-two (Pamphlet Laws one hundred) entitled "An act horizing the abatement of penalties on local taxes" proing further for the abatement of tax penalties and proing for an extension of time for delivery of duplicates to ectors of delinquent taxes in certain cases.

Vith the information that the Senate has passed the same hout amendment.

SENATE MESSAGE

ENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill n the House of Representatives numbered and entitled follows:

OUSE BILL No. 1182.

n Act to authorize the Department of Highways and the nty commissioners to occupy and relocate rights of way public service companies in certain cases and to acquire purchase or condemnation the necessary land therefor

Vith the information that the Senate has passed the same h amendments, in which the concurrence of the House of presentatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 2, line 17, by striking after the rd "purpose" the following: "provided however that the ht of w[illegible] of a railroad company shall not be acquired or upied without the consent of the company owning or erating or in possession of said railroad."

On the question,
Will the House concur in the amendments made by the nate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—201

Andrews,	Habbyshaw,	McGrail,	Sheffer,
Baker,	Haines,	McGregor,	Shellenberger,
Baldi,	Hamilton,	McHenry,	Shenkel,
Barnhardt,	Harmuth,	McKay,	Tahl,
Bechtel,	Harris,	McKinney,	Shettel,
Beech,	Hart,	Melchiorre,	Shortz,
Bennett,	Hartman,	Meredith,	Shreiner,
Bernhard,	Heffernan,	Merrell,	Simon,
Blumberg,	Hefferon,	Metzler,	Sinwell,
Boyd,	Heffner,	Mohn,	Snyder,
Brancato,	Hermansen,	Moore,	Sowers,
Brennan,	Hester,	Mumford,	Spann,
Brown, J. E.,	Hewitt,	Munley,	Stank,
Brown, W. L.,	Himes, L. R.,	Myers,	Steedle,
Brownfield,	Hoffman,	Negley,	Sterling, P.,
Cannon,	Holmes, J. B.,	Nothnagle,	Sterling, R. B.,
Caputo,	Holmes, J. L.,	O'Connor,	Stevens,
Carey,	Hoopes,	O'Keefe,	Stevenson,
Carson,	Horst,	O'Neill,	Stiteler,
Chervenak,	Hough,	O'Rourke,	Storb,
Cohen,	Howard,	Patterson,	Stone,
Conner,	Hutton,	Peelor,	Stott,
Cooke,	Jaffe,	Pennock,	Surface,
Cordier,	Jones,	Perry, D. R.,	Terry,
Craig,	Kane, J. J.,	Perry, J. J.,	Turner,
Dane,	King,	Peters,	Wade,
Davies,	Kinney,	Powell,	Wagner,
DeFrehn,	Labar,	Powers,	Walker, G. E.,
Denning,	Lane,	Price,	Walker, W. A.,
Downey, G. E.,	Laubach,	Quinn,	Wall,
Downey, J.,	Lenahan,	Raub,	Wasserman,
Duffy,	Lewis,	Rectenwald,	Way,
Dunmire,	Long,	Reed,	Weidemann,
Dwyer,	Lord,	Reilly,	Welsh,
Ederer,	Lose,	Rhodes,	Westrick,
Embardt,	Lovett, J. E.,	Rice,	White,
Eroe,	Lovett, W. S.,	Roan,	Wike,
Evans,	Lynch, J. R.,	Roth,	Williams, G. W.,
Fitzgerald,	Male,	Royle,	Williams, J. J.,
Flanagan,	Malina,	Ruby,	Wilson, L. M.,
Fleisher,	Maloney,	Ruth,	Wilson, T. B.,
Flinchbaugh,	Marcks,	Sarig,	Witkin,
Forrest,	Mason,	Sautter,	Wood,
Furman,	McBride,	Schrock,	Woodside,
Gallagher,	McCandless,	Schrope,	Wright,
Gartner,	McClure,	Schwab,	Yeakel,
Gillette,	McCreary,	Schwartz,	Zimmerman,
Green,	McElwee,	Scorza,	Talbot,
Greenstein,	McGinnis,	Scott,	Speaker.
Griffith,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL No. 203

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, March 24, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 203, Printer's No. 86, entitled "An act to validate certain proceedings for municipal improvements municipal assessments municipal claims and municipal liens in the several townships of the first class of this Commonwealth and validating such improvements assessments claims and liens providing for the filing of claims and liens therefor and the proceedings for the collection of such assessments and claims."

This bill would validate certain municipal improvements, assessments, claims and liens in townships of the first class,

and would permit the filing of claims and liens therefor and the collection of such assessments and claims.

Several bills identically the same as this bill and relating to other political subdivisions of the Commonwealth are now pending in the General Assembly. I am informed that the provisions of this bill, together with the provisions of those bills, are to be consolidated. This is highly desirable, and it is for this reason alone that I am not approving this bill.

For this reason the bill is not approved.

GIFFORD PINCHOT.

On the question,

Shall the bill become a law, the veto of the Governor to the contrary notwithstanding?

Mr. WEIDEMANN. Mr. Speaker, I move that the communication, together with the bill be laid upon the table.

The motion was agreed to.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL No. 327

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, March 24, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 327, Printer's No. 31, entitled "An Act Defining the duties of authorities in charge of highways with respect to the entrances of private roads or driveways therein."

This bill would place upon the Commonwealth and all public authorities charged with the care of public highways the responsibility for the construction, maintenance, and drainage of the entrances to all private driveways between the limits of the highway and the improved portion thereof.

The only ones to benefit by this bill would be private individuals and corporations who now have or hereafter construct private driveways entering public highways. The public generally would derive no benefit from this bill.

Regardless of the doubtful constitutionality of such a bill, I cannot approve of the use of public funds in such a way that private individuals only are benefited and not the public generally.

For these reasons the bill is not approved.

GIFFORD PINCHOT.

On the question,

Shall the bill become a law, the veto of the Governor to the contrary notwithstanding?

Mr. REED. Mr. Speaker, I move that the communication, together with the bill be laid upon the table.

The motion was agreed to.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate March 27, 1933.

Whereas, The act of August 19, 1932, P. L. 92, imposing an emergency sales tax, provides for the filing of returns and payment of such tax on or before April 1, 1933; and

Whereas, Legislation is pending providing for payment of only one-half of said tax on or before April 1, 1933, concurrently with the filing of said report, and the remaining one-half on or before May 15; and

Whereas, Said legislation cannot be adopted before April 1, and many taxpayers are uncertain as to what steps are to be taken with respect to the filing of returns and payment of said tax; therefore be it

Resolved (if the House of Representatives concur), That every vendor liable for the payment of the emergency sales tax under the provisions of the Act of August 19, 1932, P. L. 92, entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors, as herein defined; prescribing the method and manner of collecting such tax; and providing penalties," may on or before April 1, 1933, pay one-half of such tax concurrently with the filing of his report and may pay the remaining one-half of said tax in a single instalment on or before the 15th day of May, 1933, but the amount of the tax not paid on or before April 1, 1933, shall bear interest at the rate of six per centum per annum until May 15, 1933, and twelve per centum per annum thereafter.

Resolved, That the General Assembly hereby declares its purpose forthwith to enact suitable legislation more fully to effectuate this resolution and to authorize the Department of Revenue to acept payment, and to settle said emergency sales tax in accordance with this resolution.

Resolved, That this resolution shall be effective immediately upon its approval by the Governor.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS INTRODUCED AND REFERRED

By Mr. SHELLENBERGER. HOUSE BILL No. 2027.

An Act to amend Route 34006 of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;"

Referred to the Committee on Highways.

By Mr. SHELLENBERGER. HOUSE BILL No. 2028.

An Act to amend sections one thousand seven hundred and seven and one thousand seven hundred and eight, as amended and to repeal section one thousand seven hundred and eleven A, as added, of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therefith," by providing for the payment by the Commonwealth of the cost of the tuition of pupils residing in districts, not maintaining high school, attending high schools in other districts.

Referred to the Committee on Education.

By Mr. STONE. HOUSE BILL No. 2029.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of

such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Potter.

Referred to the Committee on Highways.

By Mr. MUMFORD. HOUSE BILL No. 2030.

An Act to amend section eighty-two of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revisnig, amending and consolidating the laws relating thereto," by relieving counties of the cost of expenses of sheriffs and their deputies and solicitors while attending conventions of sheriffs.

Referred to the Committee on Counties.

By Mr. O'NEILL. HOUSE BILL No. 2031.

An Act imposing a tax for unemployment relief, on malt and brewed beverages, manufactured in or imported into, this State; and providing for the collection thereof.

Referred to the Committe on Ways and Means.

By Mr. CRAMER. HOUSE BILL No. 2032.

An Act to amend section ten of the act approved the nineteenth day of June, one thousand nine hundred and thirty-one (P. L. 589), entitled "An act to promote the public health and safety, by providing for the examination and licensure of those who desire to engage in the occupation of barbering; regulating barber shops, barber schools and barber colleges and apprentices and students therein, conferring certain powers and duties on the Department of Public Instruction; and providing penalties," by requiring the use of sanitary brushes and lather in barber shops, schools and colleges.

Referred to the Committee on Education.

By Mr. FURMAN. HOUSE BILL No. 2033.

An Act to amend section thirteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township, or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated town with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended by regulating the subletting of contracts for highway construction.

Referred to the Committee on Highways.

By Mr. ROYLE and Mr. TAHL. HOUSE BIL No. 2034.

An Act uniting and consolidating certain poor districts in the city of Philadelphia; priviling for the government and management of the poor districts newly created, and for the collection of taxes therein.

Referred to the Committee on Municipal Corporations.

By Mr. RICE. HOUSE BILL No. 2035.

An Act to amend section six of the act, approved the twenty-ninth day of June, one thousand nine hundred and twenty-three (P. L. 944), entitled "An act relating to salaries, compensation, bonds, offices, and supplies of certain county officers, their deputies and clerks, in counties of the sixth class," by providing for the payment into the county treasury of fees received by county officers when acting as agents of the Commonwealth.

Referred to the Committee on Counties.

By Mr. EROE. HOUSE BILL No. 2036.

An Act to amend clause four of section eleven of the act, approved the twenty-seventh day of June, one thousand nine hundred and twenty-three(P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; exception annuities. allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," as amended, and to further repeal certain acts, by providing for a reduction in the amount of pensions or retirement allowance hereafter payable to retired judges.

Referred to the Committee on Pensions and Gratuities.

By Mr. EROE (By Request). HOUSE BILL No. 2037.

An act repealing the laws of the Commonwealth relating to the payment of pensions or retirement allowances to judges.

Referred to the Committee on Pensions and Gratuities.

By Mr. CANNON. HOUSE BILL No. 2038.

An Act to amend sections one and two of the act approved the thirty-first day of May, one thousand eight hundred and ninety-three (P. L. 188) entitled, "An act designating the days and half days to be observed as legal holidays, and for the payment, acceptance and protesting of bills, notes, drafts, checks and other negotiable paper on such days," as amended, declaring Mothers' Day the fifteenth day of August a legal holiday.

Referred to the Committee on Judiciary Local.

By Mr. WESTRICK. HOUSE BILL No. 2039.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Cambria.

Referred to the Committee on Highways.

By Mr. WESTRICK. HOUSE BILL No. 2040.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act estaiblshing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; estaiblshing an additional route in the County of Cambria.

Referred to the Committee on Highways.

By Mr. HUTTON. HOUSE BILL No. 2041.

An Act to amend section one thousand seven hundred and eight, as amended, and section one thousand seven hundred and eleven A, of the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local or any parts thereof, that are or may be inconsistent therewith"; by further regulating State-aid to districts and the cost of high school tuition charged for pupils from other districts.

Referred to the Committee on Education.

By Mr. HUTTON. HOUSE BILL No. 2042.

An Act mking an appropriation to the Milton Wright Memorial Home of Franklin County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. DAVID R. PERRY. HOUSE BILL No. 2043.

An Act to amend act approved the twenty-sixth day of July, one thousand nine hundred thirteen (Pamphlet Laws. one thousand three hundred seventy-four), entitled "An act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining and limiting their powers, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing, and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commissoin of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed; authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers, counsel, and employes; prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals'; and an act, entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved the twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act," by providing for the time and circumstances under which public service companies may increase their rates, and making provision for reparations in connection therewith; authorizing the commission to fix minimum rates; regulating the manufacture sale and lease of appliances and equipment by public service companies; regulating the issuance of securities by public service companies; giving the Public Service Commission jurisdiction over transactions between public service companies and holding companies or affiliated interests; authorizing the commission to require public service companies to carry depreciation accounts; and imposing penalties.

Referred to the Committee on Public Utilities.

By Mr. McCANDLESS and Mr. NEGLEY. HOUSE BILL No. 2044.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Butler.

Referred to the Committe on Highways.

By Mr. McCANDLESS and Mr. NEGLEY. HOUSE BILL No. 2045.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No.

203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Butler.

Referred to the Committe on Highways.

By Mr. McCANDLESS and Mr. NEGLEY. HOUSE BILL No. 2046.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Butler.

Referred to the Committe on Highways.

By Mr. McCANDLESS and Mr. NEGLEY. HOUSE BILL No. 2047.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Butler.

Referred to the Committe on Highways.

By Mr. CHERVENAK. HOUSE BILL No. 2048.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Cambria.

Referred to the Committe on Highways.

By Mr. CHERVENAK. HOUSE BIL No. 2049.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Cambria.

Referred to the Committe on Highways.

By Mr. CHERVENAK. HOUSE BILL No. 2050.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Cambria.

Referred to the Committe on Highways.

By Mr. CHERVENAK. HOUSE BILL No. 2051.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Cambria.

Referred to the Committe on Highways.

By Mr. CHERVENAK. HOUSE BIL No. 2052.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Cambria.

Referred to the Committe on Highways.

By Mr. CHERVENAK. HOUSE BILL No. 2053.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Cambria.

Referred to the Committe on Highways.

By Mr. CHERVENAK. HOUSE BILL No. 2054.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as

State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Cambria.

Referred to the Committe on Highways.

By Mr. CHERVENAK. HOUSE BILL No. 2055.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provision of said act"; establishing an additional route in the County o Cambria.

Referred to the Committe on Highways.

By Mr. DENNING. HOUSE BILL No. 2056.

An Act imposing taxes and license fees for the operation, maintenance, opening or establishment of stores in this Commonwealth; providing for the collection and disposition thereof; and prescribing penalties.

Referred to the Committee on Ways and Means.

By Mr. DENNING. HOUSE BILL No. 2057.

An Act authorizing and regulating the publication and distribution of an official newspaper by cities of the first class; prescribing the character of matter to be published therein; and providing that the contents thereof may be admitted in evidence.

Referred to the Committee on Cities.

By Mr. PHILIP STERLING (By Request). HOUSE BILL No. 2058.

An Act staying executions against surety companies and executions in cases where liability upon surety companies arises, during the existing financial and economic emeregency.

Referred to the Committee on Judiciary General.

By Messrs. P. STERLING, McCLURE, FLYNN and STEEDLE (By request of Joint Legislative Committee on the Finances). HOUSE BILL No. 2059.

An Act creating and appropriating a special fund in the State Treasury for the purpose of insuring the Commonwealth against losses of public moneys or securities arising from embezzlement or theft thereof by or the malfeasance of its officers and employes, except the officers and employes of the Treasury Department; prohibiting the purchase of surety bonds for officers and employes covered by the fun; and providing for the investment of the moneys in the fund and the ascertainment of losses to be paid out of the fund.

Referred to the Committee on State Government.

By Messrs. P. STERLING, McCLURE, FLYNN and STEEDLE (By request of Joint Legislative Committee on the Finances). HOUSE BILL No. 2060.

An Act to amend Section 3 of the act approved the thirty-first day of March, one thousand nine hundred and twenty-seven (Pamphlet Laws, ninety-one) entitled "An act relating to municipal indebtedness; imposing certain powers and duties upon the Department of Internal Affairs, and the officers of counties, cities of the third class, boroughs, towns, townships, school districts of the second, third, and fourth classes and poor districts, in connection with proceedings to incur and increase indebtedness; and the establishnig and maintaing of sinking funds; fixing the maximum maturity of refunding bonds; and providing penalties," by authorizing the Department of Internal Affairs to charge and collect fees for examining and approving proceedings relating to municipal indebtedness.

Referred to the Committee on State Government.

By Messrs. P. STERLING, McCLURE, FLYNN and STEEDLE (By request of Joint Legislative Committee on the Finances). HOUSE BILL No. 2061.

An Act providing for the transfer of the State Nursery at Milton from the Department of Highways to the Department of Forests and Waters.

Referred to the Committee on State Government.

By Messrs. P. STERLING, McCLURE, FLYNN and STEEDLE (By request of Joint Legislative Committee on the Finances). HOUSE BILL No. 2062.

An Act to amend the act approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, specal or local or any parts thereof, that are or may be inconsistent therewith," by reducing the number of assistant county superintendents and the salaries of county and assistant superintendents; abolishing State teachers college districts and certain State teachers colleges; and authorizing the Superintendent of Public Instruction with the approval of the State Council of Education to assign a professional service area to each State teachers college.

Referred to the Committee on State Government.

By Mr. WASSERMAN. HOUSE BILL No. 2071.

An Act to amend section one of the act, approved the nineteenth day of May, one thousand eight hundred and eighty-seven (P. L. 130), entitled "An act to provide civil rights for all people, regardless of race or color, extending provisions of said act so as to include agents, employes, and motion picture houses; and providing penalties.

Referred to the Committee on Judiciary Specal.

By Mr. WASSERMAN. HOUSE BILL No. 2072.

An Act imposing an additional excise license tax on each store or mercantile establishment in excess of one operated or maintained within this Commonwealth under the same general management, supervision or ownership; providing for the distribution of the proceeds thereof; and imposing penalties.

Referred to the Committee on Ways and Means.

By Mr. WAY. HOUSE BILL No. 2073.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such high-

ways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Clearfield.

Referred to the Committee on Highways.

By Mr. WAY. HOUSE BILL No. 2074.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Clearfield.

Referred to the Committee on Highways.

By Mr. WAY. HOUSE BILL No. 2075.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Clearfield.

Referred to the Committee on Highways.

By Mr. WAY. HOUSE BILL No. 2076.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Clearfield.

Referred to the Committee on Highways.

By Mr. WAY. HOUSE BILL No. 2077.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Clearfield.

Referred to the Committee on Highways.

By Mr. WAY. HOUSE BILL No. 2078.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Clearfield.

Referred to the Committee on Highways.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows

SENATE BILL No. 385 (HOUSE BILL No. 2063.)

An Act providing for the fixing of salaries or compensation of all appointed officers, clerks and other employes paid from the county funds in counties of the third, fourth, fifth, sixth, seventh and eighth classes; and creating salary boards in certain counties.

Referred to the Committee on Counties.

SENATE BILL No. 487 (HOUSE BILL No. 2064.)

An Act to amend section one thousand thirty-four of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," providing how executions on judgments against counties may be issued, the procedure thereon; authorizing the court to direct the levy of a tax to satisfy such judgments, and fixing the rate of interest which such judgments shall bear.

Referred to the Committee on Counties.

SENATE BILL No. 388. (HOUSE BILL No. 2065).

An Act providing for the appointment, promotion, reduction, removal and reinstatement of paid officers, firemen and employes of fire departments and of fire alarm operators and fire box inspectors in the bureaus of electricity in cities of the first, second and third class; defining the powers and duties of civil service commissions for such purposes; and fixing penalties.

Refered to the Committee on Cities.

SENATE BILL No. 498. (HOUSE BILL No. 2066.)

An Act authorizing counties, cities, boroughs, townships of the first and second class and school districts to issue and sell bonds for certain purposes and for a certain period of time; providing for a trust fund and a sinking fund for the payment thereof and defining the duties of the officers and governing bodies of the said municipalities or quasi municipalities in relation to said funds, and fixing a penalty for the violation thereof.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 548 . (HOUSE BILL No. 2067.)

A Supplement to act number four-A approved the fourteenth day of April one thousand nine hundred thirty-one (Appropria Acts of one thousand nine hundred thirty-one page five) entitled "An act providing for the investigation and study of the effect of the diversion of water for water supply purposes upon the lower Delaware River and the industries using water therefrom imposing certain duties upon the Sanitary Water Board and making an appropriation" making an appropriation to the Department of Health for the use of the Sanitary Water Board for the continuation of the investigation and study of the effect of the diversion of water for

water supply purposes from the lower Delaware River and the industries using water therefrom and extending the scope of the investigation and study.

Referred to the Committee on Appropriations.

SENATE BILL No. 578. (HOUSE BILL No. 2068.)

An Act to amend section three of the act, approved the eighteenth day of April, one thousand nine hundred and nineteen (P. L. 70), entitled "An act declaring it a misdemeanor for any maker or drawer, with intent to defraud, to make or draw or utter or deliver any check, draft, or order, when such person has not sufficient funds in, or credit with, the depository upon which the same is drawn," by providing for the admission in evidence of the protest of nonpayment of checks, drafts and orders.

Referred to the Committee on Judiciary General.

SENATE BILL No. 529. (HOUSE BILL No. 2069.)

An Act to prohibit the employment by the Commonwealth and by counties, cities, boroughs, towns, townships, departments, boards, commissions and by certain corporations, hospitals, homes and institutions, of aliens who entered the United States unlawfully; and providing penalties.

Referred to the Committee on Judiciary General.

SENATE BILL No. 670. (HOUSE BILL No. 2070.)

An Act to amend section one of act number three hundred twenty-nine-A, approved the fifteenth day of May, one thousand nine hundred twenty-nine (Appropriation Acts of One Thousand Nine Hundred Twenty-nine, page one hundred sixty-one), entitled "An act making an appropriation to the Department of Property and Supplies for the purchase or condemnation of additional lands for the Commonwealth of Pennsylvania," by extending the scope of the appropriation to the Department of Property and Supplies for the purchase or condemnation of additional lands for the State Military Reservation, and ratifying certain expenditures heretofore made by said department.

Referred to the Committee on Appropriatoins.

REPORT FROM COMMITTEE

Mr. STEEDLE, from the Committee on Appropriations, reported as committed, House Bill No. 1487, entitled

An Act making an appropriation to the State Eemergency Relief Board for expenditure by it and for allocation and reallocation to political subdivisions charged by law with the care of the poor, or to other substituted agencies for direct and work relief; defining the purposes for which such moneys may be expended; providing for the audit of such expenditures, and prescribing the powers and duties of the State Emergency Relief Board, of cities coextensive with counties, and of counties.

REPORT OF COMMITTEE TO INVESTIGATE SPECIAL POOR DISTRICTS OF PHILADELPHIA

Mr. TAHL. Mr. Speaker, at the request of the chairman of the committee appointed to investigate the special poor districts of the City of Philadelphia, I desire to file the report of the committee, together with the notes of testimony and exhibits, with the request that the report be spread on the Journal and that a notation be made in the Journal of the notes of testimony.

The SPEAKER. The report will be received and noted in the Journal and printed in the Appendix to the Legislative Journal.

ADJOURNMENT

Mr. HEWITT. Mr. Speaker, I move that this House do now adjourn until tomorrow morning, Tuesday March 28, at 11.00 o'clock.

The motion was agreed to, and (at 12.50 A. M.) the House adjourned until Tuesday, March 28, at 11.00 o'clock A. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1933 — 130th of the General Assembly

Vol. 15 — HARRISBURG, PA., TUESDAY, MARCH 28, 1933. — No. 38

SENATE

The Senate met at 11 o'clock A. M.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

PRAYER

The Chaplain, the Rev. George P. Donehoo, offered the following prayer.

Almighty God, we thank Thee for the brightness of this morning. We thank Thee that the sunshine is driving the clouds and darkness of night away. So may it be with all of us in the hours of darkness, that they may give place to hours of light. Guide and bless us in everything we do, and grant that the sunshine of Thy presence may be seen by us in everything that goes to make up our life. Bless us all to-day. Guide us until we reach the perfect manhood that we should, the triumph of righteousness and truth. We ask in Thy name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. FRAZIER, the further reading was dispensed with, and the Journal was approved.

PETITIONS

PROTESTING AGAINST ENACTMENT OF PROPOSED SCHOOL CODE

The Chair cleared his table and laid before the Senate petition from P. O. S. of A., Newton, protesting against enactment of the proposed School Code.

Which was referred to the Committee on Education.

PROTESTING AGAINST PUBLIC SERVICE COMMISSION'S GENERAL ORDER NO. 29.

Mr. EALY presented petition from citizens of Chaneyville and Flintstone protesting against Public Service Commission's General Order No. 29.

Which was referred to the Committee on Public Roads and Highways.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nomintions:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 28, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

William T. Campbell, Coraopolis.
R. G. Prokich, Pittsburgh.

BLAIR COUNTY

Miss M. Kathryn Brown, Altoona.
Homer F. Hanson, Altoona.

BUCKS COUNTY

Miss Reba F. Cutler, Morrisville.

CAMBRIA COUNTY

B. Chas. Held, Johnstown.

CARBON COUNTY

Andrew J. Dobosh, Lansford.

DELAWARE COUNTY

Miss L. B. Calvert, Upper Darby.
Miss May C. Reese, Philadelphia.

LEHIGH COUNTY

William A. Gotthardt, Allentown.

LUZERNE COUNTY

Jacob D. Groh, Kingston.
Robert P. Shulde, Wyoming.

McKEAN COUNTY

Mrs. Lenore Disney, Bradford.
Thomas J. Melvin, Bradford.

MONTGOMERY COUNTY

Miss Mildred Brunner, Pottstown.

NORTHAMPTON COUNTY

W. Robert Youlton, Bangor.

PHILADELPHIA COUNTY

Harry Abramson, Philadelphia.
Ernest P. Farthing, Philadelphia.
George D. Jackson, Philadelphia.
Philip B. Lippi, Philadelphia.
Mrs. Pearl Maiers, Philadelphia.
Harry Pollock, Philadelphia.
John A. Zoells, Philadelphia.

WASHINGTON COUNTY

Miss Jean Allman, Charleroi.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 28, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

CHESTER COUNTY

John W. Kenney, Anselma, March 29, 1933.

ALLEGHENY COUNTY

David A. Hardie, Pittsburgh, March 30, 1933.

Morris Levy, Pittsburgh, March 30, 1933.

BEAVER COUNTY

Harry Troyanowski, Beaver Falls, March 30, 1933.

CRAWFORD COUNTY

J. P. Eckels, Meadville, March 30, 1933.

WESTMORELAND COUNTY

Alex Eicher, Greensburg, April 1, 1933.

ALLEGHENY COUNTY

Mrs. Margaret E. Stone, Crafton, April 2, 1933.

CRAWFORD COUNTY

George F. Tulloch, Titusville, April 4, 1933.

PHILADELPHIA COUNTY

J. Horace Adams, Philadelphia, April 7, 1933.

LEHIGH COUNTY

Pasquale Stravino, Allentown, April 8, 1933.

McKEAN COUNTY

C. W. Catlin, Port Allegheny, April 15, 1933.

GIFFORD PINCHOT.

HOUSE MESSAGES

HOUSE CONCURS IN RESOLUTION RELATIVE TO PROVISION FOR PAYMENT OF SALES TAX IN INSTALMENTS

The Clerk of the House of Representatives being introduced, presented communication from the House informing the Senate that the House of Representatives has concurred in resolution as follows:

In the Senate, March 27, 1933.

Whereas, The Act of August 19, 1932, P. L. 92, imposing an emergency sales tax, provides for the filing of returns and payment of such tax on or before April 1, 1933; and

Whereas, Legislation is pending providing for payment of only one-half of said tax on or before April 1, 1933, concurrently with the filing of said report and the remaining one-half on or before May 15; and

Whereas, Said legislation cannot be adopted before April 1, and many taxpayers are uncertain as to what steps are to be taken with respect to the filing of returns and payments of said tax; therefore be it

Resolved (if the House of Representatives concur), That every vendor liable for the payment of the emergency sales tax under the provisions of the Act of August 19, 1932, P. L. 92, entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors, as herein defined; prescribing the method and manner of collecting such tax; and providing penalties," may on or before April 1, 1933, pay one-half of such tax concurrently with the filing of his report and may pay the remaining one-half of said tax in a single instalment on or before the 15th day of May, 1933, but the amount of the tax not paid on or before April 1, 1933, shall bear interest at the rate of six per centum per annum until May 15, 1933, and twelve per centum per annum thereafter.

Resolved, That the General Assembly hereby declares its purpose forthwith to enact suitable legislation more fully to effectuate this resolution and to authorize the Department of Revenue to accept payment, and to settle said emergency sales tax in accordance with this resolution.

Resolved, That this resolution shall be effective immediately upon its approval by the Governor.

JOINT COMMITTEE TO INVESTIGATE THE ADMINISTRATION OF THE WORKMEN'S COMPENSATION LAW

He also presented extract from the Journal of the House of Representatives which was twice read as follows, and referred to the Committee on Appropriations:

In the House of Representatives, March 20, 1933.

Resolved (if the Senate concur), That the Speaker of the House of Representatives be authorized to appoint three members of the House of Representatives, and the President Pro Tempore of the Senate be authorized to appoint three members of the Senate, who together shall constitute a joint legislative committee, whose duty it shall be to fully and impartially investigate the administration of the Workmen's Compensation Law, and make report thereon to the next session of the Legislature with such recommendations for change in such administration as to it may appear advisable and proper;

Resolved, That said committee shall have power to issue subpoenas under the hand and seal of its chairman, requiring and commanding any person to appear before it and to answer such questions touching matters properly being inquired into by the committee an dto produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the same force and effect as subpoenas issued out of the courts of this Commonwealth. Each member of the committee shall have power to administer oaths or affirmations to witnesses appearing before it. Any person who shall willfully neglect or refuse to appear and testify before said committee or to produce any books, papers, records or documents, shall be subject to the penalties provided by the laws of this Commonwealth in such cases.

REPORTS FROM COMMITTEES

Mr. PETHICK, from the Committee on Military Affairs, reported as committed, Senate Bill No. 257, entitled:

An Act requiring State-aided hospitals under certain conditions immediately to admit indigent veterans as herein defined, and to provde care and treatment for them until they can be accommodated in Federal institutions.

Mr. PARKINSON, from the Committee on Military Affairs, reported as committed, Senate Bill No. 695, entitled:

An Act to preserve the continuity of service of officers and enlisted men of the Pennsylvania National Guard who are mustered into the service of the United States during the World War and afterward were enlisted or commissioned in the said National Guard.

Also from the Committee on Military Affairs reported as committed, Senate Bill No. 77, entitled:

An Act to amend the act, approved the eleventh day of June, one thousand eight hundred and seventy-nine (P. L. 148), entitled "An act to require all magistrates and other officials in cities of the first, second and third class, authorized to take acknowledgements and administer oaths, to perform such service free of charge for soldiers and widows of soldiers, when making affidavit to papers for the purpose of drawing pensions," extending the provisions of the act to all officers taking oath, and to papers other than those connected with pensions.

Mr. STAUDENMEIER, from the Committee on Military Affairs, reported as amended, Senate Bill No. 581 (House Bill No. 300), entitled:

An Act to amend section two of the act approved the thirteenth day of March one thousand eight hundred and fifteen (Pamphlet Laws one hundred seventy-seven) entitled "An act to amend the act entitled 'An act directing the mode of selling unseated lands for taxes and for other purposes'" authorizing and directing county treasurers to execute deeds for unseated lands sold by their predecessors in office and validating deeds heretofore so executed

Also from the Committee on Military Affairs reported as committed Senate Bill No. 28, entitled:

CONGRESS MEMORIALIZED AGAINST ANY REDUCTION IN PENSIONS

In the House of Representatives, February 13, 1933.

Whereas, There is a movement among certain organizations of national membership to reduce or entirely cut off the pension of those men who served in the Army, Marine Corps and the Navy, during the Spanish-American War, the Philippine Insurrection and the China Relief Expedition, and

Whereas, A joint committee was appointed at the first session of the present Congress to investigate the compensation paid veteran soldiers their widows and minor orphan children of the veterans of the Spanish-American War Philippine Insurrection and the China Relief Expedition, and

Whereas, The living veterans of these wars have now attained an average age of more than sixty years and

Whereas, A large percentage of them would become public charges should their pensions be discontinued, and

Whereas, The compensation received by these veterans averages only forty-one dollars ($41) per month, therefore be it

Resolved (if the Senate concur), That the General Assembly of the Commonwealth of Pennsylvania memorialize Congress of the United States against any reduction of pensions for the veterans of the Spanish-American War the Philippine Insurrection or the China Relief Expedition their widows and minor orphan children

Resolved, That a copy of this resolution be transmitted to the Senate and to the House of Representatives of the United States.

Also from the Committee on Military Affairs reported as committed, Senate Bill No. 352 (House Bill No. 298), entitled:

An Act to amend section one of the act approved the thirteenth day of May one thousand nine hundred and twenty-five (P. L. 676) entitled "An act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service men' authorizing county commissioners to provide markers and burial plots for such deceased service men at the expense of such county in which they shall die or have a legal residence at the time of their death and providing for the burial of widows of soldiers sailors or marines" as amended broadening the definition of the term "deceased service men"

BILLS INTRODUCED

Mr. SCOTT read in his place and presented to the Chair Senate Bill No. 788, entitled:

An Act making an appropriation to the Department of Property and Supplies for the purchase of certain veins and seams of coal or minerals underlying lands of the Commonwealth occupied by the State Tuberculosis Sanatorium at Cresson.

Which was committed to the Committee on Appropriations.

Mr. THOMPSON read in his place and presented to the Chair Senate Bill No. 789, entitled:

An Act relating to banks, trust companies, savings banks and other banking institutions; providing for the protection of depositors therein; and empowering the Secretary of Banking to permit the withholding of payments to depositors under certain conditions the appointment of a conservator therefor, the receipt of deposits for banks in charge of conservators and the reorganization of such banks, trust companies, savings banks and other financial institutions.

Which was committed to the Committee on Banks and Building and Loan Associations.

Mr. GRAFF read in his place and presented to the Chair Senate Bill No. 790, entitled:

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Butler.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 791, entitled:

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the mainteance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Butler.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair, Senate Bill No. 792, entitled:

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Butler.

Which was committed to the Committee on Public Roads and Highways.

Mr. COYNE read in his place and presented to the Chair, Senate Bill No. 793, entitled:

An Act to amend Section Two of the Act approved the twenty-second day of June, A. D. one thousand nine hundred thirty-one (Pamphlet Laws seven hundred twenty), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the main-

tenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," by changing certain routes.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair, Senate Bill No. 794, entitled:

An Act establishing certain public roads and streets in the City of Pittsburgh and County of Allegheny as a State highway, and providing for their construction and maintenance by the Department of Highways, subject to certain terms and conditions.

Which was committed to the Committee on Public Roads and Highways.

TIME OF NEXT MEETING

Mr. GRAFF offered the following resolution, which was twice read, considered and agreed to:

In the Senate, March 28, 1933.

Resolved (if the House of Representatives concur), That when Senate adjourns this week it reconvene Monday evening, April 3, at nine o'clock; and when the House of Representatives adjourn this week it reconvene Monday evening, April 3, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILL ON FINAL PASSAGE RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed consideration of Senate Bill No. 374, as follows:

An Act empowering counties cities boroughs towns and townships to borrow money from the Reconstruction Finance Corporation to finance certain projects

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any county city borough town or township is hereby empowered to borrow money from the Reconstruction Finance Corporation for the purpose of financing any project which is self-liquidating in character or needful and economically sound or needful and in the public interests and to issue or sell with or without soliciting or obtaining bids therefore to the Federal Reconstruction Finance Corporation its bonds or other obligations Such loans shall be made on such terms and conditions and at such interest or discount or rediscount rates as the Reconstruction Finance Corporation may prescribe and approve Provided that no such bonds or other obligations shall be issued or sold for less than par

Section 2 Except as herein otherwise expressly provided such bonds or other obligations shall be issued in the manner prescribed by and subject to the provisions of the Constitution and laws of this Commonwealth providing for the incurring and increasing of municipal indebtedness

Section 3 This act shall become effective immediately upon final enactement

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Einstein,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 98, as follows:

An Act to amend section one thousand three hundred and five of and to add section nine hundred and eleven to the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal School or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" removing the administration of the law library and legislative document section from the Department of Public Instruction to the Department of Justice providing where it shall be housed and the hours it shall remain open

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Government Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended by adding thereto the following new section

Section 911 Law Library and Legislative Documents To maintain supervise manage and administer the State law library and the collection of legislative documents heretofore administered and maintained as a part of the State Library and Museum by the Department of Public Instruction to remove said law library and document section to the former building in which it was housed for the convenience of departments and members of the Legislature and to keep said law library open on all week days until ten Post Meridian and on Saturday until four Post Meridian

Section 2 That section one thousand three hundred and five of said act is hereby amended to read as follows

Section 1305 Library and Museum The Department of Public Instruction shall have the power and its duty shall be to exercise the powers and perform the duties heretofore by law

vested in and imposed upon the State Library and Museum and the several divisions thereof The Superintendent of Public Instruction may designate the person in charge of the work to which this section refers as the State Librarian

The department shall have the power and its duty shall be

(a) To control direct supervise and manage the State Library and Museum

(b) To edit the Pennsylvania Archives

[(c) To maintain as a part of the State Library and Museum a law library]

[(d)] (c) To preserve all public records throughout the Commonwealth and to give special attention to the preservation of all records of the State Government not in current use and of historical value

[(e)] (d) To collect classify preserve and make acceptable for reference all records which may come into the possession of the library with such exceptions as may be indicated by the department and to examine into the condition of the records books pamphlets documents manuscripts archives maps and papers kept filed or recorded in the several offices of the counties cities and boroughs of the State

[(f)] (e) To recommend such action to be taken by the persons having the care and custody of public records as may be necessary to secure their safety and preservation and to cause all laws relating to public records to be enforced

[(g)] (f) To furnish to persons applying therefor certificates relating to the public records or copies thereof upon the payment of such charges as shall be fixed by law

[(h)] (g) To give advice and counsel to all free libraries in the State and to all communities which may propose to establish free libraries in the selection of books cataloguing and other details of library management and as to the best means of establishing and administering such libraries

[(i)] (h) Generally to supervise and inspect free libraries to require reports in such manner as may be deemed proper and to establish and maintain a system of traveling libraries as far as possible throughout the Commonwealth

[(j)] (i) To preserve objects illustrating the flora and fauna of the State and its mineralogy geology archaeology arts history and education and whenever deemed necessary to illustrate the same with lantern slides or films which may be circulated throughout the Commonwealth under such rules and regulations as the department may adopt which rules and regulations may provide for a reasonable charge for the use of such slides and films Provided That in exercising its powers and performing the duties under subsections (b) [(d)] (c) [(e)] (d) and [(f)] (e) of this section the department shall consult and cooperate with the Pennsylvania Historical Commission

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Einstein,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 3, entitled:

An Act authorizing cities of the first, second and third classes to defray the expenses of National encampments of certain organizations of veterans.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Einstein,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 296, entitled:

An Act to amend sections five and six of the act approved the twenty-second day of June, one thousand nine hundred thirty-one (Pamphlet Laws, seven hundred twenty), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act" by providing for the limit of width of construction and maintenance on said streets.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,

Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Einstein,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 523 (House Bill No. 963), entitled:

An Act to amend section two of the act approved the twenty-second day of April one thousand eight hundred and seventy-four (Pamphlet Laws one hundred nine) entitled "An act to provide for the submission of civil cases to the decision of the court and to dispense with trial by jury" providing that upon request of counsel the decision of the court in such cases shall state separately the facts found the answers to points submitted and the conclusions of law.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Einstein,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. COYNE. Mr. President, I ask unanimous consent that Senate Bill No. 538, on second reading, entitled:

An Act prohibiting the publication printing or radio broadcasting of advertisements or notices of insurance companies, associations, exchanges or persons not authorized to do business in this Commonwealth; requiring certificates from the Insurance Department before accepting insurance or broadcasting the same by radio; and fixing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 543, entitled:

An Act to amend section four of the act approved the twentieth day of March, one thousand nine hundred and ten, (P. L. 208), entitled "An act to amend and consolidate with its supplements, the act entitled 'An act for the recovery of debts and demands, not exceeding one hundred dollars, before a Justice of the Peace, and for the election of constables, and for other purposes,'" by prescribing the time within which transcripts must be filed on appeals from judgments of justices of the peace in civil cases.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Einstein,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 557, as follows:

An Act to amend section two thousand five hundred and eleven of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs," providing that in awarding certain contracts for the erection, construction and alteration of public buildings separate bids shall be received for the structural steel work.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two thousand five hundred eleven of the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" is hereby amended to read as follows

Section 2511 Separate Specifications In the preparation of specifications for the erection or alteration of any public building when the entire cost of such work shall exceed one thousand dollars it shall be the duty of the architect engineer or person preparing such specifications to prepare separate specifications for the plumbing heating ventilating and electrical work and the structural steel work and the borough shall receive separate bids upon each of the said branches of work and award the contract for the same to the lowest responsible bidder

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Einstein,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 558, as follows:

An Act to amend section five hundred and sixty-three of the act, approved the twenty-first day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh, and eighth classes; and revising, amending and consolidating the laws relating thereto," providing that in awarding certain contracts for the erection, construction and alteration of public buildings, separate bids shall be received for the structural steel work.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five hundred sixty-three of the act approved the twenty-first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 563 Separate Specifications and Contracts for Certain Items In the preparation of specifications for the erection construction and alteration of any public building when the entire cost of such work shall exceed one thousand dollars the architect engineer or other person preparing such specifications shall prepare separate specifications for the plumbing heating ventilating and electrical work and the structural steel works and the board of commissioners shall receive separate bids upon each of the said branches of work and award the contract for the same to the lowest responsible bidder for each of said branches

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson
Buckman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Einstein,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 559, as follows:

An Act to amend section one thousand nine hundred and six of the act approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto"; providing that in awarding certain contracts for the erection, construction, and alteration of public buildings, separate bids shall be received for the structural steel work.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand nine hundred and six of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" is hereby amended to read as follows

Section 1906 Separate Bids for Plumbing Heating Ventilating and Electrical Work and Structural Steel work. In the preparation of specifications for the erection construction and alteration of any public building when the entire cost of such work shall exceed one thousand dollars the architect engineer or other person preparing such specifications shall prepare separate specifications for the plumbing heating ventilating and electrical work and the structural steel work. The person or persons authorized to enter into contracts for the erection construction or alteration of such public buildings shall receive separate bids upon each of the said branches of work and award the contract for the same to the lowest responsible bidder for each of said branches

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Einstein,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 560, as follows:

An Act to amend section one thousand eight hundred and five of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto"; providing that in awarding certain contracts for the erection, construction and alteration of public buildings, separate bids shall be received for the structural steel work.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand eight hundred and five of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand two hundred six) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 1805 Separate Specifications for Branches of Work In the preparation of specifications for the erection or alteration of any public building when the entire cost of such work exceeds one thousand dollars the architect engineer or person preparing such specifications shall prepare separate specifications for the plumbing heating ventilating and electrical work and the structural steel work and the township shall receive separate bids upon each of such branches of work and award the contract for the same to the lowest responsible bidder.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Einstein,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 561, as follows:

An Act to amend section one of the act, approved the first day of May, one thousand nine hundred and thirteen (P. L. 155), entitled "An act regulating the letting of certain contracts for the erection, construction, and alteration of public buildings," providing that in such cases separate contracts shall be awarded for the structural steel work.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the first day of May one thousand nine hundred and thirteen (Pamphlet Laws one hundred fifty-five) entitled "An act regulating the letting of certain contracts for the erection construction and alteration of public buildings" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter in the preparation of specifications for the erection construction and alteration of any public building when the entire cost of such work shall exceed one thousand dollars it shall be the duty of the architect engineer or other person preparing such specifications to prepare separate specifications for the plumbing heating ventilating and electrical work and the structural steel work and it shall be the duty of the person or persons authorized to enter into contracts for the erection construction or alteration of such public buildings to receive separate bids upon each of the said branches of work and to award the contract for the same to the lowest bidder for each of said branches

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Einstein,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 579, entitled:

An Act to amend the title and to reenact subsection (b) of section thirty-five of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds, transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and

liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports, and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," authorizing executors and administrators to sue and be sued in certain actions in which their decedent might have sued or been sued.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. REED. Mr. President, I move that the further consideration of the bill be postponed for the present.

Mr. GRAFF. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 580 (House Bill No. 127), entitled:

An Act to amend section one thousand two hundred seven of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, three hundred forty-three), entitled "An act [to amend the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, three hundred forty-three) entitled "An act] relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth; and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State Government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," [] taking out of operation of the Fiscal Code questions relating to the lien and payment of liquid fuel taxes, and referring such questions to the provisions of the liquid fuels tax act.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. OWLETT. Mr. President, I ask unanimous consent to amend section 1, page 4, line 1 by striking out the following with light faced brackets: "as well as the lien of said tax."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 586 (House Bill No. 445), as follows:

An Act to amend sections 703 1015 1406 1902 2103 2403 Cl 53 2559 2562 2563 2564 2566 2567 2601 2620 2621 2706 2955 2978 3206 3211 321 3501 3212 3501 3801 and 3803 of and to add sections 1913 and 2990 to the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two), entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" providing for vacancies in office and the filing thereof where persons elected fail to qualify for the publication of ordinances for the deposit of funds by the city treasurer for exemption from advertisement of contracts with the Commonwealth for a platoon system for paid men of volunteer fire departments for group insurance for the exoneration of tax collectors and the settlement of their duplicates for penalties and interest on taxes for the collection of delinquent taxes for the licensing of transient merchants and business for the acquisition of unstructed views for detours for the construction of sewage treatment works and the acquisition of property therefore the collection of a frontage tax for water mains and certain license taxes that the powers of the Shade Tree Commission may be exercised by council for the advertisement of contracts in trade journals and for the improvement of boundary streets.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections 703 1015 1406 1902 2103 2403 Cl 53 2559 2562 2563 2564 2566 2567 2601 2620 2621 2706 2955 2978 3206 3211 3212 3501 3801 and 3803 of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" are hereby amended to read as follows

Section 703 Elected Officers Term Eligible to Re-election Vacancies Where Elected Officer Fails to Qualify The elected officers of each city shall be a mayor fou. members of council a controller and a treasurer Each of such officers shall serve for a term of four years from the first Monday of January next succeeding his election and until his successor is elected and duly qualified and shall be eligible to re-election

Any person elected to a city office who fails to qualify within thirty days from the first Monday of January following his election shall be ineligible to qualify thereafter In such cases the council shall declare a vacancy in the said office and a person shall be appointed to fill said vacancy in the manner provided by this act and when the person so appointed to fill said vacancy qualifies for the office the term of the person holding over shall cease and terminate

Section 1015 Proof of Ordinance Evidence Time of Taking Effect Publication Recording All ordinances resolutions motions or other proceedings of council may be proved by the certificate of the city clerk under the corporate seal and when printed or published in book or pamphlet form and purporting to be published by authority of the city shall be read and received as evidence in all courts and places without further proof All ordinances shall unless otherwise provided therein or by law take effect in ten days after their passage upon their being signed by the mayor and attested by the city clerk Every ordinance prescribing a penalty for the violation thereof shall be forthwith published at least three times "each publication on a different day" in at least one and not more than two newspapers printed and circulated within the city in the manner provided by section one hundred and nine of this act All ordinances shall within one month after their passage be certified and recorded by the city clerk in a book provided by the city for that purpose which shall be at all times open to the inspection of citizens

Section 1406 Depositories of City Funds The treasurer shall keep the public funds in such banks or financial deposi-

tories as council may direct under such restrictions and safeguards as council may provide and shall verify his cash accounts monthly or whenever required to the satisfaction of council

No treasurer complying with the provisions of this section and any ordinance of the city nor his surety or sureties shall be chargable with losses of city funds caused by the failure or negligence of any such city depository

Section 1902 Regulations Concerning Contracts All work and materials required by any city of the third class or any department thereof where the amount exceeds the sum of five hundred dollars shall be furnished and performed under written contract and the contract shall be awarded and given to the lowest responsible bidder after advertising [once a week for three weeks] three times "each publication on a different day" in not more than two newspapers in accord with the provisions of section one hundred and nine of this act and the bids shall not be opened until at least ten days have elapsed after the first advertisement Provided That the requirements of this section as to advertising and contracts and bidding and to the sum of five hundred dollars shall not apply to repairs of highways sewers and other public improvements or to resurfacing or maintaining of highways or to street and sewer cleaning or to the collection of rubbish ashes and garbage made done and provided by the officers and employes of the city or to any agreement with the Commonwealth whereby the city agrees to pay a portion of the cost of any improvement made under contract let by the Commonwealth or any department thereof And further provided That where the roadway of a street is to be paved originally and for the first time or reconstructed by putting down a new base or a sewer is to be constructed or grading done such work shall be done under written contract after advertising as provided in section one hundred and nine of this act and such contract shall be given to the lowest responsible bidder

The council shall by ordinance provide for and regulate the purchase of supplies and materials and the sale of personal property

The council may also by ordinance provide a contingent fund or funds for necessary repairs and incidental expenses not otherwise provided in the general appropriations and such funds may be expended without advertising for bids

Section 2103 Platoon System Hours of Service The director of the department having charge of the fire bureau in each city shall divide the officers and members of companies of the uniformed fire force in the employ of such cities or in the case of a volunteer fire department the firemen and drivers regularly employed and paid by the city excepting the chief engineer and assistant chiefs and those employed subject to call into two bodies or platoons one to perform day service and the other to perform night service The hours of day service shall not exceed ten commencing at eight o'clock in the morning the hours of night service shall not exceed fourteen commencing at six o'clock in the afternoon In cases of riot serious conflagration or other such emergency the chief engineer of the bureau of fire or the assistant chief deputy or chief officer in charge at any fire shall have the power to assign all the members of the fire force to continuous duty or to continue any member thereof on duty if necessary No member of either of said shifts bodies or platoons shall be required to perform continuous day service or continuous night service for a longer consecutive period than two weeks nor be kept on duty continuously longer than ten hours in the day shifts bodies or platoon or fourteen hours in the night shifts bodies or platoon excepting as may be necessary to equalize the hours of duty and service and also excepting in cases of riot serious conflagration or other such emergency as above provided

Section 2403

53 Insurance [with Mutual Companies] To make contracts of insurance with any mutual fire insurance company duly authorized by law to transact business in the Commonwealth of Pennsylvania on any building or property owned by the city

To make contracts of insurance with any insurance company authorized to transact business within the Commonwealth insuring its employes or any class or classes thereof under a policy or policies of group insurance covering life health or accident insurance and to contract with any such company granting annuities or pensions for the pensioning of such employes and for such purposes to agree to pay part or all of the premiums or charges for carrying such contracts and to appropriate out of its treasury any money necessary to pay such premiums or charges or portions thereof All contracts procured hereunder shall conform and be subject to all the provisions of any existing or future laws concerning group insurance and group annuity contracts

Section 2559 Powers of City Treasurer as Tax Collector The city treasurer as the collector of taxes may appoint as many deputies as shall be necessary to enable him to collect the said taxes or any of them which deputies shall be paid by the said treasurer The respective authorities levying the tax shall not in any wise be liable for their compensation nor for their official conduct The city treasurer as the collector of the several taxes and his deputies shall have and exercise all the powers vested by law in the several collectors of State and county taxes and in all the remedies for the collection thereof and shall have additional power and authority after five days' notice to seize by levy and distress any personal property on the premises assessed belonging to tenants purchasers or others without regard to the date of assessment or levy of the tax and to sell the same giving ten days' public notice of such sale by written or printed advertisement and to levy upon any personal property of the delinquent that may be found within the county for the collection of said taxes and after notice of sale to sell the same for the payment of said taxes The several warrants shall be effectual to autorize the said treasurer as collector of taxes to collect the said taxes [during two years from the date of each respective warrant]

Section 2562 Exonerations The council of each city shall have authority in proper cases and for sufficient cause to exonerate the tax collector from the collection of any taxes [for sufficient cause] or penalties or any part thereof

Section 2563 Reductions [and] Penalties and Interest All persons who shall make payment during the months of March and April in each year of city and poor tax shall be entitled to a reduction or abatement of one per centum from the amount thereof All such taxes shall be payable at their face during the months of May and June in each year Upon all city and poor taxes remaining unpaid on the first day of July in each year one per centum shall be added thereto and upon the first day of each succeeding month thereafter there shall be added or charged an additional penalty for nonpayment of one per centum until [such taxes are paid] and including the month of December which penalty shall be added to the taxes by said treasurer as collector and be collected by him All taxes remaining unpaid on January first of the year following the year of levy shall bear interest on the tax and penalty at the rate of six per centum per annum until paid said interest to be computed only to the first day of the month in which the tax is paid

Section 2564 [Monthly] Payment Over of Taxes Deposits Monthly Report The city treasury as collector of taxes shall once a month or oftener if required by ordinance or resolution pay over to himself as city treasurer or charge himself therewith all the city and poor taxes collected by him At the same time he shall make a report or return to the director of accounts and finance verified by affidavit showing by whom and upon what real estate the city and poor taxes have been paid He shall at the same time deposit said moneys into a bank or financial institution which shall be a city depository named by the city council if a depository has been so named All such deposits shall be made in the name of the city treasurer or in the name of the city as council may provide

Section 2566 Satisfaction upon Duplicates Time of Final Settlement Exonerations Upon the payment to the city treasurer as collector of taxes of any taxes assessed against property it shall be his duty to satisfy the property taxes thus paid upon the duplicates in his hand He shall finally settle with the proper authorities all duplicates of city and poor taxes delivered to him on or before the first Monday of July of the year following the date of the delivery of such duplicates unless such time shall be extended by resolution of council and pay over the amount charged against him except such sums as he may be exonerated from collecting by the proper authorities and such sums as may be due upon real property for which liens are to be filed and for which schedules of taxes have been filed under oath with the city solicitor in manner and form as hereinafter provided When a duplicate has been so satisfied the liability of the tax collector and the sureties on his bond for any taxes charged in such duplicate shall be discharged

Section 2567 Rights of Treasury after Expiration of Term of Office Upon the expiration of the term of office of the city treasurer in case of any of the taxes which he was commanded to collect remain unpaid he shall have the right

(a) To collect all the delinquent taxes for the space of one year after the expiration of his term of office and for this purpose all warrants issued to him during his term of office shall be effective to him as collector of taxes for the space of one year after the expiration of his term as city treasurer

(b) To certify real estate taxes remaining unpaid and delinquent to the city solicitor for filing in the court of common pleas as a city lien

(c) Or he may turn over the unpaid or delinquent taxes on real estate to his successor in office who shall have power to collect the same [either] by having the [same] taxes filed in court as a lien [or sell] by selling the [same] property at public sale as provided by law authorizing the sale of real estate for the payment of delinquent taxes or by levying upon personal property on the premises assessed as provided in this act

In case the city treasurer as collector of taxes pays the taxes levied against any property he shall be entitled to collect the same from the person or persons who are liable therefor by his warrant so long as it is in force or have real estate taxes filed in court as a lien for his use and after the expiration of his term as city treasurer he shall continue in office as the collector of school taxes until the end of the then current school year

Section 2601 License Taxes for Revenue Purposes Council may by ordinance levy and collect a license tax for general revenue purposes not exceeding one hundred dollars each annually on all photographers auctioneers contractors druggists hawkers peddlers produce or merchandise venders bankers brokers undertakers pawnbrokers trading stamp or premium companies or dealers warehouses or storage houses or places merchants of all kinds persons selling or leasing goods upon instalments grocers confectioners butchers wholesale meat dealers restaurants billiard-parlors bowling alleys billiard tables pool tables and other gaming tables drays hacks carriages omnibuses automobiles carts wagons and street railway cars [and] including all other vehicles [likewise] used in the city for hire or pay all skating rinks operas theatres shows circuses menageries and all kinds of public exhibitions for pay except those for religious educational or charitable purposes all lumber dealers commisson men and all persons who make a business of buying lumber for sale at wholesale or retail all furniture dealers saddle or harness dealers stationers jewelers livery or automobile or boarding-stable keepers all real estate agents market-house companies and owners of market houses garage companies and owners of other than private garages express companies or agencies and where no other license tax is imposed on telegraph telephone steam-heating gas natural gas water electric light or power companies or agencies or individuals furnishing communication light heat or power by any of the means enumerated and to regulate the collection of the same If any person firm or corporation conducts a business at more than one location in a city the business conducted at each location shall be considered and assessed as a separate and independent business and shall be subject to a license tax The taxes assessed under this section shall be in addition to all other taxes levied and collected by the city county or Commonwealth

Section 2620 Power to Regulate and License [Every person whether principal or agent entering into beginning or desiring to began a transient retail business in any city for the sale of any goods wares or merchandise whatsoever and who hires leases occupies or uses any room apartment store shop building railway car or other place or structure for the exhibition and sale of such goods wares or merchandise shall take out a license for the same from the proper authorities of the city Provided however That nothing herein contained shall apply to farmers selling their own produce or to any sale of goods wares or merchandise donated by the owners thereof the proceeds whereof are to be applied to any charitable or philanthropic purpose] Every city shall have power by ordinance to regulate and license each and every transient wholesale and retail business within such city for the sale of goods wares or merchandise and to prohibit the commencement or doing of any such business until or unless the license required by such ordinance has been procured from the proper authorities by the person firm or corporation desiring to commence such transient wholesale and retail business and to enforce such ordinancees by penalties not exceeding three hundred dollars and by other appropriate means The amount of such license shall not exceed two hundred dollars for each month or fractional part thereof during which any such sale is continue

Section 2621 [Amount of License Fee The amount of such license in any city shall be fixed by ordinance and shall not be less than twenty-five dollars ($25.00) nor exceed the sum of two hundred dollars ($200.00) per month or fractional part thereof to be paid to the treasurer of said city Said license shall be renewed monthly during the continuance of said sale and upon failure of said person or persons so to secure such license he she or they shall be fined in a summary proceeding a sum not less than one hundred dollars ($100.00) nor more than two hundred dollars ($200.00) to be collected as other fines are by law collectible and in default of payment of said fines shall be imprisoned in the jail of said county for a period not exceeding thirty (30) days] Farmers and Charities Excepted Nothing contained in this subdivision (c) shall be construed to apply to farmers selling their own produce or to the sale of goods wares and merchandise donated by the owners thereof the proceeds whereof are to be applied to any charitable or philanthropic purpose

Section 2706 Ordinance for Increase Publication Whenever by the Constitution and laws of this Commonwealth any city shall be authorized to increase its indebtedness by borrowing money on the faith and credit of said city the proposed ordinance to effect the loan shall be introduced at a stated meeting of the council and the draft thereof published in at least one and not more than two of the newspapers of the city if so may be published therein once a week for four weeks before the final consideration and passage therof by the said council The specific purpose or purposes for which the said loan is authorized shall be distinctly set out in the said ordinance and the moneys received for said loan shall not be used for any purpose other than those so stated except such purpose as has been changed in accordance with existing law The city shall at or before the time of authorizing the said loan provide for the collection of an annual tax sufficient to pay the interest and also the principal of the said loan within [twenty] thirty years

Section 2955 Acquisition of Unobstructed Views Any city may acquire by purchase or by the right of eminent domain a free and unobstructed view down and across lands located at or near the intersection of any two highways or a highway and a railroad or railway or at any curve in any highway as may be necessary to assure a free and unobstructed view in all directions at such crossings and to so prevent the use of such lands for any purpose or in any manner which may interfere with or obstruct the vision of any person or persons traveling upon any such highway Upon any such condemnation the city having instituted the condemnation proceedings shall file with the recorder of deeds of the proper county a plan showing the property condemned and such other detailed information which may be deemed necessary said plans to be recorded at the expense of the county and after the same is recorded said city may from time to time abate or remove or cause to be abated or removed any obstruction to such view over and across such lands

The proceedings for the condemnation of such view over and across such lands and for the assessment of damages for property taken injured or destroyed shall be in the manner provided in this act for property taken injured or destroyed

Upon the condemnation of a view over and across any lands for the purposes aforesaid the owner of such lands may make every such use thereof as will not interfere with a free and unobstructed view at such dangerous crossing or curve Unless specially provided for in such condemnation proceedings such condemnation shall not be construed to prevent the owner thereof from using such land for pasture or the growing of grass oats wheat or other crops which will not obstruct the vision more than wheat

Section 2978 Detours to be Provided When Highways Closed When any highway street or road shall be closed as hereinbefore provided it shall be the duty of the authorities authorizing the closing to immediately designate or lay out a detour on which they shall erect or cause to be erected and maintained while such detour is in use legible signs at each public highway intersection throughout its entire length indicating the direction to the main highway During the period when such detour is in use it shall be the duty of the authorites closing the main highway to maintain such detour in safe and passable condition It shall also be the duty of the authorities closing the main highway and maintaining the detour to immediately remove all detour signs when the highway originally closed is open for traffic Said authorities shall as soon as possible repair the road designated as a detour and place same in a condition at least equal to its condition when designated as a detour Whenever necessary in the creation of a detour as

aforesaid the authorities responsible for laying out the detour may enter into agreement with the owners of private lands covering the acquisition of right of way privileges over private property for the period when the main highway shall be closed to traffic In case no agreement satisfactory to the parties can be reached the authorities responsible for the laying out of the detour may proceed with the construction of the same and either such authorities or the owner of the property occupied may petition the court for the appointment of viewers to ascertain the damages if any in the same manner as damages are now ascertained for the opening of public roads in such city In the exercise of the rights conferred by this section the authorities responsible are hereby empowered to pay for the necessary maintenance subsequent repair and land rental out of such funds as are available for the construction and /or maintenance of the highways streets and roads in their charge

Section 3206 Construction of Sewerage System Assessment of Cost Any city may construct or cause to be constructed a sewerage system of sewers in streets lanes alleys and highways with extensions thereof and sewage treatment works and with lateral and branch sewers therefrom in other highways streets lanes and alleys and in public or private lands at the same time as part of the same improvement and under the same contract and the cost and expense thereof may be assessed as is herein provided Sewage treatment works may be erected within or without the limits of the city which shall have authority to acquire property within or without the limits of the city deemed necessary for such treatment works and the sewers leading thereto

Section 3211 Rental Charge for Use of Sewers Whenever any city has constructed any sewer or sewer system or sewage [disposal plant] treatment works either wholly or partially at public expense or has acquired the same at public expense such city may provide by ordinance for the collection of an annual rental or charge for the use of such sewer sewer system or sewage [disposal plant] treatment works from the owners of the property served by it

Section 3212 Limitation of Amount of Sewer Rental Charge Such annual rental shall not exceed the amount expended annually by the city in the operation maintenance repair alteration inspection depreciation or other expenses in relation to such sewer sewer system or sewage [disposal plant] treatment works and may include any interest on money expended by the city in the construction or acquisition of such sewer sewer system or sewage [disposal plant] treatment works The said annual sum shall be apportioned equitably among the several properties served by the said sewer sewer system or sewage [disposal plant] treatment works

Section 3501 Exclusive Right to Furnish Water to City Frontage Tax Each city shall have the exclusive right at all times to supply the city with water and such persons partnerships and corporations therein as may desire the same at such prices as may be agreed upon and for that purpose to have at all times the unrestricted right by ordinance subject to the provisions of existing laws to make erect maintain all proper works machinery buildings cisterns reservoirs pipes conduits for the raising reception conveyances and distribution of water or in territory not supplied with water to make contracts with and authorize any person company or association so to do and to give such person company or association the privilege of furnishing water as aforesaid for any length of time not exceeding ten years Whenever an extension of a supply of water to portions of the city not previously supplied shall be made it shall be lawful to charge all owners of houses lots and buildings on each side of the street a frontage tax at such rate per foot as council may by ordinance fix The provisions of this section shall not apply to any city wherein the title to the waterworks therein located is in the name of the commissioners of water-works

Section 3801 Shade Tree Commission Any city may [establish] by ordinance create a commission to be known as the Shade Tree Commission of such city but in cities where the council of said city shall not elect to create by ordinance such Shade Tree Commission the said council may exercise all the rights and perform the duties and obligations imposed by this article upon the Shade Tree Commission

Section 3803 Powers may be Vested in Park Commission Whenever in any city there exists a commission for the care of public parks the council may also by ordinance provide that the park commission shall have all the powers and be subject to all the duties prescribed by this article for the shade tree commission

Section 2 That said act be amended by adding thereto the following sections

Section 1913 Advertisement of Contracts in Trade Journals Authorized Any officer of any city whose duty it is by law to advertise for bids for public works contracts supplies or equipment may at his or its discetion legally authorize the publication of such advertising in addition to the newspapers specified by law also in any publication or journal devoted to the dissemination of information about construction work published in this Commonwealth at least once a week and circulating among contractors manufacturers and dealers doing business in the community in which such public works are to be constructed or supplies or equipment purchased Provided That no advertisement for bids for public works contracts supplies or equipment shall be inserted in any publication or journal devoted to the dissmination of information about construction work which has not been established and regularly issued from a printing office and publication house in this Commonwealth for a period of at least eighteen months and that such publication and journal shall be entered or entitled to be entered for admission to the United States mails as second class matter and shall have a bona fide income from subscribers within the Commonwealth of Pennsylvania of not less than fifteen thousand dollars ($15,000) per annum duly certified by a public accountant and the rates and charges for such advertising shall not be in excess of those of newspapers of general circulation as defined by the Newspaper Advertising Act of May sixteen one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred eighty-four) of a like circulation published in the community in which the public works are to be constructed or the supplies or equipment purchased

Section 2990 Highway the Center Line Which is the Dividing Line Between a City and Borough or Township of the First Class Paving of Assessments Whenever the center line of any highway constitutes the dividing line between a city and a borough or a city and a township of the first class located in the same county the council of such city may where such improvements is through built up property or properties duly plotted and laid out in lots for building purposes and where two-thirds of the combined frontage of the two sides petition for the improvements enter into a contract with the borough or township providing for the grading curbing draining paving and macadamizing of such highway Such alteration and improvements shall be made under the supervision of the proper authorities of such city borough or township or by contract let by such city borough or township as may be provided for in the contract between the city and township

No ordinance or ordinances authorizing any such improvement where the whole or any part of the cost of the improvement is to be assessed against abutting property shall be finally adopted until the expiration of thirty days from the date of its introduction and in the meantime copies thereof shall be published once a week for two weeks in one newspaper circulating in such city borough and township immediately following the introduction thereof and at least five copies thereof shall be posted along the line of the proposed improvement

The whole cost of such alterations and improvements or any part thereof as may be agreed upon in the contract between the city borough and township may be collected from the owners of property within the city borough and within the township abutting along the line of the improvement by an equal assessment on the foot front Any portion of such cost not assessed against abutting property shall be paid one-half by each of the municipal divisions joining in the improvement

Thirty days notice of assessments of the whole cost or part of the cost of any such improvement shall be given to each party assessed either by service on the owner or his agent or posted on the premises by the clerk or secretary of the city borough or township making the improvement If any assessment made by the city shall remain unpaid at the expiration of the notice it shall be the duty of the city solicitor to collect the same with interest from the time of the completion of the improvement by action of assumpsit or by a lien to be filed and collected in the same manner as municipal claims When an owner has two or more lots against which there is an assessment for the same improvement all of such lots shall be embraced in one claim

Section 3 This act shall become effective immediately upon final enactment

Section 4 The following acts are hereby repealed so far as
y relate to cities of the third class
The act approved the fifth day of May one thousand nine
ndred and thirty-one (Pamphlet Laws ninety-three) entitled
n act to amend section one of the act approved the thirtieth
y of March one thousand nine hundred and fifteen
amphlet Laws thirty-four) entitled 'An act to promote the
alth and efficiency of firemen in cities of the second class
providing for a two-platoon system for firemen in the
partment of public safety of such cities' as amended by
ending the provisions of said act to firemen and drivers
volunteer departments when paid by the cities of the first
ond and third class"
The act approved the twelfth day of June one thousand
ne hundred and thirty-one (Pamphlet Laws five hundred
0) entitled "An act to amend section three of the act ap-
oved the ninth day of May one thousand nine hundred
d twenty-nine (Pamphlet Laws one thousand seven hun-
d and two) entitled 'An act regulating the closing of pub-
highways and providing for the locating marking and
intenance of detours necessitated by such closing requiring
roughs cities and towns to notify the Department of High-
ys of the creation and discontinuance of certain detours
oviding penalties for removing destroying defacing signs
cted for warning or detour purposes and for driving on
r or across highways which are closed by the proper persons
authorities except in certain cases further providing that
t authorities responsible for the maintenance of highways
ich have been damaged or their agents or contractors shall
ve the right to recover the amount of such damages from
person or persons responsible in addition to the penalties
rein provided and repealing certain acts"
The act approved the twelfth day of June one thousand nine
ndred and thirty-one (Pamphlet Laws five hundred thirty-
e) entitled "An act empowering cities towns and townships
the first class to regulate and license by ordinance any
nsient retail business for the sale of goods wares and mer-
andise and to prohibit the doing of business without a
ense"
The act approved the twenty-second day of June one thou-
nd nine hundred and thirty-one (Pamphlet Laws six hun-
ed seventy-two) entitled "An act providing for the grading
rbing draining paving and/or macadamizing of highways
center line of which constitutes the dividing line between
city and a borough or a city and a township of the first
ss or a borough and a township of the first class and for
e collection of the whole or part of the cost of such improve-
nts by assessments against property abutting on the line
the improvement"
The act approved the twenty-second day of June one thou-
nd nine hundred and thirty-one (Pamphlet Laws six hun-
ed seventy-five) entitled "An act to amend section two of
e act approved the fourteenth day of June one thousand
ne hundred one) entitled 'An act authorizing the State
ghway Department the Public Service Commission counties
ies boroughs and townships to purchase or condemn by the
ht of eminent domain free and unobstructed view over and
ross lands at certain highway railroad and railway inter-
ctions and curves so as to prevent and permit removal of
terference with and obstruction of the vision of users of
d highways and providing for the use of such lands in such
anner as not to interfere with a free and unobstructed
ew"
The act approved the twenty-second day of June one thou-
nd nine hundred and thirty-one (Pamphlet Laws eight hun-
ed forty-four) entitled "An act authorizing the Common-
alth of Pennsylvania or any department or division thereof
d counties cities boroughs incorporated towns townships
hool districts and poor districts to make contracts of life
alth and accident policies for the benefit of employes thereof
d contracts for pensions for such employes and providing
r the payment of the cost thereof"
The act approved the twenty-second day of June one thou-
nd nine hundred and thirty-one (Pamphlet Laws eight hun-
ed forty-five) entitled "An act authorizing the publication
advertisements for bids for public works supplies or equip-
ent in certain publications and journals devoted to informa-
on about construction work"

And said bill having been read at length the third time, and
reed to,

And the amendments made thereto having been printed as
quired by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Einstein,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate hass passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 601 (House Bill No. 126), entitled:

An Act to amend section one thousand four hundred one of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three), entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale and the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every departmen board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" limiting the lien and procedure for collection of taxes bonus and other moneys due the Commonwealth in certain cases.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Einstein,	Mansfield,	Robert
Aron,	Fay,	McClure,	Salus
Batchelor,	Frazier,	Miller,	Scott
Baumer,	Gelder,	Norton,	Snyder,
Bell,	Graff,	Owlett,	Sones,

Bennett,	Harris,	Parkinson,	Sordoni,
Boyd,	Harvey,	Pethick,	Staudenmeier,
Brandt,	Homsher,	Pierson,	Thompson,
Buckman,	Howell,	Prince,	Trainer,
Chapman,	Hunsicker,	Quigley,	Williamson,
Clark,	Krause,	Reed,	Woodward,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy.			

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 614, as follows:

An Act to amend section one thousand and eight of the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as amended by further regulating the recording of ordinances

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand and eight of the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" which was amended by the act approved the eighth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand six hundred thirty-six) is hereby further amended to read as follows

Section 1008 Recording and Advertising Ordinances No ordinance or resolution of a legislative character in the nature of an ordinance shall be considered in force until the same is recorded in the ordinance book of the borough and is advertised as provided in this article That all ordinances or resolutions of a legislative character in the nature of an ordinance may be proved by the certificate of the borough secretary or clerk under the corporate seal that the same was advertised in at least one newspaper of general circulation as defined by the Newspaper Advertising Act of May sixteenth one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred eighty-four) and when printed or published in book or pamphlet form and purporting to be published by the authority of the borough shall be read and received as evidence in all courts and places without further proof All borough ordinances shall within one month after their passage be recorded by the borough secretary or clerk in a book provided for that purpose which shall be at all times open to the inspection of citizens Ordinances heretofore passed [within five years] prior to the date of this act executed by the officers approved by the burgess and advertised according to law in at least one newspaper of general circulation as defined by the Newspaper Advertising Act of May sixteenth one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred eighty-four [and] but not so recorded [may] shall now be recorded by the borough secretary and effective under the provisions of this section The entry of the borough ordinance in the ordinance book by the secretary or clerk shall be sufficient without the signature thereto of the president of council burgess or other person

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Einstein,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 615, entitled:

An Act validating certain proceedings of borough councils pursuant to the provisions of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs; and revising, amending and consolidating the law relating to boroughs," and the several supplements and amendments thereto.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Einstein,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 679, entitled:

An Act to amend section twenty-nine of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioners and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the State line; describing and defining same by route

numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and precedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, boroughs, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, boroughs, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts incinsistent herewith; and providing that existing contracts are not affected by provisions of this act," by relieving townships of the duty to contribute towards the maintenance of certain State-aid highways; and discharging certain existing obligations therefor.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Einstein,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk prescent said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 707, entitled.

An Act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates, justices of the peace and aldermen, unless names and addresses of prosecutors, defendants and witnesses appear on the transcript thereof.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Einstein,			

NAYS—0.

A majority of all the Senator having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 727, entitled:

An Act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Revenue in respect thereto; providing for the licensing and regulation of airmen and aircraft; establishing the legal status of air navigation; providing, for sovereignty in and ownership of space; providing for lawfulness of flights; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. ZIESENHEIM. Mr. President, I ask unanimous consent to amend section 201, page 6, line 20, by striking out the words "aircraft, airmen;" also page 6, lines 25 and 26, by striking out the words "aircraft, airmen"

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING POSTPONED FOR THE PRESENT

Mr. CLARK Mr. President, I move that the Senate do now resume the consideration of Senate Bill No. 466, on third reading postponed for the present, entitled:

An Act to amend sections seven and eight of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1229), entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption; conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties," by regulating the pasteurization of milk and milk used for certain purposes.

Mr. FAY. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 466, as follows:

An Act to amend three and seven of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred twenty-nine) entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk and for human consumption conferring powers and imposing duties on the Secretary of Health and the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" by regulating the pasteurization of milk and milk used for certain purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections three and seven of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred twenty-nine) entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption conferring powers and imposing duties on the Secretary of Health and the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" are hereby amended to read as follows

Section 3 Every person having made an application for a permit to sell milk or holding a permit for the sale of milk shall at any time allow the secretary to inspect the herds stables and dairy farms from which milk is obtained for sale and to inspect the pasteurizing bottles and handling of milk in any manner whatsoever and to take such samples of milk as may be deemed necessary upon payment therefor at the usual market price when payment is demanded

No milk shall be sold for ice cream making purposes from sources which have not been inspected and approved by the secretary unless such milk shall be denatured by having sugar added thereto in the proportion of two and one-half pounds of sugar in each forty quarts of forty per centum cream

No milk shall be sold for butter making purposes from sources which have not been inspected and approved by the secretary unless such milk shall be denatured by having salt added thereto in the proportion of two and one-half pounds of salt in each forty quarts of forty per centum cream

Section 7 "Pasteurized Milk" shall be milk produced and handled in the following manner

(a) The cows shall be fed watered housed and cared for in such manner that the milk will be clean

(b) The milking process shall be carried on in a cleanly manner The milk shall be promptly cooled The milk containers and utensils shall be of such material and so constructed that they may be readily cleansed

(c) A milk house or milk room which is properly constructed lighted ventilated drained and clean shall be provided on the dairy farm producing milk for sale as "Pasteurized Milk" and shall be used exclusively for the handling of such milk

(d) Milk containers in which milk is received in milk plants from dairy farms shall be thoroughly cleansed before returning to the dairy farm

(e) Milk plants in which milk is received from the dairy farm for cooling or preparation for pasteurization shall be properly constructed lighted ventilated drained and clean

(f) "Pasteurized Milk" is milk heated to such a temperature and for such a length of time that all harmful organisms are destroyed

(g) Apparatus for the pasteurization of milk shall be equipped with an accurate indicating thermometer and a recording thermometer of a type approved by the secretary A true record of pasteurization as given by the recording thermometer shall be on file at the place where the milk is pasteurized

(h) Milk to be sold as "Raw Milk" may be received cooled and bottled in a building where milk is pasteurized providing all milk received in the building where milk is pasteurized meets the requirements for "raw milk" as set forth in this act

(i) No milk shall be received in any milk plant for any purpose unless such milk shall have been produced on dairy farms or acquired from milk plants approved by the secretary or unless permission for the receipt of such milk shall be obtained from the secretary

(j) The rooms of buildings in which milk is exposed during and after pasteurization shall be properly lighted ventilated drained and clean and shall be used for no other purpose than to provide a place for cleansed milk containers and utensils and for the handling of milk during and after pasteurization

(k) Milk during and after pasteurization and cleansed milk containers and equipment shall be protected from flies

(l) Pasteurizing plants shall be provided with and use an adequate supply of steam or hot water for cleansing milk containers utensils and equiment

(m) Equipment with which milk comes in contact shall be constructed in such manner as to be easily cleansed Demountable apparatus with which milk comes in contact shall be taken apart and cleansed each day such apparatus is in use Surface with which milk comes in contact shall be of smooth non-corrosive material and free from open seams

(n) No milk sold within this Commonwealth shall be pasteurized more than once

(o) All pasteurized milk sold within this Commonwealth and which is to be sold in bottles shall be bottled at the pasteurizing plant immediately after being pasteurized and all such milk sold within this Commonwealth in containers other than bottles shall be placed in such containers at the pasteurizing plant immediately after being pasteurized

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Armstrong,	Graff,	Miller,	Scott,
Aron,	Harris,	Norton,	Shapiro,
Batchelor,	Harvey,	Owlett,	Snyder,
Baumer,	Homsher,	Parkinson,	Sones,
Bennett,	Howell,	Pethick,	Staudenmeier,
Clark,	Hunsicker,	Pierson,	Thompson,
Coyne,	Krause,	Prince,	Trainer,
Ealy,	Lanius,	Reed,	Williamson,
Fay,	Mansfield,	Rice,	Ziesenheim,
Gelder,	McClure,	Roberts,	

NAYS—2

Bell,	Frazier,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 263, as follows:

An Act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring operators and owners of automobiles under certain circumstances to furnish proof of financial responsibility as herein defined providing for the suspension of operators' licenses and motor vehicles registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows

Section 1 Definitions Throughout this act unless the context indicates a different intention the singular includes the plural and the masculine pronoun includes the feminine and the neuter

As used in this act

(a) "Secretary" means the Secretary of Revenue of this Commonwealth

(b) "Motor Vehicle" means any self-propelled device in upon or by which any person or property is or may be transported or drawn upon a public highway except tractors power shovels road rollers agricultural machinery and vehicles which move upon or are guided by a track or trolley or travel through the air

(c) "Motor vehicle liability policy" means a policy of liability insurance designating by explicit description or appropriate reference all motor vehicles with respect t owhich coverage is intended to be granted by said policy and insuring to the amounts or limits hereinafter specified the person named therein and any other person using or responsible for the use of any such motor vehicles with the consent express or implied of such insured against loss from the liability imposed by law upon the insured or upon such other person for injury to or death of any person other than the insured and such persons as may be covered as respects such injury or death by any workmen's compensation law and for damage to property other than property of others in charge of the insured or of his employes or other agents arising out of the ownership maintenance use or operation of any such vehicle within the continental limits of the United States of America or the Dominion of aCnada or a binder pending the issuance of such a policy or an endorsement to an existing policy as hereinafter provided Within the meaning of this definition separate concurrent policies whether issued by one or several insurers covering respectively personal injury or death as aforesaid and property damage as aforesaid shall be deemed a "Motor Vehicle Liability Policy"

(d) "Motor vehicle operators' policy" means a policy of liability insurance insuring the person named therein to the amounts or limits hereinafter specified against loss from the liability imposed by law upon the insured for injury to or death of any person other than the insured and such persons as may be covered as respects such injury or death by any workmen's compensation law and for damage to property other than property of others in charge of the insured or of his employees or other agents arising out of the operation by the insured of any motor vehicle within the continental limits of the United States of America or the Dominion of Canada or a binder pending the issuance of any such policy or an endorsement to an existing policy as hereinafter provided Within the meaning of this definition separate concurrent policies whether issued by one or several insurers covering respectively personal injury or death as aforesaid and property damage as aforesaid shall be deemed a "Motor Vehicle Operators' Policy"

(e) "Operator" means the person including a chauffeur in actual physical control of a motor vehicle upon a highway

(f) "Operator's license" means the license issued to any person to operate a motor vehicle within this state

(g) "Owner" has the same meaning as in the laws requiring the registration of motor vehicles within this state

(h) "Person" means a natural person firm copartnership association or corporation

(i) "Proof of financial responsibility" means evidence in a form authorized by this act of ability to respond in damages resulting from the operation or ownership of a motor vehicle and arising by reason of personal injury to or death of any one person in the amount of at least five thousand dollars ($5,000) and subject to such limit for any one person injured or killed in an amount of at least ten thousand dollars ($10,000) for injury to or the death of two or more persons in any one accident and for damage to property in the amount of at least one thousand dollars ($1,000) resulting from any one accident

Section 2 Evidence of Ability to Respond in Damages For the purposes of this act the following will be deemed evidence of ability to respond in damages

(a) When proof of financial responsibility is required as a condition precedent to the granting or renewal of an operator's license or to the termination of the suspension thereof the written certificate of an insurer duly authorized to transact business within the state of residence of the person applying for such license or seeking to terminate the suspension thereof that it has issued to him or for his benefit a motor vehicle operator's policy which at the date of the certificate is in full force and effect and will so continue until the expiration of fifteen days after notice of expiration or cancellation shall first have been given to the Secretary in writing

(b) When proof of financial responsibility is required of an owner of a motor vehicle as a condition precedent to the registration thereof or to the termination of the suspension of such registration the written certificate of an insurer duly authorized to transact business within the state of residence of the person applying for such registration or for the termination of the suspension thereof that it has issued to him or for his benefit a motor vehicle liability policy which at the date of the certificate is in full force and effect and will so continue until the expiration of fifteen days after notice of expiration or cancellation shall first have been given to the Secretary in writing The Secretary shall not accept any such certificate unless all motor vehicles registered in the name of the owner from whom proof is required are covered by the policies mentioned in such certificate or in it and other similar certificates furnished at the same time and an additional certificate shall be required as a condition precedent to the registration in the name of such owner of any motor vehicle not covered by the certificate or certificates on file

(c) In any case a bond conditioned for the payment of the amounts herein required for injury to or the death of persons and damage to property arising out of the ownership maintenance use or operation by the principal of a motor vehicle the continental limits of the United States of America or the Dominion of Canada having as surety a corporation duly authorized to transact a surety business within the state of residence of the person applying for an operator's license the registration of a motor vehicle or the termination of the suspension of such license or registration Any such bond shall expressly provide that it shall not be cancellable until the expiration of fifteen days' written notice to the Secretary and shall designate the state as obligee but shall expressly provide that suit may be brought against the principal or surety named therein by any person or persons who may have a cause of action against the principal obligor for damages resulting from a motor vehicle accident in the event that the principal obligor does not within fifteen days from the time the judgment becomes final pay within the limits hereinbefore specified any final judgment entered against him for damages sustained as the result of such accident

(d) In any case the deposit with the Secretary of the sum of eleven thousand dollars ($11,000) in cash which the Secretary shall turn over to the State Treasurer as custodian and which the Secretary shall employ in paying within the limits hereinbefore specified any final judgment or judgments which may be entered against the depositor for injury to or the death of persons and damage to property arising out of the ownership maintenance use or operation by the depositor subsequent to the date of the deposit of a motor vehicle within the continental limits of the United States of America or the Dominion of Canada [illegible] deposited hereunder shall be paid to the depositor at the highest rate which the state receives on its deposits payment to be made out of moneys from time to time appropriated for the purpose

Section 3 Penalty for Executing or Presenting Forged or Unauthorized Evidence of Ability to Respond in Damages Any person who shall forge or knowingly withiut authority sign any certificate or bond intending the same to be used as evidence of ability to respond in damages under this act and any person knowingly furnishing to the Secretary o forged or unauthorized

certificate or bond as such evidence shall be guilty of a misdemeanor and upon conviction thereof shall be imprisoned for not more than one year and fined not less than one hundred dollars ($100) or more than one thousand dollars ($1000) in the discretion of the court

Section 4 Payment of Claims When Cash is Deposited as Evidence of Ability to Respond in Damages The State Treaurer upon requisition of the Secretary shall pay final judgments arising out of the ownership maintenance use or operation of a motor vehicle by a depositor of cash as evidence of ability to respond in damages in the order in which claims are made upon the Secretary for payment but claim shall not be made prior to the date when a judgment becomes final and any claim made prior to such date shall be void and of no effect Every claimant shall file with the Secretary a certified transcript of such parts of the proceedings as are necessary to show that the judgment is one coming within the terms of this section together with a certificate from a judge of the court in which the judgment was entered that the judgment has become final because an appeal was not taken within the time allowed by law or because the appellate court of last resort has affirmed the judgment Upon receipt of such transcript the Secretary shall give notice in writing to the depositor stating that fifteen days after the date of the notice he will present to the State Treasurer his requisition for the amount of the judgment or such part thereof as can be paid from the deposited fund unless within that time objection with the reasons thereof be filed by the depositor with the Secretary If objection be filed by the depositor the Secretary shall refer to the Attorney General any questions raised by the depositor and shall be guided by the Attorney General's advice but notice of the disposition of the objection shall begiven to the claimant and to the depositor and payment shall not be made undit after the expiration of fifteen days after such notice has been given The depositor may by bill in equity seek to enjoin the payment of any claim entary to his objection filed as herein provided and the claimant may by writ of mandamus seek to compel payment if the Secretary sustains the objection filed by the depositor

Section 5 Cash Deposited Not Subject to Legal Process Money deposited with the Secretary and held by the State Treasurer as evidence of ability to respond in damages shall not be subject to garmishment attachment or execution

Section 6 Insurance Policies Must Contain Certain Provisions to Constitute Proof of Financial Responsibility Binders Endorsements Insurance policies in order to constitute proof of financial responsibility under this act shall be subject to the provisions hereinafter stated and any insurance carrier which executes a certificate that it has issued a motor vehicle operator's policy or a motor vehicle liability policy for the purpose of enabling any person to furnish proof of financial responsibility hereunder shall be conclusively presumed to have issued the policy mentioned in such certificate subject to such provisions whether or not they are set forth therein

(a) Should an execution on a final judgment against the insured in an action covered by a motor vehicle operator's policy or motor vehicle liability policy be returned unsatisfied the judgment creditor shall have a right of action against the insurer to the same exetent that the insured would have had had such insured paid final judgment No such policy shall be cancelled or annulled as respects any loss or damage by any agreement between the insurer and the insured after such loss or damage has occurred and any such cancellation or annullment shall be void The policy may provide that the insured or any other person covered by the policy shall reimburse the insurer for payments made on account of any accident claim or suit involving a breach of the terms provisions or conditions of the policy and further of the policy shall provide for limits in excess of the limits designated in this act the insurer may plead against a judgment creditor of the insured with respect to the amount of such excess limits of liability any defenses which it may be entitled to plead against the insured Any such policy may further provide for the prorating of the insurance thereunder with other applicable valid and collectible insurance

(b) The policy the written application therefor if any and rider or endorsement which shall not conflict with the provisions of this act shall constitute the entire contract between the parties

(c) The insurer shall upon the request of the insured deliver to the insured for filing or at the request of the insured shall file direct with the Secretary an appropriate certificate for the purpose of furnishing proof of the assured's financial responsibility as provided by this act

(d) Any insurer authorized to issue motor vehicle operator's policies or motor vehicle liability policies as provided in this act may pending the issuance of such a policy execute an agreement to be known as a binder or may in lieu of such a policy issue an endorsement to an existing policy each of which shall be construed to provide indemnity or protection in like manner and to the same extent as such a policy The provisions of this section shall apply to such binders and endorsements

This act shall not be contrued to prevent any insurance carrier from granting any lawful coverage in excess of or in addition to the coverage required by this act as proof of financial responsibility or from embodying in such policy any agreements provisions or stipulations not contrary to the provisions of this act and not otherwise unlawful

Section 7 Proof of Financial Responsibility Required When Operator's License or Operating Privilege Has Been Revoked or Suspended or Becomes Subject to Revocation or Suspension Whenever the Secretary shall revoke or suspend an operator's license or shall suspend the operating privilege of an on-resident for violation of the laws regulating the operation of motor vehicles on the highways as may now or hereafter be provided by law such license or operating privilege shall not be renewed unless and until the former holder of the license or privilege has furnished proof of financial responsibility and whnever the Secretary for any such voilation has the right in his discretion to revoke or suspend an operator's license or the operating privilege of a non-resident but his discretion to revoke or suspend an operator's license or the operating privilege of a non-resident but is dis posed in the exercise of his discretion not to do so he may nevertheless suspend such license or operating privilege until the holder thereof has furnished proof of financial responsibility

Section 8 Proof of Financial Responsibility Required as Condition Precedent to Issuance or Renewal of Operator's Licenses to Persons Having Certain Accident Record Until proof of financial responsibility has been furnished to the Secretary an operator's licensce shall not be issued or renewed to a person who within the twelve months' period next preceding such person's application therefor while operating a motor vehicle either within or outside of this state had two or more accidents caused wholly or partially by his negligence which caused injury to persons or damage to property excluding injury to himself and damage to motor vehicles operated by such person amounting in the aggregate to more than two hundred dollars ($200) The amount of damages caused by accidents in which the applicant was involved will be deemed to have been the amounts paid in settlement of claims of other persons if all such claims have been settled and if such claims have not been paid then the amounts claimed by persons injured and by the persons entitled to recover for the death of persons killed and by the owners of property damaged For the purposes of this section the happening of an accident while a person is operating a motor vehicle shall be prima facie evidence that it was caused wholly or partly by such person's negligence but the Secretary may upon application of such person conduct an inquiry into the circumstances under which the accident occurred and thereupon find that the accident occurred without any negligence on the part of such person The Secretary's findings shall not be admissible in evidence in any Court proceeding for damages instituted either by or aginst such person or in any criminal proceeding arising out of such accident

Section 9 Secretary to Require Accident Record Before Issuing or Renewing Operator's License It shall be the duty of the Secretary before issuing or renewing an operator's license to an applicant therefor to cause him to state to the Secretary specifically the number of accidents causing injury to persons or damage to property including motor vehicles operated by the applicant in which the applicant was involved during the preceding twelve months while operating a motor vehicle neither within or outside of this state and the aggregate amount of damages caused by such accidents

Section 10 Penalty for Failure to Furnish Correct Accident Record Any person who knowingly fails to give correctly the information required of him by the Secretary in connection with an application for the issuance or renewal of an operator's license shall be ineligible to operate a motor vehicle within thi sstate for a period of two years from the date when the Secretary ascertains that the information was not correctly given If such person at that date holds an operator's license

it shall forthwith be revoked and shall not be renewed under any circumstances until the two-year period has expired If such person does not hold an operator's license such license shall not be issued to him until the expiration of the two-year period Upon the expiration of the two-year period such person shall not receive an operaator's license until he has furnished proof of financial responsibility

Section 11 Proof of Financial Responsibility Required of Persons Who Fail to Satisfy Judgments Arising Out of Motor Vehicle Accidents Operator's License and Registration Certificates to be Suspended Until Satisfaction of Judgment If within fifteen days after it becomes final any person fails to satisfy any judgment rendered against him by a Court of competent jurisdiction in this or any other state or the District of Columbia or any province of the Dominion of Canada or by a District Court of the United States for damages on account of personal injury or of damage to property in excess of two hundred dollars ($200) resulting from the operation subsequent to the effective date of this act by him his agent or any other person with his express or implied consent of a motor vehicle owned by him or the operation by him or his agent of a motor vehicle not owned by him his operator's license and all of his registration certificates shall be forthwith suspended by the Secretary upon receiving a certified copy of such final judgment from the Court in which the same was rendered and shall remain suspended and shall not be renewed nor shall any other motor vehicle be thereafter registered in his name while such judgment remains unsatisfied and subsisting and until he has furnished proof of financial responsibility for future accidents

If such person is not a resident of this state he shall not be permitted to operate any motor vehicle in this state and it shall not be lawful for any other person knowing that such operation is not permitted to operate in this state any motor vehicle owned by such non-resident while such judgment remains unsatisfied and subsisting and until such non-resident has furnished proof of financial responsibility for future accidents

If after such person has satisfied such judgment within the meaning of this act and has furnished proof of financial responsibility any other such judgment shall be recovered against him for any accident occurirng before such proof was furnished his operator's license and registration certificates shall again be and remain suspended while such other judgment remains unsatisfied and subsisting

Section 12 What to be Deemed Satisfaction of Judgment For the purposes of this act but only for such purposes the following will be deemed satisfaction of judgments resulting from the ownership or operation of motor vehicles

(a) When a judgment has been paid in full or when five thousand dollars ($5000) has been credited upon any judgment or judgments rendered in excess of that amount for personal injury to or the death of one person as the result of any one accident or

(b) When a judgment has been paid in full or when subject to the limit of five thousand dollars ($5000) for each person the sum of ten thousand dollars ($10,000) has been credited upon any judgment or judgments rendered in excess of that amount for personal injury to or death of more than one person as the result of any one accident or

(c) When a judgment has been paid in full or when one thousand dollars ($1000) has been credited upon any judgment or judgments rendered in excess of that amount for damage to property as the result of any one accident

Section 13 Courts to Certify Motor Vehicle Accident Judgments to Secretary of Revenue Secretary to Forward Certificates to Proper Officer of Other State if Debtor is Non-Resident It shall be the duty of the prothonotary or clerk of any Court of this state in which any judgment for damages resulting from the operation of a motor vehicle is rendered to forward immediately to the Secretary a certified copy of such judgment or a transcript thereof In the event the defendant is a non-resident it shall be the duty of the Secretary to transmit to the Commission er of Motor Vehicles or other proper officer of the state of which the defendant is a resident a certified copy of such judgment

Section 14 Proof of Financial Responsibility Required of Minors The Secretary shall not issue an operator's license to any person who is less than twenty-one years of age or register a motor vehicle owned by any such person until such person has furnished proof of financial responsibility together with a certificate signed by either of the parents or the legal guardian of such person approving the issuance of an operator's license or the registration of the motor vehicle as the case may be

Section 15 Disability of Operator Whose License is Suspended Under This Act to Operate Under Foreign License Any person whose operator's license has been suspended under this act or whose operator's license cannot be renewed or to whom an operator's license cannot be issued until he has furnished proof of financial responsibility shall not have the privilege of operating a motor vehicle within this state under an operator's license issued by any other state until he has furnished to the Secretary proof of financial responsibility

Section 16 Suspension of Operator's License or Registration Certificates upon Cancellation of Insurance or Surety Bond Whenever the Secretary is notified of the cancellation of a policy of insurance mentioned in a certificate furnished as evidence of ability to respond in damages or of a surety bond furnished as such evidence he shall forthwith suspend the operator's license and registration certificates if any in connection with the issuance or renewal of which such evidence was furnished and such cancellation shall remain effective until other proof of financial responsibility has been furnished to the Secretary

Section 17 Proof of Financial Responsibility Once Required to be Maintained Whenever in accordance with the provisions of this act a person has furnished proof of financial responsibility for the purpose of obtaining an operator's license or the registration of a motor vehicle owned by him it shall be obligatory upon such person thereafter to maintain such proof until he shall have been relieved by the Secretary of the duty of maintaining such proof as hereinafter provided and in the event that such proof lapses or becomes diminished in security or amount it shall be the duty of the Secretary to suspend the operator's license and certificates if any in connection with which such proof was furnished until proof sufficient in amount has again been furnished but when such proof has been required of a person because he is less than twenty-one years of age it shall not be necessary for such person to maintain such proof after he attains the age of twenty-one years unless such proof is required for another cause

The Secretary may relieve a person who has previously been required to furnish proof of financial responsibility of the duty of maintaining such proof at any time after three years shall have elapsed since such proof was first required if during the three years' period immediately preceding such person shall not have committed any violation of the laws regulating the operation of motor vehicles on the highways because of which the Secretary revoked or suspended or would have had the right to revoke or suspend such person's operator's licens eand if within said three years' period such person shall not have had while operating a motor vehicle either within or outside of this state two or more accidents caused wholly or partially by his negligence which resulted in injury to persons or damage to property excluding motor vehicles operated by such person amounting in the aggregate to more than two hundred dollars ($200.00) and if there shall not be any pending claim or unsatisfied judgment against such person for damages resulting from the operation or ownership of a motor vehicle by such person during the three years' period

Section 18 Penalty for Operating Motor Vehicle Contrary to Provisions of this Act Any person who operates a motor vehicle within this state after his operator's license or operating privilege has been suspended or withdrawn under the provisions of this act and while such license remains suspended and any person a non-resident of this state who operates a motor vehicle within this state contrary to the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment for not more than one year or by fine not exceeding one thousand dollars ($1000) or both in the discretion of the court

Section 19 Substitution of Evidence of Ability to Respond in Damages Cancellation of Bond or Refund of Cash Whenever proof of financial responsibility has been furnished to the Secretary he may upon request permit the substitution of evidence of another kind provided for in this act for the particular evidence of ability to respond in damages which has been filed or deposited with him and whenever a person has deposited with the Secretary as evidence of his ability to respond in damages a bond or cash in the amount of eleven thousand dollars ($11,000) as hereinbefore provided the Secretary may permit the bond to be cancelled or cause to be re-

turned such cash or the balance thereof remaining in the hands of the State Treasurer if and when he has relieved such person of the duty of maintaining proof of financial responsibility as heretofore in thi sact provided or upon the surrender for cancellation of such person's operator's license and registration certificates and the filing with the Secretary of an affidavit that there is no claim pending against such person for damages resulting from the operation or ownership of a motor vehicle subsequent to the filing of the bond or the deposit of cash and that he has abandoned his residence in this state or that he has made a bona fide sale of all motor vehicles owned by him and does not intend to own or operate any motor vehicle for a period of at least one year The Secretary may also permit the bond to be cancelled or cause cash to be paid to the estate of such person upon proof of his death and that there is no claim pending against such estate for damages resulting from the operation or ownership of a motor vehicle by such person as aforesaid

Before surrendering a bond or causing cash to be returned the Secretary may give such notice and make such investigation as he may deem necessary

After the Secretary shall have permitted any person's bond to be cancalled or cash returned upon surrender of his operator's license and registration certificate and the filing of an affidavit as provided in this section such person shall not thereafter be eligible to be licensed as an operator or to have automobiles owned by him registered until he shall again have furnished proof of financial responsibility

Section 20 Penalty for Operating Motor Vehicle After Cancellation of Bond or Refund of Cash Any person who has induced the Secretary to permit his bond to be cancelled or to return or cause to be returned cash or the balance thereof deposited as evidence of ability to respond in damages as provided in the preceding section of this act and within one year thereafter without having furnished to the Secretary proof of financial responsibility operates a motor vehicle within this state or permits any other person to operate within this state a motor vehicle owned by him shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to imprisonment for not more than one year or a fine of not more than one thousand dollars ($1000) or both in the discretion of the court

Section 21 Secretary of Revenue to Furnish Information to Insurers Sureties and Others The Secretary shall upon request furnish to any insurer or surety company or person a certified abstract of the operating record of any person subject to the provisions of this act which abstract shall fully designate the motor vehicles if any registered in the name of such person and if there be no record of any conviction of such person of a violation of any provision of the laws regulating the operation of motor vehicles on the highways or of any operation of motor vehicles on the highways or of any injury or damage caused by such person in operating motor vehicles the Secretary shall so certify The Secretary shall require the payment of a fee of two dollars ($2.00) for each certificate furnished hereunder Such record shall not be admissible as evidence in any action for damages or criminal proceeding arising out of an automobile accident

Section 22 Secretary to Furnish Information to Persons Injured in Motor Accidents et cetera Upon written request and the payment of a fee of one dollar ($1.00) the Secretary shall furnish to any person who has been injured or whose property has been damaged by any motor vehicle or to those entitled to recover for the death of a person injured by a motor vehicle or to the attorney for any such person all information of record in his office pertaining to the evidence of ability to respond in damages of the operator or owner of the motor vehicle involved in such injury or damage

Section 23 Constitutionality If any provision of this act or the application thereof to any person or circumstances is held invalid such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application and to this end the provisions of this act are declared to be severable

Section 24 Uniformity of Interpretation This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it

Section 25 Short Title This act may be cited as the "Uniform Automobile Liability Security Act"

Section 26 Repeal All acts or parts of acts which are inconsistent with the provisions of this act are hereby repealed

Section 27 Time of Taking Effect This act shall take effect immediately upon its final passage

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 322, entitled:

An Act to eliminate reckless and irresponsible drivers from the public highways and to protect the safety of users of the public highways by providing in certain cases for the supsension and revocation of operator's licenses and privileges (whether resident or non-resident) and for the establishment of ability to respond in damages for injury to property and persons including injuries resulting in death caused by the use or operation of motor vehicles (including unlicensed operators and unregistered motor vehicles) conferring powers and imposing duties upon the Department of Revenue the Insurance Commissioner insurance carriers and clerks of the courts requiring certain provisions in motor vehicle liability insurance policies and providing penalties.

The first section of the bill was read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall in no respect be considered as a repeal of any of the provisions of the Vehicle Code but shall be construed as supplemental thereto

The Second section of the bill was read as follows:

Section 2 Whenever the Department of Revenue shall revoke or suspend an operator's license or privilege or shall suspend the operating privilege of a non-resident as may now or hereafter be provided by law such license or privilege shall not be renewed or restored unless and until the holder of said license or privilege has furnished proof of financial responsibility as hereinafter required Provided That this section shall not apply to any suspension for a term or period of less than three calendar months

On the question,

Will the Senate agree to the section?

Mr. HARVEY. Mr. President, I move to amend section 1, page 2, line 23, after the word "accident" insert: "and for damages to property in the amount of at least one thousand dollars resulting from any one accident."

Mr. SCOTT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third to eleventh sections inclusive of the bill were read as follows and agreed to.

Section 3 Such operator's license or privilege shall remain suspended or revoked and shall not at any time thereafter be restored nor shall any such license or privilege be hereafter issued to such person or persons until he shall have given proof as hereinafter required of his ability to respond in damages for any liability thereafter incurred resulting from the operation thereafter of a motor vehicle for personal injury to or death of any one person in the amount of at least five thousand dollars in any one accident for at least ten thousand dollars for personal injury to or death of two or more persons in any one accident Provided however That

this provision shall also apply to any person who shall by final order or judgment have been convicted of or pleaded guilty to or forfeited any bail for his appearance for trial for operating a motor vehicle upon any public highway without being licensed to do so or for operating an unregistered motor vehicle upon any public highway

Section 4 It shall be the duty of the clerk of every court of record in which any such final judgment or order is rendered or entered to forward immediately to the department a certified copy of such final judgment or order which shall be prima facie evidence of the conviction plea or other action stated therein In the event that such person is a non-resident of this State the department shall transmit a copy of such certified copy certified to by it to the official in charge of the issuance of operator's licenses or privileges of the resident State of such non-resident

Section 5 Proof of ability to respond in damages required under this act may be evidenced by filing with the department a written certificate or certificates of any insurance carrier or carriers duly authorized to do such business within this State that it has issued to such person a motor vehicle liability policy or policies in the form hereinafter prescribed which at the date of the certificate or certificates is or are in full force and effect and such certificate or certificates shall certify that said motor vehicle policy or policies therein cited shall not be cancelled or shall not expire except as hereinafter provided and the department shall be notified in writing by said insurance carrier of the cancellation or expiration of any motor vehicle liability policy certified under the provision of this act at least fifteen days before the effective date of such cancellation or expiration and such policy shall continue in full force and effect until the cancellation or expiration date specified in such notice and unless such person shall file as aforesaid another certificate or certificates in lieu of those expired or cancelled such person's license or privilege shall again be suspended by the department

Section 6 The department shall upon request furnish any person a certified abstract of the operating record of any person subject to the provisions of this act which abstract shall disclose whether or not the operator's license or privilege of such person has been suspended or revoked whether or not proof of financial responsibility herein required has been furnished and the name and address of the insurance carrier or carriers whose policy or policies is or are in force at the time of said request The department shall collect a fee of two dollars for such certified abstract

Section 7 Any operator whose license or privilege shall have been suspended or revoked or whose policy of insurance when same is required under this act shall have been cancelled or terminated and has not filed a certificate or certificates in lieu thereof shall immediately return to the department his said license or privilege if any person shall wilfull fail to return said privilege or license as provided herein the department shall forthwith direct any peace officer to secure possession thereof and return the same to the department Any person wilfully failing to return such license or privilege shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not more than one hundred dollars and in addition may be imprisoned in the county jail for a term not exceeding ninety days and such penalty shall be in addition to any penalty imposed by the vehicle Code of this State

Section 8 The department shall require proof of financial responsibility as herein required for and during a term of three years from the date when such proof has been filed with and accepted by the department

Section 9 The department may relieve any person from complying with this act at any time within said three years period if such person has become permanently incapacitated from operating a motor vehicle

Section 10 Nothing in this act contained shall be held to apply to or affect policies of automobile insurance against liability which may now or hereafter be required by any other law of this State and such policies if endorsed to conform with the requirements of this act shall be accepted as proof of finanacial responsibility when required under this act

Section 11 Any person who shall forge or without authority sign or utter any evidence of ability to respond in damages as required by this act and any person who shall violate any provision of this act for which no penalty is otherwise provided shall be guilty of a misdemeanor and shall be sentenced to pay a fine of not more than one hundred dollars and in addition may be sentenced to the county jail for a term of not exceeding ninety days

The twelfth section of the bill was read as follows:

Section 12 Motor vehicle liability policy as used in this act shall be taken to mean a policy of liability insurance issued by an insurance company authorized to transact business in this State and shall insure the person therein named as insured against loss from the liability imposed by law upon such insured for injury to or the death of any person other than such insured and for damage to the property other than the property of said insured and occurring while such insured is personally in control as driver of such motor vehicle within the continental limits of the United States of America to the amount of limit of five thousand dollars exclusive of interest and costs on account of injury to or death of any one person in any one accident of ten thousand dollars exclusive of interest and costs on account of the injury or death of two or more persons in any one accident or a binder pending the issuance of any such policy or an endorsement to an existing policy as hereinafter provided Provided however That this section shall not be construed as preventing any insurance carrier from granting in a motor vehicle libility policy any coverage in excess of or in addition to the coverage herein provided for or from embodying in such policy any agrement or provision or stipulation not contrary to the provisions of this act and otherwise contrary to law And provided further That separate concurrent policies may be issued by one or several carriers covering respectively (a) personal injury or death as aforesaid and (b) property damage as aforesaid

On the question,

Will the Senate agree to the section?

Mr. HARVEY. Mr. President, I move to amend, section 12, page 6, line 15, after the word "accident" insert: "and for damages to property in the amount of at least one thousand dollars resulting from any one accident."

Mr. SCOTT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the amendment?

It was agree to.

The thirteenth to twentieth sections inclusive of the bill were read as follows and agreed to:

Section 13 No mtotor vehicle liability policy shall be issued or delivered in this State until a copy of the form of policy shall have been approved by the Insurance Commissioner The Insurance Commissioner shall approve any form of policy issued by an insurance carrier authorized to do business in Pennsylvania which specifies the name address and business of the insured the coverage afforded by the policy the premium charged therefor the policy period and the limits of liability and contains an agreement that the insurance thereunder is provided in accordance with the coverage required by this act as respects personal injury or death or property damage or both

Section 14 Every such motor vehicle liability policy shall be subject to the following provisions whether or not contained therein

(a) The liability of the said insurance carrier shall become absolute whenever loss or damage covered by such policy occurs and the satisfaction by the insured of a final judgment for such loss or damage shall not be a condition precedent to the right or obligation of the carrier to make payments on account of such loss or damage Provided always That the insurance carrier shall have the right to settle any claim covered by the policy and if such settlement is made in good faith the amount thereof shall be deductible from the limits of liability specified in the policy

(b) No such policy shall be cancelled or annulled as respects any loss or damage by any agreement between the carrier and

the insured after the said insured has become responsible for such loss or damage and any such cancellation or annullment is null and void

(c) The policy may provide that the insured or any other person covered by the policy reimburse the insurance carrier for payment made on account of any loss or damage claim or suit involving a breach of the terms provisions or conditions of the policy and further if the policy shall provide for limits in excess of the limits specified in this section the insurance carrier may plead against any plaintiff with respect to the amount of such excess limits of liability any defense or defenses which it may be entitled to plead against the insured and any such policy may further provide for the prorating of the insurance thereunder with other applicable valid and collectible insurance

(d) The policy the written application therefor if any and any rider or endorsement shall not conflict with the provisions of this act and shall constitute the entire contract between the parties

(e) The insurance carrier shall upon request of the insured deliver to the insured for filing or at the request of the insured shall file direct with the department an appropriate certificate in conformity with the provisions of this act

(f) Any carrier authorized to issue motor vehicle liability policies may pending the issue of such a policy execute an agreement to be known as a "binder" or may in lieu of such a policy issue an endorsement to an existing policy Every such binder or endorsement shall be subject to the provisions of this section and shall be construed to provide indemnity or insurance in like manner and to the same extent as a motor vehicle liability policy

Section 15 If during said three year period by payment or otherwise the amount required under this act has been reduced below the amount required by this act the insured shall within fifteen days thereafter raise the amount of existing insurance to the amount required by this act and in case he refused so to do within said fifteen days his operator's license or privilege shall again be suspended by the department

Section 16 The following words as used in this act shall have the following meanings

(a) "Department" shall mean the Department of Revenue of this State

(b) The singular shall include the plural the plural shall include the singular and the masculine shall include the feminine and neuter

(c) "Person" shall include individuals (whether minors or adults) partnerships corporations receivers assignees trustees executors and administrators but shall not include the State or any political subdivision thereof or any municipality therein

(d) "Motor vehicle" shall include trailers semi-trailers motorcycles and tractors

(e) "Operator" shall mean every person who is in actual physical control of a motor vehicle upon a highway

Section 17 The department shall make rules and regulations necessary for the administration of this act

Section 18 Nothing herein shall be construed as preventing the plaintiff in any action at law from relying for security upon the other processes provided by law

Section 19 If any part subdivision or section of the act shall be deemed unconstitutional the validity of its remaining provisions shall not be affected thereby

Section 20 This act shall become effective on the first day of September one thousand nine hundred and thirty-three

The title of the bill was read as follows and agreed to:

An Act to eliminate reckless and irresponsible drivers from the public highways, and to protect the safety of users of the public highways by providing in certain cases for the suspension and revocation of operator's licenses and privileges (whether resident or non-resident), and for the establishment of ability to respond in damages for injury to property and persons, including injuries resulting in death caused by the use or operation of motor vehicles (including unlicensed operators and unregistered motor vehicles); conferring powers and imposing duties upon the Department of Revenue, the Insurance Commissioner, insurance carriers, and clerks of the courts; requiring certain provisions in motor vehicle liability insurance policies; and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 572 (House Bill No. 851), entitled:

An Act lapsing all unobligated balances of appropriations for township reward heretofore made from the Motor License Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 573 (House Bill No. 949), entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 574 (House Bill No. 948), entitled:

An Act making an appropriation of moneys into the Motor License Fund to the Board of Finance and Revenue to meet interest and Sinking Fund requirements on the State debt.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 585 (House Bill No. 852), entitled:

An Act validating sheriffs' sales of real estate on judgments of foreclosure in scire facias sur mortgage cases when the release of the mortgagor from liability was not filed with the praceipe.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 630, as follows:

An Act declaring milk to be a public utility creating a Milk Commission with powers to regulate the price terms and conditions upon which milk may be sold and providing penalties for violations thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whereas milk is a necessity for the health and welfare of the citizens of the Commonwealth and whereas for the preservation of the health safety and economic se-

curity of the citizens of the Commonwealth it is necessary that there be regulation and control of the marketing of milk now therefore milk be and the same hereby is declared to be a public utility

Section 2 There shall be created a Milk Commission to consist of the Secretary of Agriculture the Chairman of the Public Service Commission and the Auditor General and two additional members who shall be appointed by the Governor for terms of two years Neither of said additional members shall be financially interested in the retail distribution of milk either as owner proprietor partner or stockholder

Each member of the Commission except the Secretary of Agriculture the Chairman of the Public Service Commission and the Auditor General shall receive a salary of two thousand five hundred dollars ($2,500) per annum

Three members of the Commission shall constitute a quorum and the concurrence of at least three members of the Commission shall be necessary to render valid any action by the Commission A Vacancy on the Commission shall not impair the right of a quorum to exercise all the powers and perform all the duties of the Commission

The Secretary of Agriculture shall act as chairman of the Commission

The Commission may appoint a secretary who shall receive a salary to be fixed by the Commission with the approval of the Governor

The Commission may appoint an attorney who shall act as counsel to the Commission who shall receive a salary to be fixed by the Commission with the approval of the Governor

Section 3 The Commission shall have the power to investigate regulate and control the production and sale of milk and shall have the further power to fix the proportionate part of the retail price which shall be paid to producers of milk

Section 4 The Commission shall have the power to issue a subpoena or subpoenas under their own seal to compel the attendance of witnesses and the production of such books records and papers as may be necessary in the performance of their duties

Section 5 The price paid to the producer of milk for milk delivered f o b the distributing plant shall in no event be less than forty-five per cent (45%) of the average retail price of milk in the country in which the distributing plant is located

Section 6 The Milk Commission shall be and the same hereby is authorized to make such orders rules and regulations as shall be necessary to carry out and enforce the decrees of the Milk Commission

Section 7 Any person firm or corporation purchasing milk from a producer at a lower price than the price fixed by the Milk Commission shall be guilty of a misdemeanor and upon conviction thereof for the first offense shall be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than five hundred dollars ($500) or undergo imprisonment not exceeding six months either or both at the discretion of the court and the permit or license of such violator to sell and distribute milk shall be suspended by the Milk Commission for a period of not less than sixty days nor more than six months Upon conviction thereof for the second offense the violator shall be sentenced to pay a fine of not less than three hundred dollars ($300) nor more than one thousand dollars ($1,000) and in addition thereto to undergo imprisoment by separate and solitary confinement at labor for a period of one year and the permit or license of such violator to sell and destribute milk shall be permanently revoked by the Milk Commission

Section 8 All fines and penalties imposed and recovered for the violation of any of the provisions of this act or the rules and regulations of the Milk Commission shall be paid into the county treasury of the county in which the violation occurred and one-half of the fines so collected and paid shall thereafter be paid by the county treasurer of the said county into the State Treasury for the use of the Commonwealth

Section 9 The Secretary of Agriculture the Chairman of the Public Service Commission and the Auditor General shall be charged with the enforcement of all the provisions of this act and shall have all the powers to enforce this act that are given them by this act or by any other acts of the Commonwealth of Pennsylvania now or hereafter to be passed

Section 10 That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meaning

(1) "Milk Commission" or "Commission" shall mean the board of five members created by this act

(2) "Milk" shall mean fresh liquid milk sweetened or unsweetened intended for human consumption in any form but shall not be deemed to include evaporated milk or condensed milk in hermetically sealed containers

(3) "Producer" or "Producer of Milk" shall mean the owner lessee or tenant of cows producing milk intended for human consumption

(4) "Distributing Plant" shall mean any wholesale or retail dairy or manufacturing establishment purchasing milk for resale for human consumption in any form whatsoever

Section 11 All acts or parts of acts inconsistent herewith are hereby expressly repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 640, as follows:

An Act to amend the first "Whereas" clause the first paragraph of article one clause (d) of article two and article ten of section one and section two as amended of the act approved the twenty-fifth day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand three hundred fifty-two) entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration operation and maintenance of bridges over the Delaware River and for the construction of addititional bridge facilities across said river authorizing the Governor for these purposes to enter into an agreement with the State of New Jersey creating a Delaware River Joint Toll Bridge Commission and specifiying the powers and duties thereof including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River and making an appropriation" by providing for the appointment of an engineer by the commission and for the repayment to the Commonwealth of appropriation herein made

Section 1 Be ie enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in Genral Assembly met and it is hereby enacted by the authority of the same That the first "Whereas" clause the first paragraph of article one clause (d) of article two and article ten of section one of the act approved the twenty-fifth day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand three hundred fifty-two) entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration operation and maintenance of bridges over the Delaware River and for the construction of additional bridge facilities across said river authorizing the Governor for these purposes to enter into an agreement with the State of New Jersey creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River and making an appropriation" are hereby amended to read as follows

Whereas The commission on behalf of the Commonwealth of Pennsylvania existing by virtue of the act approved the eighth day of May one thousand nine hundred and nineteen (Pamplet Laws one hundred forty-eight) and its supplements and amendments and the commission on behalf of the State of New Jersey existing by virtue of the provisions of the act approved the first day of April one thousand nine hundred and twelve (Chapter two hundred ninety-seven) and its supplements and amendments acting as a joint commission

have acquired various toll bridges over the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey and

ARTICLE I

There is hereby created a body corporate and politic to be known as the Delaware River Joint Toll Bridge Commission (hereinafter in this agreement called the "Commission") which shall consist of the commissioners on behalf of the Commonwealth of Pennsylvania provided for by the act approved the eighth day of May one thousand nine hundred and nineteen (Pamphlet Laws one hundred forty-eight) and its supplements and amendments for the acquisition of toll bridges over the Delaware River and of commissioners on behalf of the State of New Jersey provided for by the act approved the first day of April one thousand nine hundred and twelve (Chapter two hundred ninety-seven) and its supplements and amendments for the acquisition of toll bridges over the Delaware River which said commissions have heretofore been acting as a joint commission by virtue of reciprocal legislation

(d) To elect a chairman vice-chairman secretary and treasurer and appoint an engineer The secretary [and] treasurer and engineer need not be members of the commission

ARTICLE X

Whenever particular bonds issued for any bridge or bridges and the interest thereon shall have been paid or a sufficient amount shall have been provided for their payment and shall continue to be held for that purpose the commission shall cease to charge tolls for the use of such bridge and thereafter such bridge shall be a free bridge and shall thereafter be maintained equally at the cost of the Commonwealth of Pennsylvania and the State of New Jersey by appropriations made for such purposes as now provided by law for the maintenance of bridges over the Delaware River acquired by the Commonwealth of Pennsylvania and the State of New Jersey

Section 2. That section two of said act as amended by the act approved the fifth day of August one thousand nine hundred and thirty-two (Pamphlet Laws twenty-three) is hereby further amended to read as follows

Section 2 The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby specifically appropriated to the Delaware River Joint Toll Bridge Commission to be used by it together with a like appropriation made by the State of New Jersey for the purposes of carrying out the provisions of this compact except the operation maintenance improvement or construction of any new toll bridge over the Delaware River The moneys hereby appropriated shall be returned to the Commonwealth and paid into the State Treasury within five years after the completion of the first toll bridge constructed with interest at the rate paid on bonds issued for the construction of that particular bridge The moneys hereby appropriated shall be disbursed upon requisition of the chairman of the commission presented to the Auditor General who shall direct his warrant upon the State Treasurer in the usual manner

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 653 (House Bill No. 192), as follows:

An Act to amend section two of the act approved the tenth day of April one thousand eight hundred and seventy-five (Pamphlet Laws sixteen) entitled "An act relating to mutual saving fund building and loan associations regulating the mode of charging premiums bonus or interest in advance of withdrawals of repayment and collection of loans also restricting the power to levy excessive fines and defining the rights and liabilities of married women stockholders and prescribing the non-application to these associations of the bonus tax and registry laws for corporations" by further regulating withdrawals

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the tenth day of April one thousand eight hundred and seventy-nine (Pamphlet Laws sixteen) entitled "An act relating to mutual saving fund building and loan associations regulating the mode of charging premiums bonus or interest in advance of withdrawals of re-payment and collection of loans also restricting the power to levy excessive fines and defining the rights and liabilities of married women stockholders and prescribing the non-application to these associations of the bonus tax and registry laws for corporations" is hereby amended to read as follows

Section 2 Stockholders withdrawing voluntarily shall receive such proportion of the profits of the association or such rate of interest as may be prescribed by the [by-laws] board of directors any law or usage to the contrary notwithstanding but payment of the value of stock so withdrawn shall only be due when the funds now by law applicable to the demand of withdrawing stockholders are sufficient to meet and liquidate the same [and then only in the order of the respective times of presentation of the notices of such withdrawals which must have been presented in writing at a previous stated meeting and have been then and there endorsed as to times of presentation by the officer designated by the by-laws of the association] Whenever funds available to the payment of withdrawals and maturities shall be inadequate to meet the demands of withdrawing or maturing members the board of directors may by resolution authorize payment on a pro rata basis or at their discretion fix a maximum amount to be paid periodically to such members

Section 2 This act shall be retroactive and is an emergency measure under the police power of the Commonwealth

Section 3 This act shall take effect immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 720, as follows:

An Act to authorize certain corporations organized under the laws of Pennsylvania including railroad corporations organized under the laws of Pennsylvania and of any other state or states to increase or decrease the par value of the shares of their capital stock providing that such change of par value of shares may reduce the aggregate par value of outstanding capital stock or alter or affect the division of authorized capital stock as between outstanding stock and authorized stock unissued prescribing the manner in which such change shall be made and repealing all acts and parts of acts inconsistent herewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be lawful for any corporation except corporations authorized to do the business of a bank a trust company or an insurance company organized under the laws of this state and for any railroad corporation organized under the laws of this state and any other state or states to change the par value or face value of the shares into which its capital stock is divided Such change of par value shall not increase or diminish the aggregate amount of capital stock which such corporation is authorized to issue but may reduce the aggregate par value of its outstanding capital stock and may change or alter the division of its authorized capital stock as between outstanding stock and authorized stock unissued

Section 2 Every such change of par value shall be authorized by a vote of a majority of the stockholders of such corporation who are lawfully entitled to vote present in person or by proxy at any annual meeting or any special meeting duly called and any change of par value which shall be accompanied by any such reduction of the aggregate par value of outstanding capital stock or by any such change or alteration

of the division of authorized capital stock as between outstanding stock and authorized stock unissued shall be authorized in the same manner and by the same stock vote as may now or may hereafter be prescribed by law for reducing the capital stock of such corporation

Section 3 In any and every case in which the stockholders of any such corporation shall authorize any such change as aforesaid it shall be the duty of the proper officers of such corporation to file a certificate of that fact in the office of the Secretary of the Commonwealth under the seal of the corporation and thereupon the proper officers of such corporation shall issue to the stockholders the proper number of shares of capital stock of the new par value in exchange for outstanding shares of the former par value upon surrender of such outstanding shares by the respective holders and upon the cancellation thereof

Section 4 The provisions of this act are severable and if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 5 The act approved the sixth day of June one thousand eight hundred and ninety-three (Pamphlet Laws three hundred thirty-one) entitled "An act authorizing railroad companies organized under the laws of Pennsylvania and operating railroad either in whole within or partly within and partly without the State to increase or diminish the par value of the shares of their capital stock" and all other acts or parts of acts inconsistent with this act are hereby repealed

Section 6 This act shall become effective immediately upon its passage by the General Assembly and its approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 721, as follows:

An Act authorizing stock corporations with certain exceptions to make provisions for and to issue shares of capital stock of any class or classes or to change shares of authorized or outstanding capital stock of any class into one or more classes with or without nominal or par value and with such designations terms relative rights powers privileges preferences limitations restrictions and qualifications as may be specified regulating such corporations and the liabilities of their directors making other provisions relating to the capital and capital stock of such corporations and repealing all acts or parts of acts inconsistent herewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That upon the formation or reorganization under the laws of this Commonwealth now or hereafter in force of any stock corporation other than building and loan associations and corporations authorized by law to transact a banking a trust company or an insurance business or upon the merger or consolidation thereunder of two or more such corporations other than as aforesaid or upon the formation of a railroad corporation by consolidation under the laws of this Commonwealth and any other State or States provision may be made for the issuance of shares of preferred stock of any or all classes or common stock of any class or both preferred and common stock without any nominal or par value with such designations terms relative rights privileges limitations preferences and voting powers or prohibitions restrictions or qualifications of the voting and other rights and powers of the shares of each class as may be specified by stating in the certificate of incorporation or reorganization or in the joint agreement of merger or consolidation in lieu of the statements now prescribed by law as to the amount of the corporation's capital stock and the number and par value of shares into which it is divided

(a) The number of shares with nominal or par value and the number of shares without nominal or par value that may be issued by the corporation and the classes if any into which such shares are divided

(b) The nominal or par value of shares of stock other than shares which it is stated are to have no nominal or par value

(c) The amount of capital with which the corporation will begin business

(d) If there are to be shares of more than one class the designations terms relative rights privileges limitations preferences and voting powers or prohibitions restrictions or qualifications of the voting and other rights and powers of the shares of each class

Any such certificate or joint agreement or proceedings referred to in the second section of this act may also if desired prescribe the consideration for which the corporation may issue and sell its shares without nominal or par value or may authorize the board of directors to prescribe such consideration from time to time.

Section 2 Any such corporation heretofore or hereafter created by incorporation reorganization or consolidation having a capital stock consisting of shares either with or without nominal or par value or both may at any time authorize and issue capital stock of any class or kind with or without nominal or par value or change or convert any or all of the shares of its authorized or outstanding capital stock into one or more classes and kinds either with or without nominal or par value with such designations terms relative rights privileges limitations preferences and voting powers or prohibitions restrictions or qualifications of the voting and other rights and powers as may be specified as to the shares of any given class or kind in the same manner and by the same stock vote as may now or may hereafter be prescribed by law for increasing the capital stock of such corporation Provided however That in any case where shares without nominal or par value shall be provided for a stated capital shall be fixed the amount of which shall be set forth in such proceedings which stated capital shall be governed by and be subject to the provisions of this act Such proceedings may as an incident to such change or conversion increase or decrease the capital stock which such corporation is authorized to issue or the aggregate par value of or stated capital applicable to its outstanding shares of stock may alter or adjust the division of its authorized capital stock as between outstanding stock and authorized stock unissued or make any similar adjustment of the capital structure or share structure of such corporation

Section 3 No corporation authorized to issue shares of stock without nominal or par value in pursuance of the provisions of the first section of this act shall begin to carry on business or shall incur any indebtedness until the amount of its capital stated in pursuance of said section shall have been fully paid in cash or in property taken at its actual value.

Section 4 For the purposes of this act the "stated capital" of a corporation issuing shares without nominal or par value shall be the capital with which the corporation will begin business as stated in the certificate of incorporation or reorganization or the joint agreement of merger of consolidation or the amount fixed and set forth as "stated capital" in the proceedings referred to in the second section of this act plus any net additions thereto or minus any net deductions therefrom Provided That "stated capital" shall not include any net profits or surplus earnings so long and during such period as the same may be paid out in the form of dividends under the provisions of section nine of this act And provided further That "stated capital" shall not be larger in amount than the excess as shown by the books of the corporation of its assets over and above its liabilities other than liabilities on account of shares of stock issued or to be issued by such corporation In the case of a corporation having outstanding shares with a nominal or par value as well as shares without a nominal or par value for the purpose of this act the portion of "stated capital" applicable to the shares without a nominal or par value shall be the excess of "stated capital" over and above the total par value of outstanding shares having a nominal or par value

Section 5 Preferences rights limitations privileges and restrictions authorized by the Constitution and laws of this Commonwealth may be stated in dollars or cents per share in respect to shares of stock without nominal or par value issued in pursuance of the provisions of this act

Section 6 Any such corporation may issue and may dispose of its authorized shares having no nominal or par value from time to time for such consideration as may be prescribed in the certificate of incorporation or reorganization or the joint agreement of merger or consolidation or the proceedings referred to in the second section of this act or determined by the stockholders at any annual or special meeting duly called and held for that purpose or determined by the board of directors acting under authority conferred by the stockholders or by the certificate of incorporation or reorganization by the joint agreement of merger or consolidation or by the proceedings referred to in the second section of this act

Section 7 Any and all shares without nominal or par value issued for the consideration prescribed or fixed in accordance with the provisions of section six hereof shall be deemed fully paid and nonassessable and the holder of such shares shall not be liable thereon to the corporation or to its creditors except for the liability of stockholders in their individual capacity now imposed by law for work or labor done to carry on the operations of the corporation or for debts due laborers mechanics and clerks.

Section 8 Every certificate for shares of stock without any nominal or par value shall have plainly stated upon its face the number of shares which it represents and no certificate shall express any par value for such shares or any rate of dividend to which it shall be entitled in terms of percentage of any par or other value

Section 9 No corporation having shares without nominal or par value issued under the provisions of this act shall declare or pay any dividend out of capital or out of anything except net profits or surplus earnings In case any such dividend shall be declared or paid other than from net profits or surplus earnings the directors in whose administration the same shall have been declared or paid except those who may have caused their dissent therefrom to be entered upon the minutes of such directors' meetings at the time or who being absent therefrom when such action was taken shall have filed their objections with the secretary of the corporation upon learning of such action shall be liable jointly and severally to such corporation and to the creditors thereof to the full amount of any loss sustained by such corporation or by its creditors by reason of such dividend.

Section 10 Any corporation authorized to have shares without any nominal or par value under the provisions of this act or of any prior act or acts may increase or reduce the number of shares which it may issue or the "stated capital" applicable thereto may alter or adjust the division of its authorized capital stock as between outstanding stock and authorized stock unissued and may make any similar adjustment of its capital structure or share structure in the manner and by the same stock vote as may now or may hereafter be prescribed by law for increasing the capital stock of such corporation

Section 11 Except as to any preferences rights limitations privileges and restrictions lawfully granted or imposed with respect to any stock or class thereof shares of stock without nominal or par value shall be deemed to be an aliquot part of the aggregate capital of the corporation issuing the same and equal to every other share of stock of the same class

Section 12 For the purpose of computing any tax or taxes the determination of which is based on the par value of shares of stock and not on the number of shares or the actual or ascertained value thereof and for the purpose of determining the amount of the liability of stockholders in their individual capacity for work or labor done to carry on the operations of a corporation or for debts due laborers mechanics and clerks each share of stock without any nominal or par value issued under the provisions of this act shall be considered the equivalent of a share having a nominal or par value of an amount equal to the "stated capital" applicable to such share

Nothing in this act contained shall be construed as excepting or relieving any such corporation from any requirement of law as to the payment of bonus but bonus shall be imposed computed collected and paid at the rate and in the manner now or hereafter provided by law

For the purpose of any certificate of notification report return or similar instrument wherein the amount or par value of stock or capital or capital stock paid in outstanding or retired is required to be stated in the case of shares without nominal or par value and with respect to such shares the amount or par value thereof outstanding or paid in prior to the date of such certificate report return or similar instrument shall be considered as the amount of "stated capital" in excess of the total par value of outstanding shares having a par value if any and the amount or par value thereof retired shall be considered as the amount of decrease if any of "stated capital" due to such retirement In the case of shares without nominal or par value presently to be issued in lieu of stating the amount or par value thereof in any such certificate report return or similar instrument an accurate and detailed description of the consideration received or to be received therefor or of the assets received or to be received for which the proceeds from the disposition of the said shares are to be used to pay or reimburse the treasury of the company and the net changes if any in the corporation's "stated capital" due to the receipt of such consideration shall be stated In the case of shares without nominal or par value authorized but unissued and not presently to be issued it shall not be necessary in such certificate report return or similar instrument to show the amount or par value thereof and only the number thereof need be stated

For the purpose of any stautory provisions limiting the amount of capital stock which a corporation may have or the relation between indebtedness and capital stock or prescribing the portion or amount or par value of stock or capital which must be paid in cash or otherwise whether at the time of formation before commencing to do business or from time to time subsequent thereto the "stated capital" of a corporation having shares without nominal or par value shall be deemed to be its capital stock or the amount thereof

Nothing in this act contained shall be construed as excepting or relieving a corporation from any requirement of law as to the amount in dollars of paid in capital in cash or otherwise which it must have at any time

In any investigation or proceeding by the Commonwealth of Pennsylvania or any agency thereof to determine the value of the property assets or capital stock of a corporation having shares without nominal or par value under the provisions of this act neither the stated capital of such corporation nor the number of shares of its outstanding stock without nominal or par value shall be controlling but the same may be disregarded or considered only to such extent as the Commonwealth or its agency shall deem necessary or proper for the purpose of such investigation or proceeding

Section 13 Except as otherwise provided by this act corporations issuing shares without any nominal or par value under the provisions hereof shall be and remain subject to the laws of this Commonwealth now or hereafter in force relating to the formation regulation reorganization consolidation or merger rights powers and privileges of such corporations and all other laws applicable thereto

Section 14 The act approved the twelfth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred fourteen) entitled "An act authorizing stock corporations other than building and loan associations and corporations authorized by law to transact a banking or insurance business to make provision upon formation reorganization merger or consolidation for the issue of either or both preferred or common shares without nominal or par value regulating the same and such corporations and prescribing the method of determining the number of shares and capital of corporations issuing shares in such manner" and sections one and two of the act approved the twenty-first day of May one thousand nine hundred and twenty-three (Pamphlet Laws two hundred eighty-eight) entitled "An act authorizing certain corporations to authorize create and issue capital stock of any class or kind without nominal or par value and to change or convert their authorized or outstanding capital stock of any class or kind into shares of any class or kind either with or without nominal or par value and validating the creations and issues of stock heretofore made by corporations in accordance with the provisions hereof" and all other acts or parts of acts inconsistent with this act are hereby repealed

Section 15 The provisions of this act are severable and if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 16 This act shall become effective immediately upon its passage by the General Assembly and approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 748, as follows:

An Act authorizing and regulating the reorganization of banks and trust companies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any plan for the reorganization of a bank or a trust company which the Department of Banking shall deem equitable and to the best interests of all depositors other creditors and shareholders may be adopted subject to any terms or conditions prescribed by the Department of Banking in the manner hereinafter provided in this act

Section 2 The plan of reorganization shall be valid only if approved after such notice as the Department of Banking shall sanction by the holders of at least seventy-five per centum of the outstanding shares of capital stock of the bank or the trust company and by depositors and other creditors of such bank or of such trust company to whom is due at least seventy-five per centum of the total amount of all liability of the bank or the trust company to depositors and other creditors However claims of depositors or other creditors which will be satisfied in full under the provisions of the plan of reorganization shall not be included among the total deposits and other liabilities of the bank or the trust company in computing the seventy-five per centum thereof required by this section

Section 3 In the case of a bank or a trust company which has restricted the withdrawal of deposits and which has received or is receiving new deposits in accordance with the provisions of Act Number six approved the eighth day of March one thousand nine hundred thirty-three entitled "An act relating to banks trust companies savings banks and other banking institutions providing for the protection of depositors therein and empowering the Secretary of Banking to permit the withholding of payments to depositors under certain conditions" the plan of reorganization shall provide for the payment in full of all such new deposits After a plan of reorganization has become effective such new deposits need not be segregated and in the event of the subsequent liquidation of such bank or such trust company by the Secretary of Banking or by liquidating trustees such new deposits shall have no preference over any other deposits but the bank or the trust company shall give notice of such fact by registered mail to all depositors who have made such new deposits in such bank or such trust company at the address appearing for them on the books or other records of the bank or the trust company The bank or the trust company shall accord to such new depositors a period of at least fifteen days after the mailing of such notice and prior to the mingling of such funds with its other funds within which to withdraw such new deposist The notice required by this section shall be in such form as shall be approved by the Department of Banking

Section 4 Any plan of reorganization which shall have been adopted and approved in the manner provided by this act shall be binding upon all depositors other creditors and shareholders of the bank or the trust company whether or not they have consented to such plan of reorganization

Section 5 This act shall apply to all banks or trust companies within this Commonwealth incorporated under general or special Act of General Assembly whether or not they are operating upon a restricted basis in accordance with the provisions of the aforementioned Act Number six approved the eighth day of March one thousand nine hundred thirty-three but it shall not apply to banks or trust companies in possession of the Secretary of Banking

Section 6 If any part of this act shall be declared unconstitutional by any court the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

Section 7 The power of a bank or a trust company to reorganize in the manner provided by this act shall be in addition to any power to reorganize granted and notwithstanding any limitation imposed by existing law The operation of any act or part of any act inconsistent herewith shall be suspended during the period this act shall continue to be effective

Section 8 This act shall become effective immediately upon its approval by the Governor and shall continue to be effective until the thirty-first day of March one thousand nine hundred thirty-five

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS RECOMMITTED

Mr. OWLETT. Mr. President, I move that Senate Bill No. 748, the bill just read, be recommitted to the Committee on Banks and Building and Loan Associations.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 787 (House Bill No. 1590), entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief and work relief.

And said bill having been read at length the second time and agreed to,

Oredered, To be transcribed for a third reading.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 490, entitled:

An Act to amend section one of the act approved the twenty-sixth day of August, one thousand nine hundred and thirty-two (P. L. 100), entitled "An act authorizing the abatement of penalties on local taxes; providing further for the abatement of tax penalties on local taxes; providing further for the abatement of tax penalties.

House Bill No. 1182, entitled:

An Act to authorize the Department of Highways and the county commissioners to occupy and relocate rights of way of public service companies in certain cases, and to acquire by purchase or condemnation the necessary land therefor.

Whereupon,

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the presence of the Senate signed the same.

HOUSE MESSAGE

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 294

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, March 27, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 294, entitled:

An Act to amend section five of the act, approved the fifth day of March, one thousand nine hundred and six (P. L. 78), entitled "An act to regulate nomination and election expenses and to require accounts of nomination and election expenses to be filed, and providing penalties for the violation of this act," as amended, requiring the treasurers of political committees concerned in the nominations of candidates, to file an account of moneys spent for such nominations.

be recalled from the Governor for the purpose of amendment.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. SNYDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER, from the Committee on Judiciary General reported as amended, Senate Bill No. 72, entitled:

An Act prescribing penalties to be imposed upon conviction of stealing poultry.

Mr. ARON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARON, from the Committee on Judiciary General, reported as committed Senate Bill No. 650 (House Bill No. 1187), entitled:

An Act empowering a court in which a suit for the recovery of damages for personal injuries to a minor is pending to make an order authorizing a compromise or settlement to be made for such minor, and empowering a court in which a judgment is obtained for such minor, or by which a compromise or settlement is approved, to fix counsel fees and other expenses incident to said suit; and to award the balance to a duly appointed guardian of such minor; and limiting the liability of said guardian to the sum of money thus coming into his hands.

Mr. OWLETT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. OWLETT, from the Committee on Judiciary General, reported as committed Senate Bill No. 658 (House Bill No. 1240), entitled:

An Act creating a presumption of reasonableness of certain contracts for counsel fees made by the next friend or guardian of a minor, provided the same be evidenced by writing.

Mr. ZEISENHEIM. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ZEISENHEIM, from the Committee on New Counties and County Seats, reported as committed Senate Bill No. 678, entitled:

An Act to amend sections four hundred and twenty-two and four hundred and twenty-three of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto"; removing the expenditure limit within which counties may contribute to the cost of the funerals of deceased service persons.

Mr. BELL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BELL, from the Committee on New Counties and County Seats, reported as committed Senate Bill No. 144, entitled:

An Act to amend section two of the act approved the twenty-ninth day of April, one thousand nine hundred and fifteen (P. L. 200), entitled "An act creating, in counties having over eight hundred thousand, and less than one million five hundred thousand, inhabitants, according to the last preceding United States census, a board to fix and determine the number and compensation of employes in all county offices, boards, bureaus, departments, and divisions thereof; prescribing the powers and duties of said board, and regulating appeals from the decision thereof"; defining the voting power of members of the salary board.

Mr. HOWELL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOWELL, from the Committee on New Counties and County Seats, reported as committed Senate Bill No. 691, entitled:

An Act to amend section fifty-seven of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by requiring the county commissioners to furnish office supplies for county officers not located in county buildings or at the county seat.

Mr. TRAINER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TRAINER, from the Committee on New Counties and County Seats, reported as amended Senate Bill No. 237, entitled:

An Act to amend the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by adding a new subdivision providing for the appointment of a fire marshal in counties of the second class.

Also from the Committee on Finance, re-reported as committed, Senate Bill No. 468 (House Bill No. 218), entitled:

An Act to amend section twelve of the act, approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers; common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing dutings on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by preventing suspension of permits without hearings, and providing for appeals in case of suspension or revocation of permits.

BILL INTRODUCED

Mr. NORTON. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. NORTON read in his place and presented to the Chair, Senate Bill No. 795, entitled:

An Act making an appropriation to the Home for the Friendless Children in the City of Reading, Pennsylvania.

Which was committed to the Committee on Appropriations.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess until 4.00 o'clock this afternoon.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT PRO TEMPORE (Mr. James S. Boyd) in the Chair.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

REPORTS FROM COMMITTEE

Mr. BELL. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BELL, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 456, entitled:

An Act protecting the eyes of workmen and others from the harmful rays of electric and acetylene welding operations; and imposing a penalty.

Mr. FAY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FAY, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 767, entitled:

An Act to add section seven hundred and thirty-seven to the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh, and eighth classes; and revising, amending and consolidating the laws relating thereto," by authorizing two or more counties jointly, with the consent of the Department of Highways, to levy and collect tolls and certain toll bridges acquired and rebuilt by such counties for the purpose of paying off the indebtedness incurred or reimbursing such counties for moneys expended in the acquisition, rebuilding and maintenance of such toll bridges.

Mr. HOMSHER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOMSHER, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 761, entitled:

An Act to amend section seven hundred and twenty-two of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribing fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as amended, exempting Young Men's Christian Associations and Young Women's Christian Associations from payment of fees for certificate of title or registration of motor vehicles, trailers and semi-trailers owned and used by them.

Mr. ZIESENHEIM. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objections? The Chair hears none.

Mr. ZIESENHEIM, from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 702, entitled:

An Act to repeal the act, approved the twentieth day of April, one thousand nine hundred twenty-seven (Pamphlet Laws, three hundred ten), entitled "An act regulating the compensation of sheriffs for boarding prisoners confined in the county jail in the counties of the seventh class."

Also from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 717, entitled:

An Act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth.

Mr. PARKINSON, from the Committee on Executive Nominations reported with a favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 27, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

BERKS COUNTY

Miss Mildred E. Kress, Reading.

BLAIR COUNTY

Miss Viola Howard, Altoona.
Gerald R. Stultz, Altoona.

BRADFORD COUNTY

Miss Elizabeth L. Lake, Sayre.

CAMBRIA COUNTY

James F. Horan, Barnesboro.

LUZERNE COUNTY

Leo B. Corgan, Luzerne.

MONTGOMERY COUNTY

A. Clarence Emery, Norristown.

PHILADELPHIA COUNTY

Clarence L. Bailey, Philadelphia.
Alexander Z. Brister, Philadelphia.
Benjamin Cobrin, Philadelphia.
Miss Rose Goodman, Philadelphia.
D. Bernard Heffernan, Philadelphia.
Joseph A. Martin, Philadelphia.
Miss Dorothy D. Mathues, Philadelphia.
Morris E. Neely, Philadelphia.

WESTMORELAND COUNTY

Laird F. Shrader, Jeannette.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, Pa., March 27, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Curtis A. Artman, Homestead.

BEAVER

Richard M. Townsend, Beaver Falls.

DAUPHIN COUNTY

Miss Hyacinth M. Stringer, Harrisburg.

DELAWARE COUNTY

Ernest Hibbard, Media.

LEBANON COUNTY

H. F. King, Myerstown.

LUZERNE COUNTY

Constantine Yonelunas, Pittston.

LYCOMING COUNTY

Mrs. Gertrude F. Fisher, Williamsport.

MONTGOMERY COUNTY

N. Lane Irwin, Bryn Mawr.

NORTHAMPTON COUNTY

Charles P. Warner, Easton.

NORTHUMBERLAND COUNTY

Lewis S. Sober, Sunbury.

PHILADELPHIA COUNTY

Angelo De Palma, Philadelphia.
Mrs. Anna Z. McKinney, Philadelphia.
Miss Eva Orlow, Philadelphia.
Miss Lida B. Sloan, Philadelphia.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 27, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

DELAWARE COUNTY

Miss Florence Gardner, Upper Darby.

MONTGOMERY COUNTY

Miss Margaret Ibach, Norristown.

PHILADELPHIA COUNTY

William J. Benham, Philadelphia.
Joseph Brayerman, Philadelphia.
Robert J. Darrah, Philadelphia.
Walter A. Driscoll, Philadelphia.
Raymond C. Grubb, Philadelphia.
Mrs. Jadwiga Lange, Philadelphia.
Henry C. McVey, Philadelphia.

POTTER COUNTY

Mrs. Beryl Burrous, Genesee.

VENANGO COUNTY

E. J. Weaver, Oil City.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 27, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

LACKAWANNA COUNTY

F. M. Clemens, Dunmore, March 30, 1933.
John J. Hennigan, Scranton, March 31, 1933.

ALLEGHENY COUNTY

Albert J. Halter, Pittsburgh, April 4, 1933.

DELAWARE COUNTY

Miss C. E. Mundis, Upper Darby, April 6, 1933.

PHILADELPHIA COUNTY

Miss Helen G. Bayne, Philadelphia, April 8, 1933.

ALLEGHENY COUNTY

William George Over, Pittsburgh, April 11, 1933.

LUZERNE COUNTY

Lawrence C. McHugh, Wilkes-Barre, April 13, 1933.

ALLEGHENY COUNTY

Floyd Bixler, Pittsburgh, April 14, 1933.
Miss Beulah Irene May, Pittsburgh, April 15, 1933.

PHILADELPHIA COUNTY

Samuel L. Sack, Philadelphia, April 15, 1933.

LACKAWANNA COUNTY

Miss Ethel M. Wilkins, Scranton, April 18, 1933.

DAUPHIN COUNTY

John H. Alricks, Harrisburg, April 25, 1933.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office Harrisburg, March 28, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

CHESTER COUNTY

John W. Kenney, Anselma, March 29, 1933.

ALLEGHENY COUNTY

David A. Hardie, Pittsburgh, March 30, 1933.
Morris Levy, Pittsburgh, March 30, 1933.

BEAVER COUNTY

Harry Troyanowski, Beaver Falls, March 30, 1933.

CRAWFORD COUNTY

J. P. Eckels, Meadville, March 30, 1933.

WESTMORELAND COUNTY

Alex Eicher, Greensburg, April 1, 1933.

ALLEGHENY COUNTY

Mrs. Margaret E. Stone, Crafton, April 2, 1933.

CRAWFORD COUNTY

George F. Tulloch, Titusville, April 4, 1933.

LEHIGH COUNTY

Pasquale Stravino, Allentown, April 8, 1933.

PHILADELPHIA COUNTY

J. Horace Adams, Philadelphia, April 7, 1933.

McKEAN COUNTY

C. W. Catlin, Port Allegheny, April 15, 1933.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 28, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

William T. Campbell, Coraopolis.
R. G. Prokich, Pittsburgh.

BLAIR COUNTY

Miss M. Kathryn Brown, Altoona.
Homer F. Hanson, Altoona.

BUCKS COUNTY

Miss Reba F. Cutler, Morrisville.

CAMBRIA COUNTY

B. Chas. Held, Johnstown.

CARBON COUNTY

Andrew J. Dobosh, Lansford.

DELAWARE COUNTY

Miss L. B Calvert, Upper Darby.
Miss May C. Reese, Philadelphia.

LEHIGH COUNTY

William A. Gothardt, Allentown.

LUZERNE COUNTY

Jacob D. Groh, Kingston.
Robert P. Shulde, Wyoming.

McKEAN COUNTY

Mrs. Lenore Disney, Bradford.
Thomas J. Melvin, Bradford.

MONTGOMERY COUNTY

Miss Mildred Brunner, Pottstown.

NORTHAMPTON COUNTY

W. Robert Youlton, Bangor.

PHILADELPHIA COUNTY

Harry Abramson, Philadelphia.
Ernest P. Farthing, Philadelphia.
George D. Jackson, Philadelphia.
Philip B. Lippi, Philadelphia.
Mrs. Pearl Maiers, Philadelphia.
Harry Pollock, Philadelphia.
John A. Zoells, Philadelphia.

WASHINGTON COUNTY

Miss Jean Allman, Charleroi.

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. HOMSHER,

That Rule 38, which requires reports of committees on nominations made by the Governor to lie on the table one day, be dispensed with, and the Senate do now resolve itself into Executive Session for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. HOMSHER,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Frazier,	Miller,	Scott,
Aron,	Gelder,	Norton,	Shapiro,
Batchelor,	Graff,	Owlett,	Snyder,
Baumer,	Harris,	Parkinson,	Sones,
Bell,	Harvey,	Pethick,	Sordoni,
Bennett,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Einstein,	McClure,	Salus,	Boyd,
Fay,			Pres. Pro. Tem.

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. FRAZIER. Mr. President, I move that the Executive Session do now rise.

Mr. ROBERTS. Mr. President, I second the motion.

The motion was agreed to.

Mr. ROBERTS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ROBERTS, from the Committee on Judiciary General, reported as committed Senate Bill No. 773, entitled:

An Act to repeal section thirteen of the Act approved the twenty-fifth day of March, one thousand eight hundred and forty-two (P. L. 192), entitled "An act to appoint commissioners to re-survey and mark that portion of the county line, which divides the township of Bristol, in the county of Philadelphia, from the township of Cheltenham, in the county of Montgomery, and for other purposes."

Mr. PETHICK. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PETHICK, from the Committee on Public Roads and Highways reported as committed, Senate Bill No. 611 (House Bill No. 850), entitled:

An Act to amend Section Two of an act approved the twentieth day of April one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred twenty-one) entitled "An act authorizing the Secretary of Highways to designate by letter or to name number or combine State highways or any part or parts thereof in such manner as in his discretion will best accommodate and inform the traveling public using the highways of the Commonwealth and facilitate the keeping of maps and records of the Department of Highways and to include in any route designated for the convenience of the traveling public any township road or roads" by including public roads

REPORTS FROM COMMITTEE

Mr. SONES. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SONES, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 763, entitled:

An Act to amend sections one and four of the act approved the fourteenth day of May, one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred four) entitled "An act authorizing the Secretary of Highways with the approval of the Governor to establish the width and lines of State Highways for future construction where it appears uneconomical to widen existing highways providing for acknowledgment by the Secretary of Highways and recording of plans therefor in the proper county and providing further that no allowance shall be made for buildings or improvements erected or made within the limits of any such highway and providing for the payment of damages" by providing for the maintenance of the existing highway.

Mr. BATCHELOR. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BATCHELOR, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 514 (House Bill No. 456), entitled:

An Act to amend the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety, regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensng the operators thereof, upon payment of prescrbed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposton of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by requiring certain motor vehicles to be equipped with laminated safety glass; fixing penalties; and providing for the suspension or revocation by the Public Service Commission of certificates of public convenience of common carriers for violations of the provisions of this act

Mr. REED. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. REED, from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 476, entitled:

An Act ratifying and confirming certain contracts for the erection of joint county bridges where the bridges have been erected and accepted.

Mr. STAUDENMEIER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STAUDENMEIER, from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 722 (House Bill No. 94), entitled:

An Act to amend section three hundred and eighty-six of the act approved the fourteenth day of July, one thousand nine hundred and seventeen (P. L. 840), entitled "An act concerning townships, and revising, amending, ad consolidating the law relating thereto," as amended; by adding thereto paragraph eleven, authorizing townships to contract with other municipalities for fire protection.

Mr. HOWELL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOWELL, from the Committee on Judiciary General, re-reported as committed, Senate Bill No. 341, entitled:

An Act to amend section four of an act approved the thirteenth day of May, one thousand nine hundred and fifteen (P. L. 286) entitled "An act to provide for the health, safety, and welfare of minors: By forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school districts, and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," by changing the hours of labor permitted for minors under sixteen years of age and prescribing a daily lunch period of not less than forty-five minutes for such employed minors.

BILLS INTRODUCED

Mr. PARKINSON. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PARKINSON read in his place and presented to the Chair, Senate Bill No. 796, entitled:

An Act defining and regulating the practice of photography; providing for the licensing and registration of persons to carry on the practice of photography, and the promulgation and enforcement of rules for the conduct thereof by the Department of Public Instruction.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair, Senate Bill No. 797, entitled:

An Act to amend section one of the act approved the sixth day of April, one thousand nine hundred and twenty-seven (P. L. 126), entitled "A supplement to an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, providing that companies incorporated for the manufacture and supply of gas, or the supply of light or heat to the public by any other means, or for the manufacture and supply of light, heat, and fuel or any of them by any process of manufacture, shall, in addition to the powers heretofore granted, be authorized and empowered to produce, deal in, transport, convey, and distribute natural gas or gas formed by mixing natural gas with manufactured gas," by requiring the approval of the Public Service Commission of the Commonwealth of Pennsylvania to the furnishing of mixed natural and manufactured gas, and providing the procedure before such commission with reference thereto.

Which was committed to the Committee on Corporations.

Also read in his place and presented to the Chair, Senate Bill No. 798, entitled:

An Act making an appropriation to the Department of Agriculture for payment of property damage occasioned by an uninsured motor vehicle owned by the Commonwealth.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair, Senate Bill No. 799, entitled:

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203) entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Greene.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair, Senate Bill No. 800, entitled:

An Act to amend section three hundred and eleven of the act approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder," as amended, by fixing the burden of proof of injury in certain cases.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair, Senate Bill No. 801, entitled:

An Act to amend section twelve of article three of an act approved the twenty-sixth day of July, one thousand nine hundred thirteen (Pamphlet Laws, one thousand three hundred seventy-four), entitled "An act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining and limiting their powers, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers, counsel, and employes; prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals'; and an act, entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the proviso of clause seven of section thirty-four of the act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act"; authorizing the Public Service Commission to issue certificate of public convenience to motor vehicles used in the common carriage of property.

Which was committed to the Committee on Judiciary General.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and laid upon the table.

APPROVAL OF RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 294

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 28, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Repre-

sentatives, recalling from the Governor, Senate Bill No. 294, Printer's No. 113, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

MOTION TO READ BILLS THE FIRST TIME

Mr. SCOTT. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 72, entitled:

An Act prescribing penalties to be imposed upon conviction as principal or accessory before the fact, to chicken thieving, or as receiver thereafter.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 77, entitled:

An Act to amend the act, approved the eleventh day of June, one thousand eight hundred and seventy-nine (P. L. 148), entitled "An act to require all magistrates and other officials in cities of the first, second and third class, authorized to take acknowledgments and administer oaths, to perform such service free of charge for soldiers and widows of soldiers, when making affidavit to papers for the purpose of drawing pensons," extending the provisions of the act to all officers taking oath, and to papers other than those connected with pensons.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 144, entitled:

An Act to amend section two of the act approved the twenty-ninth day of April, one thousand nine hundred and fifteen (P. L. 200), entitled "An act creating, in counties having over eight hundred thousand, and less than one million five hundred thousand, inhabitants, according to the last preceding United States census, a board to fix and determine the number and compensation of employes in all county offices, boards, bureaus, departments, and divisions thereof; prescribing the powers and duties of said board, and regulating appeals from the decision thereof"; defining the voting power of members of the salary board.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No 237, entitled:

An Act to amend the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eight classes; and revising, amending and consolidating the laws relating thereto," by adding a new sub-division providing for the appointment of a fire marshal in counties of the second class.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No 257, entitled:

An Act requiring State-aided hospitals under certain conditions immediately to admit indigent veterans as herein defined, and to provide care and treatment for them until they can be accommodated in Federal institutions.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 352 (House Bill No. 298), entitled:

An Act to amend section one of the act approved the thirteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws six hundred seventy-six), entitled "An act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service men' authorizing county commissioners to provide markers and burial plots for such deceased service men at the expense of such county in which they shall die or have a legal residence at the time of their death and providing for the burial of widows of soldiers sailors or marines" as amended broadening the definition of the term "deceased service men."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 456, entitled:

An Act protecting the eyes of workmen and others from the harmful rays of electric and acetylene welding operations; and imposing a penalty.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 476, entitled:

An Act ratifying and confirming certain contracts for the erection of joint county bridges where the bridges have been erected and accepted

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 514. (House Bill No. 456), entitled:

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring certain motor vehicles to be equipped with laminated safety glass fixing penalties and providing for the suspension or revocation by the Public

Service Commission of certificates of public convenience of common carriers for violation of the provisions of this act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 581. (House Bill No. 300), entitled:

An Act to amend section two of the act, approved the thirteenth day of March, one thousand eight hundred and fifteen (P. L. 177), entitled "An act to amend the act, entitled 'An act directing the mode of selling unseated lands for taxes, and for other purposes"; authorizing and directing county treasurers to execute deeds for unseated lands sold by their predecessors in office, and validating deeds heretofore so executed.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 611. (House Bill No. 850), entitled:

An Act to amend Section Two of an act approved the twentieth day of April one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred twenty-one), entitled "An act authorizing the Secretary of Highways to designate by letter or to name number or combine State highways or any part or parts thereof in such manner as in his discretion will best accommodate and inform the traveling public using the highways of the Commonwealth and facilitate the keeping of maps and records of the Department of Highways and to include in any route designated for the convenience of the traveling public any township road or roads" by including public roads.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 650. (House Bill No. 1187), entitled:

An Act empowering a court in which a suit for the recovery of damages for personal injuries to a minor is pending to make an order authorizing a compromise or settlement to be made for such minor and empowering a court in which a judgment is obtained for such minor or by which a compromise or settlement is approved to fix counsel fees and other expenses incident to said suit and to award the balance to a duly appointed guardian of such minor and limiting the liability of said guardian to the sum of money thus coming into his hands

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 658. (House Bill No. 1240), entitled:

An Act creating a presumption of reasonableness of certain contracts for counsel fees made by the next friend or guardian of a minor provided the same be evidenced by writing

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 678, entitled:

An Act to amend sections four hundred and twenty-two and four hundred and twenty-three of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto;" removing the expenditure limit within which counties may contribute to the cost of the funerals of deceased service persons.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 691, entitled:

An Act to amend section fifty-seven of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto,' by requiring the county commissioners to furnish office supplies for county officers not located in county buildings or at the county seat.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 695, entitled:

An Act to preserve the continuity of service of officers and enlisted men of the Pennsylvania National Guard who are mustered into the service of the United States during the World War and afterward were enlisted or commissioned in the said National Guard.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 702, entitled:

An Act to repeal the act, approved the twentieth day of April, one thousand nine hundred twenty-seven (Pamphlet Laws, three hundred ten), entitled "An act regulating the compensation of sheriffs for boarding prisoners confined in the county jail in the counties of the seventh class."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 717, entitled:

An Act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 722 (House Bill No. 94), entitled:

An Act to amend section three hundred and eighty-six of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight nundred forty), entitled "An act concerning townships and revising amending and consolidating the law relating thereto" as amended by adding thereto paragraph eleven authorizing townships to contract with other municipalities for fire protection.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 761, entitled:

An Act to amend section seven hundred and twenty-two of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribing fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, borough, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," as amended, exempting Young Men's Christian Associations and Young Women's Christian Associations from payment of fees for certificate of title or registration of motor vehicles trailers and semi-trailers owned and used by them.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 763, entitled:

An Act to amend sections one and four of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred four), entitled "An act authorizing the Secretary of Highways with the approval of the Governor to establish the width and lines of State highways for future construction where it appears uneconomical to widen existing highways providing for acknowledgment by the Secretary of Highways and recording of plans therefor in the proper county and providing further that no allowance shall be made for buildings or improvements erected or made within the limits of any such highway and providing for the payment of damages" by providing for the maintenance of the existing highway.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 767, entitled:

An Act to add section seven hundred and thirty-seven to the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh, and eighth classes; and revising, amending and consolidating the laws relating thereto," by authorizing two or more counties jointly, with the consent of the Department of Highways, to levy and collect tolls on certain toll bridges acquired and rebuilt by such counties for the purpose of paying off the indebtedness incurred or reimbursing such counties for moneys expended in the acquisition, rebuilding and maintenance of such toll bridges.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 773, entitled:

An Act to repeal section thirteen of the act approved the twenty-fifth day of March, one thousand eight hundred and forty-two (P. L. 192), entitled "An act to appoint commissioners to re-survey and mark that portion of the county line, which divides the township of Bristol, in the county of Philadelphia, from the township of Cheltenham, in the county of Montgomery, and for other purposes."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS INTRODUCED

Mr. McCLURE (By Request. Mr. President, I ask unanimous consent to read bills in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McCLURE read in his place and presented to the Chair, Senate Bill No. 802, entitled:

An Act to amend the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds"; by adding thereto section eight hundred twenty-four, requiring certain vehicles to carry danger or caution signals and to display the same when the vehicle becomes disabled.

Which was committed to the Committee on Public Roads and Highways.

Also (By Request) read in his place and presented to the Chair, Senate Bill No. 803, entitled:

A Supplement to the act approved the fourteenth day of May, one thousand nine hundred and twenty-five (P. L. 762), entitled "An act concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth, except in counties of the first and second class; and revising, amending, consolidating, and changing the law relating thereto," providing for the creation of county departments of welfare to take over the work of, and to succeed, directors and guardians of the poor, and abolishing said offices where such a department is created; defining the powers and duties of the director of welfare and county commissioners; and providing for an advisory board appointed by the county commissioners, for an annual budget and county tax levy for poor purposes.

Which was committed to the Committee on Judiciary General.

ADJOURNMENT

Mr. SCOTT. Mr. President, I move that the Senate do now adjourn until tomorrow morning at 11 o'clock.

Mr. KRAUSE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4.25 P. M. until Wednesday, March 29, 1933, at 11 o'clock A. M.

HOUSE OF REPRESENTATIVES

TUESDAY, March 28, 1933.

The House met at 11 o'clock A. M.

The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Chaplain, Rev. George F. Conner, offered the following prayer:

Almight God, Father of men and light of the world, shed forth Thy light upon the honored members and officers of this General Assembly. Without Thee, there is darkness. The loveliest jewels, in a dark room, are dead and lusterless, but let the light play upon them and they are iridescent with all the colors of the sunset. And also grant Thy light to the people whom we serve. In these days of turmoil and depression, the mind of the masses is horizoned with shadows, and for many, the future is enveloped in fog and shrouded in mystery.

Give to these chosen leaders, a dear vision to guide the affairs of State, wisely and well 'till all the shadows are vanished in the brightness of the day. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. O'Rourke, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. WELSH. HOUSE BILL No. 2079.

An Act making it unlawful in certain cases for any employer, or his representative, to influence or attempt to influence the vote of any employe at any election; and providing penalties.

Referred to the Committee on Elections.

By Mr. WELSH. HOUSE BILL No. 2080.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvemnt under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" esablishing an additional route in the County of Fayette.

Referred to the Committee on Highways.

COMMUNICATIONS AND PETITIONS

The SPEAKER laid before the House the following communications and petitions which were read by the Clerk.

PROTESTING REDUCTION IN TEACHERS' SALARIES

Teachers of the Hazleton City School District—addressed to the Hon. John Yourishin.

Referred to the Committee on Education.

PROTESTING REDUCTION OF APPROPRIATIONS TO SCHOOL DISTRICTS

Citizens of Pennsylvania.

Referred to the Committee on Education.

URGING POSTPONEMENT OF TAX SALES FOR DELINQUENT TAXES

Citizens of Pennsylvania.

Referred to the Committee on Judiciary General.

PROTESTING ABANDONMENT OF SHAMOKIN STATE HOSPITAL

American Legion, Lincoln Post, No. 73.
Shamokin Lodge, No. 1149, Loyal Order of Moose.
Erb and Zaring Company.
United Mine Workers of America.
Fraternal Order of Eagles, Shamokin Aerie, No. 534.
Travelers Protective Association.
Catholic Daughters of America, Court Our Lady of Victory, No. 588.

Referred to the Committee on State Government.

PROTESTING PROPOSED TAX ON COAL

Local Union No. 1669, United Mine Workers of America.

Referred to the Committee on State Government.

REPORTS FROM COMMITTEES

Mr. HEWITT, from the Committee on Fisheries, reported as committed, House Bill No. 1414, entitled:

An Act to amend section one of the act approved the twenty-fourth day of April, one thousand nine hundred and twenty-nine (P. L. 653), entitled, "An act regulating the operation of certain boats upon lakes wholly within the Commonwealth, by requiring the use of lights on all boats at certain hours"; eliminating the provision requiring boats and floats at rest to have lights thereon.

Mr. CRAIG, from the Committee on Judiciary General, reported as committed, House Bill No. 1476, entitled:

An Act providing for the deferring of sentences in certain cases pending the mental examination of defendants; authorizing trial judges and the Department of Welfare to require psychiatrists employed by county and state mental hospitals to examine certain such defendants without additional compensation except expenses payable by counties; providing for the commitment of defendants to certain institutions where the reports show the same to be advisable; and providing for the payment by individuals, counties, or the Commonwealth of the cost of admission, care and discharge of such defendants.

Mr. W. A. WALKER, from the Committee on Judiciary General, reported as committed, House Bill No. 1933, entitled:

An Act to amend section two of an act approved the twenty-first day of April, one thousand nine hundred twenty-seven (Pamphlet Laws, three hundred twenty-seven), entitled "An act relating to the extradition of persons charged with crime and to make uniform the law with reference thereto," by giving the Governor of this State authority to deliver up certain imprisoned persons, for the purpose of trial for murder in the demanding state, and providing for their return in case of acquittal.

Mr. MASON, from the Committee on Judiciary General, reported as committed, House Bill No. 1026, entitled:

An Act to provide for contribution among tortfeasors.

Mr. DUNMIRE, from the Committee on Forestry, reported as amended, House Bill No. 1800, entitled:

An Act providing for the control and eradication of white pine blister rust; providing for the destruction of trees, plants and bushes infected with the white pine blister rust; authorizing the Department of Forests and Waters to remove, appraise and pay for healthy host plants necessarily destroyed; declaring certain plants and bushes to be a public nuisance; authorizing the Department of Forests and Waters to set aside

fruiting currant and gooseberry and white pine growing districts as control areas; authorizing the collection of the expense of destroying the plants from owners failing to destory; and providing penalties for its violation.

Mr. JOHN J. WILLIAMS, from the Committee on Legislative Apportionment, reported as committed, House Bill No. 1565, entitled:

An Act to amend that portion of section one relating to Lehigh County of the act, approved the tenth day of May, one thousand nine hundred and twenty-one (P. L. 455), entitled "An act to fix the number of representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution," rearranging the legislative districts in Lehigh County.

Mr. CORDIER, from the Committee on Judiciary General, reported as committed, House Bill No. 1025, entitled:

An Act giving courts of common pleas jurisdiction of actions for injuries to, or breaches of contracts or covenants relative to, lands situate without the Commonwealth, or estates or interests in such lands.

Mr. HOWARD, from the Committee on Forestry, reported as committed, House Bill No. 1810, entitled:

An Act to repeal the act approved the twelfth day of June, one thousand nine hundred and seven (Pamphlet Laws, five hundred and twenty-seven), entitled "An act establishing precautionary regulations to prevent forest fires on lands in which oil wells and gas wells are situated, and diminish danger therefrom; making certain violations thereof misdemeanors and prescribing punishment for the same, and in other cases affixing penalties and declaring liabilities for damages."

Mr. HUTTON, from the Committee on Judiciary General, reported as committed, House Bill No. 1806, entitled:

An act to eliminate reckless and irresponsible drivers from the public highways and to protect the safety of users of the public highways by providing in certain cases for the suspension and revocation of operator's licenses and privileges (whether resident or non-resident) and for the establishment of ability to respond in damages for injury to property and persons including injuries resulting in death caused by the use or operation of motor vehicles (including unlicensed operators and unregistered motor vehicles) conferring powers and imposing duties upon the Department of Revenue the Insurance Commissioner insurance carriers and clerks of the courts requiring certain provisions in motor vehicle liability insurance policies and providing penalties

Mr. RUBY, from the Committee on Judiciary General, reported as committed, House Bill No. 1635, entitled:

An Act to amend section eleven of the act approved the eleventh day of May, one thousand nine hundred and twenty-five (P. L. 561), entitled, "An act to provide for the selection of jurors to serve in the several courts, criminal and civil, of counties of the second class, and defining the qualifications of such jurors; providing for the organization of a commission to the selection of jurors in such counties, and prescribing its powers and duties, and authorizing it to investigate as to the qualifications of prospective jurors; imposing the expense of maintaining and operating said commission upon said counties, and requiring the county commissioners to provide suitable quarters, equipment, and supplies; authorizing the employment of the necessary clerks and other employes, and providing for a salary board composed of the commission, the county commissioners, and the controller of said counties, to fix the number and compensation of such employes; requiring county officers and boards to furnish information to said commission concerning taxables resident in said county as to their eligibility for jury service; repealing inconsistent legislation; and prescribing punishment for the violation hereof," by changing the method of giving notice to persons selected as jurors.

Mr. TAHL, from the Committee on Judiciary General, reported as committed, House Bill No. 1415, entitled:

An Act imposing penalties for improper use of food orders issued by or under the authority of the State Emergency Relief Board, or any poor board or other relief agency and improper furnishing of money, food and other merchandise thereon.

Mr. TAHL, from the Committee on Judiciary General, reported as committed, House Bill No. 869, entitled:

An Act conferring jurisdiction on the Municipal Court of Philadelphia with respect to civil proceedings arising in magistrates' courts; providing for the filing of transcripts of judgments entered by magistrates in said court, and validating proceedings heretofore filed in said court.

Mr. QUINN, from the Committee on Legislative Apportionment, reported as committed, House Bill No. 1872, entitled:

An Act to amend that portion of section one relating to Luzerne County of the act, approved the tenth day of May, one thousand nine hundred and twenty-one (P. L. 455), entitled "An act to fix the number of Representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution," rearranging the legislative districts in Luzerne County.

Mr. ROOT, from the Committee on Judiciary General, reported as committed, House Bill No. 1458 (Senate Bill No. 398), entitled:

An Act to amend Section 1 of, and to add Section 2 to, the the act approved the twenty-fifth day of June one thousand nine hundred and thirty-one (Pamphlet Laws thirteen hundred sixty-four), entitled "An act prohibiting the use of counterfeit or spurious coins in automatic instruments or machines; and providing a penalty,' by including devices or substances other than metal, and by providing penalties for the manufacture for sale, or sale or gift or counterfeit or spurious coins for the fraudulent operation of automatic instruments or machines.

SENATE MESSAGE

The Clerk of the Senate being introduced presented extracts from the Journal of the Senate which were laid upon the table.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 490.

An Act to amend section one of the act approved the twenty-sixth day of August one thousand nine hundred and thirty-two (Pamphlet Laws one hundred) entitled "An act authorizing the abatement of penalties on local taxes" providing further for the abatement of tax penalties and providing for an extension of time for delivery of duplicates to collectors of delinquent taxes in certain cases.

HOUSE BILL No. 1182.

An Act to authorize the Department of Highways and the county commissioners to occupy and relocate rights of way of public service companies in certain cases, and to acquire by purchase or condemnation the necessary land therefor.

SENATE BILL No. 11.

An Act to amend sections four and seven of the act approved the twenty-fifth day of July, one thousand nine hundred and thirteen (P. L. 1043), entitled "An act to provide for the registration and enrollment of the voters of the State according to their respective party preferences; fixing the compensation of assessors and registry assessors for making said registration and enrollment; and prescribing penalties for false registra-

tion or enrollment; and for voters voting or attempting to vote, and for election officers wilfully permitting or conspiring to permit them to vote, at a primary, by or on any other than their own party ticket"; eliminating one of the days required of the assessors and registry assessors sitting at the polling places.

SENATE BILL No. 14.

An Act to repeal certain acts and parts of acts requiring assessors and registry assessors to attend at the place of holding elections, and providing compensation therefor.

SENATE BILL No. 455.

An Act to provide for a Convention to ratify or reject an amendment to the Constitution of the United States proposed by both Houses of Congress for the Repeal of the Eighteenth Amendment to the said Constitution and for the prohibition of the transportation importation delivery or use of intoxicating liquors in violation of the laws of states territories or possessions of the United States and to provide for the election of delegates to such Convention

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate March 27, 1933.

Resolved, (if the House of Representatives concur), That Senate Bill No. 294, Printer's No. 113, entitled:

An Act to amend section five of the act, approved the fifth day of March, one thousand nine hundred and six (P. L. 78), entitled "An act to regulate nominations and election expenses, and to require accounts of nomination and election expenses to be filed, and providing penalties for the violation of this act," as amended, requiring the treasurers of political committees concerned in the nominations of candidates, to file an account of moneys spent for such nominations.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

STATEMENT BY MR. CANNON

Mr. CANNON asked and obtained unanimous consent to make the following statement:

Mr. Speaker, Ladies and Gentlemen of the House:

It is a known fact we have been in session for a period now starting the thirteenth week, while we are scheduled to adjourn by what will eventually be fifteen weeks. As you all know the date has been set, we have many bills before this house, bills of importance, especially bills of relief, for which the people of this Commonwealth are in need.

It may appear to you, we went on record last week, while in session, and furnished funds to care for those in distress, destitute and in want. I dare say through no fault of their own, but a majority have lost their homes and more to follow in the future, thus it is a known fact for some to have lost their savings in the banks that have closed in the past.

You can readily say we have already taken steps to aid those in distress true enough, but how by a paltry sum for only April and May, where shall we get from here? And you may consider that you are doing great work, but in the proper estimation are only playing with those less fortunate, and wearing down the morale of those destitute.

Relief again may come to other sources such as the Protection of public Health, Safety and Welfare by staying all proceedings to sell real property on mortgage foreclosures for a period of time as necessary.

Relief may also come to those aged through the Old Age Pension which it seems so difficult to get out of committee and more difficult by what arose in the past week.

Hon. Grover C. Talbot in his address to this assembly on his election as speaker. Quote ("We are all Pennsylvanians so the responsibility is ours; let us meet the problems fairly and squarely.") Remember also our constituents are Pennsylvanians.

Along with this it is worthy of note action is mostly necessary and not a variety of faith cures or falling blunder but think deeply and bravely. I wish to repeat and request we do not have any cessation of relief from any source in the future but as a remedy for the existing of the conditions you will readily realize that immediate Legislative action is more necessary.

We have heard of great men in the past to whom much credit and honor are due, such as Washington and Lincoln have gone down in public history for the deeds which were performed by their activities. Take into consideration what would be said by them if they were among us here today.

In conclusion there is a cause which naturally would in response to effect. We here assemble should remember the word in gold on the ceiling of this wonderful house "And ye shall know the truth and the truth shall make you free." Free you shall be when the work before you is accomplished.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 38

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 27, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate, recalling from the Governor House Bill No. 38, Printer's No. 27, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE ON HOUSE BILL No. 38

Mr. SIMON. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

The motion was agreed to.

Mr. SIMON. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question, recurring,

Will the House agree to the bill on third reading?

Mr. SIMON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 2, line 6 of the title by striking out at the end of the line after the word "bridges'" the following: "[placing on the Commonwealth the]"

Amend page 2 by striking out line 7 of the title.

Amend page 2, line 8 of the title by striking out at the beginning of the line before the word "eliminating" the following "[additional county bridges and]"

Amend section 1, page 3, line 16 by striking out at the end of the line after the word "town" the following: "[or which forms]"

Amend section 1, page 3, line 17 by striking out at the beginning of the line before the word "or" the following: "[the approach of a State highway into a city]"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

MOTION TO DISCHARGE COMMITTEE (SPECIAL ORDER)

The SPEAKER. The hour of 11.30 having arrived the Chair lays before the House the Special Order fixed at this time, being the motion to discharge the Committee on Constitutional Amendment from further consideration of House Bill No. 65.

The Special Order was read by the Clerk as follows:

Motion to discharge Committee on Constitutional Amendments from further consideration of House Bill 65,

A Joint Resolution proposing an amendment to section eighteen, article three of the Constitution of the Commonwealth of Pennsylvania.

On the question,

Will the House agree to the motion.

Mr. SOWERS. Mr. Speaker and members of the House, the motion that is now before you is a motion seeking to discharge the Committee on Constitutional Amendments from further consideration of House Bill No. 65. House Bill No. 65 was offered on January 3rd, 1933, when the Speaker was urging us to hurry,—hurry and get through. The bill was referred on January 9th to the Committee on Constitutional Amendments, and there it has remained ever since.

Many things could be said about why it is there, why it is not out, but members of this House you certainly know what you are voting on here. You are either for discharging the committee and voting for old age pensions or you are against old age pensions. I ask you, members of this House, to take a stand now and with courage say that this committee should be discharged and this bill should be placed on the calendar. This House should meet the issue fairly and squarely and every member answer in his turn whether he is for old age pensions or whether he is against them.

I ask you to discharge this committee and vote aye on the motion.

Mr. HUTTON. Mr. Speaker and members of the House, this body, in the consideration of this particular motion, is facing a very grave crisis.

I am somewhat amazed at the attitude of my friend, the gentleman from Philadelphia, who is the sponsor of this motion.

Whether this day will go down in history as a red letter day or a blue Monday for the organization of which the gentleman from Philadelphia is a member will remain for the future to determine. I do not believe that the Legislative Journal records an instance when a member from Philadelphia has taken such a position in reference to a measure in committee.

I happen to be a member of the Committee on Constitutional Amendments. I want to say that the issue before this House is not as the gentleman from Philadelphia has alleged, whether you are for or against old age pensions, but is simply the question of whether you are going to support the committee which has had this measure in charge.

Personally my mind is absolutely open on this question. I have never heard it debated, and I am willing to listen to the arguments both for and against and then determine what, as a member of the committee, is the proper course to pursue relative to the measure.

It is true, as has been said by the gentleman from Philadelphia, that this bill has been reposing in committee for some weeks, but it is also true that this bill, along with other measures, as referred to a sub-committee. I was present at the meeting when that action was taken, and it seems to me in all fairness to the committee that it should be given, by this House, an opportunity to consider this measure fairly and to consider the report of the sub-committee as it may be submitted to the full committee.

Are we going to establish here at this time a precedent in reference to the discharge of committees from consideration of bills? If so, I want to say to the members of this House that you are establishing a most dangerous precedent, and it is a sword that will cut evenly and equally both ways.

We have, as I am informed, in this House at the present time two thousand bills, in the Senate there have been offered approximately eight hundred bills, a vast mass of undigested material for committees to work out, and it seems to me, Mr. Speaker and members of this House, that this motion should be voted down as an evidence of confidence in the Committee on Constitutional Amendments.

I want to say further that as far as I am concerned personally, at a meeting subsequently to be held by this committee this measure can be given proper consideration upon the report of the sub-committee.

I resent very deeply that statement made by the gentleman from Philadelphia that those who vote against the discharge of the committee are against old age pensions, and I want to repeat that the issue is not a question of whether you are for or against old age pensions, but whether you are going to stand by a committee of this House.

I ask you, therefore, to vote down this motion.

Mr. WILSON. Mr. Speaker and members of the House, I only arise that the facts of this matter may be properly before the House, and I greatly regret and apologize to the House that it is necessary for me to speak with my voice in its present condition.

I happen to be a member of the sub-committee to which this bill was referred. It was given to us by the Committee on March 7, before any question was raised by Mr. Sowers who never spoke to me or to any other member of the sub-committee. I don't think he knew there was a sub-committee. I don't think he made any effort to find out what the status of this bill was after the meeting of the committee, because if he had he would have come to us and asked us at least for a hearing. But on March 7th a sub-committee was appointed on this bill, and I want to present this other fact to the House, and I want you to bear in mind that when this motion is considered that last week, before the day Mr. Sowers got up and made his motion, with no thought in the mind of

any member of the sub-committee, no suspicion that Mr. Sowers would make such a motion, the sub-committee met on these two bills and took them up, and considered them. These bills are not a matter that a sub-committee can decide in five minutes. It is not so easy to decide whether or not they shall go into a proposition that will cost the state of Pennsylvania and it subdivisions what this will cost——

POINT OF ORDER

Mr. SOWERS. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. SOWERS. Mr. Speaker, the gentleman is discussing the merits of the bill.

The SPEAKER. The point of order is well taken. There is a motion before the House and only a motion. The gentleman from McKean will proceed.

Mr. WILSON. Mr. Speaker, I am confining myself to the question as to whether or not the committee should be discharged of this bill.

The SPEAKER. The gentleman from McKean was discussing the amount involved. A motion is before the House to discharge this committee.

Mr. WILSON. Mr. Speaker, I beg your pardon. I did not so intend to do. I was simply saying that this involved a motion as to whether or not this committee should be discharged and whether the sub-committee should be discsharged from its deliberations. I say that a sub-committee cannot decide a matter of such consequence in a few minutes, and before Mr. Sowers made his motion the sub-committee had met formally for the purpose of considering these two measures, and I want to say further that neither Mr. Sowers nor any member of this House asked any member of that sub-committee to report those bills. He never told us that he wanted them reported, never made any effort so far as the sub-committee is concerned to get us to report these bills to the committee or to get us to report them out. No such effort was made in the committee at the time we met, and this is the first notice that we have had that any such motion as this would be made.

These bills were referred to us. They are very important, they are bills that require a sub-committee to give a lot of attention to them. We have not taken as much time on them as we have taken on a number of measures in other committees of which I have been a member. I want the House to know before they vote that the sub-committee not only took these bills but we considered them, and that no member of this House, no political leader in Pennsylvania, no public official of any kind ever came to a member of that sub-committee to make any suggestion of any kind as to what we should do; nobody came near this committee.

It may be we did not move fast enough, but I want to assure this House that nobody, neither Mr. Sowers nor anybody connected with the Philadelphia delegation or any other person came to the sub-committee and asked us to hurry up or to act or asked us for any different line of action.

Mr. SARIG. Mr. Speaker and members of the House, ordinarily I am not in favor of taking bills forcibly out of the hands of a committee, but I realize also that if the people of Pennsylvania are to be given a chance to vote on this all important question next November, some action of this kind is necessary.

The Democratic members on Monday night in caucus assembled at the Penn-Harris went on record unanimously in favor of discharging the committee on House Bills Nos. 65 and 67.

Old age pensions were a part of the Democratic State platform two years ago, which was the last platform we have had. They were also a part of the National platform in 1932.

POINT OF ORDER

Mr. TURNER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. TURNER. Mr. Speaker, the gentleman is speaking on the question of the bill and not on the motion.

The SPEAKER. The point of order is well taken. The gentleman from Berks will confine himself to the motion before the House.

Mr. SARIG. Mr. Speaker, I therefore ask the members to vote in accordance with the action taken in caucus and in accordance with their State and National platforms.

Mr. QUINN. Mr. Speaker and members of the House, noting the fine Italian hand of bitterness that is creeping into the debate on this bill, it is well, I think, that you should have a neutralizing element lest the two gentlemen, Mr. Hutton and Mr. Sowers, become involved in a controversy that might lead to a fracture of their long standing friendship. Let me suggest, as a Democrat, that I be the neutralizing factor, that we approach this humane measure in a humane spirit, not as a relief measure, not as a bitter factional measure, but as one in an attempt and effort honestly to relieve this committee of this laborious task that has been imposed upon it.

Since early in January they have ben laboring valiantly, gallantly, heroically trying to solve this apparently insoluble problem. Picture in your mind, if you can, a room littered with bills and manuscripts, men growing old and haggard, weary and tired, unshaven and perhaps unwashed trying to solve this great question. Night and day and Sundays and other days have they labored. We are now attempting to relieve them.

I noticed in the Post Office today a letter addressed to the "Committee on Delay." The Postmaster attempted to hand it to me. I suggested that it be handed to the committee handling this bill.

What is wrong with the suggestion that the House attempt to solve this complex and perplexing problem that has now taken so long to solve? If they are unable to solve it, let us help them, let us contribute our meager ability in deciding whether or not this bill should be brought out here on the floor.

Mrs. WILSON. Mr. Speaker and men and women of the House, I also am a member of the Constitutional Amendments Committee of this House. I am also in favor of the motion to discharge this committee from further consideration of House Bills 65 and 67. I am in favor of discharging the committee because I am not in a position to carry out the will of my constituents back home who elected me on a plank in our platform which provided for pensions of this kind.

I would have been willing to have come down to this body and depended upon the Committee on Constitutional Amendments presenting a measure of this kind for a vote of this body had I seen any possibility or any willingness on the part of that committee to consider legislation of that kind.

Going back a little bit, before the election of the committee, I want to say that I have been particularly interested in measures of this sort, and realizing that a measure of this kind would be placed in the Committee on Constitutional Amendments, I requested the Speaker of the House, when he asked all members to indicate the committees which they pre-

ferred, that I be placed on this committee on Constitutional Amendments, and through his assistance I was able to secure this position.

The first week of the session I also introduced a constitutional amendment providing the necessary local machinery to obtain old age pensions for men and women. I patiently waited week after week for the Committee on Constitutional Amendments, which is an extremely important committee to me, and I frequently saw the Chairman of that Committee and requested a meeting of that committee. Regardless of the fact that requests were made by other members besides myself, eight weeks went by and as the previous speaker has said not until the seventh of March was this Committee on Constitutional Amendments called and then we met in that committee. Old age pensions amendments, four sets, eight bills in all, were introduced by myself, Mr. Sowers and other members of this House, and they were immediately sidetracked without any chance at all for discussion in the committee. They were placed in the hands of a sub-committee, and down to the present time we have had no information offered by that sub-committee.

Mr. Wilson has stated that there has been nothing asked of this sub-committee. I ask you why members of the House should have to check the action of any committee or the action of any sub-committee. I think we have a right, as members of this House, to know what took place and that after a reasonable time, after a bill is in the hands of a committee or a sub-committee, we have reason to believe that it should be brought out of that committee and the members informed.

Since we have been unable through the regular channels to have this bill up for discussion, I am in favor of the motion to discharge this committee and any other committee in the House of Representatives which fails to do, as I believe, its duty to the old men and women of the State of Pennsylvania.

Mr. WILSON. Mr. Speaker, I would like to interrogate the lady from Berks, Mrs. Wilson.

The SPEAKER. Will the lady from Berks, Mrs. Wilson, permit herself to be interrogated?

Mrs. WILSON. Mr. Speaker, surely.

Mr. WILSON. I just want to ask the lady two questions, Mr. Speaker. May I ask the lady whether or not she was present at the meeting when these measures were sent to a sub-committee?

Mrs. WILSON. Yes, Mr. Speaker.

Mr. WILSON. And did not the lady, Mr. Speaker, vote to send them to a sub-committee?

Mrs. WILSON. I did not get a chance, Mr. Speaker, to ask—

POINT OF ORDER

Mr. BENNETT. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. BENNETT. Mr. Speaker, the point of order is that this is a discussion of the business of that committee, and is being discussed on the floor of this House.

The SPEAKER. The point of order is well taken. Under the rules nothing can be divulged that transpired in a Committee meeting. The gentleman from McKean will proceed.

Mr. WILSON. Mr. Speaker, the lady knew that the committee worked, did she not?

Mrs. WILSON. I did, Mr. Speaker.

Mr. WILSON. Did the lady ever ask me or any other member of that sub-committee, Mr. Speaker, for action upon this bill.

Mrs. WILSON. I did not, Mr. Speaker.

Mr. WILSON. And the lady, Mr. Speaker, never came to one of us and suggested that action be taken on this bill. The lady knew who the sub-committee were.

Mrs. WILSON. I did, Mr. Speaker, and because of that fact I did not go to the committee.

Mr. BENNETT. Mr. Speaker, ladies and gentlemen of the House, this is really a serious matter and while the most serious matters of life permit the injection of some facetious elements into them during discussion, this is really and truly a serious matter.

I, as a member of this House, with a limited knowledge of parliamentary procedure, have the utmost faith and belief in preserving the integrity of a committee as established in this legislative body, but it should be the duty of every member in every legislative body under extraordinary circumstances, extraordinary conditions and extraordinary impediments to demand extraordinary methods. That is so old in its application to all human affairs as to be axiomatic.

I hold the highest regard and respect for the distinguished gentleman, Mr. Hutton, who sits down here on my left for his brilliant attainments, for his quality of mind, for his social touch and for his keeping the common touch of man. I do except, however, to his statement regarding a blue Monday. Blue to me is rather a magnificent color. There are three favorite colors in my color scheme, and they are red, white and blue.

Philadelphia should not stand up in favor of this committee being discharged right on this floor. History is a story agreed upon and by the way is the only true prophecy that is accepted by mankind. Here on the floor other members from Philadelphia in another body assembled in years gone by were told that the sword was sharpened and pointed and would cut and thrust both ways, and the indictment and condemnation of guilt and the symptoms of blue Monday were announced and pronounced on their heads, but instead of that pronouncement of condemnation materializing I have noted with a great deal of pride, as an humble member of the Philadelphia delegation, that that condemnation has materialized as a benediction. The enactment of the Workmen's Compensation act on this floor here met with the same condemnation as did the child labor laws of Philadelphia, which were fathered and came out of the imagination of the late Senator Vare, of Philadelphia.

We accept that challenge of a blue Monday. We bow with respect to the integrity of a committee, but do not let us get the issue confused.

I hate personalities. I do not indulge in them. Life is too short to hold malice or to be bitter. It only corrodes one's own soul and character and mind to engender malice or think evil of his fellow man.

This bill has been here before; it has been passed, it has been voted upon on the floor of this House in a past session. Why the objection now? Efforts of conciliation, of meditation and of discussion have utterly and absolutely failed. No one this morning who has stood on this floor in opposition to this committee's being discharged has said one reasonable word, given one pregnant fact to show why the bill should not be brought in here for discussion, for passage or for defeat. It has already been in this House at a former session, and it is only an enabling act to give the people of Pennsylvania, the right to vote on it, and they after all, in the last analysis, as in the workmen's compensation and the child labor act—they, after all are your masters and mine.

From the very mouths of the members that have stood here in defense of keeping this bill in committee and refusing you the right to have it come on this floor, comes their own accusation and condemnation; in the very fact as I have stated, that not one syllable has been articulated or valid reasons given, except the reason that the sword is out and Blue Monday is going to be registered against you. That is not a valid reason for any intelligent member of this House to hold out to this body. We are at least above the moron grade. To hold out the threat that we are going to be condemned for asking a committee to be discharged, to bring a bill into this House that has been here before and passed, that is not a free and deliberate form of passing laws in any intelligent, enlightened community of the twentieth century.

If you will permit me I will tell you a story of a colored friend down in Alabama, who was taken in for larceny—for stealing a mule. He was discharged. The poor fellow still stood there. The judge looked down at him and said: "You are discharged," he said. "Yes, sir. Yes, Mr. Judge—I—I—heard you say that," and he still remained. The judge said, "You go ahead. You go home." "Yes," he said, "that is what I thought the world 'discharged' meant, Mr. Judge, Your Honor, but that isn't what is troubling me. I wants to know does I keep the mule or does I return it?"

The condemnation has come from their own lips. Threats do not settle any discussion.

I ask every member of this House who is proud of being a Pennsylvanian—the great state, it means more than just the "Keystone" state—I ask that this committee be discharged, respectfully ask it. I ask it because this bill has been in this House before, has been discussed, debated, passed by a majority. We are asking that it be brought back to be passed upon at this time as an enabling act; that it be brought out for your constituents and mine.

Let me say in this connection that there is no feud or split in the representation in this House. There is no feud or split here imminent or anticipated. Let that fallacious idea be dissipated from the minds of the members, of the onlookers and the listeners. There is no feud nor thought of it here. There is a decent principle at stake. This government has been founded on the discussion of decent principles and the proper solution thereof, arrived at by the fathers and founders of this government. This bill was in here before. I take threat—not speaking for Philadelphia or its members, but as an humble member of this House—I take the threat of blue Monday, and I will hold my neck for the sword rather than go back to my constituents and tell them that I opposed a bill coming out upon the floor of this House, that has been pigeoned-holed, and that valid reason has not been offered why it should be detained and kept in that committee. I will go back and accept that sword gladly, without posing as a martyr, political or otherwise, rather than go back to the same people and tell them that I was opposed to there being brought upon the floor of this House a bill for old age pensions.

I ask every member of this House, irrespective of location, or political affiliation, with which you are tagged or stamped; I ask every member of this House to assert his decent rights, not in venom, not in malice, not in insult to the committee, not even in anticipation of reducing it in anyway in the future, or now assaulting the integrity of committees but because the circumstances involved demand and require, explicitly demand your action this noon that you vote that this committee be discharged and this bill be reported for your discussion, for the approval or condemnation of this House.

Mr. HUTTON. Mr. Speaker and members of the House, I have the highest regard for my friend, Mr. Bennett, of Philadelphia, and I would not prolong this debate were it not for the purpose of clearing some of the insinuations in the remarks that were made.

It was not my purpose to utter any threat whatsoever. The members of this House know, and those of the Philadelphia delegation particularly, that I have a very warm spot in my heart for that delegation and many warm friends in that delegation. I was simply stating a fact, and not a threat.

Perhaps following the lead of my good friend, Mr. Bennett, and indulging in a little facetiousness we might illustrate my point by a story, which I have told on a number of occasions, and which will illustrate, probably, what might happen in connection with the favorable consideration of this motion. It is recorded that when the Confederate forces were entering the town of Chambersburg preparatory to the burning of that town on July 30, 1864, a company of home guards was called out to meet the enemy. As they marched out Lincoln Way, a number of shells were exploded, thrown by rebel batteries, first one to the right and then later to the left and then one immediately in front of them, until finally the valiant captain could stand it no longer. He turned around to his company and he issued these orders: "Company, halt." "Company right about face." "Company disperse." "Every man for himself and for God's sake don't call me 'captain.'"

I want to say in conclusion that the issue before the House is not whether these bills ought to be favorably considered or not. That is not the issue. It simply is an issue of preserving the integrity of the sub-committee and enabling the sub-committee through time, to report to the full committee and to allow the committee to act.

I ask you to vote down this motion.

Mr. SOWERS. Mr. Speaker and members of the House, the remarks of the gentleman from Franklin, Mr. Hutton and the remarks of the gentleman from McKean, Mr. Wilson, require me to lay all the cards on the table, and on the table they now go.

I have in my hands a paper signed by twelve members of the Committee on Constitutional Amendments, the paper reads: "We, the undersigned members of the Committee on Constitutional Amendments of the House of Representatives of Pennsylvania, have carefully read and studied House Bill No. 65 in the pink, printed on this sheet of paper, introduced on January 3, 1933, and referred to our committee on January 9, 1933, and have concluded that the said House Bill is in proper form and substance and desire that the said committee report the said House Bill to the House of Representatives as committed and without amendments, and we believe that the subject matter of said bill is of vital importance to the people of this Commonwealth, and that any parliamentary procedure that will place it upon the calendar for action is right and proper, and that it should be immediately placed upon the calendar."

Then follows the signatures of twelve members of the committee of twenty-five.

In addition to that I have in my hands the respective pledges of five more members of that committee agreeing to go along on old age pensions, and the remarks of some of these pledges are very laudatory of old age pensions.

Mr. Speaker, with the cards on the table, everything in black and white and a majority of the committee in favor of discharging their own committee, should a little bung hole, the little sub-committee, stop the flow.

Mr. PETERS. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Ederer, Hermansen, Forrest, Greenstein, Craig, Stiteler, Root, Sautter, Roan, Gartner, Long, Price, Wood, Fleisher, Turner, Rice, Shreiner, Woodside, Habbyshaw, Bernhard, Green, Moore and others.

On the question

Shall the main question be now put?

It was agreed to.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Witkin and Mr. Sowers and were as follows:

YEAS—129

Andrews,	Flinchbaugh,	Malina,	Root,
Baker,	Furman,	Maloney,	Ruby,
Baldi,	Gallagher,	Mason,	Ruth,
Barnhardt,	Gartner,	McBride,	Sarig,
Bechtel,	Green,	McCandless,	Sautter,
Beech,	Greenstein,	McClure,	Schrope,
Bennett,	Harmuth,	McCreary,	Schwab,
Bernhard,	Harris,	McGinnis,	Schwartz,
Blumberg,	Hart,	McGrail,	Scott,
Boyd,	Hartman,	McGregor,	Shettel,
Brancato,	Hefferman,	Melchiorre,	Shortz,
Brown, J. E.,	Hermansen,	Metzler,	Shugarts,
Brownfield,	Hester,	Moore,	Sinwell,
Cannon,	Hoffman,	Munley,	Snyder,
Caputo,	Holmes, J. B.,	Myers,	Sowers,
Carey,	Hoopes,	Negley,	Stank,
Carson,	Hough,	O'Connor,	Steedle,
Chervenak,	Howard,	O'Keefe,	Sterling, P.,
Conner,	Jaffe,	O'Neill,	Sterling, R. B.,
Cooke,	Jones,	O'Rourke,	Stevens,
Dane,	Kane, J. J.,	Pennock,	Stevenson,
Davies,	Kane, L. P.,	Perry, J. J.,	Surface,
Denning,	Kinney,	Powell,	Tahl,
Downey, G. E.,	Labar,	Powers,	Wagner,
Downey, J.,	Lane,	Price,	Walker, G. E.,
Duffy,	Laubach,	Quinn,	Walker, W. A.,
Dunmire,	Lenahan,	Raub,	Wasserman,
Dwyer,	Long,	Rectenwald,	Welsh,
Fmhardt,	Lovett, J. E.,	Reed,	Westrick,
Eroe,	Lovett, W. S.,	Reilly,	Wilson, L. M.,
Fitzgerald,	Lynch, J. R.,	Rhodes,	Witkin,
Flanagan,	Lynch, M.,	Roan,	Yourishin,
Fleisher,	Male,		

NAYS—63

Brennan,	Holmes, J. L.,	Perry, D. R.,	Wall,
Cordier,	Horst,	Peters,	Way,
Craig,	Hutton,	Rice,	Weidemann,
DeFrehn,	King,	Royle,	White,
Ederer,	Lewis,	Schrock,	Wike,
Evans,	Lord,	Sheffer,	Williams, G. W
Flynn,	Lose,	Shellenberger,	Williams, J. J.
Forrest,	McElwee,	Shreiner,	Wilson, T B.,
Gillette,	McKay,	Simon,	Wood,
Griffith,	McKinney,	Stiteler,	Woodside,
Habbyshaw,	Meredith,	Storb,	Wright,
Haines,	Merrell,	Stone,	Yeakel,
Hamilton,	Mohn,	Stott,	Zimmerman,
Heffner,	Mumford,	Terry,	Talbot,
Hewitt,	Patterson,	Turner,	Speaker.
Hilmes, L. R.,	Peelor,	Wade,	

So the question was determined in the affirmative and the motion was agreed to.

The SPEAKER. The Chairman of the Constitutional Amendment Committee will return House Bill No. 65 to this body.

MOTION TO DISCHARGE COMMITTEE (SPECIAL ORDER)

The SPEAKER. The Chair lays before the House the Special Order fixed for this time, being the motion to discharge the Committee on Constitutional Amendment from further consideration of House Bill No. 67.

The Special Order was read by the Clerk as follows:

Motion to discharge Committee on Constitutional Amendments from further consideration of House Bill 67

A Joint Resolution proposing an amendment to section seven, article nine of the Constitution of the Commonwealth of Pennsylvania.

On the question,

Will the House agree to the motion?

Mr. SOWERS. Mr. Speaker, the same question is involved as in the preceding special order, and I think it can be disposed of without a roll call.

On the question recurring,

Will the House agree to the motion?

On a rising vote one hundred and twenty-nine members, or more than a majority, having voted in the affirmative the question was determined in the affirmative and the motion was agreed to.

The SPEAKER. The Chairman of the Committee on Constitutional Amendment will return House Bill No. 67 to this body.

RESOLUTION

MEMORALIZING CONGRESS TO OPPOSE DOLLAR-A-DAY LABOR CAMPS

Mr. HOOPES offered the following resolution which was twice read and laid over under the rules.

In the House of Representatives, March 28, 1933.

Whereas, The unemployment relief bill proposed by President Roosevelt includes the organization of a so-called conservation corps of 250,000 men, enlisted for one year at wages of $1.00 per day and subsistence, and

Whereas, This dollar-a-day labor in construction camps of various kinds will enter into direct competition with building trades and other organized workers, and will lower even the meager standards established by State and Federal laws governing projects of this kind, and

Whereas, This scheme differs but slightly from forced labor, and the semi-military discipline which is to be inflicted is undoubtedly one of the steps towards a dictatorship of the owning class such as already exists in Italy and Germany, and

Whereas, The only effective way to cure unemployment is to put the jobless to work producing the necessities of life, at cash wages high enough to give them sufficient purchasing power to buy back all they produce and to maintain a high standard of living for themselves and their families, and

Whereas, The proposed scheme will not reduce unemployment but will tend to lower the wages of all workers to the dollar-a-day level, and to standardize and stabilize poverty for the masses in this land of plenty, and

Whereas, This proposal has already been severely condemned by many outstanding labor spokesmen, including the President of the American Federation of Labor, now therefore

Be it resolved (if the Senate concur), That the General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States not to adopt the proposed scheme for dollar-a-day labor, but to enact measures to the end that the jobless may be put to work producing the necessities of life, at cash wages high enough to enable them to maintain a high living standard for themselves and their families.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

RESOLUTIONS

Mr. HERMANSEN offered the following resolution which was twice read and laid over under the rules.

In the House of Representatives, March 28, 1933.

Whereas, The first duty of the Commonwealth is to safeguard the people and to make secure the lives and liberties and the happiness of the men, women and children whose industry and existence is at all times essential to the peace and good order of the same, and

Whereas, No people can be free and equal before the law when the right of petition and representation is denied them by the mere will and caprice of any existing majority in their State Assembly, and

Whereas, We are confronted at this time with an existing condition of State-wide unemployment which has deprived large portions of our population in our large cities, and elsewhere, of their accustomed means of livelihood, and impoverish and seriously menace the stability of our homes, and our financial and industrial activities, and sufficiently endanger our existing political institutions, and

Whereas, It is deemed desirable at this time that the right of petition and the right of representation be made more general and secure in this session, and all bills and resolutions introduced, and the sponsors thereof, given an opportunity to be heard, therefore be it

Resolved, That Rule No. 40 of this House of Representatives be amended, by striking out the last seven words which are as follows: "majority vote of all the members elect," and inserting in lieu thereof the following, "eighty votes of all the members elect, and placed upon the calendar," so that the section as amended will read as follows:

No. 40, That when a bill or resolution has been ten days in the hands of a committee, after having been referred to it, any committee may be discharged from the further consideration of the bill or resolution by eighty votes of all the members elect, and placed upon the calendar.

INVESTIGATING STATE TEACHERS COLLEGES

Mr. STERLING offered the following resolution which was twice read and laid over under the rules.

In the House of Representatives, March 28, 1933.

Resolved (if the Senate concur), That the State Council of Education is hereby directed to make a thorough survey and investigation of the character and condition of the buildings and equipment of the several State teachers colleges of the Commonwealth and ascertain which two or more colleges may be eliminated without serious injury to the educational needs of the Commonwealth and make report thereof to the General Assembly not later than the first day of February one thousand nine hundred and thirty-five.

RECONSIDERATION OF HOUSE BILL No. 515

Mr. MASON. Mr. Speaker, I move that the vote by which House Bill No. 515, Printer's No. 186, entitled

An Act to amend section one as amended and section two of the act approved the ninth day of May one thousand nine hundred and thirteen (Pamphlet Laws one hundred ninety-eight) entitled "An act prohibiting the furnishing by gift sale or otherwise of cigarettes or cigarette paper to minors requiring minors to divulge where and from whom cigarettes or cigarette paper have been obtained and providing penalties for violation of this act" by reducing the age limit of persons to whom cigarette paper may be furnished

was defeated on final passage on Wednesday, March 22, 1933, be reconsidered.

Mr. BECHTEL. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Luzerne, Mr. Mason, vote on the final passage of this bill?

Mr. MASON. I voted "no," Mr. Speaker.

The SPEAKER. How did the gentleman from Schuylkill, Mr. Bechtel, vote on the final passage of this bill?

Mr. BECHTEL. I voted "no," Mr. Speaker.

On the question,

The SPEAKER declared the "ayes" appeared to have it.

Whereupon, a division was called for and eighty-seven members having voted in the affirmative and twenty-six members having voted in the negative, the motion was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. TAHL. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

MOTION TO DISCHARGE COMMITTEE

Mrs. WILSON. Mr. Speaker, I move that the Committee on Labor be discharged from further consideration of House Bill No. 53, Printer's No. 52, entitled:

An Act relating to labor; declaring the policy of the Commonwealth as to the hours of, and prohibiting the employment of persons for more than six hours in any one day, or for more than thirty hours in any one week; providing for overtime employment; and attaching penalties thereto; and providing penalties for violations thereof.

On the question,

Will the House agree to the motion?

Mrs. WILSON. Mr. Speaker and men and women of the House, this bill was introduced ———

PARLIAMENTARY INQUIRY

Mr. TURNER. Mr. Speaker, I raise a question of parliamentary inquiry.

The SPEAKER. The gentleman from Delaware will state his question of parlimentary inquiry.

Mr. TURNER. Mr. Speaker, I understand that a motion was offered by the lady from Berks, Mrs. Wilson, to discharge a committee; is that right?

The SPEAKER. That is correct.

Mr. TURNER. Mr. Speaker, is it a resolution or a motion?

The SPEAKER. A motion.

Mr. TURNER. Mr. Speaker, doesn't it follow that it should lie over for printing?

The SPEAKER. No, it does not.

Rule 84 is laid before the House. "All resolutions after they have been twice read shall be printed and lie over for one day, after which they may be called up under their appropriate order of business. This rule shall not apply to the following resolutions, viz: Recalling bills from the Governor. Recalling bills from one House to the other. Those emanating from the Committee on Rules. Those relating to adjournment. Those discharging committees. Those placing negative bills upon the calendar." Does that answer the parliamentary inquiry of the gentleman from Delaware?

Mr. TURNER. Yes, it does, Mr. Speaker.

The SPEAKER. The lady from Berks will proceed.

Mrs. WILSON. Mr. Speaker and men and women of the House, this bill was introduced the first week of the session, January 4th, and was referred to the Committee on Labor January 9th. Shortly after that date a committee meeting was held, and I was told that the bill had been referred to a sub-committee for further consideration. To date no report has been made on this bill.

This bill is a very important relief measure. The American Federation of Labor has gone on record in support of a measure of this kind. More than two months have gone by and we are nearing the end of the session, and it is important that this measure be brought before this body for a vote.

Many men and women have asked for the passage of this legislation, and in support of this statement I offer a petition signed by more than one thousand three hundred seventy-five men and women of the City of Philadelphia. I present it to this body and ask that the title of the petition be read.

PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I raise question of parliamentary inquiry.

The SPEAKER. The gentleman from Cambria will state his question of parliamentary inquiry.

Mr. ANDREWS. Mr. Speaker, how can members like myself vote upon the proposition when we know nothing concerning the nature of the bill itself?

The SPEAKER. For the information of the gentleman from Cambria, the motion before the House is in the same status as the business just finished. The title of the bill has just been read.

Mr. HOOPES. Mr. Speaker, for the information of the members of the House I wish to state that this House Bill No. 53 can be found in their histories. The title gives a very concise idea of what it is. It is the thirty hour a week bill.

The yeas and nays were required by Mrs. Wilson and Mr. Hoopes and were as follows:

YEAS—55

Andrews,	Emhardt,	Malina,	Schrope,
Bechtel,	Fitzgerald,	McElwee,	Schwab,
Beech,	Flanagan,	McGrail,	Shugarts,
Bernhard,	Gallagher,	McGregor,	Sowers,
Boyd,	Harmuth,	Munley,	Stank,
Brancato,	Hester,	Myers,	Sterling, R. B.,
Brown, J. E.,	Himes, L. R.,	O'Connor,	Stevens,
Brownfield,	Hoopes,	O'Keefe,	Stone,
Cannon,	Howard,	Perry, J. J.,	Terry,
Caputo,	Kane, J. J.,	Quinn,	Wagner,
Carson,	Lane,	Raub,	Welsh,
Chervenak,	Lenahan,	Ruth,	Westrick,
Dane,	Lovett, J. E.,	Sarig,	Wilson, L. M.,
Downey, G. E.,	Male,	Sautter,	Yourishin,

NAYS—98

Baker,	Griffith,	Metzler,	Snyder,
Baldi,	Haines,	Mohn,	Steedle,
Bennett,	Hamilton,	Moore,	Stevenson,
Blumberg,	Harris,	Nothnagle,	Stiteler,
Brennan,	Heffernan,	O'Rourke,	Storb,
Carey,	Heffner,	Patterson,	Stott,
Conner,	Hermansen,	Peelor,	Tahl,
Cooke,	Hewitt,	Pennock,	Turner,
Craig,	Hoffman,	Perry, D. R.,	Wade,
Cramer,	Holmes, J. L.,	Peters,	Walker, W. A.,
Davies,	Horst,	Powell,	Wall,
DeFrehn,	Hutton,	Price,	Way,
Denning,	Jaffe,	Rectenwald,	Weidemann,
Duffy,	King,	Reed,	White,
Dunmire,	Laubach,	Rice,	Wike,
Ederer,	Lewis,	Roan,	Williams, G. W.,
Evans,	Long,	Root,	Wilson, T. B.,
Fleisher,	Lord,	Royle,	Witkin,
Flynn,	Lose,	Ruby,	Woodside,
Forrest,	Lovett, W. S.,	Schrock,	Wright,
Furman,	McBride,	Sheffer,	Yeakel,
Gartner,	McClure,	Shellenberger,	Zimmerman
Gillette,	McKay,	Shortz,	Talbot,
Green,	Meredith,	Shreiner,	Speaker.
Greenstein,	Merrell,	Simon,	

So the question was determined in the negative and the motion was not agreed to.

HOUSE BILLS Nos. 65 AND 67 RETURNED TO THE HOUSE

Mr. KING. Mr. Speaker, pursuant to the direction of the House, I return to the House from the Committee on Constitutional Amendments, House Bills Nos. 65 and 67.

The SPEAKER. The bills will be filed and will be placed upon the calendar in accordance with the action of the House.

BILLS PLACED ON CALENDAR

Mr. KING, from the Committee on Constitutional Amendments, reported, by direction of the House, as committed, House Bill No. 65, entitled:

A Joint Resolution proposing an amendment to section eighteen, article three of the Constitution of the Commonwealth of Pennsylvania.

Mr. KING, from the Committee on Constitutional Amendments, reported, by direction of the House, as committed, House Bill No. 67, entitled:

A Joint Resolution proposing an amendment to section seven, article nine of the Constitution of the Commonwealth of Pennsylvania.

PETITION

FAVORING PASSAGE OF HOUSE BILL No. 53

The SPEAKER laid before the House a petition presented by Mrs. Wilson which was read by the Clerk as follows:

We the undersigned citizens of the State of Pennsylvania resident in Philadelphia, petition the Committee on Labor of the State House of Representatives to hold public hearings on House Bill No. 53, providing for a limitation of working hours to six per day and thirty per week, and further, we petition the Labor Committee to report the same bill favorably to the House of Representatives.

The SPEAKER. The petition will be noted and is referred to the Committee on Labor.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1259, entitled:

An Act relating to criminal procedure imposing upon officers conducting preliminary hearings the duty of obtaining names of persons whom defendants desire notified of time of trial and imposing upon the district attorney the duty of notifying such persons thereof

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any magistrate mayor alderman or justice of the peace after hearing holds any person accused of any violation of any law or laws of the Commonwealth for the action of the grand jury such magistrate mayor alderman or justice of the peace shall if such person shall not furnish bail for his appearance at court ask such person for the names and addresses of two persons whom he or she desires to be notified of the time of his or her pending trial and when given such names and addresses shall be noted upon the record and made part of the transcript returned by said magistrate mayor alderman or justice of the peace as required by law

On the question,

Will the House agree to the section?

Mr. SOWERS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Section 1, page 1, line 4 and 5, by striking out the words "mayor, alderman or justice of the peace."

Amend Section 1, page 1, lines 7 and 8, by striking out the words "mayor, alderman or justice of the peace."

Amend Section 1, page 1, lines 8 and 9, by striking out the words "if such person shall not furnish bail for his appearance at court."

Amend Section 1, page 2, lines 1 and 2, by striking out the words "mayor, alderman or justice of the peace."

On the question,

Will the House agree to the amendments?

They were agreed to.

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 The district attorney of the county wherein such hearing was held shall at least seventy-two hours before the time fixed for the trial of such person mail notices of the first time and place fixed for such trial to the persons whose names appear upon such transcript to the address or addresses given thereon Failure on the part of the district attorney to mail such notice shall be sufficient grounds for a continuance of such trial upon motion of the defendant or his counsel

On the question,

Will the House agree to the section?

Mr. SOWERS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Section 2, page 2, line 4, by striking out the words "at least seventy-two hours."

Amend Section 2, page 2, line 5, by inserting after the word "mail" the following: "United States postal card."

Amend Section 2, page 2, line 6, by striking out the word "first."

Amend Section 2, page 2, line 8, by striking out the words "Failure on the."

Amend Section 2, page 2, lines 9 to 11, both inclusive, by striking out all of said lines.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act relating to criminal procedure imposing upon officers conducting preliminary hearings, the duty of obtaining names of persons whom defendants desire notified of time of trial and imposing upon the district attorney the duty of notifying such persons thereof.

On the question,

Will the House agree to the title?

Mr. SOWERS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend title, page 1, line 1, by striking out the word "officers" and inserting in lieu thereof: "magistrates."

Amend title, page 1, line 2, by inserting after the word "obtaining" the word: "two."

Amend title, page 1, line 5, by striking out the word "thereof."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 859, as follows:

An Act providing means of attaching or appropriating judgments held by residents against non-resident defendants

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever a judgment is entered in any of the courts of the State of Pennsylvania against a non-resident defendant which a judgment creditor of the judgment plaintiff desires to attach it shall be lawful to present a petition to the court in which the judgment against said non-resident is entered praying the court to mark said judgment to the use of the plaintiff's judgment creditor whereupon a rule shall be allowed on the judgment plaintiff returnable at a time fixed by the court and said petition together with a copy of said rule shall be served upon the judgment plaintiff and notice thereof served by registered mail on the non-resident judgment defendant or his counsel of record Upon the return day of said rule the court shall enter an order marking said judgment to the use of the judgment creditor Provided That if the judgment creditor's claim is less than the judgment sought to be marked to the use then the court shall enter an order marking said judgment to the use only to the extent of the judgment creditor's judgment And provided further That the court shall have power if need arises or conflicting claims appear to appoint a receiver or sequestrator to collect said judgment and hold the proceeds for distribution in accordance with further order of the court or the court may where the defendant in the judgment is desirous of being relieved order the money paid into court, whereupon the prothonotary shall mark the judgment satisfied and thereafter distribution of the proceeds shall be made by the court which shall have power after reasonable notice given either by personal service or by mail or advertisement to hear and distribute the same according to law and equity

Section 2 The word "judgment" as in section one used shall include any verdict judgment by confession decree in equity or any order of court whereby a defendant is declared found or decreed to be indebted to or ordered to pay damages to another

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 1189, as follows:

An Act providing for the registration of contractors and builders as herein defined by the Department of Labor and Industry providing for the issuing suspension and revocation of licenses imposing penalties and appropriating the revenues received under this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Definitions (1) Real Property The term "real property" when used in this act includes real estate lands tenements and hereditaments corporeal and incorporeal fixtures and all bridges and trestle work and structures connected therewith erected for the use of railroads and all mines and oil or gas wells and structures and fixtures connected therewith and any lease of oil lands or other right to operate for

the production of oil or gas upon such lands and the right of franchise granted by the State for the use of the streets or public places thereof and all structures placed thereon for the use of such right or franchise

(2) Improvement The term "improvement" when used in this act includes the wrecking erection alteration repair of or addition to any structure upon connection with or beneath the surface of any real property and any work done upon such property or materials furnished for its permanent improvement

(3) Public Improvement The term "public improvement" when used in this act means an improvement upon any real estate owned by the State

(4) Owner The term "owner" when used in this act includes the owner in fee of real property or of a less estate therein a lessee for a term of years a vendee in possssion under a contract for the purchase of such real property and all persons having any right title or interest in such real property which may be sold under an execution in pursuance of the provisions of statutes relating to the enforcement of liens of judgment and all persons having any right or franchise granted by the State to use the streets and public places thereof and any right title or interest in and to such franchise The purchaser of real property at a statutory or judicial sale shall be deemed the owner thereof from the time of such sale

(5) The State The term "the State" when used in this act means the United States of America the State of Pennsylvania a county city borough town township school district or poor district in the State of Pennsylvania

(6) Firm The term "firm" when used in this act means a copartnership corporation association of organization or any combination of any thereof

(7) Contractor The term "contractor" when used in this act means a person or firm who enters into a contract with an owner of real property for the improvement thereof or with the State for a public improvement or who offers to undertake or purports to have the capacity to undertake an improvement or public improvement or any part or portion thereof The term shall also include a subcontractor but shall not include a laborer or materialman

(8) Subcontractor The term "subcontractor" when used in this act means a person or firm who enters into a contract with the contractor or a subcontractor for the improvement of real property or public improvement or who offers to undertake or who purports to have the capacity to undertake an improvement or public improvement or any part or portion thereof as a subcontractor

(9) Builder The term "builder" when used in this act means a person or firm who for himself and not for others undertakes offers to undertake or purports to have the capacity to undertake an improvement

(10) Materialman The term "materialman" when used in this act means any person or firm who furnishes any material either to an owner contractor or subcontractor for such improvement or who specially fabricates materials for the improvement without performing labor in the installation thereof

(11) Laborer The term "laborer" when used in this act means any person who performs labor or services upon such improvement

(12) Eleemosynary Institution The term "eleemosynary institution" when used in this act means a charitable corporation a religious corporation an association fraternal order or an organization incorporated or organized for benevolent purposes including non-profit organizations or associations

(13) Authorized Representative The term "authorized representative" when used in this act means a duly elected or appointed official or regular employe of the State or of an eleemosynary institution persons or firm making an improvement specified in subdivisions (b) and (c) of section three of this act

(14) Personnel The term "personnel" when used in this act means the members of a partnership the chief construction manager the officers directors of a corporation association or organization and if a corporation has less than ten stockholders the stockholders thereof

(15) Department The term "department" when used in this act means the Department of Labor and Industry and shall include an officer or person in the department designated by the Secretary of Labor and Industry to act for the department

(16) Funds The term "funds" when used in this act includes money real property as defined in this section and personal property

Section 2 License Required for Contractors and Builders On and after November first one thousand nine hundred and thirty-three it shall be unlawful for any person or firm to hold himself or itself out as or to engage in the business or act in the capacity of a contractor or builder within this State without having a license therefor as herein provided unless such person or firm is exempted by the provisions of this article

Section 3 Exceptions from Operation of Act This act shall not apply to

(a) A public improvement provided the work of such improvement is performed by an authorized representative of the State

(b) An improvement incidental to farming dairying agriculture viticulture horticulture stock or poultry raising or clearing or other work upon land in rural districts for fire prevention purposes when performed by an owner or authorized representative of such owner

(c) An improvement incidental to the business of public utilities operated under regulation of the Public Service Commission when managed and performed by its authorized representatives an improvement incidental to the mining of coal or ore the discovering or producing of petroleum of gas or the drilling testing abandoning or other operation of any petroleum or gas well when performed by an owner or the authorized representative of such owner

(d) An improvement by an owner intended for the use and occupancy of such owner and his family or for use by such owner as his place of business and not intended for sale or rent

(e) An improvement by an eleemosynary institution provided such improvement is made by its duly authorized representatives and provided further that the same is not for profit

(f) An improvement undertaken pursuant to contract or contracts performed directly or indirectly by one contractor where the aggregate contract price including labor and material is less than one hundred dollars such improvement being considered as of a casual minor or inconsequential nature Provided however That the limitation of this section shall not apply in any case where such improvement is only part of a larger or major improvement or operation or in which a division of the improvement or operation is made in contracts of amounts less than one hundred dollars for the purpose of evading this act

The foregoing exemptions shall not apply to a contractor or a subcontractor contracting for an improvement embraced within the foregoing exemptions

Section 4 Application for License To obtain a license under this act an applicant shall file with the department on such forms as the department shall prescribe an application in writing requesting the issuance of a license as contractor or builder or both under the terms of this act Such applications shall be accompanied by a fee of twenty dollars and shall contain the following information

(a) If the applicant is an individual his name in full his residence and the trade name if he is conducting or intending to conduct business under a trade name

(b) If the applicant is a partnership the name in full and residence of each of the partners including limited partners and the trade name if they are conducting or intending to conduct business under a trade name

(c) If the applicant is a firm the name in full and residence of each of the officers including the name and residence of the chief construction manager the length of time such officers have held their respective offices the name in full and residence of each of the directors and the length of time the persons named have been directors if the corporation association or organization has less than ten stockholders the name in full and residence of each of the stockholders

(d) The applicants principal place of business

(e) The experience of the applicant as contractor or builder if an individual and the experience as contractor or builder of each of the personnel if a firm for a period of five years preceding the filing of the application

(f) A statement whether or not the applicant's license theretofore issued under this act or such license of any of its personnel (if a firm) had been suspended or revoked and the

reasons for such suspension or revocation also a statement whether any of such personnel has ever been a member of the personnel of any other firm whose license under this act had theretofore been suspended or revoked and the reason for such suspension or revocation

(g) Proof that the applicant (if an individual) is over twenty-one years of age is a citizen of the United States and has a fair knowledge of the English language (if a firm) that at least one of the partners or one of the officers thereof is over twenty-one years of age is a citizen of the United States and has a fair knowledge of the English language The application shall be signed and sworn to or affirmed by the applicant if an individual by one of the partners if a partnership and by the president or vice-president and treasurer or assistant treasurer if a firm The name and principal place of business of such applicant shall within five days from the date of filing be published once in a newspaper published at the place the applicant maintains his or its principal office or place of business if a newspaper is published in such place otherwise in one of general circulation in such place

Section 5 Issuance of License Upon the receipt of such application and fee and it appearing to the satisfaction of the department that the applicant (if an individual) has not violated the license law under this act that nine of the personnel (if a firm) has violated such license law that no act of omission or commission of a member of such personnel has caused the suspension or revocation of such license theretofore held by any other firm and that the applicant has furnished the information required by the department the department shall no sooner than twenty days and not later than thirty days from the date of the filing of such application issue to the applicant in such form as the department shall prescribe a license permitting him to engage in business as a contractor or builder or both under this act for the balance of the license year following the application Licenses shall be numbered consecutively The license shall be in such form as the department shall prescribe shall set forth the name and principal place of business of the licensee and shall bear the imprint or impress of the seal of the department The license shall be non-transferable shall be signed by the licensee shall at all times be conspicuously displayed in the licensee's principal place of business in this Commonwealth

Section 6 Place of Business Each licensee shall have and maintain a definite place of business within this Commonwealth

Section 7 License Year The license year under this act shall commence on the first day of November of any year and shall expire on the thirty-first day of October of the succeeding year

Section 8 Denial of License A violation of the license law under this act by the applicant (if an individual) or by any of its personnel (if a firm) or the violation of such license law by any of such personnel as a member of the personnel of any other firm shall be sufficient cause for a denial of a license under this act Before denying a license the department shall within twenty days from the receipt of an application therefor notify such applicant in writing of its intention to do so affording him a hearing personally or by counsel in reference thereto Such notice shall contain a statement of the reasons for the department's determination to deny such license shall designate the place where and the date when such hearing will be held and shall be served personally or by mail at least ten days before the date of hearing If after such hearing a license is denied the department shall in writing under its official signature and within five days after such hearing notify such applicant personally or by mail of such denial and of the reasons therefor and the fee paid by such applicant shall be returned to him

Section 9 Renewal of License A license granted under this act shall be renewed by the department upon written application therefor by the holder thereof on such form as the department may prescribe A fee of five dollars shall accompany the application Renewal applications shall be mailed by the department to each licensee on or before October first of each year The filing of an application for a renewal shall permit the licensee to continue business as contractor or builder or both pending the issuance of such renewal license for the ensuing license year An application for the renewal of license shall be filed with the department not later than October thirty-first of each year If not so filed the license shall expire and shall be renewable only upon the filing of an original application as provided for in section four hereof accompanied by a fee of ten dollars as therein provided The renewal license shall bear the same number as the original

Section 10 Change of Personnel and Change of Address A licensee shall notify the department in writing of all changes of personnel and changes of address of personnal including a change of the principal place of business within ten days after the same shall occur

Section 11 Permitting Use of Names or License No licensee shall directly or indirectly permit the use of his name or his license by an unlicensed contractor or builder

Section 12 Suspension or Revocation of License and Causes Thereof The department may upon its own motion and shall upon written complaint of any person verified by oath or affirmation and filed with the department investigate the conduct of any licensee affecting an improvement or public improvement in this State The department shall have the power in its discretion to suspend for a definite period or to revoke subject to such conditions as it may impose a license issued under this act if a licensee is found guilty of the commission or omission of one or more of the following acts

(1) Wilful abandonment of a contract without legal excuse

(2) Diversion of funds received for the execution or completion of a specified contract or improvement or for a specified purpose in the execution or completion of any contract or improvement and the application or use of such funds to or for any other contract obligation or purpose and failure to pay claims of persons who have furnished labor or material to the contractor or builder in the execution or completion of any contract or improvement for which such funds were received

(3) Fraudulent departure from or disregard of plans or specifications in any material respect without the written consent of the owner or of the architect or engineer in the employ of the owner

(4) Wilful and deliberate disregard and violation of any building law of the State or of any building ordinance of any political subdivision thereof or of any safety laws or labor laws of the State

(5) Knowingly entering into a partnership with a person or persons whose license has been suspended or revoked and not reinstated or if a firm knowingly permitting a person whose license has been suspended or revoked and not reinsated to be one of its personnel

(6) Misrepresentation of a material fact in obtaining a license under this act

(7) The doing of any wilful fraudulent act as a contractor or a builder in consequence of which another is substantially financially injured

(8) The violation of any provision of this act

Section 13 Complaint and Procedure Upon the filing with the department of a verified complaint containing facts showing that a licensee is guilty of the commission or omission of one or more of the acts specified in subdivision one to nine inclusive of section twelve of this act within a period of one year prior to the date of the filing of such complaint but not prior to November first one thousand nine hundred and thirty-three the department shall within five days from such filing issue a citation in such form as it may prescribe directing the accused licensee to answer such complaint within twenty days from the service of such citation. A true copy of such citation together with a true copy of the complaint shall be served upon the accused licensee personally or by mail Such answer shall be verified shall be filed with the department and a true copy thereof shall be served upon the complainant personally or by mail within the time above prescribed Failure on the part of the accused licensee to serve and file an answer shall be deemed an admission by him of the commission or omission of the act or acts charged in the complaint and the licensee therefor issued to the accused licensee shall thereupon be suspended or revoked Upon the filing of the answer the department shall fix the time for a hearing not less than ten and not more than twenty days after the filing of the answer Notice of such hearing specifying the place where and the date when same will be held shall be given to the accused licensee and to the complainant personally or by mail Either party may appear by counsel and if so appearing notice shall be given by counsel in the manner herein provided Upon such hearing the department shall hear all relevant and competent evidence offered by the complainant

and by the accused licensee Minutes thereof shall be kept The hearing may be adjourned and continued from time to time as may be necessary Within ten days after the hearing is concluded a decision in writing shall be rendered dismissing the complaint or suspending or revoking the license therefor issued to the accused licensee subject to such conditions as the department may impose under the circumstances The decision shall be based upon written findings of fact and both the decision and the findings of fact shall be officially signed A true copy of such decision and findings shall be mailed to the complainant and to the accused licensee or to their respective counsel within five days after the signing thereof The decision suspending or revoking a license shall not take effect until twenty days after the mailing thereof The name and principal place of busines of the person whose license has been suspended or revoked shall within five days of the signing of such decision be published once in the newspaper designated by the department for that purpose

Section 14 Service of Notices and Other Papers by Mail Notices and other papers to be mailed as provided for in this act shall be by registered mail and if mailed to an applicant for a license same shall be addressed to his principal place of business as shown on the application if mailed to a licensee it shall be addressed to his last known principal place of business if mailed to a complainant or counsel for either party it shall be addressed to the address appearing on the last paper filed with the department if mailed to an owner mortgagee contractor or subcontractor it shall be addressed to the last known address of such owner mortgagee contractor or subcontractor Service of notice or other papers mailed by the department as provided for in this act shall be complete at the time of the deposit of such notices or other papers in a securely sealed postpaid wrapper in a United States post office regularly maintained by the United States government Refusal or failure on the part of a licensee to accept mail of the department under this act or failure on his part to call for such mail of the department when post office notice to do so is given to him shall operate to cancel the license issued to such license

Section 15 Departmental Hearings The department acting by such officers or persons in the department as the secretary may designate shall conduct all hearings provided for in this act and shall have power to subpoena and bring before the officers or persons so designated any person in this State and administer an oath to and take testimony of any person or cause his deposition to be taken with the same fees and mileage and in the same manner as prescribed by law in judicial procedure in courts of this State in civil cases

Section 16 Certiorari to Review Action of the Department The action of the department in granting or refusing to grant or to renew a license under this article or in revoking or suspending or in refusing to revoke or suspend such license shall be subject to review by the court of common pleas of Dauphin County by an order of certiorari at the instance of the applicant for such license the holder of a license so revoked or suspended or the complainant in a proceeding to revoke or suspend a license or the person aggrieved

Section 17 Completion of Contract or Improvement After Suspension or Revocation of License Nothing contained in this act shall excuse or prevent the performance of any contract made by or with any owner builder or contractor in force at the time of the suspension or revocation of the license issued to such builder or contractor under this act Provided That nothing herein contained shall be construed to permit a contractor or builder whose license has been suspended or revoked to enter into a contract or to commence an improvement after the suspension or revocation of such license

Section 18 Penalty for Violation Any person who acts in the capacity of a contractor or a builder without a license as herein provided and any person who acts as such after his license has been suspended or revoked except as to contracts in force at the time of such suspension or revocation and any person who conspires with another to violate any of the provisions of this act is guilty of a misdemeanor and shall upon conviction thereof be punished by a fine of not to exceed five hundred dollars or by imprisonment in the county jail for a term not to exceed one year or by both in the discretion of the court Excepting as herein otherwise provided no person engaged in the business or acting in the capacity of a contractor or a builder as defined by section one of this act shall bring or maintain any action in any court of this State for the collection of any compensation for the performance of any act or the completion or execution of any contract for which a license is required by this act without alleging and proving that such person was a duly licensed contractor or builder at the time of the making of the contract out of which the cause of action arose

Section 19 Department Records and Lists The department shall maintain open to public inspection during office hours a complete indexed record of all applications of all licenses issued of all renewed licenses of all the determinations cancellations and suspensions thereof and of minutes of hearings for the suspension or cancellation of licenses The department shall furnish to any applicant a certified copy of any license issued or of the cancellation or suspension thereof or of the minutes taken at hearings for such suspension or cancellation upon payment of a fee at the rate of ten cents per folio and such certified copies shall be received in all courts as prima facie evidence of the facts therein contained

Section 20 Roster of Licenses The department shall publish at least twice in each year a roster of the names and addresses of all persons and firms licensed under the provisions of this act Copy of each roster issued by the department shall be forwarded to the city clerk of each city in the State and to the chief clerk of the county commissioners of each county in the State within ten days after its publication and the same shall be held by such city clerk or county clerk as the case may be as a public record for a period of at least one year A copy of any roster issued by the department shall be mailed to any person in the State upon request and upon the payment of a fee as prescribed by the department

Section 21 Administration of Act The duty and power to administer and to enforce the provisions of this act is hereby vested in the secretary The secretary is hereby empowered to adopt reasonable rules and regulations for the purpose of crrying into effect the provisions of this act The Secretary shall appoint an advisory board of five duly licensed contractors and builders to assist the department in the administration and enforcement of this act The members of such board shall serve without compensation but shall be entitled to their reasonable traveling expenses necessarily incurred in the performance of their duties.

Section 22 Appropriation of Revenue Derived Limit of Expenditures All fees penalties and other moneys derived from the operation of this act shall be paid by the secretary into the General Fund in the State Treasury through the Department of Revenue All such moneys or so much thereof as may be necessary are hereby specifically appropriated to the Department of Labor and Industry for the purpose of administering and enforcing the provisions of this act The amount expended by the department for such purposes shall in no case exceed the revenues derived from the operation of this act

Section 23 Other License Laws not Affected The provisions of this act shall not be construed to abrogate or in any way affect other license laws in force in this State

Section 24 Constitutional Construction The provisions of this act shall be severable and if any of its provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. BLUMBERG. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Utilities for the purpose of further study.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1160, as follows:

An Act to amend section one of article one of the act approved the second day of June one thousand eight hundred and ninety-one (Pamphlet Laws one hundred seventy-six) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by extending the provisions of the act to all anthracite mines or collieries that employ five or more persons and authorizing the mine inspector to enter and inspect all mines employing from two to five persons for the purpose of determining whether or not the mine is generally safe

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of article one of the act approved the second day of June one thousand eight hundred and ninety-one (Pamphlet Laws one hundred seventy-six) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall apply to every anthracite coal mine or colliery in the Commonwealth [provided the said mine or colliery] that employs five or more [than ten (10)] persons Provided however the inspector shall have the right to enter and inspect all mines employing from two to five persons for the purpose of determining whether or not the mine is generally safe

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1407, as follows:

An Act to amend sections ten eleven and thirteen of the act approved the twelfth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred thirty-three) entitled "An act to regulate the practice of architecture in the Commonwealth of Pennsylvania by providing for the examination and registration of architects by a State Board of Examiners defining the power and duties of said board of examiners and providing penalties for the violation of this act" fixing the fee for renewal certificates and extending the powers of the board as to revocation and suspension of certificates

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections ten eleven and thirteen of the act approved the twelfth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred thirty-three) entitled "An act to regulate the practice of architecture in the Commonwealth of Pennsylvania by providing for the examination and registration of architects by a State Board of Examiners defining the power and duties of said board of examiners and providing penalties for the violation of this act" are hereby amended to read as follows

Section 10 Each architect receiving a certificate of qualification under the provisions of this act shall annually in the month of June during the time such holder shall desire to continue the practice of architecture as a registered architect in this State apply for a renewal of said certificate whereupon the said board shall upon the payment of a fee of four dollars issue to such architect in such form as the said board may provide a renewal of said certificate for the term of one year and such renewal shall be duly registered by the secretary of said board in the official register of the board hereinbefore provided for

In the event that any holder of a certificate of qualification to practice architecture shall neglect or fail to have said certificate renewed in the manner herein provided during the month of June in each and every year the right of such architect to practice as a registered architect in this State shall cease and determine on the last day of the month of June during which said certificate should have been renewed under the provisions of this act and it shall be the duty of the secretary of the said State Board of Examiners of Architects to give notice in writing of the expiration of such certificate to the holder thereof and make a proper entry on said register showing the expiration of such certificates

Any holder of a certificate of qualification to practice architecture which has [been suspended] expired under the provisions of this [act] section may obtain a renewal of such certificate at any time within one year from the date of its expiration upon application to and the approval of the State Board of Examiners of Architects and upon obtaining such approval and receiving such certificate shall pay to the secretary of the board a fee of ten dollars The time of renewal may be extended at the discretion of the board of examiners

Section 11 The said State Board of Examiners of Architects may by unanimous action revoke or suspend any certificate of qualification to practice architecture issued or renewed under the provisions of this act for incompetency or recklessness or for neglect of duty in the practice of architecture or for dishonest practice on the part of the holder thereof

The board may suspend a certificate to practice architecture in the Commonwealth of Pennsylvania of any architect who uses displays or advertises his name jointly as "architects" with the name of any other person not legally engaged in the practice of architecture Provided That nothing herein contained shall be construed as preventing or prohibiting any architect holding a certificate of said board from using displaying or advertising his or her name with the name of any other person or persons not an architect if each uses displays or advertises his true appellation

Any architect holding a certificate of said Board of Examiners of Architects against whom any of the foregoing charges may be preferred shall be furnished by the said board with a copy of the charges and shall be entitled to a hearing before the said board at which witnesses may be examined respecting the guilt or innocence of the person accused

In the event that the holder of a certificate of qualification to practice architecture issued by the board shall be convicted in any court of competent jurisdiction in this or any other state or commonwealth of forgery embezzlement obtaining money under false pretenses extortion criminal conspiracy to defraud or other like offense or offenses and a duly certified or exemplified copy of the record in such proceedings shall be filed with the board the board shall revoke or suspend forthwith the registration to practice architecture which it before issued to the registrant so convicted

In the event that [said] a certificate is revoked or suspended by said board the secretary shall make proper entry and registration of the fact of said revocation and shall give notice in writing of such revocation to the holder of said certificate

At any time after the expiration of six months from the date of revocation of said certificate and upon the payment of all costs incurred by said board the person whose certificate has been revoked may make application to the said Board of Examiners of Architects for a new certificate and the said board upon receiving evidence which in its opinion would warrant the granting of a new certificate may at its discretion issue a new certificate upon the payment to its treasurer of a fee of ten dollars

Section 13 On and after July first one thousand nine hundred nineteen it shall be unlawful for any person in the State of Pennsylvania to enter upon the practice of architecture in the State of Pennsylvania or to hold himself or herself forth as an architect or as a "registered architect" or to use any word or any letters or figures indicating or intended to imply that the person using the same is a "registered architect" unless he or she has complied with the provisions of this act and is the holder of a certificate of qualification to practice architecture issued or renewed and registered under the provisions of this act

This act shall not be construed to prevent persons other than architects from filing applications for building permits or obtaining such permits nor shall it be construed to prevent such persons from designing buildings and supervising their

construction provided their drawings are signed by the authors with their true appellation as engineer or contractor or builder or carpenter [or et cetera] but without the use in any form of the title of architect

Section 2 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1157, as follows:

An Act to amend section three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred thirty-one) entitled "An act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners providing for the appointment and removal of inspectors of anthracite mines prescribing their qualifications and regulating their salaries and term of office and abolishing the terms of office of the present mine inspectors of the anthracite mines" by defining the term "coal miners"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred thirty-one) entitled "An act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners providing for the appointment and removal of inspectors of anthracite mines prescribing their qualifications and regulating their salaries and term of office and abolishing the terms of office of the present mine inspectors of the anthracite mines" is hereby amended to read as follows

Section 3 On the fourth Tuesday of September public notice having been given for two weeks prior thereto in two newspapers published in the district where a vacancy exists the board shall meet again in the city of Wilkes-Barre to examine applicants for the office of inspector whose qualifications shall be certified to the board and be as follows They shall be citizens of this Commonwealth and residents of the anthracite region of temperate habits of good repute of personal integrity in good physical condition and not under thirty or over fifty years of age Provided however That any person who is now serving as inspector under the provisions of the act of June eighth one thousand nine hundred and one entitled "An act amending article two of an act entitled 'An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and perservation of property connected therewith' approved the second day of June Anno Domini one thousand eight hundred and ninety-one" and its amendments shall be eligible for appointment even if beyond fifty years of age if in good physical condition They shall have a comprehensive knowledge of the different systems of working and ventilating coal mines and shall have had at least ten years' practical experience in the anthracite mines of this Commonwealth five years of which shall be as coal miners in the anthracite mines of this Commonwealth They shall have had practical experience with explosive gas dangerous and noxious gases generally found in coal mines and shall have a general knowledge of mines mining and machinery and of the chemistry of gases generally found in coal mines They shall be conversant with the work of first aid corps and with the work and requirements of the rescue corps They shall be conversant with the science and use of electricity as applied to coal mines and shall have sufficient knowledge of the science of mining engineering to enable them to understand and read the mine workings of any mine as shown on maps presented at the examination and to make a cross section of any mine from said maps when required by the examining board They shall give evidence of such theoretical as well as practical knowledge and general intelligence respecting mines and mining and the working and ventilation of mines as will satisfy the board of their capability and fitness for the important duties imposed upon the inspectors

The term "coal miners" as used in the foregoing paragraph shall mean the persons who cut and blast coal in anthracite mines

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1730, as follows:

An Act providing for the ascertainment and assessment of damages for coal underlying property condemned for highway purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever by condemnation the Commonwealth has acquired or may hereafter acquire an easement for highway purposes carrying with it the right to the necessary vertical and lateral support from veins of marketable coal in place under and adjacent to the highway the owner of such coal or any other person firm or corporation claiming the right to remove the same shall not be entitled to recover damages by reason of the deprivation of the right to remove such coal or any portion thereof until in the ordinary course of its mining operations it is ready to remove such coal

Section 2 Proceedings for the appointment of viewers in the absence of any agreement for the payment of damages shall be commenced by petition and the county shall be notified of the presentation thereof and allowed fifteen days in which to file answer In the event that the county denies that the right to damages has accrued hereunder satisfactory proof of such fact shall first be presented to the Court of Quarter Sessions before viewers may be appointed

Section 3 The right of action for damages for coal necessary for vertical and lateral support of the highway shall be taken to accrue only as of the date when the court has found that the owner of such coal is ready to remove it as provided in section one of this act

Section 4 This act shall be effective immediately upon its approval by the Governor

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1811, as follows:

An Act to provide for maps or plans of the workings or excavations of coal mines and collieries and defining the character and contents of the maps and plans and the requirements for extensions and changes to be made on the maps from time to time in counties of the third class in order to ascertain the value of coal land for assessment and taxation purposes by the board for the assessment and revision of taxes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the owner operator or superintendent of every coal mine or colliery shall make or cause to be made an accurate map or plan of the workings or excavations of such coal mine or colliery on a scale of one hundred feet to the inch

which map or plan shall exhibit the workings or excavations in each and every seam of coal and the tunnels and passages connecting with such workings or excavations It shall state in degrees the general inclination of the strata with any material deflection therein in said workings or excavations and shall also state the tidal elevations of the bottom of each and every shaft slope tunnel and gangway and of any other point in the mine or on the surface where such elevation shall be deemed necessary The map or plan shall show the number of the last survey station and date of each survey on the gangways or the most advanced workings It shall also accurately show the boundary lines of the lands of the said coal mine or colliery and the proximity of the workings thereto and shall also show the thickness of the veins of coal

A true copy of which map or plan said owner operator or superintendent shall deposit with the board for the assessment and revision of taxes of each third class county in which the said coal mine or colliery is situate showing the working of each seam on a separate sheet of tracing muslin

Section 2 The said owner operator or superintendent shall as often as once in every six months place or cause to be placed on the said map or plan of said coal mine or colliery the plan of the extensions made in such coal mine or colliery during the preceding six months The said extensions shall be placed on the map of the board for the assessment and revision of taxes of each third class county and the map returned to the board for the assessment and revision of taxes within two months from the date of the last survey

Section 3 The maps or plans of the several coal mines or collieries in each district and which are placed in the custody of the board for the assessment and revision of taxes shall be the property of the county and shall remain in the care of the board for the assessment and revision of taxes of the county in which the said collieries are situated to be transferred by it to its successor in office and in no case shall a copy of the same be made without the consent of the owner operator or superintendent

Section 4 This act shall take effect on the first day of July one thousand nine hundred and thirty-three

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. BOYD. Mr. Speaker, I move that this bill be recommitted to the Committee on Mines and Mining for the purpose of further study.

On the question,

Will the House agree to the motion?

Mr. YOURISHIN. Mr. Speaker and members of the House, I cannot understand why this bill should be referred back for further study to the Committee on Mines and Mining.

The bill or the title of the bill is very plain, and I think everybody understands it, and I am not in favor of sending this bill back to the Committe on Mines and Mining for further study. I think that every one can get the gist of the bill right in the title.

I ask the members to vote the motion down.

Mr. HEWITT. Mr. Speaker and members of the House, as a member of the Committee on Mines and Mining, I with many others agreed to let this bill come on the floor for second reading after having asked the sponsor of the bill a question with reference to it. I was misinformed—not intentionally, although I was misinformed.

Therefore I ask the members of this House to return this bill to our Committee for further study.

Mr. YOURISHIN. Mr. Speaker, I did not understand that there was any such arrangement in the Committee on Mines and Mining about this bill coming out for two readings, and if the gentleman who just spoke means that I possibly misinformed him about some parts of this bill I am sorry I did.

The bill does not mean much, and I withdraw my objections and agree that it be sent back to the Committee on Mines and Mining for further study.

On the question recurring,

Will the House agree to the motion?

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1358 (Senate Bill No. 362), entitled:

An Act validating certain proceedings and elections of municipalities had and held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 74, entitled:

An Act to amend section one thousand two hundred and seven of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the tilting including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Departmentof Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous recepts making an appropriation and providing for refunds" as amended providing for the reimbursement from fines penalties and forfeited bail collected of counties for costs and the maintenance of prisoners imposed on them as the result of prosecutions under this act and for the adjustment of the accounts of counties by the Auditor General

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand two hundred and seven of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Common-

wealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making a appropriation and providing for refunds" as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws seven hundred fifty-one) entitled "An act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled 'For the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon the owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forefeitures fees and miscellaneous receipts making an appropriation and providing for refunds' by further regulating the registration and titling of motor vehicles trailers and semi-trailers their operation on the highway the licensing of operators and the suspension of licenses making certain changes in fees modifying penalties and procedure for enforcement and affecting the powers duties and rights of political subdivisions of the Commonwealth and their officers the Department of Highways the Department of Revenue and the courts" is hereby further amended to read as follows

Section 1207 Disposition of Fines and Forfeitures Reimbursement of Counties for Costs and the Maintenance of Prisoners

(a) All fines and penalties collected under the provisions of this act for violations of the same and all bail forfeited shall be paid to the department and transmitted to the State Treasury and credited to the "Motor License Fund" except those for the reimbursement of Counties as hereinafter provided and except those collected for violations of the provisions of sections nine hundred and three (903) nine hundred and five (905) one thousand and two (1002) one thousand and eleven (1011) one thousand and fifteen (1015) one thousand and eighteen (1018) one thousand and twenty (1020) one thousand and twenty-six (1026) one thousand and twenty-eight (1028) of this act committed within cities boroughs incorporated towns and townships which fines and penalties and all bail forfeited shall be paid to the treasurer of the city borough incorporated town or township wherein the violation occurred to be used by such city borough incorporated town or township for the construction repair and maintenance of the highways thereof Provided That all fines and penalties collected and all bail forfeited for violations of the provisions of section one thousand and sixteen (1016) committed within cities boroughs and incorporated towns shall be paid to the treasury of the city borough or incorporated town wherein the violation occurred to be used by such city borough incorporated town for the construction repair and maintenance of the highways thereof Provided further That the Commonwealth shall be liable to the several counties of this Commonwealth for the repayment to them out of the fines penalties and forefeited bail collected by counties of all costs which are imposed upon said counties by verdicts of juries or payable by said counties by operation of law and for the maintenance of prisoners as the result of criminal prosecutions brought under the provisions of this act The Auditor General shall annually for the calendar year adjust the accounts of each county relative to fines penalties and forfeited bail collected adjusting and deducting therefrom the costs and the maintenance of prisoners imposed upon such county and certify the amount due if any by each such county to the Department of Revenue for collection and payment into the Motor License Fund In no event shall the amount paid to any county for costs and the maintenance of prisoners exceed the amount of fines penalties and forfeited bail collected by such county

(b) Sworn statements of all fines and penalties so collected and all bail forfeited shall also be made by the magistrate or other officer imposing or receiving the same to the secretary upon forms furnished by the department such reports shall be made monthly not later than the tenth (10th) day of the following month

Penalty Any magistrate or other officer who shall fail to make such monthly reports and returns or either of them shall be guilty of a misdemeanor in office and upon conviction thereof in a court of quarter sessions shall be sentenced to pay a fine of five hundred ($500.00) dollars and costs of prosecution or undergo imprisonment for not more than sixty (60) days or suffer both such fine and imprisonment

On the question,

Will the House agree to the section?

Mr. WAY. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 4, lines 21 and 22, by striking out the words "and the Maintenance of Prisoners."

Amend section 1, page 5, line 25, by striking out the words "and for the maintenance of prisoners."

Amend section 1, page 6, lines 2 and 3, by striking out the words "and the maintenance of prisoners."

Amend section 1, page 6, line 7, by striking out the words "and the maintenance of prisoners."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read and agreed to as follows:

Section 2 This act shall become effective immediately upon final enactment

The title was read as follows:

An Act to amend section one thousand two hundred and seven of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled, "An act for the protection of the public safety, regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the court and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles, imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as amended, providing for the reimbursement from fines, penalties and forfeited bail

collected of counties for costs and the maintenance of prisoners imposed on them as the result of prosecutions under this act, and for the adjustment of the accounts of counties by the Auditor General.

On the question,

Will the House agree to the title?

Mr. WAY. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 2, lines 10 and 11, by striking out the words "and the maintenance of prisoners."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 28, 1933.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene Monday evening April 3, at nine o'clock; and when the House of Representatives adjourns this week it reconvene Monday evening, April 3, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 963.

An Act to amend section two of the act approved the twenty-second day of April one thousand eight hundred and seventy-four (Pamphlet Laws one hundred nine) entitled "An act to provide for the submission of civil cases to the decision of the court and to dispense with trial by jury" providing that upon request of counsel the decision of the court in such cases shall state separately the facts found the answers to points submitted and the conclusions of law

HOUSE BILL No. 126.

An Act to amend section one thousand four hundred one of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due to the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" limiting the lien and procedure for collection of taxes bonus and other moneys due to Commonwealth in certain cases

With the information that the Senate has passed the same without amendment.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. There will be a public hearing held by the Committee on Public Health and Santitation in the hall of the House from 1:30 to 2:30.

From 2:30 to 4.30 members of the Federation of Labor will address the members of the House and Senate.

The Chair requests as many members as possible, those not attending Committee meetings to be in the hall of the House to hear the deliberations of the representatives of Federated Labor.

The Chair desires to further announce that at two o'clock in the rotunda of the Capitol there will be a mass meeting of members of the Taxpayers' Justice League. The members are requested to attend that meeting if possible.

At five o'clock this afternoon in front of the Capitol there will be public ceremonies for presenting, by the Governor of the Commonwealth, to General Shannon, his commission and stars.

RECESS

The SPEAKER. If there are no objections the Chair will declare a recess until 8.30 o'clock P. M. Are there objections? The Chair hears none, and (at 1.20 P. M.) declares a recess until 8.30 P. M.

RECESS

The House reconvened at 8.30 P. M.

The SPEAKER (Grover C. Talbot) in the Chair.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 645. (HOUSE BILL No. 2081).

An Act to amend section five of the act approved the nineteenth day of August, one thousand nine hundred and thirty-two (P. L. 92), entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors, as herein defined; prescribing the method and manner of collecting such tax; and providing penalties;" extending the time for payment of the emergency relief sales tax by extending the time of payment of said tax under certain circumstances.

Referred to the Committee on Ways and Means.

SENATE BILL No. 98. (HOUSE BILL No. 2082).

An Act to amend section one thousand three hundred and five of, and to add section nine hundred and eleven to, the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and offcers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," removing the administration of the law library and legislative document section from the Department of Public Instruction to the Department of Justice, providing where it shall be housed, and the hours it shall remain open.

Referred to the Committee on State Government.

SENATE BILL No. 3. (HOUSE BILL No. 2083).

An Act authorizing cities of the first second and third classes to defray the expenses of National encampments of certain organizations of veterans.

Referred to the Committee on Cities.

SENATE BILL No. 296. (HOUSE BILL No. 2084).

An Act to amend Sections Five and Six of the act approved the twenty-second day of June one thousand nine hundred thirty-one (Pamphlet Laws seven hundred twenty) entiled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing therein authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purpose of this act" by providing for the limit of width of construction and maintenance on said streets.

Referred to the Committee on Highways.

SENATE BILL No. 543. (HOUSE BILL No. 2085).

An Act to amend section four of the act approved the twentieth day of March, one thousand eight hundred and ten (P. L. 208), entitled "An act to amend and consolidate with its Supplements, the Act entitled 'An act for the recovery of debts and demands, not exceeding one hundred dollars, before a Justice of the Peace, and for the election of Constables, and for other purposes,'" by prescribing the time within which transcripts must be filed on appeal from judgments of justices of the peace in civil cases.

Referred to the Committee on Judiciary General.

SENATE BILL No. 557. (HOUSE BILL No. 2086).

An Act to amend section two thousand five hundred and eleven of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," providing that in awarding certain contracts for the erection, construction and alteration of public buildings separate bids shall be received for the structural steel work.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 558. (HOUSE BILL No. 2087).

An Act to amend section five hundred and sixty-three of the act, approved the twenty-first day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh, and eighth classes; and revising, amending and consolidating the laws relating thereto"; providing that in awarding certain contracts for the erection, construction and alteration of public buildings, separate bids shall be received for the structural steel work.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 559. (HOUSE BILL No. 2088).

An Act to amend section one thousand nine hundred and six of the act approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto"; providing that in awarding certain contracts for the erection, construction, and alteration of public buildings, separate bids shall be received for the structural steel work.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 560. (HOUSE BILL No. 2089).

An Act to amend section one thousand eight hundred and five of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto"; providing that in awarding certain contracts for the erection, construction and alteration of public buildings, separate bids shall be received for the structural steel work.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 561. (HOUSE BILL No. 2090).

An Act to amend section one of the act, approved the first day of May, one thousand nine hundred and thirteen (P. L. 155), entitled "An act regulating the letting of certain contracts for the erection, construction, and alteration of public buildings," providing that in such cases separate contracts shall be awarded for the structural steel work.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 614. (HOUSE BILL No. 2091).

An Act to amend section one thousand and eight of the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as amended by further regulating the recording of ordinances.

Referred to the Committee on Boroughs and Townships.

SENATE BILL No. 615. (HOUSE BILL No. 2092).

An Act validating certain proceedings of borough councils pursuant to the provisions of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs; and revising, amending and consolidating the law relating to boroughs," and the several supplements and amendments thereto.

Referred to the Committee on Boroughs and Townships

SENATE BILL No. 679. (HOUSE BILL No. 2093).

An Act to amend section twenty-nine of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; refining highways and State-aid highways; providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," by relieving townships of the duty to contribute towards the maintenance of certain State-aid highways; and discharging certain existing obligations therefor.

Referred to the Committee on Highways.

SENATE BILL No. 707. (HOUSE BILL No. 2094).

An Act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates, justices of the peace and aldermen, unless names and addresses of prosecutors, defendants and witnesses appear on the transcript thereof.

Referred to the Committee on Judiciary General.

SENATE BILL No. 466. (HOUSE BILL No. 2095).

An Act to amend sections seven and eight of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1229), entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption; conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties," by regulating the pasteurization of milk and milk used for certain purposes.

Referred to the Committee on Agriculture.

BILLS INTRODUCED AND REFERRED

By Mr. McCLURE. HOUSE BILL No. 2096.

An Act imposing a State tax, payable by those herein defined as manufacturers and distributors, on non-intoxicating alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale of non-intoxicating alcoholic beverages at retail or wholesale; and providing penalties.

Referred to the Committee on Ways and Means.

By Mr. McCLURE. HOUSE BILL No. 2097.

An Act regulating the sale of non-intoxicating alcoholic beverages as herein defined; providing for the licensing of the retail sale and distribution of such beverages; imposing license fees for the use of certain political subdivisions of the Commonwealth; and providing for the collection and distribution thereof; imposing duties upon the Department of Revenue, the State Treasurer and courts of common pleas; making an appropriation; restricting ownership and interest in licensed places; providing penalties; and repealing existing acts.

Referred to the Committee on Ways and Means.

COMMUNICATIONS AND PETITIONS

The SPEAKER laid before the House the following communications and petitions which were read by the Clerk.

FAVORING PASSAGE OF UTILITIES BILL

Slovak Social Club, East Pittsburgh.

Referred to the Committee on Public Utilities.

FAVORING PASSAGE OF HOUSE BILL No. 92

Citizens of Pennsylvania.

Referred to the Committee on Law and Order.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 126.

An Act to amend section one thousand four hundred one of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State Government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Com-

monwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" limiting the lien and procedure for collection of taxes bonus and other moneys due the Commonwealth in certain cases

HOUSE BILL No. 963.

An Act to amend section two of the act approved the twenty-second day of April one thousand eight hundred and seventy-four (Pamphlet Laws one hundred nine) entitled "An act to provide for the submission of civil cases to the decision of the court and to dispense with trial by jury" providing that upon request of counsel the decision of the court in such cases shall state separately the facts found the answers to points submitted and the conclusions of law

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 179, as follows:

An Act to amend section two hundred and twelve of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred sixty-two) entitled "An act concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth except in counties of the first and second class and relating thereto" by providing for depositories for funds of poor districts coterminus with counties of the third class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two hundred and twelve of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred sixty-two) entitled "An act concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth except in counties of the first and second class and revising amending consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 212 County Treasurer to be Treasurer of District The treasurer of such county shall be treasurer of said poor district shall receive all moneys belonging to the district and pay out the same on warrants drawn by the directors of the poor The accounts of the treasurer with the said district shall be audited by the county controller or county auditors of said county in accordance with the laws relating to accounts of county treasurers

The directors of the poor shall require the county treasurer to give bond with sufficient surety in such amount as they shall determine requisite for the safe keeping and proper payment of all moneys that come into his hands on account of said district The premium or premiums for any such bond or bonds shall be paid by the directors of the poor

The directors of the poor in all poor districts coterminus with counties of the third class shall from time to time designate by resolution a depository or depositories for all moneys belonging to the district Such depository or depositories shall be banks banking institutions or trust companies located in the Commonwealth Depositories so designated shall upon receipt of notice of their selection as depository of funds of the poor district furnish a bond to secure payment of deposits and any interest to the poor district secured by a surety company or individual sureties or by the depositing in escrow of securities to be approved by the directors of the poor of such poor districts Such bonds shall be in a sum to be fixed by resolution of the directors of the poor

The county treasurer shall upon the designation of such depository or depositories immediately transfer thereto the funds of such poor district and shall thereafter keep such deposits solely in such depository or depositories in the name of such poor district No county treasurer complying with the provisions of this section nor his surety or sureties shall be chargeable with losses of poor district funds caused by the failure or negligence of such depository or depositories

Section 2 The provisions of this act shall become effective immediately upon its final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—187

Baker,	Habbyshaw,	McGinnis,	Sheffer,
Baldi,	Haines,	McGrail,	Shellenberger,
Barnhardt,	Hamilton,	McGregor,	Shenkel,
Bechtel,	Harmuth,	McHenry,	Shortz,
Bennett,	Harris,	McKay,	Shreiner,
Bernhard,	Hart,	McKinney,	Simon,
Blumberg,	Hartman,	Melchiorre,	Sinwell,
Boyd,	Heffernan,	Merrell,	Snyder,
Brancato,	Hefferon,	Metzler,	Sowers,
Brennan,	Heffner,	Mohn,	Spann,
Brown, W. L.,	Hermansen,	Moore,	Stank,
Brownfield,	Hewitt,	Mumford,	Steedle,
Caputo,	Himes, L. R.,	Munley,	Sterling, P.,
Carey,	Hoffman,	Myers,	Sterling, R. B.,
Carson,	Holmes, J. B.,	Negley,	Stevens,
Chervenak,	Holmes, J. L.,	Nothnagle,	Stevenson,
Cohen,	Hoopes,	O'Connor,	Stiteler,
Conner,	Horst,	O'Keefe,	Storb,
Cooke,	Hough,	O'Neill,	Stone,
Cordier,	Howard,	O'Rourke,	Stott,
Craig,	Hutton,	Patterson,	Surface,
Cramer,	Jaffe,	Peelor,	Tahl,
Dane,	Jones,	Pennock,	Terry,
Davies,	Kane, J. J.,	Perry, D. R.,	Turner,
DeFrehn,	Kane, L. P.,	Perry, J. J.,	Wade,
Denning,	King,	Peters,	Wagner,
Downey, G. E.,	Kinney,	Powell,	Walker, G. E.,
Downey, J.,	Labar,	Powers,	Wall,
Duffy,	Lane,	Price,	Wasserman,
Dunmire,	Laubach,	Quinn,	Way,
Dwyer,	Lenahan,	Rectenwald,	Weidemann,
Ederer,	Lewis,	Reed,	Welsh,
Emhardt,	Long,	Reilly,	Westrick,
Eroe,	Lose,	Rhodes,	Wike,
Evans,	Lovett, J. E.,	Rice,	Williams, G. W.,
Fitzgerald,	Lovett, W. S.,	Roan,	Williams, J. J.,
Flanagan,	Lynch, J. R.,	Roth,	Wilson, L. M.,
Fleisher,	Male,	Royle,	Wilson, T. B.,
Flinchbaugh,	Malina,	Ruby,	Witkin,
Flynn,	Maloney,	Ruth,	Wood,
Forrest,	Marcks,	Sarig,	Woodside,
Furman,	Mason,	Sauter,	Wright,
Gallagher,	McBride,	Schrock,	Yeakel,
Gartner,	McCandless,	Schrope,	Yourishin,
Gillette,	McClure,	Schwab,	Zimmerman,
Green,	McCreary,	Scorza,	Talbot,
Greenstein,	McElwee,	Scott,	Speaker.
Griffith,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 974, as follows:

An Act providing that whenever a husband or wife creates a trust fund of personal property reserving for himself or herself during his or her life time any part of the income or benefits therefrom and disposing of the principal or income upon his or her death such trust shall be subject to the rights of the surviving spouse under the intestate laws

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any husband or wife shall hereafter create any trust of any kind whereby he or she shall transfer

any personal property to a third party in trust reserving for himself or herself during his or her lifetime the income or benefits or any part thereof and providing for the vesting of the income or principal or both of such trust upon his or her death in a party or parties other than shall be deemed ineffective to defeat the rights of the surviving spouse as to the property involved in such trust and such surviving spouse shall at his or her election be entitled to such part of such property as he or she would have been entitled to under the intestate laws had title thereof remained in such deceased husband or wife at death In any such case the surviving spouse shall have an election to take against such trust in the same manner and with like effect as provided by law for taking against the will of a deceased husband or wife

Section 2 This act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—167

Andrews,	Gartner,	Maloney,	Root,
Baker,	Gillette,	Marcks,	Sautter,
Baldi,	Green,	Mason,	Schrock,
Barnhardt,	Greenstein,	McBride,	Schrope,
Bechtel,	Griffith,	McCandless,	Scorza,
Beech,	Habbyshaw,	McClure,	Scott,
Bennett,	Haines,	McCreary,	Shenkel,
Bernhard,	Hamilton,	McElwee,	Shettel,
Blumberg,	Harmuth,	McGinnis,	Shortz,
Boyd,	Harris,	McGrail,	Shreiner,
Brancato,	Hart,	McGregor,	Simon,
Brennan,	Hartman,	McHenry,	Sinwell,
Brown, J. E.,	Heffernan,	McKay,	Snyder,
Brown, W. L.,	Hefferon,	McKinney,	Spann,
Brownfield,	Heffner,	Melchiorre,	Stank,
Caputo,	Hermansen,	Meredith,	Steedle,
Carey,	Himes, L. R.,	Merrell,	Sterling, R. B.,
Carson,	Hoffman,	Metzler,	Stevens,
Chervenak,	Holmes, J. B.,	Mohn,	Stevenson,
Cohen,	Holmes, J. L.,	Moore,	Stiteler,
Cooke,	Horst,	Munley,	Surface,
Cordier,	Hough,	Negley,	Tahl,
Cramer,	Howard,	O'Connor,	Turner,
Dane,	Jaffe,	O'Keefe,	Wade,
Davies,	Jones,	O'Neill,	Wagner,
DeFrehn,	Kane, J. J.,	Patterson,	Wall,
Denning,	Kane, L. P.,	Peelor,	Wasserman,
Downey, G. E.,	King,	Pennock,	Way,
Duffy,	Kinney,	Perry, D. R.,	Weidemann,
Dunmire,	Labar,	Perry, J. J.,	Welsh,
Dwyer,	Lane,	Peters,	Westrick,
Ederer,	Laubach,	Powell,	White,
Emhardt,	Lenahan,	Powers,	Wike,
Eroe,	Lewis,	Price,	Williams, G. W.,
Evans,	Long,	Quinn,	Williams, J. J.,
Fitzgerald,	Lord,	Raub,	Wilson, T. B.,
Flanagan,	Lose,	Rectenwald,	Witkin,
Fleisher,	Lovett, J. E.,	Reed,	Wood,
Flinchbaugh,	Lovett, W. S.,	Reilly,	Woodside,
Flynn,	Lynch, J. R.,	Rhodes,	Zimmerman,
Forrest,	Lynch, M.,	Rice,	Talbot,
Furman,	Male,	Roan,	Speaker.
Gallagher,	Malina,		

NAYS—12

Conner,	Hoopes,	Sterling, P.,	Wilson, L. M.,
Craig,	Hutton,	Stone,	Wright,
Hester,	Nothnagle,	Storb,	Yeakel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 876, as follows:

An Act to amend sections one hundred ten four hundred seven four hundred eight five hundred thirty six hundred twelve six hundred twenty-one six hundred twenty-two eight hundred eight one thousand seven hundred and fifteen two thousand sixty-three two thousand seventy two thousand three hundred and one two thousand three hundred and two and three thousand two hundred and one to repeal sections two thousand seventy-one two thousand seventy-two two thousand seventy-three two thousand seventy-four two thousand seventy-five three thousand two hundred and two three thousand two hundred and three three thousand two hundred and four three thousand two hundred and five and three thousand two hundred and six and to add sections two hundred nine two hundred nine a three thousand two hundred and two and three thousand two hundred and three to of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand two hundred six) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" regulating advertising fixing the voting powers at county conventions of township officers correcting certain section headings providing the security to be given by depositories prescribing penalties for delinquent taxes permitting certain municipal claims to be embraced in one claim and providing that the width of sidewalks may be fixed by resolution providing for the laying out and ordaining of sidewalks for the removal of shrubbery and obstructions within highways for the filling of vacancies in office for the reestablishment of a first class township as a second class township and defining the powers and duties of the planning commission

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections one hundred ten four hundred seven four hundred eight five hundred thirty six hundred twelve six hundred twenty-one six hundred twenty-two eight hundred eight sections one thousand seven hundred and fifteen two thousand and sixty-three two thousand and seventy two thousand three hundred and one two thousand three hundred and two and three thousand two hundred and one of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand two hundred six) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" are hereby amended to read as follows

Section 110 Legal Advertising Whenever under the provisions of this act notice is required to be published in one newspaper such publication shall be made in a newspaper of general circulation as defined by the Newspaper Advertising Act approved May sixteenth one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand seven hundred eight-four) printed [in the township if there is such a newspaper and if not then in a newspaper] or circulating generally in such township If such notice is required to be published in more than one newspaper it shall be pubished in at least one newspaper of general circulation defined as aforesaid printed [if there be such a newspaper] or circulating generally as above provided in the township When such notice relates to any proceeding or matter in any court or the holding of an election for the increase of indebtedness or the issue and sale of bonds to be paid by taxation such notices shall also in counties of the second third fourth and fifth classes be published in the legal newspaper if any designated by the rules of court of the proper county for the publication of legal notices and advertisements unless such publication be dispensed with by special order of court Provided however That ordinances auditors' statements summaries of auditors' statements advertisements inviting proposals for public contracts and for bid for material and supplies or lists of delinquent taxpayers shall be published only in newspapers of general circulation defined as aforesaid

Section 407 Schedule for Election of Commissioners in Townships First Divided Into Wards When a township is first divided into wards the township commissioners then in office shall continue in office until the expiration of their respective terms

At the first municipal election occurring at least ninety days after such division into wards there shall be elected by the

qualified electors of each ward of the township one township commissioner who [need not] shall reside in the ward for which he is elected At such election the township commissioners elected in even-numbered wards shall be elected for terms of two years each and those in odd-numbered wards for terms of four years each or vice versa as the case may be in order that the expiration of such terms will harmonize with the expiration of term of township commissioners elected for such numbered wards under the provisions of this act Thereafter successors to such commissioners elected by ward shall be elected for term of four years each at the municipal election immediately preceeding the expiration of the terms of ward commissioners

If the number of wards into which the township has been divided is less than five then at the municipal election preceding the expiration of the terms of any commissioner or commissioners theretofore elected at large if such expiration of terms will leave the township with less than five township commissioners there shall be elected at large a sufficient number of township commissioners so that the total number of commissioners elected by wards and at large in the township shall thereafter be five If one township commissioner is elected at large at such election he shall be elected for a term of four years If two township commissioners are elected at large at such election one shall be elected for a term of two years and one for a term of four years If three township commissioners are elected at large at such election two shall be elected for terms of four years each and one for a term of two years Successors to such township commissioners elected at large at such election shall be elected for terms of four years each

All terms of office of township commissioners elected at large or by wards shall commence on the first Monday of January next following their election

Section 408 Schedule of Election of Commissioners in Newly Created Wards Whenever in a township previously divided into wards a new ward is created and the number of wards thereafter in such township including the new ward is less than five then at the municipal election next following the expiration of the term of the commissioner or commissioners elected at large whose terms shall first expire after such creation there shall be elected by the qualified electors of such new ward one township commissioner who [need not] shall reside in the ward for which he is elected for a term of two or fours years so that the expiration of his term will harmonize with the expiration of terms of commissioners for such numbered wards under the provisions of this act Successors to such township commissioners shall be elected for term of four years The number of commissioner thereafter elected at large in any such township shall be the difference between the number of wards and five and a sufficient number of commissioners shall be elected at large at each municipal election preceding the expiration of terms of commissioners at large so that the total number of commissioners in the township will at all times be five

Whenever in any township previously divided into wards a new ward is created and the number of wards thereafter in such township is five ther at the municipal election preceding the expiration of the term of office of any commissioner or commissioners elected at large a township commissioner shall be elected for such ward who [need not] shall reside in the ward Such election shall be for a two or four year term so that the expiration of his term will harmonize with the expiration of terms of commissioners for such numbered wards under the provisions of this act The successor to such ward commissioner shall be elected for a four-year term No township commissioner shall thereafter be elected at large in such township

If the number of wards in such township including the new ward shall be more than five the court of quarter sessions shall appoint a township commissioner for such new ward who shall hold office until the first Monday in January succeeding the first municipal election at which township commissioners are elected in such numbered wards under the provisions of this act at which election and every four years thereafter a township commissioner who [need not] shall reside in the ward shall be elected by the qualified electors of said ward for a term of four years

All township commissioner selected under this section shall take office on the first Monday of January next succeeding their election

Section 530 Township Commissioners When a vacancy occurs in the office of township commissioners in any township by reason of death resignation removal from the township or ward or otherwise the court of quarter sessions upon the petition of twenty qualified voters of the ward or township as the case may be in which the vacancy occurs may appoint a qualified voter of the township to fill such vacancy If such petition is not presented to the court within thirty days after such vacancy occurs the board of township commissioners of the township may appoint a qualified voter of the township to fill the vacancy In either event the person so appointed shall hold office until the next municipal election at which election a township commissioner shall be elected for the unexpired term of the person whose place he is elected to fill

Section 612 Officers of Association Ex-Officio Membership The officers of the association shall consist of a president two vice presidents a secretary and a treasurer all of who except the secretary shall be members of the association and shall hold office for one year or until their successors are chosen If desirable the secretary may be a person not a regular member of the association and may be paid for his service such compensation not exceeding ten dollars per annum as the other officers may determine Every township [oiffcer attending such convention may vote in the election of officers] shall have one vote in the convention The mayor of any city the burgess of any borough or their duly appointed representative the county commissioners and the judges of the court in the county the township engineer of the State Highway Department the assistant engineers of the division of township highways and the superintendent of State highways in charge of such county shall be eligible to membership but shall not be entitled to vote nor to hold office

Section 621 Delegates from [County Associations] Townships Each township shall send one township officer as a delegate to each annual meeting of said State association who shall be selected by the commissioners of the township of which he is a commissioner or an officer

Section 622 Expenses of Delegates Paid by [County Associations] Townships The expenses of the delegates and other officers attending the annual meeting shall not exceed seven dollars and fifty cents per day for each officer attending for not more than three days together with the actual mileage at the prevailing rate of railroad fare and shall be paid by the respective townships

Section 808 Depositories of Township Funds Selection [of] Bonds The Board of commissioners shall from time to time designate by resolution a depository or depositories for township funds and tax collectors' funds Such depository or depositories shall be banks banking institutions or trust companies located in this Commonwealth

Depositories so designated shall upon receipt of notice of their selection as a depository of township funds either furnish a bond to secure payment of deposits of township and tax collectors funds and any interest to the township with a proper warrant to confess judgment in favor of the township secured by a surety company or individual sureties to be approved by the board of commissioners or deposit United States municipal or county bonds to be approved by the board of commissioners to secure the payment of township deposits and any interest thereon Such surety bonds shall be in a sum to be fixed by ordinance or resolution at least equal to the probable greatest amount of such deposit at any one time The current market value of deposit bonds shall be at all times at least equal to the amount of township funds then on deposit with such depository Such deposit bonds shall be accompanied by proper assignments or powers of attorney to transfer the same In the event of the failure of the depository to pay to the township the full amount of such deposit and interest thereon such bonds and the proceeds of sale thereof shall belong to the township until it shall receive therefrom the full amount of such deposits and

interest thereon and the township shall have a prior standing as respects such bonds and be in all respects preferred to any and all claims except such as have heretofore been preferred by law

The township treasurer shall upon the designation and qualification of such depository or depositories immediately transfer thereto the township funds and shall thereafter keep such deposits solely in such depository or depositories in the name of the township

No township treasurer or tax collector complying with the provisions of this section nor his surety or sureties shall be chargeable with losses in township funds caused by the failure or negligence of such depository or depositories

Section 1502 Clause II Fines for Violation of Ordinances To prescribe fines and penalties not exceeding three hundred dollars in any instance for the violation of township ordinances which fines and penalties may be collected by suit brought in the name of the township before any justice of th peace in like manner as debts of like amount may be sued for by existing laws

Section 1715 Penalties All persons who fail to make payment of any tax charged against them in the duplicate within the period of sixty days from the date of notice thereof by the township treasurer shall be charged with a penalty of two per centum additional on the amount of tax and thereafter an additional penalty of [one] one-half per centum for each month or fractional part thereof [during the remainder of the fiscal year for which the tax is levied] until paid which penalties shall be added to the tax by the treasurer and collected by him [or his deputy] for the benefit of the township Provided however That said penalty of one-half of one per centum per month shall cease at any time when and if interest is added to such taxes under laws providing for the return of unpaid taxes or the filing of liens therefor

Section 2063 Collection of Assessments If any assessment shall remain unpaid at the expiration of the notice it shall be the duty of the township solicitor to collect the same with interest from the time of completion of the improvement by action of assumpsit or by a lien to be filed and collected in the same manner as municipal claims When an owner has two or more lots against which there is an assessment of the same improvement all of such lots [shall] may be embraced in one claim

(k) Trees [and] Shrubbery and Obstructions within Limits of Highways

Section 2070 [Saving Trees and Shurbbery Where any highway passes through or along forested lands wild lands or uncultivated lands no trees growing within the limits of such highway at a distance beyond fifteen feet on either side of the center line thereof and which measure four inches or over in diamter at a point two feet from the surface of the ground shall be cut down or destroyed by the commissioners or persons employed by them or any other person without first obtaining the consent of the abutting owners

Whenever any highway running through improved or cultivated lands has been opened and there are growing along the roadside and within the road limits shrubs or trees not interfering with public travel no commissioners or other persons in their employ shall remove cut injure or destroy or in any other manner interfering with such shrubs or trees If such removal or cutting is absolutely necessary for the purpose of maintaining the highway at its highest efficiency the commissioners or other persons in their employ may so cut or remove such shrubs or trees after notifying the abutting property owners and entering into an agreement with them relating to the removal cutting or interference with said shrubs or trees]

In order to provide for easy and convenient traveling upon the public highways the township commissioners may cut alter or remove any trees shrubbery underbrush refuse or obstructions within the legal width of any public road street lane or alley or any part thereof All logs cordwood or other forms of wood derived from the destruction or removal of any trees growing along such highways become the property of the abutting owners provided that such abutting owners shall within ten days after notice from the township remove such logs cordwood or other forms of wood from the legal width of the highway In the event of their failure to do so they shall forfeit all interest therein and the same may be disposed of as the township commissioners deem proper

Section 2301 Power to Lay Out Ordain and Establish Grades Townships may lay out ordain and establish sidewalks upon any [of the roads streets lanes and alleys of the township] public road street lane or alley including State and State-aid highways and county roads and may establish grades for such sidewalks which grades may be separate and apart from the grade established for the highway and for this purpose any township may acquire land by purchase gift or by the right of eminent domain

Section 2302 Width The width of any sidewalk shall be fixed by the township commissioners either by ordinance or resolution

Section 3201 Power to Create Planning Commission Residence of Commissioners Employes Rules and Regulations The township commissioners may create by ordinance and appoint a Planning Commission consisting of five persons in the first instance one member of said commission shall be appointed for one year one for two years one for three years one for four years and one for five years and annually thereafter a member of said commission shall be appointed for a term of five years An appointment to fill a vacancy shall be for the unexpired portion of the term All members of the commission shall reside within the [zone of jurisdiction of said commission as hereinafter defined] township [The Planning Commission may make and alter rules and regulations for their own organization and procedure consistent with the ordinance of the township and the laws of the Commonwealth] They shall serve without compensation and make annually to the township commissioners a report of their transactions The Planning Commission may with the consent of the township commissioners [employ engineers and other persons whose salaries and wages and other necessary expenses of the commission shall be provided for through proper appropriation by the township commissioners] retain the services of an engineer or engineers as well as other necessary employes. The township commissioners shall appropriate such sum as they deem necessary for defraying the expenses of the Planning Commission and in no event shall the expenses of the Planning Commission including the salaries of the engineer or other employes exceed the amount of the appropriation

Section 2 That sections two thousand seventy-one two thousand seventy-two two thousand seventy-three two thousand seventy-four two thousand seventy-five three thousand two hundred two three thousand two hundred three three thousand two hundred four three thousand two hundred five and three thousand two hundred six of said act are hereby repealed

Section 3 That said act is hereby amended by adding thereto the following sections

(bb) Reestablishment of Townships of the Second Class

Section 209 Ascertainment of Population At any time not less than one year before the time fixed for taking a decennial census of the United State whenever the owners of twenty-five per centum of the assesed valuation of the real estate of any township of the first class shal present their petition to the court of quarter sessions averring that the township no longer has a population of three hundred inhabitants to the square mile and shall give such security as the court may prescribe for the payment of all costs and expenses which may be incurred in any procedure had upon said petition the court shall appoint a commissioner to perform the duties hereafter prescribed

The said commissioner shall make an enrollment of the inhabitants of such township and make report thereof to the court at the next ensuing term Upon the filing of the report the same shall be confirmed nisi which confirmation shall become absolute unless excepted to within thirty days thereafter during which time notice of the said filing and confirmation shall be advertised in a newspaper published in the county once a week for three weeks If exceptions are filed to the report within the said thirty days the court upon consideration thereof shall confirm the report or modify the said finding After final confirmation the clerk of the court shall certify to the county commissioners and to the township supervisors of the township the population of the township as shown by said proceedings The costs and expenses of the proceedings including a reasonable fee for the commissioner and attorney shall be paid by the petitioners or by the township or partly by each as the court shall direct

In addition to the procedure provided in the preceding paragraph the county commisisoners of each county shall following each decennial census of the United States ascertain from such census whether any township of the first class in the county no longer has a population of three hundred inhabitants to the square mile and shall immediately

certify the fact that any township no longer has a population of three hundred inhabitants to the square mile to the board of commissioners of the township

Section 209a Submission of Question of Voters Returns of Election and Effect Thereof At the first general or municipal election occuring at least ninety days after the ascertainment by special enrollment or from the United States census including the United States census of one thousand nine hundred and thirty and each subsequent census that any township of the first class no longer has a pouplation of at least three hundred inhabitants to the square mile the question whether such township of the first class shall be reestablished as a township of the second class shall be submitted to the voters of the township and the county commissioners shall cause to be printed on separate ballots to be used in such township at such election a proper question framed in accordance with the election laws of the Commonwealth

The election officers shall compute the votes cast at the election provided for in the preceding paragraph and make return thereof to the clerk of the court of quarter sessions who shall tabulate the same and certify the result thereof to the county commissoiners and the township commissioners of such township If a majority of the votes cast at any such election shall be in favor of becoming reestablished as a township of the second class the government of the township of the second class shall be organized and become operative on the first Monday of January next succeeding such election at which time the terms of the officers of the township of the first class shall cease and terminate If a majority of the votes cast at any such election shall be in favor of remaining a township of the first class no further proceedings shall be had for a period of four years after which period the board of township commissioners by unanimous action may or upon petition of ten per centum of the registered voters of the township shall resubmit the question to the electors of the township in the manner hereinbefore provided

The provisions of this and the preceding section shall apply to all townships of the first class the governments of which as townships of the second class have not been actually organized at the time this act becomes effective and such townships shall continue as townships of the first class until the election hereinbefore provided shall determine otherwise

Section 3202 Maps and Plans Recommendations of Planning Commission In addition to filing an annual report it shall be the duty of the Planning Commission to make or cause to be made and to lay before the township Commissioners maps and plans of the township or any portion thereof showing the strets highways and other natural and artifical features and also any locations recommended by it for any new public buildings civic schemes parkways parks playgrounds or any other public grounds or public improvements and any widening extension or relocation of the same and thereafter from time to time the Planning Commission may lay before the township commisisoners any modification change or supplement to any prior plan or plans The Planning Commission may also from time to time make recommendations to the township commissioners with respect to any and all matters and things referred to in this section and in so doing shall have regard for the present conditions and future needs and growth of the township

Any maps or plans so submitted shall not be affective unless regularly approved and adopted by ordinance or rseolution of the township commissioners and after such approval and adoption shall be subject to revision and change from time to time as the township commissioners may deem expedient

Section 3203 Reference of Proposals to Planning Commission The township commisisoners may at their discretion from time to time submit to the Planning Commission any question or proposal relating to any of the matters or things refered to in the preceding section hereof or any other matter or thing relating to the growth or development of the township including any plans for the development of any particular sections of the township and it shall be the duty of the Planning Commission in due course to make a report with respect to any such question or proposal with its recommendation thereon

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—188

Andrews,	Griffith,	McGinnis,	Scott,
Baker,	Haines,	McGrail,	Shellenberger,
Baldi,	Hamilton,	McGregor,	Shenkel,
Barnhardt,	Harmuth,	McHenry,	Shettel,
Bechtel,	Harris,	McKay,	Shortz,
Beech,	Hart,	Meredith,	Simon,
Bennett,	Hartman,	Merrell,	Sinwell,
Bernhard,	Heffernan,	Metzler,	Snyder,
Blumberg,	Hefferon,	Mohn,	Spann,
Boyd,	Heffner,	Moore,	Stank,
Brennan,	Hermansen,	Mumford,	Steedle,
Brown, J. E.,	Himes, T. R.,	Munley,	Sterling, P.,
Brown, W. L.,	Hoffman,	Myers,	Sterling, R. B.,
Brownfield,	Holmes, J. B.,	Negley,	Stevens,
Cannon,	Holmes, J. L.,	Nothnagle	Stevenson,
Caputo,	Hoopes,	O'Connor,	Stiteler,
Carey,	Horst,	O'Keefe,	Storb,
Carson,	Hough,	O'Neill,	Stone,
Cohen,	Howard,	O'Rourke,	Stott,
Conner,	Hutton,	Patterson,	Surface,
Cooke,	Jaffe,	Peelor,	Tahl,
Cordier,	Jones,	Pennock,	Turner,
Craig,	Kane, J. J.,	Perry, D. R.,	Wade,
Cramer,	Kane, L. P.,	Perry, J. J.,	Wagner,
Dane,	King,	Peters,	Walker, G. E.,
Davies,	Kinney,	Powell,	Walker, W. A.,
DeFrehn,	Labar,	Powers,	Wall,
Denning,	Lane,	Price,	Wasserman,
Downey, J.,	Laubach,	Quinn,	Way,
Duffy,	Lenahan,	Raub,	Weidemann,
Dunmire,	Lewis,	Rectenwald	Welsh,
Dwyer,	Long,	Reed,	Westrick,
Ederer,	Lord,	Reilly,	White,
Emhardt,	Lose,	Rhodes,	Wike,
Eroe,	Lovett, W. S.,	Rice,	Williams, G. W.,
Evans,	Lynch, J. R.,	Roan,	Williams, J. J.,
Fitzgerald,	Lynch, M.,	Root,	Wilson, L. M.,
Flanagan,	Male,	Roth,	Wilson, T. B.,
Fleisher,	Malina,	Royle,	Witkin,
Flinchbaugh	Maloney,	Ruby,	Wood,
Flynn,	Marcks,	Ruth,	Woodside,
Forrest,	Mason,	Sarig,	Wright,
Furman,	McBride,	Sautter,	Yeakel,
Gallagher,	McCandless,	Schrock,	Yourishin,
Gartner,	McClure,	Schrope,	Zimmerman,
Gillette,	McCreary,	Schwab,	Talbot,
Green,	McElwee,	Scorza,	Speaker.
Greenstein,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 962, entitled:

An act relating to judicial sales of real estate the credits to be given upon obligations on account of certain sales and giving the right of subrogation to mortgagors in the event of certain sales.

And said bill having been read at length the third time, cosidered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Habbyshaw,	McGinnis,	Sheffer,
Baker,	Haines,	McGrail,	Shellenberger,
Baldi,	Hamilton,	McGregor,	Shenkel,
Barnhardt,	Harmuth,	McHenry,	Shettel,
Bechtel,	Harris,	McKay,	Shortz,
Beech,	Hart,	Melchiorre,	Shreiner,
Bennett,	Hartman,	Meredith,	Simon,
Bernhard,	Heffernan,	Merrell,	Sinwell,
Blumberg,	Heffner,	Metzler,	Snyder,
Boyd,	Hermansen,	Mohn,	Sowers,
Brancato,	Hester,	Moore,	Spann,
Brennan,	Himes, L. R.,	Mumford,	Stank,
Brown, W. L.,	Hoffman,	Munley,	Steedle,
Brownfield,	Holmes, J. B.,	Myers,	Sterling, P.,
Cannon,	Holmes, J. L.,	Negley,	Stevens,
Caputo,	Hoopes,	Nothnagle,	Stevenson,
Carey,	Horst,	O'Connor,	Stiteler,
Carson,	Hough,	O'Keefe,	Storb,
Chervenak,	Howard,	O'Neill,	Stone,
Conner,	Hutton,	O'Rourke,	Stott,
Cooke,	Jaffe,	Patterson,	Surface,
Cordier,	Jones,	Peelor,	Tahl,
Craig,	Kane, J. J.,	Pennock,	Terry,
Cramer,	Kane, L. P.,	Perry, D. R.,	Turner,
Dane,	King,	Perry, J. J.,	Wade,
Davies,	Kinney,	Peters,	Wagner,
DeFrehn,	Labar,	Powell,	Walker, G. E.,
Denning,	Lane,	Powers,	Walker, W. A.,
Downey, J.,	Laubach,	Price,	Wall,
Duffy,	Lenahan,	Quinn,	Way,
Dunmire,	Lewis,	Rectenwald,	Weidemann,
Dwyer,	Long,	Reed,	Welsh,
Ederer,	Lord,	Reilly,	Westrick,
Emhardt,	Lose,	Rhodes	White,
Eroe,	Lovett, J. E.,	Rice,	Wike,
Evans,	Lovett, W. S.,	Roan,	Williams, G. W.,
Fitzgerald,	Lynch, J. R.,	Roth,	Williams, J. J.,
Flanagan,	Lynch, M.,	Royle,	Wilson, L. M.,
Fleisher,	Malina,	Ruby,	Wilson, T. B.,
Flinchbaugh	Maloney,	Ruth,	Witkin,
Flynn,	Marcks,	Sarig,	Woodside,
Furman,	Mason,	Sautter,	Wright,
Gallagher,	McBride,	Schrock,	Yeakel,
Gartner,	McCandless,	Schrope,	Yourishin,
Gillette,	McClure,	Schwab,	Zimmerman,
Green,	McCreary,	Scorza,	Talbot,
Greenstein,	McElwee,	Scott,	Speaker.
Griffith,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 454, entitled:

An Act relating to change of polling places

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—136

Andrews,	Hefferon,	McKinney,	Shreiner,
Baker,	Hermansen,	Melchiorre,	Shugarts,
Barnhardt,	Hester,	Merrell,	Sinwell,
Bechtel,	Hewitt,	Mohn,	Sowers,
Bernhard,	Himes, L. R.,	Moore,	Spann,
Boyd,	Holmes, J. L.,	Mumford,	Stank,
Brennan,	Hoopes,	Myers,	Steedle,
Brown, J. E.,	Hough,	Negley,	Sterling, P.,
Brownfield,	Hutton,	Nothnagle,	Stevens,
Caputo,	Jaffe,	O'Connor,	Stevenson,
Chervenak,	Kane, L. P.,	Patterson,	Storb,
Conner,	King,	Peelor,	Surface,
Craig,	Kinney,	Pennock,	Tahl,
Dane,	Labar,	Perry, D. R.,	Terry,
DeFrehn,	Lane,	Perry, J. J.,	Turner,
Denning,	Laubach,	Peters,	Wade,
Downey, G. E.,	Lenahan,	Powell,	Wagner,
Duffy,	Lewis,	Price,	Walker, G. E.,
Dunmire,	Lord,	Raub,	Walker, W. A.,
Ederer,	Lose,	Rhodes,	Wall,
Emhardt,	Lovett, J. E.,	Rice,	Way,
Evans,	Lovett, W. S.,	Roan,	Weidemann,
Flinchbaugh,	Lynch, M.,	Root,	White,
Flynn,	Male,	Royle,	Wike,
Forrest,	Malina,	Ruby,	Williams, G. W.,
Furman,	Maloney,	Ruth,	Wilson, L. M.,
Gartner,	Mason,	Sautter,	Witkin,
Green,	McBride,	Schrock,	Wood,
Greenstein,	McClure,	Schwab,	Woodside,
Griffith,	McElwee,	Schwartz,	Yeakel,
Haines,	McGrail,	Scorza,	Yourishin,
Harris,	McGregor,	Sheffer,	Zimmerman,
Hart,	McHenry,	Shellenberger,	Talbot,
Heffernan,	McKay,	Shortz,	Speaker.

NAYS—11

Baldi,	Brown, W. L.,	Cooke,	O'Neill,
Bennett,	Carey,	Dwyer,	Powers,
Blumberg,	Carson,	Metzler,	Reed,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION GRANTED COMMITTEE TO SIT DURING SESSION OF THE HOUSE

Mr. McCLURE asked and obtained permission for the Committee on Judiciary General to meet during the session of the House.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1543, as follows:

An Act to amend section five of the act approved the nineteenth day of August one thousand nine hundred and thirty-two (Pamphlet Laws ninety-two) entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by venders as herein defined prescribing the method and manner of collecting such tax and providing penalties" extending the period for payment of part of the tax

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of the act approved the nineteenth day of August one thousand nine hundred and thirty-two (Pamphlet Laws ninety-two) entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors as herein defined prescribing the method and manner of collecting such tax and providing penalties" is hereby amended to read as follows

Section 5 Assessment and Payment of Tax Every vendor at the time of making the return required under section four shall compute and pay to the department the tax due to the Commonwealth by him for the preceding six months' period The amount of all taxes imposed under the provisions of this act shall be due and payable at the time the return for such six months period is required to be filed with the department by this act Provided however That any vendor may on or before the first day of April one thousand nine hundred and thirty-three pay one-half of such tax concurrently with the filing of such report and may pay the remaining one-half of the said tax in a single instalment on or before the fifteenth day of May one thousand nine hundred

and thirty-three but the amount of the tax not paid on or before the first day of April one thousand nine hundred and thirty-three shall bear interest at the rate of six per centum per annum until the fifteenth day of May one thousand nine hundred and thirty-three and twelve per centum per annum thereafter

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreably to the provisions of the Constitution, the yeas and nays were taken as follows, viz:

YEAS—172

Andrews,	Griffith,	McHenry,	Shenkel,
Baker,	Habbyshaw,	McKay,	Shettel,
Baldi,	Hamilton,	Melchiorre,	Shortz,
Barnhardt,	Harris,	Meredith,	Shreiner,
Bechtel,	Hart,	Merrell,	Simon,
Beech,	Heffernan,	Metzler,	Sinwell,
Bennett,	Hefferon,	Mohn,	Snyder,
Bernhard,	Heffner,	Moore,	Sowers,
Blumberg,	Hermansen,	Mumford,	Spann,
Brancato,	Hewitt,	Munley,	Stank
Brennan,	Himes, L. R.,	Myers,	Steedle,
Brown, J. E.,	Hoffman,	Negley,	Sterling, P.,
Brown, W. L.,	Holmes, J. L.,	Nothnagle,	Stevens,
Brownfield,	Hoopes,	O'Connor,	Stevenson,
Cannon,	Horst,	O'Keefe,	Stiteler,
Caputo,	Hough,	O'Rourke,	Storb,
Carey,	Howard,	Patterson,	Stone,
Carson,	Hutton,	Peelor,	Stott,
Chervenak,	Jaffe,	Pennock,	Surface,
Cohen,	Kane, J. J.,	Perry, D. R.,	Tahl,
Conner,	Kane, L. P.,	Perry, J. J.,	Terry,
Cooke,	Kinney,	Peters,	Turner,
Cordier,	Labar,	Powell,	Wade,
Craig,	Lane,	Powers,	Wagner,
Dane,	Laubach,	Price,	Walker, G. E.,
Davies,	Lenahan,	Quinn,	Walker, W. A.,
DeFrehn,	Long,	Raub,	Wall,
Denning,	Lord,	Reed,	Way,
Downey, G. E.,	Lose,	Reilly,	Weidemann,
Downey, J.,	Lovett, J. E.,	Rhodes,	Westrick,
Dunmire,	Lovett, W. S.,	Rice,	White,
Dwyer,	Lynch, J. R.,	Roan,	Wike,
Ederer,	Malina,	Root,	Williams, G. W.,
Emhardt,	Maloney,	Royle,	Williams, J. J.,
Eroe,	Marcks,	Ruth,	Wilson, L. M.,
Evans,	Mason,	Sarig,	Wilson, T. B.,
Fitzgerald,	McBride,	Sautter,	Witkin,
Fleisher,	McCandless,	Schrock,	Wood,
Flinchbaugh,	McClure,	Schrope,	Woodside,
Flynn,	McCreary,	Schwab,	Yeakel,
Furman,	McElwee,	Schwartz,	Yourishin,
Gallagher,	McGinnis,	Scorza,	Zimmerman
Gartner,	McGrail,	Sheffer,	Talbot,
Gillette,	McGregor,	Shellenberger,	Speaker.
Green,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House preceeded to the third reading and consideration of House Bill No. 92, entitled:

An Act permitting fishing on Sunday with one rod and two hooks and fixing penalties.

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pas finally?

Mr. SHORTZ. Mr. Speaker and members of the House, I rise to oppose this measure on the conservation standpoint. Without discussing the bill, I wish to quote to you from letters which I have, and I read a letter dated Wilkes-Barre, Pa., March 24, 1933, addressed to myself and signed by H. S. Smith, President of the United Sportsmen of Pennsylvania and Chairman of the Executive Committee of the Federation of Sportsmen's Clubs of Pennsylvania:

"Replying to your inquiry regarding House Bill No. 92, I wish to state that the United Sportsmen of Pennsylvania oppose this bill, not from any moral point of view, but as a conservation measure.

"This bill was also considered by the meeting of the Federated Sportsmen's Clubs of Pennsylvania held at Harrisburg February 14th of this year and was disapproved.

"I have just been in communication with Mr. P. G. Platt, President of the Pennsylvania Division of the Izaak Walton League, and he states that the league also opposes this bill for the same reason we do.

"Hoping that you may convince the Legislature that this bill would be very detrimental to the best interests of the Sportsmen of the State, I am

"Sincerely yours,

"(signed) H. S. SMITH."

I ask the members to vote down this measure.

Mr. HOOPES. Mr. Speaker and members of the House, I had not intended to speak on this measure, but in view of the opposition, I think I should present to the House a letter from the Secretary of the Wild Life League of Pennsylvania addressed to the Commissioner of Fisheries, the Honorable O. F. Deibler, with reference to a letter received by him, which reads as follows:

"My Dear Friend:

"In regard to House Bill No. 92 to permit Sunday fishing I am sorry I cannot go along with you to have this bill referred to the Committee on Fisheries.

"At a meeting held in Pittsburgh two years ago by the Sportsmen's Associations of Western Pennsylvania a motion was carried to permit Sunday fishing.

"The only argument the Fish Commission put up then was that they were not able to keep the streams stocked for six days fishing.

"Sunday fishing would increase the license fund far beyond any damage the Sunday Fishing will do.

"New York State and Ohio have Sunday fishing.

"I did not get your notice until March 24th but with that short time am sending in a petition with hundreds of names on it in favor of Sunday fishing and with a little time I could have thousands of men and women who would be glad to have the privilege of going fishing on Sunday.

"Lets have a new deal in Pennsylvania and give the forgotten man a chance to have a little pleasure by getting out on the streams and lakes with his family. He won't do any damage to the fishing."

I have here a petition containing several hundred signatures which I would like to present at this time to the House asking for Sunday fishing.

I would like to say also I have had letters from the Izaak Walton League of Berks County and also the Berks County Rod and Gun Club, asking me to support this bill and asking me to suggest anything they can do to put it over. The fishermen of Berks County and other parts of the State of Pennsylvania are in accord on this measure, and I see no reason why we cannot pass it. This House has already agreed to Sunday baseball, which in my mind is altogether proper, and for which I voted, and certainly there can be no religious opposition to sitting on the bank of a stream on Sunday and fishing. The man is out there quietly sitting on the bank, not that

he wants to catch any fish, he wants to get out in the country and enjoy nature. I can see no reason why we should not have it. Our neighboring states already have it, you can go into Delaware and fish, and into New Jersey waters of the Delaware, where they have a law on Sunday fishing, but you cannot tell where the line is. If you go over the Maryland Line you can fish on Sunday; if you go over the Ohio Line you can fish on Sunday, and that has not depleted their streams up to the present time.

Mr. SHORTZ. Mr. Speaker and members of the House, at the outset of my remarks I stated emphatically that I opposed this measure from a conservation standpoint. I am not opposing the measure from a moral standpoint whatever. The conservation feature is more than enough to overcome the moral standpoint in the minds of the members of the House. There is plenty of time now in the days of the week to fish. If everybody was working and had no time to fish on week days, there might be some argument for it. We have specified a time to fish on week days. I am not considering the moral phase, but I don't like someone else bringing out that I am considering that, and therefore I want to state that I am considering conservation and not the moral standpoint.

Mr. DAVID R. PERRY. In accordance with the remarks of my friend who has just spoken I would like to present a petition signed by more than eleven hundred sportsmen and fishermen of Blair County who are unanimously in opposition to this bill. I ask permission from the members of this House to quote from a letter, a letter which perhaps carries the criticism of the fishermen of this State. I quote that letter from the Altoona Rod and Gun Club:

"At a meeting of the Allied Sportsmen's Assoication of Pennsylvania held in Harrisburg on February 14th, the Altoona Rod and Gun Club and the Blair County Game Fish and Forestry Association were concurrent in their sentiment against a Sunday fishing bill, which was in the Committee on Law and Order. Our organizations are opposed to this bill for many reasons, but the main stimulus back of our efforts is that of the conservation of the few fish remaining in our streams, not only would this supply another day for the hordes of fishermen to deplete our supply, but also would render our streams pregnable to the "Waltons" of our surrounding states. It is quite obvious that such an extra day would exterminate our fish.

"This bill will be upon the third reading calendar Monday, March 27th. So, it is the desire of our association that you vote against this bill, and if at all possible speak against it, and give our perspective upon the matter which we deem logical in the eyes of sportsmen, and it is they who will be the recipients of any unfavorable results accruing therefrom.

"Thanking you for the consideration we know you will give our proposals, we remain,

"Yours very truly,
(signed) W. L. WHITE, Secy."

Mr. Speaker and members of the House, inasmuch as this is a bill apparently for the fishermen, I believe the fishermen through their organizations should be represented, and I speak in opposition to the bill.

Mr. SARIG. Mr. Speaker and ladies and gentlemen of the House, this Sunday fishing bill has been here for about fourteen years, and came out of Berks County every session since that time, the Democratic members, the Republican members and the Socialist members have brought this bill before the Legislature. I know that many of the members of this House and from other sections of the State do not understand the psychology or the methods of reasoning of the people residing in my county, where the sentiment is strong for Sunday fishing. In my county the feeling runs something like this; they say the rich man goes to his country clubs and spends his Sundays there with wine, women and song, and all the glories that go with it. Then they again say, "You go out along one of the streams of Berks County on Sunday, and there you find the swimming holes on the Tulpehocken, and there you find hundreds of men, women and children enjoying a bath on Sunday." Their bathrobes are just about as modest as their conduct towards each other. Splashing around in the water there they have a great time, and you can hear them half a mile away upstream and downstream. A State policeman or a local cop comes along and if he is not too old he looks on the scene and he enjoys the scenery, and he enjoys nature in all its glory; he laughs and he smiles and he enjoys the scene that is before him. He walks upstream after taking in all of the scenery, and walks a mile or half mile up the stream and there sits a workingman, a good honest citizen, a man who belongs to what I call the bone and sinew of Pennsylvania's citizenship, a man who has probably worked six days a week, and of course, I realize the argument of the gentleman from Luzerne when he says at the present time they have enough time during the week to fish, I agree with him on that, but ladies and gentlemen of the House, we are not legislating merely for this depression. In ordinary times that working man cannot be off during the week, if he takes off in spite of his boss and in spite of the industrial plant where he works, he will be discharged. He goes to the stream on Sunday and probably carries a sandwich in his pocket, and he carries his rod and line, and puts his rod and line in the water and eats his sandwich, and after eating the sandwich he lights his pipe. He sits there quietly, possibly enjoying his Sunday recreation. Of course, he cannot belong to one of these country clubs where wine, women and song are the order of the day. He sits quietly by the stream waiting for a bite, smoking his pipe and watching for a nibble. What happens?

The SPEAKER. Is the gentleman from Berks talking on the bill?

Mr. SARIG. Yes, he is talking on the bill.

And all of a sudden a State Policeman or some other man of authority comes along and pats him on the shoulder and says, "You are violating the laws of the Commonwealth"—that is the fellow that enjoyed the scenery a few minutes before—"and I must take you before some alderman or some justice of the peace," and if he is not able to pay, he is sentenced to a fine, and if the fine is not paid, imprisonment is the only alternative. Our people have a feeling that it is not right.

Our people in Berks County have a feeling that the little fellow, the working man, the man who provides the bone and sinew of our citizenship and our civilization should have a chance. Of course, the argument is put up that it depletes the stream. I am going to ask you this question; are we maintaining fish and game in this Commonwealth only for the select group, that select group that can afford a two weeks' hunting trip to a game preserve, or a two weeks' fishing trip out in the far parts of the State where it costs from one hundred dollars to two hundred dollars, or are you going to preserve the fish and game in the Commonwealth for the citizens who cannot afford the luxuries of going to a game preserve or fishing trips in the distant streams.

I believe the streams of Pennsylvania should belong to the poor fellow, the ordinary fellow, as well as to the fellow who has money enough to make an organized sport out of

it. I know that the game laws and the fish laws of Pennsylvania have for years been dictated by select groups, the organized sportsmen of Pennsylvania, and they are the men who have the money and who have the leisure and who have the mind to make a business out of organized sport, and I ask you, is it fair to use the natural resources and to use the streams of Pennsylvania only for the sake of one elected group, or a selected group, if you prefer it, and have the leisure and the money and the time to enjoy the streams? I say, give the little fellow a break and vote for this bill.

Mr. LONG. Mr. Speaker, I desire to interrogate the gentleman who has just spoken.

The SPEAKER. Will the gentleman from Berks, Mr. Sarig, permit himself to be interrogated?

Mr. SARIG. I will, Mr. Speaker.

Mr. LONG. Will you kindly give the name of the club where they have the "wine, women and song?"

Mr. SARIG. Mr. Speaker, I am finding no fault at all.

Mr. JOHN L. HOLMES. Mr. Speaker and members of the House, I am not going to speak on the moral side of this question, although you all know how I feel about that, but I do want to say we are just about to legislate for the sportsmen of Pennsylvania, and they are looking to this House tonight not to make a serious mistake. They want legislation in the interest of the working man, whom the gentleman from Berks speaks of. So far as the rich man and the laboring man are concerned, the rich man is able to care for himself by purchasing a tract of land through which a stream may flow and to propogate and conserve the fish there irrespective of what happens with the outside world. It is not so with the laboring man. If they wish to look to the future, they must plan to conserve the fish, but I am thinking only of the poor fellow and the poor fisherman. We must see the day coming when every poor man can go out six days a week and get his limit of all kinds and sorts of fish, but that can only be brought about by the strictest conservation of our fish at the present time. I wish to add to what has been said before, that last Friday there met in Centre County a conservation association with representative persons from every sportsmen's club in Centre County. This question was taken up and it was fully discussed and it was voted on there on the floor of the House, and the Commissioner of Fisheries from Harrisburg was present, and when that vote was taken, of the representatives of all the sportsmen's clubs of Centre County, the vote was two in favor of the bill and one hundred and fifty against the bill. That is the sentiment in Centre County, and the sentiment in the rural counties of Pennsylvania, and after all, that is where you must go to fish; those are the people who control the streams, and let us not drag down the morale of the people if you wish to enjoy fishing in the future as you do at the present time.

Mr. EDERER. Mr. Speaker and members of the House, I rise in defense of this bill, and to answer, if I can, the argument brought up by the gentleman from Centre, Mr. Holmes, and the gentleman from Luzerne, Mr. Shortz, relative to the conservation feature. I am very fond of trout fishing and do a lot of it too. When I want good fishing I go to New Jersey where Sunday fishing is permitted. I hope you will vote for this bill.

Mr. SARIG. Mr. Speaker, I desire to interrogate the gentleman from Centre, Mr. Holmes.

The SPEAKER. Will the gentleman from Centre, Mr Holmes, permit himself to be interrogated?

Mr. HOLMES. I will, Mr. Speaker.

Mr. SARIG. Mr. Speaker, I desire to ask, is it the thought of the gentleman from Centre that the streams of Pennsylvania belong exclusively to the rich organized sportsmen of Pennsylvania?

Mr. HOLMES. Not at the present time; it is not necessary for them to buy up the streams.

Mr. SARIG. In view of the statement just made, does the gentleman from Centre, Mr. Holmes, believe then if the streams do not belong to the organized sportsmen of Pennsylvania, that his argument in regard to the vote by organized sportsmen should hold good in this case?

Mr. HOLMES. I don't quite get the question.

Mr. SARIG. Mr. Speaker, the gentleman from Centre, Mr. Holmes, has stated the vote of the organized sportsmen of Pennsylvania. In view of the fact that the gentleman from Centre has the idea that the streams do not belong exclusively to the organized sportsmen of Pennsylvania, would the gentleman believe that this House should be guided by the opinion of the organized sportsmen of Pennsylvania?

Mr. HOLMES. Mr. Speaker, I can only speak for my own county. Many of the men present at that meeting own land and I heard many of them say if you are going to have Sunday fishing, there is only one thing for them to do and that is to close their streams.

Mr. HEWITT. Mr. Speaker, it seems to me that this bill is taking in too much territory. The gentlemen from Berks say the bill has been up here for fourteen years from Berks County. As I have said I believe the bill takes in too much territory when it takes in all the other counties. A bill for Sunday fishing in Berks County might have been more satisfactory but our people are against this bill and I hope the members will vote it down.

Mr. WESTRICK. Mr. Speaker, I rise to state a few facts taken from the records of Cambria County that will show the proportion of sportsmen, and by that I mean those people who buy licenses and yet they do not by any means belong to organized sportsmen's associations.

These figures were taken from the record at the county seat on Monday. The number of fishing licenses issued in Cambria County was five thousand eight hundred and eighty-six and the number of hunters licenses was fifteen thousand three hundred and seventy-five. On investigation we find that we have a sportsmen's membership in the sportsmen's organization of not quite five thousand. When you compare these figures you then find that practically all these fellows buy fishing licenses who buy hunting licenses so that you will see that you don't have one-third of the sportsmen.

I deny that any sportsmen's club or organization of sportsmen has been unanimous in their stand against Sunday fishing, and therefore we have got to consider that some of these fishermen are for it. Even though the majority of them might decide against it, even then there are some that are for it.

How about the small business man who in these days must be at his place of business if he is going to make good, where he is working to meet or make up the one percent. property tax? He must be at his place of business every day in the week; why not let him go fishing on Sunday, I mean the small fellow who can't afford to hire help, but who must look after his business himself during the week. A number of people have said to me, "For God's sake, why don't you do something, give us a chance to have a little sport too?" Is it fair to deny the people this opportunity? I believe after all they are going to be high grade fishermen, those that go

fishing on Sunday. I don't think that they would be the riff-raff of our population. Let us have your support for this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows,

Mr. HOOPES. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—108

Baldi,	Gallagher,	Lynch, J. R.,	Root,
Barnhardt,	Green,	Male,	Roth,
Bechtel,	Hamilton,	Malina,	Royle,
Beech,	Harmuth,	Maloney,	Ruby,
Bennett,	Harris,	Marcks,	Ruth,
Bernhard,	Hart,	McBride,	Sarig,
Blumberg,	Heffernan,	McGinnis,	Sautter,
Brancato,	Hefferon,	McGrail,	Schwartz,
Brown, J. E.,	Hermansen,	Melchiorre,	Scorza,
Brown, W. L.,	Hester,	Metzler,	Sinwell,
Cannon,	Hoffman,	Moore,	Spann,
Caputo,	Holmes, J. B	Munley,	Stank,
Carey,	Hoopes,	Nothnagle,	Steedle,
Chervenak,	Hough,	O'Connor,	Sterling, P.,
Cooke,	Howard,	O'Keefe,	Stiteler,
Cordier,	Jaffe,	O'Neill,	Storb,
Craig,	Kane, J. J.,	Pennock,	Tahl,
Denning,	Kane, L. P.,	Perry, J. J.,	Wagner,
Downey, G. E.,	King,	Peters,	Wasserman,
Downey, J.,	Kinney,	Powers,	Weidemann,
Duffy,	Labar,	Price,	Welsh,
Dwyer,	Lane,	Quinn,	Westrick,
Ederer,	Laubach,	Raub,	Wilson, L. M.,
Eroe,	Lewis,	Rectenwald,	Wilson, T. B.,
Fitzgerald,	Long,	Reed,	Witkin,
Flanagan,	Lovett, J. E.,	Reilly,	Yeakel,
Forrest,	Lovett, W. S.,	Roan,	Zimmerman,
Furman,			

NAYS—75

Andrews,	Himes, L. R.,	Negley,	Stone,
Baker,	Holmes, J. L.,	Patterson,	Stott,
Boyd,	Horst,	Peelor,	Surface,
Brennan,	Hutton,	Perry, D. R.,	Terry,
Brownfield,	Jones,	Powell,	Turner,
Carson,	Lenahan,	Rhodes,	Wade,
Cramer,	Lord,	Rice,	Walker, W. A.,
Dane,	Lose,	Schrock,	Wall,
Davies,	Lynch, M.,	Scott,	Way,
DeFrehn,	McCandless,	Sheffer,	White,
Dunmire,	McClure,	Shellenberger,	Wike,
Evans,	McCreary,	Shettel,	Williams, G. W.,
Flinchbaugh	McElwee,	Shortz,	Williams, J. J.,
Flynn,	McGregor,	Shreiner,	Wood,
Gillette,	McHenry,	Shugarts,	Woodside,
Griffith,	Meredith,	Simon,	Wright,
Habbyshaw,	Merrell,	Snyder,	Yourishin,
Heffner,	Mohn,	Stevens,	Talbot,
Hewitt,	Mumford,	Stevenson,	Speaker.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 197, entitled:

An Act to amend sections eight hundred and eight hundred and one of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred sixty-two) entitled "An act concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth except in counties of the first and second class and revising amending consolidating and changing the law relating thereto" defining legal settlement and the liability of poor districts for support.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—185

Andrews,	Habbyshaw,	McGregor,	Sheffer,
Baker,	Haines,	McKay,	Shellenberger,
Baldi,	Harmuth,	McKinney,	Shenkel,
Barnhardt,	Harris,	Melchiorre,	Shettel,
Bechtel,	Hart,	Meredith,	Shreiner,
Beech,	Hartman,	Merrell,	Shugarts,
Bennett,	Heffernan,	Metzler,	Simon,
Blumberg,	Hefferon,	Mohn,	Snyder,
Boyd,	Heffner,	Moore,	Sowers,
Brancato,	Hermansen,	Mumford,	Spann,
Brennan,	Hester,	Munley,	Stank,
Brown, J. E.,	Hewitt,	Myers,	Steedle,
Brown, W. L.,	Hoffman,	Negley,	Sterling, P.,
Brownfield,	Holmes, J. B.,	Nothnagle,	Stevens,
Caputo,	Holmes, J. L.,	O'Connor,	Stevenson,
Carey,	Hoopes,	O'Keefe,	Stiteler,
Carson,	Horst,	O'Neill,	Storb,
Chervenak,	Hough,	O'Rourke,	Stone,
Cooke,	Howard,	Patterson,	Stott,
Cordier,	Hutton,	Peelor,	Tahl,
Craig,	Jaffe,	Pennock,	Terry,
Cramer,	Jones,	Perry, D. R.,	Turner,
Dane,	Kane, J. J.,	Perry, J. J.,	Wade,
Davies,	Kane, L. P.,	Peters,	Wagner,
DeFrehn,	King,	Powell,	Walker, G. E.,
Denning,	Kinney,	Powers,	Walker, W. A.,
Downey, G. E.,	Lane,	Price,	Wall,
Duffy,	Laubach,	Quinn,	Wasserman,
Dunmire,	Lenahan,	Raub,	Way,
Dwyer,	Lewis,	Rectenwald,	Welsh,
Ederer,	Long,	Reed,	Westrick,
Emhardt,	Lord,	Reilly,	White,
Eroe,	Lose,	Rhodes,	Wike,
Evans,	Lovett, J. E.,	Rice,	Williams, G. W.,
Fitzgerald,	Lynch, J. R.,	Roan,	Williams, J. J.,
Flanagan,	Lynch, M.,	Root,	Wilson, L. M.,
Fleisher,	Male,	Roth,	Wilson, T. B.,
Flinchbaugh,	Malina,	Royle,	Witkin,
Flynn,	Maloney,	Ruby,	Wood,
Forrest,	Marcks,	Ruth,	Woodside,
Furman,	Mason,	Sarig,	Wright,
Gallagher,	McBride,	Schrock,	Yeakel,
Gillette,	McClure,	Schrope,	Yourishin,
Gorman,	McCreary,	Schwartz,	Zimmerman,
Green,	McElwee,	Scorza,	Talbot,
Greenstein,	McGinnis,	Scott,	Speaker.
Griffith,	McGrail,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 198, entitled:

An Act to amend sections one two and three of the act approved the sixth day of April one thousand nine hundred and five (Pamphlet Laws one hundred twelve) entitled "An act providing for the relief of poor persons regulating their settlements in poor districts providing a means of enforcing the removal of a poor person to the district of his settlement the payment for relief furnished to him and the payment of costs thereto and authorizing courts of quarter sessions to compel

certain relations to contribute to the relief of poor persons" defining legal settlement and the liability of poor districts for support

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—191

Andrews,	Greenstein,	McElwee,	Scott,
Baker,	Griffith,	McGinnis,	Sheffer,
Baldi,	Habbyshaw,	McGrail,	Shellenberger,
Barnhardt,	Haines,	McGregor,	Shenkel,
Bechtel,	Hamilton,	McHenry,	Shettel,
Beech,	Harmuth,	McKay,	Shortz,
Bennett,	Harris,	McKinney,	Shreiner,
Bernhard,	Hart,	Melchiorre,	Shugarts,
Blumberg,	Heffernan,	Meredith,	Simon,
Boyd,	Hefferon,	Merrell,	Sinwell,
Brancato,	Heffner,	Metzier,	Snyder,
Brennan,	Hester,	Mohn,	Sowers,
Brown, J. E.,	Hewitt,	Moore,	Spann,
Brown, W. L.,	Himes, L. R.,	Mumford,	Stank,
Brownfield,	Hoffman,	Munley,	Steedle,
Cannon,	Holmes, J. B.,	Myers,	Sterling, P.,
Caputo,	Holmes, J. L.,	Negley,	Sterling, R. B.,
Carey,	Hoopes,	Nothnagle,	Stevenson,
Carson,	Horst,	O'Connor,	Stiteler,
Chervenak,	Hough,	O'Neill,	Stone,
Cohen,	Howard,	O'Rourke,	Stott,
Conner,	Hutton,	Patterson,	Surface,
Cooke,	Jaffe,	Peelor,	Tahl,
Cordier,	Jones,	Pennock,	Terry,
Craig,	Kane, J. J.,	Perry, D. R.,	Turner,
Cramer,	Kane, L. P.,	Perry, J. J.,	Wade,
Dane,	King,	Peters,	Wagner,
Davies,	Kinney,	Powell,	Walker, G. E.,
DeFrehn,	Labar,	Powers,	Wall,
Denning,	Laubach,	Price,	Wasserman,
Downey, J.,	Lenahan,	Quinn,	Way,
Duffy,	Lewis,	Raub,	Weidemann,
Dunmire,	Long,	Rectenwald,	Welsh,
Dwyer,	Lord,	Reed,	Westrick,
Ederer,	Lose,	Reilly,	White,
Emhardt,	Lovett, J. E.,	Rhodes,	Wike,
Eroe,	Lovett, W. S.,	Rice,	Williams, G. W.,
Evans,	Lynch, J. R.,	Roan,	Williams, J. J.,
Fitzgerald,	Lynch, M.,	Root,	Wilson, L. M.,
Fleisher,	Male,	Roth,	Wilson, T. B.,
Flinchbaugh,	Malina,	Ruby,	Witkin,
Flynn,	Maloney,	Ruth,	Woodside
Forrest,	Marcks,	Sarig,	Wright,
Furman,	Mason,	Sautter,	Yeakel,
Gallagher,	McBride,	Schrock,	Yourist n,
Gillette,	McCandless,	Schrope,	Zimmerman,
Gorman,	McClure,	Schwab,	Talbot,
Green,	McCreary,	Schwartz,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 952, entitled:

An Act prohibiting advertisements relating to foreign insurance companies not registered to do business in this Commonwealth and prescribing penalties.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—123

Andrews,	Forrest,	Lord,	Reed,
Baker,	Gallagher,	Lose,	Rice,
Baldi,	Gartner,	Lovett, W. S.,	Roan,
Barnhardt,	Gillette,	Lynch, J. R.,	Root,
Bechtel,	Green,	Maloney,	Ruby,
Beech,	Greenstein,	Mason,	Sautter,
Bennett,	Habbyshaw,	McBride,	Schwartz,
Bernhard,	Haines,	McCandless,	Scott,
Blumberg,	Hamilton,	McClure,	Sheffer,
Brancato,	Harris,	McCreary,	Shreiner,
Brennan,	Hart,	McGrail,	Shugarts,
Carey,	Heffernan,	McGregor,	Simon,
Chervenak,	Hefferon,	McKay,	Sinwell,
Conner,	Heffner,	McKinney,	Sowers,
Cooke,	Hermansen,	Merrell,	Spann,
Cordier,	Hewitt,	Mohn,	Steedle,
Craig,	Hoffman,	Moore,	Stevens,
Dane,	Holmes, J. L.,	Mumford,	Stevenson,
Davies,	Hoopes,	Munley,	Storb,
DeFrehn,	Horst,	Myers,	Tahl,
Denning,	Hough,	Negley,	Walker, W. A.,
Duffy,	Howard,	Nothnagle,	Weidemann,
Dunmire,	Hutton,	Patterson,	Westrick,
Dwyer,	Jaffe,	Peelor,	Wike,
Ederer,	Jones,	Pennock,	Wilson, L. M.,
Emhardt,	Kane, J. J.,	Perry, D. R.,	Witkin,
Eroe,	Kane, L. P.,	Perry, J. J.,	Wood,
Evans,	Kinney,	Peters,	Wright,
Fleisher,	Laubach,	Powell,	Zimmerman,
Flinchbaugh,	Lenahan,	Price,	Talbot,
Flynn,	Long,	Rectenwald,	Speaker.

NAYS—20

Boyd,	Furman,	Male,	O'Connor,
Brown, J. E.,	Griffith,	Marcks,	Raub,
Carson,	Harmuth,	McElwee,	Reilly,
Cramer,	Hester,	Melchiorre,	Schrock,
Downey, G. E.,	Lane,	Metzier,	Stone,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 788 (Senate Bill No. 158), entitled:

An Act to amend section six as amended and section eight of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" prohibiting persons from being candidates for more than one party nomination

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political

parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" which was amended by the act approved the eighteenth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred forty-four) entitled "An act to amend the first sixth and seventh sections of an act entitled 'An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation' approved the twelfth day of July Anno Domini one thousand nine hundred and thirteen so as to change the time for filing petitions of nomination and the time for the organization of State committees" is hereby further amended to read as follows

Section 6 The names of candidates for nomination as President of the United States and the names of all other party candidates shall be printed upon the official ballot of a designated party upon the filing of nomination petitions in their behalf signed by qualified electors of the State or of the political district or division as the case may be within which the nomination is to be made or election is to be held and the filing of affidavits by the candidates as provided in this act and the names of no candidates shall be printed upon an official ballot of a political party to be used at any primary unless such petitions shall have been filed and unless such candidates except they be candidates for the office of President of the United States shall have filed affidavits as hereinafter provided

(a) Each signer of a nomination petition shall sign but one such petition for each office to be filled and shall declare therein that he is a member of the party designated in such petition Provided however That where there are to be elected two or more persons to the same office each signer may sign petitions for as many candidates for such office as and no more than he could vote for at the succeeding election He shall also declare therein that he is a qualified elector of the county therein named and in case the nomination is not to be made or candidates are not to be elected by the electors of the State at large of the political district or division therein named in which the nomination is to be made or the election is to be held He shall add his occupation and residence giving city borough or township with street and number if any and shall also add the date of signing No nomination petition shall be circulated prior to forty (40) days before the last day on which such petition may be filed and no signature shall be counted unless it bears date within forty (40) days of the last day for filing the same

Said nomination petition may be on one or more sheets and different sheets must be used for signers resident in different counties Each sheet shall have appended thereto the affidavit of some person not necessarily a signer and not necessarily the same person on each sheet setting forth that the affiant is a qualified elector of the State or of the political district or division as the case may be referred to in said petition his residence giving city borough or township with street and number if any that the signers signed with full knowledge of the contents of the petition that their respective residences are correctly stated therein that they all reside in the county named in the affidavit and that each signed on the date set opposite to his name and that to the best of affiant's knowledge and belief the signers are qualified electors and members of the designated party of the State or of the poltical district or division as the case may be

(b) Each candidate for any State county city borough incorporated town township school and poor district office shall file with his nomination petition his affidavit stating his residence with street number if any and his postoffice address his election district the name of the office for which he consents to be a candidate that he is eligible for such office and that he will not knowingly violate any election law or any law regulating and limiting nominations and election expenses and prohibiting corrupt practices in connection therewith That he is not a candidate for nomination therewith That he is not a candidate for nomination for the same office of any party other than the one designated in such petition In no event shall petitions of any candidates be accepted for filing for nomination by more than one party for the same office and in no event shall the name of any person consenting to be a candidate for nomination for any one office be printed as a candidate for such office upon the official primary ballot of more than one party Provided That in no event shall any person's name be printed upon the official ballot of any party as a delegate State committeeman National committeeman or party officer unless he is a qualified elector of said party

In the case of a candidate for nomination as President of the United States it shall not be necessary for such candidate to file the affidavit required in this section to be filed by candidates but the postoffice address of such candidate shall be stated in such nomination petition

(c) Each candidate for election as delegate or alternate delegate to a National party convention may include with his affidavit the statement hereinafter set forth in this section but his failure to include such statement shall not be a valid ground on the part of the Secretary of the Commonwealth for refusal to receive and file his nomination petition Such statement if any be made shall be in substantially the following form

Delegate's Statement

I hereby declare to the voters of my political party in the (here insert "State of Pennsylvania" if a delegate or alternate delegate at large otherwise insert "..... District") that if elected and in attendance as a delegate to the National convention of the party I shall with all fidelity to the best of my judgment and ability in all matters coming before the convention support that candidate for President of the United States who shall have received the highest number of votes cast in the (here insert "State" if a delegate or alternate delegate at large otherwise insert ".....District") by the voters of my party for said office at the ensuing primary and shall use all honorable means within my power to aid in securing the nomination for such candidate for President

.....

(Signature of candidate for delegate or alternate delegate)

On a ballot used at a primary after or under the name of each candidate for delegate or alternate delegate to a National party convention shall appear the words "Promises to support popular choice of party in the (here insert "State" if a delegate or alternate delegate at large otherwise insert ".....District") for President" or "Does not promise to support popular choice of party in the (here insert "State" if a delegate or alternate delegate at large otherwise insert ".....District") for President" according as if the candidate included or failed to include the above statement with his affidavit

Section 2 That section eight of said act is hereby amended to read as follows

Section 8 No nomination petition shall be refused or set aside except for

(a) Material error or defects apparent on the face thereof or on the face of the appended or accompanying affidavit or

(b) Material alterations made after signing without the consent of the signers or

(c) Want of a sufficient number of genuine signatures of persons qualified with respect to age sex residence and citizenship to be electors

(d) The fact that nomination petitions have been filed for printing of the name of the same person for the same office upon the official ballot of more than one political party

The invalidity of any sheet of a petition shall not affect the validity of such petition if a sufficient petition remains after eliminating such invalid sheet

Application to set aside any nomination petition shall be by petition to the court of common pleas of the county in which such nomination petition has been filed setting forth specifically the matters objected to and must be filed within five days after the last day for filing said nomination petition Upon the presentation of such a petition the court shall make an order fixing a time for hearing which shall not

be later than ten days after the last day for filing said nomination petition and specifying the time and manner of notice that shall be given to the candidate named in the nomination petition sought to be set aside

If the matters objected to are such as are specified in the subdivision (a) of this section the court upon hearing the case may in its discretion permit amendments within such time and upon such terms as the payment of costs as the said court may specify

In case the petition to set aside a nomination petition is dismissed the petitioner shall pay the whole of the costs of the proceeding including all witness fees

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—115

Baldi,	Greenstein,	O'Keefe,	Stank,
Bennett,	Griffith,	Patterson,	Steedle,
Blumberg,	Habbyshaw,	Pennock,	Sterling, P.,
Boyd,	Harris,	Perry, D. R.,	Sterling, R. B.,
Brancato,	Hart,	Perry, J. J.,	Stevens,
Brown, J. E.,	Heffner,	Peters,	Storb,
Brown, W. L.,	Hoopes,	Powers,	Tahl,
Brownfield,	Hough,	Price,	Terry,
Caputo,	Howard,	Quinn,	Turner,
Carey,	Hutton,	Reilly,	Wagner,
Carson,	Jaffe,	Rhodes,	Walker, W. A.,
Conner,	Jones,	Rice,	Wall,
Cooke,	King,	Root,	Wasserman,
Cordier,	Kinney,	Royle,	Weidemann,
Craig,	Lane,	Ruth,	Welsh,
Cramer,	Laubach,	Sarig,	Wike,
Davies,	Lenahan,	Sautter,	Williams, G. W.,
DeFrehn,	Lewis,	Schrope,	Williams, J. J.,
Denning,	Lord,	Schwab,	Wilson, L. M.,
Duffy,	Lovett, J. E.,	Schwartz,	Wilson, T. B.,
Dwyer,	Malina,	Scorza,	Witkin,
Ederer,	McCreary,	Scott,	Wood,
Eroe,	McGinnis,	Sheffer,	Woodside,
Evans,	McGrail,	Shellenberger,	Wright,
Fitzgerald,	McGregor,	Shreiner,	Yourishin,
Flinchbaugh,	McKay,	Shugarts,	Zimmerman,
Forrest,	Melchiorre,	Snyder,	Talbot,
Furman,	Moore,	Sowers,	Speaker.
Green,	Nothnagle,	Spann,	

NAYS—60

Andrews,	Hefferon,	Maloney,	Powell,
Baker,	Hermansen,	Mason,	Rectenwald,
Barnhardt,	Hester,	McBride,	Reed,
Bechtel,	Hewitt,	McElwee,	Roan,
Beech,	Himes, L. R.,	Meredith,	Roth,
Bernhard,	Hoffman,	Merrell,	Schrock,
Brennan,	Horst,	Metzier,	Shettel,
Chervenak,	Kane, L. P.,	Mohn,	Shortz,
Dane,	Labar,	Mumford,	Simon,
Downey, G. E.,	Long,	Munley,	Stevenson,
Downey, J.,	Lose,	Myers,	Stone,
Emhardt,	Lovett, W. S.,	Negley,	Stott,
Flanagan,	Lynch, J. R.,	O'Connor,	Way,
Gallagher,	Lynch, M.,	O'Neill,	Westrick,
Gartner,	Male,	Peelor,	White,
Hamilton.			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1214 (Senate Bill No. 392), entitled:

An Act authorizing the compromise of tax claims on real property purchased by the county or county treasurer's sales for nonpayment of taxes and the reconveyance of such property.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—171

Baldi,	Hart,	Melchiorre,	Shugarts,
Bechtel,	Hartman,	Meredith,	Simon,
Beech,	Heffernan,	Merrell,	Sinwell,
Bennett,	Heffner,	Metzier,	Snyder,
Boyd,	Hermansen,	Mohn,	Sowers,
Brancato,	Himes, L. R.,	Mumford,	Spann,
Brown, J. E.,	Hoffman,	Munley,	Stank,
Brownfield,	Holmes, J. B.,	Myers,	Steedle,
Cannon,	Holmes, J. L.,	Negley,	Sterling, P.,
Caputo,	Hoopes,	Nothnagle,	Sterling, R. B.,
Carson,	Horst,	O'Connor,	Stevens,
Conner,	Howard,	O'Keefe,	Stevenson,
Cooke,	Hutton,	O'Rourke,	Storb,
Cordier,	Jaffe,	Patterson,	Stone,
Cramer,	Jones,	Peelor,	Stott,
Davies,	Kane, J. J.,	Pennock,	Surface,
DeFrehn,	King,	Perry, D. R.,	Tahl,
Denning,	Kinney,	Perry, J. J.,	Turner,
Downey, G. E.,	Labar,	Peters,	Wade,
Downey, J.,	Lane,	Powell,	Wagner,
Dunmire,	Laubach,	Powers,	Walker, G. E.,
Dwyer,	Lenahan,	Price,	Walker, W. A.,
Ederer,	Lewis,	Rectenwald,	Wall,
Emhardt,	Long,	Reed,	Wasserman,
Eroe,	Lord,	Reilly,	Way,
Evans,	Lose,	Rhodes,	Weidemann,
Fitzgerald,	Lovett, J. E.,	Rice,	Welsh,
Flanagan,	Lovett, W. S.,	Roan,	Westrick,
Fleisher,	Lynch, J. R.,	Ruby,	White,
Flinchbaugh,	Male,	Ruth,	Wike,
Flynn,	Malina,	Sarig,	Williams, G. W.,
Forrest,	Marcks,	Sautter,	Williams, J. J.,
Furman,	Mason,	Schrock,	Wilson, L. M.,
Gallagher,	McBride,	Schrope,	Wilson, T. B.,
Gillette,	McCandless,	Schwab,	Witkin,
Gorman,	McClure,	Schwartz,	Wood,
Green,	McCreary,	Scorza,	Woodside,
Greenstein,	McElwee,	Scott,	Wright,
Griffith,	McGinnis	Sheffer,	Yeakel,
Habbyshaw,	McGrail,	Shellenberger,	Yourishin,
Haines,	McGregor,	Shenkel,	Zimmerman,
Hamilton,	McKay,	Shettel,	Talbot,
Harmuth,	McKinney,	Shortz,	Speaker.
Harris,			

NAYS—2

Andrews,	Hester,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 459, entitled:

An Act permitting building and loan associations to invest part of their assets in bonds of the United States or of the Commonwealth of Pennsylvania or bonds or indentures issued by a Federal Home Loan Bank

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—179

Andrews,	Griffith,	McCreary,	Shenkel,
Baldi,	Habbyshaw,	McElwee,	Shortz,
Baker,	Haines,	McGrail,	Shreiner,
Barnhardt,	Hamilton,	McGregor,	Shugarts,
Bechtel,	Harmuth,	McHenry,	Simon,
Beech,	Harris,	McKay,	Sinwell,
Bennett,	Hart,	McKinney,	Snyder,
Bernhard,	Heffernan,	Melchiorre,	Sowers,
Blumberg,	Hefferon,	Meredith,	Spann,
Boyd,	Heffner,	Merrell,	Steedle,
Brancato,	Hermansen,	Mohn,	Sterling, P.,
Brennan,	Hester,	Moore,	Stevens,
Brown, J. E.,	Hewitt,	Mumford,	Stevenson,
Brownfield,	Himes, L. R.,	Munley,	Stiteler,
Cannon,	Hoffman,	Negley,	Storb,
Caputo,	Holmes, J. L.,	Nothnagle,	Stone,
Carey,	Hoopes,	O'Connor,	Stott,
Carson,	Horst,	O'Keefe,	Surface,
Chervenak,	Hough,	O'Rourke,	Tahl,
Cohen,	Howard,	Patterson,	Terry,
Conner,	Hutton,	Peelor,	Turner,
Cooke,	Jaffe,	Pennock,	Wade,
Cordier,	Jones,	Perry, D. R.,	Walker, G. E.,
Cramer,	Kane, J. J.,	Perry, J. J.,	Walker, W. A.,
Davies,	Kane, L. P.,	Peters,	Wall,
DeFrehn,	King,	Powell,	Wasserman,
Denning,	Labar,	Powers,	Way,
Downey, G. E.,	Lane,	Price,	Weidemann,
Downey, J.,	Laubach,	Reed,	Welsh,
Duffy,	Lenahan,	Reilly,	Westrick,
Dunmire,	Lewis,	Rhodes,	White,
Ederer,	Long,	Rice,	Wike,
Emhardt,	Lord,	Roan,	Williams, G. W.,
Eroe,	Lose,	Roth,	Williams, J. J.,
Evans,	Lovett, W. S.,	Ruby,	Wilson, L. M.,
Fitzgerald,	Lynch, J. R.,	Ruth,	Wilson, T. B.,
Fleisher,	Lynch, M.,	Sarig,	Witkin,
Flinchbaugh,	Male,	Sautter,	Wood,
Flynn,	Malina,	Schrock,	Woodside,
Forrest,	Maloney,	Schrope,	Wright,
Furman,	Marcks,	Schwab,	Yeakel,
Gallagher,	Mason,	Schwartz,	Yourishin,
Gartner,	McBride,	Scorza,	Zimmerman,
Gillette,	McCandless,	Sheffer,	Talbot,
Green,	McClure,	Shellenberger,	Speaker.
Greenstein.			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1185, entitled:

An Act creating borough and township poor districts in the County of Wyoming to be administered by overseers of the poor and abolishing the county poor district

On the question,

Will the House agree to the bill on third reading

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WESTRICK. Mr. Speaker, I would like to ask the gentleman from Wyoming, Mr. Terry, to explain the purpose of this bill.

Mr. TERRY. Mr. Speaker and members of the House, this measure is a very simple measure. It signifies nothing beyond the fact that it is the desire of the taxpayers of my county to return to the local unit form of caring for the poor. We are now on the county unit system, and we desire to return to the old poor board system.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—175

Andrews,	Gorman,	McClure,	Sheffer,
Baker,	Green,	McCreary,	Shenkel,
Baldi,	Greenstein,	McElwee,	Shettel,
Barnhardt,	Griffith,	McGinnis,	Shreiner,
Bechtel,	Habbyshaw,	McGrail,	Shugarts,
Beech,	Haines,	McGregor,	Sinwell,
Bennett,	Hamilton,	McHenry,	Snyder,
Bernhard,	Harmuth,	McKay,	Sowers,
Blumberg,	Hart,	Melchiorre,	Spann,
Boyd,	Hartman,	Meredith,	Stank,
Brancato,	Heffernan,	Merrell,	Sterling, P.,
Brennan,	Hefferon,	Metzler,	Sterling, R. B.,
Brown, J. E.,	Heffner,	Mohn,	Stevens,
Brown, W. L.,	Hermansen,	Mumford,	Stevenson,
Brownfield,	Hester,	Munley,	Stiteler,
Cannon,	Hewitt,	Myers,	Stott,
Carey,	Hoffman,	Negley,	Surface,
Carson,	Holmes, J. B.,	Nothnagle,	Tahl,
Chervenak,	Holmes, J. L.,	O'Connor,	Terry,
Cohen,	Hoopes,	O'Neill,	Turner,
Conner,	Horst,	Patterson,	Wade,
Cooke,	Hough,	Peelor,	Wagner,
Cordier,	Hutton,	Pennock,	Wall,
Cramer,	Jaffe,	Perry, D. R.,	Wasserman,
Dane,	Jones,	Perry, J. J.,	Way,
DeFrehn,	Kane, J. J.,	Peters,	Weidemann,
Denning,	Kane, L. P.,	Powell,	Welsh,
Downey, G. E.,	King,	Powers,	Westrick,
Downey, J.,	Kinney,	Price,	White,
Duffy,	Lane,	Rectenwald,	Wike,
Dunmire,	Laubach,	Reed,	Williams, G. W.,
Dwyer,	Lenahan,	Reilly,	Williams, J. J.,
Ederer,	Lewis,	Rhodes,	Wilson, L. M.,
Emhardt,	Long,	Rice,	Wilson, T. B.,
Eroe,	Lord,	Roan,	Witkin,
Evans,	Lose,	Roth,	Wood,
Fitzgerald,	Lovett, W. S.,	Royle,	Woodside,
Flanagan,	Lynch, J. R.,	Ruby,	Wright,
Flinchbaugh,	Lynch, M.,	Sarig,	Yeakel,
Flynn,	Male,	Sautter,	Yourishin,
Forrest,	Marcks,	Schrope,	Zimmerman,
Furman,	Mason,	Schwab,	Talbot,
Gallagher,	McBride,	Schwartz,	Speaker.
Gillette,	McCandless,	Scott,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 256, entitled:

An Act to validate acts done by corporations before the recording of their charters.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—174

Andrews,	Griffith,	McElwee,	Shettel,
Baker,	Haines,	McGinnis,	Shortz,
Baldi,	Hamilton,	McGregor,	Shugarts,
Barnhardt,	Harmuth,	McHenry,	Simon,
Bechtel,	Harris,	McKay,	Sinwell,
Beech,	Hart,	McKinney,	Snyder,
Bennett,	Hartman,	Melchiorre,	Sowers,
Bernhard,	Hefferon,	Merrell,	Spann,
Blumberg,	Heffner,	Metzler,	Stank,
Boyd,	Hermansen,	Mohn,	Sterling, P.,
Brancato,	Hester,	Mumford,	Sterling, R. B.,
Brennan,	Hewitt,	Munley,	Stevens,

Brown, J. E.,	Hoffman,	Myers,	Stevenson,
Brownfield,	Holmes, J. B.,	Negley,	Stiteler,
Cannon,	Hoopes,	Nothnagle,	Storb,
Caputo,	Horst,	O'Connor,	Stott,
Carey,	Hough,	O'Neill,	Surface,
Carson,	Howard,	O'Rourke,	Tahl,
Chervenak,	Hutton,	Patterson,	Terry,
Conner,	Jaffe,	Peelor,	Turner,
Cooke,	Jones,	Pennock,	Wade,
Cordier,	Kane, J. J.,	Perry, D. R.,	Wagner,
Craig,	Kane, L. P.,	Perry, J. J.,	Walker, W. A.,
Cramer,	King,	Peters,	Wall,
Dane,	Kinney,	Powell,	Wasserman,
DeFrehn,	Lane,	Powers,	Way,
Denning,	Laubach,	Price,	Weidemann,
Downey, J.,	Lenahan,	Rectenwald,	Welsh,
Duffy,	Lewis,	Reed,	White,
Dunmire,	Long,	Reilly,	Wike,
Dwyer,	Lord,	Rhodes,	Williams, G. W.,
Ederer,	Lose,	Rice,	Williams, J. J.,
Emhardt,	Lovett, J. E.,	Roan,	Wilson, L. M.,
Evans,	Lovett, W. S.,	Roth,	Wilson, T. B.,
Fitzgerald,	Lynch, M.,	Ruby,	Witkin,
Flanagan,	Male,	Sarig,	Wood,
Flinchbaugh,	Malina,	Sautter,	Woodside,
Flynn,	Maloney,	Schrock,	Wright,
Forrest,	Marcks,	Schrope,	Yeakel,
Furman,	Mason,	Schwartz,	Yourishin,
Gartner,	McBride,	Scorza,	Zimmerman,
Gillette,	McCandless,	Sheffer,	Talbot,
Green,	McClure,	Shellenberger,	Speaker.
Greenstein,	McCreary,	Shenkel,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. ANDREWS. Mr. Speaker, I desire to be recorded "no" on this bill.

The SPEAKER. The gentleman is recorded as voting "aye."

Mr. ANDREWS. Mr. Speaker, I voted "no" in a very loud voice and I wish to be so recorded.

The SPEAKER. The recording clerk cannot be held responsible for failing to record the gentleman if there was no response when his name was called. Does the gentleman desire to rise to a question of personal privilege in order to correct the record, inasmuch as it cannot be changed otherwise since the result of the vote has been announced.

QUESTION OF PERSONAL PRIVILEGE

Mr. ANDREWS. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. ANDREWS. Mr. Speaker, I voted "no" in a loud voice when the roll was called, and I desire to be so recorded.

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be spread upon the record.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 79, as follows:

An Act to amend section one thousand two hundred and five of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended reducing the time before the close of school terms for boards of school directors to terminate teachers' contracts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand two hundred and five of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by section twenty-six of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred forty-three) entitled "An act to amend the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' providing for the continuance in office of officers in certain districts authorizing the establishment and operation of cafeterias kindergartens and school safety patrols the payment of the expenses for attending educational meetings and transporting children special tax levies the increasing of indebtedness and the salaries and increments of certain teachers regulating the procedure in purchases of school supplies and equipment empowering the Superintendent of Public Instruction to investigate and audit school district records and to control and organize schools in State and State-aid institutions including associate superintendents among the officers of districts and raising the educational requirements of such officers further regulating State-aid to districts and college certificates of teachers annulling the right of certain districts to reduce the period of compulsory attendance clarifying the provisions with respect to the employment of children of school age and school district elections providing for the attendance of migratory and nonresident children the payment by the Commonwealth of certain high school tuition teacher training in fourth class districts the election of a secretary to the Board of Presidents of State Teachers' Colleges and a corporate treasurer for school districts altering the requirements for tuition free students to State Teachers Colleges requiring the auditors of certain districts to mail a copy of such audit to the Superintendent of Public Instruction extending the time of appeal by the Commonwealth from such audits and limiting the power of auditors to surcharge directors and officers requiring bonds to protect labor and material men providing a uniform system of the publication of notices and advertisements and repealing certain sections of said act" is hereby further amended to read as follows

Section 1205 In school districts of the second third and fourth class all contracts with teachers shall be in writing in duplicate and shall be executed on behalf of the board of school directors by the president and secretary and signed by the teacher

After the thirtieth day of June one thousand nine hundred and twenty-nine each board of school directors or board of public education in school districts of the second third and fourth class in this Commonwealth shall enter into contract in writing with all teachers supervisors supervising principals principals and principals employed by them and said contract shall contain the following

"IT IS AGREED BY and between ..... Teacher and the Board of Directors of the school district of ..... Pennsylvania that said teacher shall under the authority of the said board and its successors and subject to the supervision and authority of the properly authorized superintendent of schools teach in the said school district for a term ....months for an annual compensation of $..... payable monthly or semimonthly during the school term less the contribution required by law to be paid to the Teachers' Retirement Fund

This contract is subject to the provisions of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' and the amendment thereto and to such regulations as the Board of School Directors of this district may impose consistent with the said act

AND IT IS FURTHER AGREED by the parties hereto that this contract shall continue in force year after year with the right of the Board of Education or the Board of School Directors to increase the compensation over the compensation herein stated from time too time as may be provided under the provisions and proper operation of the established salary schedule if any for the school district or to change said salary subject to the provisions of law without invalidating any other provision of this contract unless terminated by the teacher at the close of the school term by written resignation presented [sixty] forty-five days before the close of said school term or by the Board of School Directors by official written notice presented to the teacher [sixty] forty-five days before the close of the school term"

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HOWARD. Mr. Speaker, I would like to have the gentleman, the sponsor of this bill, explain it.

The SPEAKER. Will the sponsor of the bill, the gentleman from Clinton, Mr. Lose, explain the provisions of the bill?

Mr. LOSE. Mr. Speaker and members of the House, in the regular session of 1931, a bill was passed requiring school boards to give teachers that they were going to dismiss sixty days notice of this dismissal. While this bill was evidently drawn with good intentions, it has made a great deal of trouble and has been of little good to anybody. Shortly after this bill became a law the school department ruled, and properly, I think, that a teacher whose salary was to be reduced was also to have a sixty days notice of its reduction. As a result of this, school boards all over this State, because they were unable to definitely decide upon salaries of teachers prior to the sixty days notice, these school boards have had a flat dismissal of teachers just prior to this time, and then they hire the teachers over at their leisure. The result has been the practical defeat of the continuing contract. Of course, it is a serious thing to the teachers. This law, as I have said, has been of no great value to anybody, but has been a very troublesome bill to school boards, and is just now when school boards cannot definitely fix the salaries for teachers; it is particularly troublesome at this time. This bill reduces the notice from sixty days to forty-five days. It was originally from sixty days to thirty days, but Dr. Rule believed that forty-five days was a better period, and it was changed from sixty to forty-five days.

On the question recurring.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—129

Andrews,	Greenstein,	McCandless,	Scott,
Baker,	Habbyshaw,	McClure,	Sheffer,
Baldi,	Haines,	McCreary,	Shellenberger,
Barnhardt,	Hamilton,	McElwee,	Shortz,
Bennett,	Harmuth,	McGrail,	Shugarts,
Bernhard,	Harris,	McHenry,	Simon,
Blumberg,	Hefferman,	McKay,	Sinwell,
Boyd,	Heffner,	Melchiorre,	Sowers,
Brancato,	Hermansen,	Meredith,	Spann,
Brennan,	Hester,	Metzler,	Stank,
Brown, J. E.,	Hewitt,	Moore,	Steedle,
Brownfield,	Himes, L. R.,	Munley,	Sterling, P.,
Caputo,	Hoffman,	Myers,	Sterling, R. B.,
Carey,	Holmes, J. L.,	Negley,	Stevenson,
Carson,	Horst,	Nothnagle,	Storb,
Cooke,	Hough,	O'Keefe,	Tahl,
Cordier,	Hutton,	Peelor,	Terry,
Cramer,	Kane, J. J.,	Pennock,	Turner,
Dane,	Kane, L. P.,	Perry, D. R.,	Wade,
Davies,	Kinney,	Perry, J. J.,	Wall,
Downey, G. E.,	Labar,	Peters,	Walker, G. E.,
Downey, J.,	Laubach,	Powell,	Weidemann,
Dunmire,	Lewis,	Price,	Welsh,
Dwyer,	Lord,	Quinn,	Wike,
Ederer,	Lose,	Reed,	Wilson, L. M.,
Embardt,	Lovett, W. S.,	Rhodes,	Wilson, T. B.,
Eroe,	Lynch, J. R.,	Rice,	Wood,
Evans,	Male,	Roan,	Woodside,
Flinchbaugh,	Malina,	Roth,	Wright,
Flynn,	Maloney,	Ruby,	Yourishin,
Forrest,	Marcks,	Ruth,	Talbot,
Gartner,	Mason,	Schrock,	Speaker.
Gillette,	McBride,		

NAYS—9

Bechtel,	Chervenak,	Furman,	O'Connor,
Beech,	DeFrehn,	Hoopes,	Westrick,
Cannon,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1247, entitled:

An Act to repeal the act approved the sixteenth day of March one thousand eight hundred and sixty-six (Pamphlet Laws two hundred three) entitled "A supplement to an act passed the thirteenth day of April one thousand eight hundred and fifty-nine relating to billiard saloons et cetera in the counties of Chester and Delaware extending the same to the counties of Erie Crawford Venango Warren Tioga Potter and McKean" so far as the same applies to the County of Crawford

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—177

Andrews,	Hamilton,	McGrail,	Shettel,
Baker,	Harris,	McHenry,	Shortz,
Baldi,	Hart,	McKay,	Shreiner,
Barnhardt,	Hartman,	McKinney,	Shugarts,
Bechtel,	Heffernan,	Meredith,	Simon,
Beech,	Hefferon,	Merrell,	Snyder,
Bennett,	Heffner,	Metzler,	Sowers,
Bernhard,	Hermansen,	Mohn,	Spann,
Boyd,	Hester,	Moore,	Stank,
Brancato,	Hewitt,	Mumford,	Steedle,
Brennan,	Himes, L. R.,	Munley,	Sterling, P.,
Brown, W. L.,	Hoffman,	Myers,	Sterling, R. B.,
Cannon,	Holmes, J. B.,	Negley,	Stevens,
Caputo,	Hoopes,	Nothnagle,	Stevenson,
Carey,	Horst,	O'Connor,	Storb,
Carson,	Hough,	O'Keefe,	Stone,
Chervenak,	Howard,	O'Neill,	Stott,
Conner,	Hutton,	O'Rourke,	Surface,
Cooke,	Jaffe,	Patterson,	Tahl,
Cordier,	Jones,	Peelor,	Terry,
Dane,	Kane, J. J.,	Pennock,	Turner,
Davies,	Kane, L. P.,	Perry, D. R.,	Wade,

DeFrehn,	King,	Perry, J. J.,	Wagner,
Downey, G. E.,	Kinney,	Peters,	Walker, W. A.,
Downey, J.,	Labar,	Powell,	Wall,
Duffy,	Lane,	Powers,	Wasserman,
Dunmire,	Laubach,	Price,	Way,
Dwyer,	Lenahan,	Quinn,	Weidemann,
Ederer,	Long,	Rectenwald,	Welsh,
Emhardt,	Lord,	Reed,	Westrick,
Eroe,	Lose,	Rhodes,	White,
Evans,	Lovett, J. E.,	Rice,	Wike,
Fitzgerald,	Lovett, W. S.,	Roan,	Williams, G. W.,
Fleisher,	Lynch, J. R.,	Root,	Williams, J. J.,
Flinchbaugh,	Lynch, M.,	Royle,	Wilson, T. B.,
Flynn,	Male,	Ruth,	Witkin,
Forrest,	Malina,	Sarig,	Wood,
Furman,	Maloney,	Sautter,	Woodside,
Gartner,	Marcks,	Schrock,	Wright,
Gillette,	Mason,	Schwab,	Yeakel,
Green,	McBride,	Schwartz,	Yourishin,
Greenstein,	McCandless,	Scorza,	Yourishin,
Griffith,	McClure,	Sheffer,	Zimmerman,
Habbyshaw,	McElwee,	Shellenberger,	Talbot,
Haines,	McGinnis,	Shenkel,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 423, entitled:

An Act to validate certain improvements in borough highways, to make the cost thereof assessable on the abutters, and providing for the filing of liens therefor and the collection thereof.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—75

Baldi,	Evans,	Lynch, J. R.,	Rice,
Barnhardt,	Flinchbaugh,	Male,	Royle,
Bechtel,	Flynn,	Marcks,	Sautter,
Beech,	Forrest,	McClure,	Schrock,
Bennett,	Furman,	McCreary,	Schwab,
Bernhard,	Griffith,	McElwee,	Scorza,
Blumberg,	Hamilton,	McGinnis,	Scott,
Brancato,	Harris,	Metzler,	Shreiner,
Brennan,	Hefferon,	Mohn,	Sterling, P.,
Carey,	Himes, L. R.,	Myers,	Sterling, R. B.,
Conner,	Hoopes,	Nothnagle,	Surface,
Cooke,	Hough,	Peelor,	Turner,
Cordier,	Hutton,	Pennock,	Way,
Cramer,	Jones,	Perry, D. R.,	Williams, G. W.,
DeFrehn,	Kane, L. P.,	Powers,	Wilson, L. M.,
Denning,	King,	Quinn,	Witkin,
Downey, G. E.,	Kinney,	Raub,	Woodside,
Downey, J.,	Laubach,	Rectenwald,	Talbot,
Ederer,	Lovett, W. S.,	Reed,	Speaker.

NAYS—35

Andrews,	Hester,	McGrail,	Shugarts,
Boyd,	Hewitt,	O'Connor,	Sinwell,
Brown, J. E.,	Howard,	O'Keefe,	Stank,
Brownfield,	Labar,	O'Neill,	Stevens,
Caputo,	Long,	O'Rourke,	Wagner,
Chervenak,	Lovett, J. E.,	Perry, J. J.,	Welsh,
Dane,	Lynch, M.,	Powell,	Westrick,
Eroe,	Maloney,	Rhodes,	White,
Harmuth,	McBride,	Roth,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

REPORTS FROM COMMITTEES

Mr. SOWERS, from the Select Committee on Manufacture, Sale and Traffic in Liquor, reported as amended, House Bill No. 1681, entitled:

An Act to regulate and restrain the traffic in malt brewed and vinous beverages as herein defined; providing for the licensing of the manufacture, sale, transportation and distribution of such beverages; imposing taxes and license fees; and providing for collection and distribution of revenues therefrom; restricting ownership and interest in licensed places; providing penalties, and repealing existing acts.

Mr. RICE, from the Committee on State Government, reported as committed, House Bill No. 1674, entitled:

An Act authorizing the transfer of the Pennsylvania State Forest School at Mont Alto from the Commonwealth of Pennsylvania to Pennsylvania State College.

Mr. RICE, from the Committee on State Government, reported as committed, House Bill No. 1675, entitled:

An Act to amend section 1 of the act approved the eighth day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, six hundred eighty-five) entitled "An act prescribing the fees for the office of Secretary of the Commonwealth" by increasing the fee to be charged by the Department of State for filing the power of attorney and statement of a foreign corporation.

Mr. RICE, from the Committee on State Government, reported as committed, House Bill No. 1676, entitled:

An Act to further amend paragraph (b) of section 9 of the act approved the fifteenth day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, eight hundred nine) entitled "An act relating to the organization, maintenance, and operation of the Department of Banking, and the scope of its supervision and control over corporations, partnerships, unincorporated associations, and individuals, and the assets and liabilities thereof; providing penalties for the enforcement of its provisions; and repealing the Banking Department Act of nineteen hundred and nineteen, with table of contents," by requiring building and loan associations to pay the full cost of examinations by the Department of Banking.

Mr. SHREINER, from the Committee on Highways, reported as committed, House Bill No. 1758, entitled:

An Act to repeal the act approved the eighth day of July, one thousand nine hundred nineteen (Pamphlet Laws seven hundred seventy), entitled "An act creating a Division of Township Highways in the State Highway Department; conferring powers, and imposing duties upon officers of the State Highway Department requiring certain duties of clerks of the courts of quarter sessions; and providing penalties."

Mr. SHREINER, from the Committee on State Government, reported as committed, House Bill No. 1664, entitled:

A Supplement to the act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws seven hundred sixty-two) entitled "An act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto; declaring false oaths by the subscribers to be misdemeanors; and providing penalties for the violation thereof" providing for the examination and audit of the State Workmen's Insurance Fund by the Insurance Department and appropriating the moneys in the fund for the payment of the cost of such audit and examination.

Mr. PRICE, from the Committee on State Government, reported as committed, House Bill No. 1645, entitled:

An Act to amend Section 5 of the act approved the sixth day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand five hundred and sixty-one) entitled "An act regulating certain maternity hospitals in

cities of the third class, boroughs, towns, and townships; providing for the licensing and supervision thereof by the Department of Welfare of this Commonwealth; fixing penalties; and placing the burden of proof as to certain facts on the persons prosecuted" by increasing the license fee to be collected by the Department of Welfare and providing for the payment thereof into the State Treasury, through the Department of Revenue.

Mr. PRICE, from the Committee on State Government, reported as committed, House Bill No. 1646, entitled:

An Act to amend Sections 1 and 2 of Act No. 276 approved the seventh day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, six hundred seventy-seven) entitled "An act to provide for the care, treatment, and maintenance of dependent, crippled children, conferring powers in connection therewith upon the Department of Public Welfare and juvenile courts; and imposing certain expenses upon counties" by requiring the data and notices required by the act to be filed with the Department of Health instead of the Department of Welfare.

Mr. WILSON, from the Committee on Education, reported as committed, House Bill No. 1845, entitled:

An Act authorizing school districts to issue and sell bonds for certain purposes, and for a certain period of time; providing for a trust fund and a sinking fund for the payment thereof, and defining the duties of the officers and members of the school board in relation to said funds, and fixing a penalty for the violation thereof.

Mr. SHREINER, from the Committee on State Government, reported as committed, House Bill No. 1665, entitled:

An Act to repeal sections 6 and 8 and to amend sections 2, 4, and 11 of the act approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (Pamphlet Laws, four hundred fifty) entitled "An act relating to fires and fire prevention; imposing duties and conferring powers upon the State Police; authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said State Police, and defining their powers and duties; providing for the investigation of the cause, origin, and circumstances of fires and the inspection of all, and the removal or change of, certain buildings; imposing duties on school authorities and on certain corporations, associations, and fire rating agencies; providing for the attendance of witnesses before the said State Police, and the enforcement of its orders; and prescribing penalties" by requiring only reports of incendiary fires to be filed with the Pennsylvania State Police and eliminating the compiling of statistics of fires and fire losses by the Pennsylvania State Police.

Mr. SHREINER, from the Committee on State Government, reported as committed, House Bill No. 1672, entitled:

An Act to repeal the act approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred thirty-seven), entitled "An act for the protection of public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth, imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities; and providing penalties."

Mr. SHREINER, from the Committee on State Government, reported as committed, House Bill No. 1673, entitled:

An Act to amend sections 2 and 3 of the act approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand two hundred and twenty-nine), entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption; conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties," by authorizing the Secretary of Health to charge and collect fees for the issuance of certificates of approval and permits and further providing for the inspection of premises where milk is to be sold.

Mr. MUMFORD, from the Committee on Education, reported as committed, House Bill No. 1263, entitled:

An Act to amend section eleven of the act approved the thirtieth day of March, one thousand nine hundred and seventeen (P. L. 21), entitled "An act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination and Licensure, and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by said board, and providing penalties for violation thereof, and repealing all acts or parts of acts inconsistent therewith" as amended by permitting treatment of diseases of or injury to the eye in cases of emergency.

Mr. PHILIP STERLING, from the Committee on State Government, reported as committed, House Bill No. 1677, entitled:

An Act to amend paragraph (c) of section 5 of the act approved the twenty-third day of June, one thousand nine hundred and thirty-one entitled "An act regulating public bathing places, swimming pools, public bath houses, public and private natatoriums, turkish bath houses, all places hired for any form of bathing or swimming, and all related appurtenances; fixing license fees; providing, in matters of sanitation, cleanliness and safety, for supervision by the Department of Health; and prescribing penalties for violations," by increasing the inspection fee chargeable by the Department of Health.

Mr. PHILIP STERLING, from the Committee on State Government, reported as committed, House Bill No. 1678, entitled:

An Act to amend the act approved the nineteenth day of February, one thousand nine hundred and twenty-six (Pamphlet Laws, sixteen) entitled "A supplement to the act, approved the twenty-seventh day of March, one thousand nine hundred and twenty-three (Pamphlet Laws, thirty-four), entitled 'An act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in, and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; defining intoxicating liquor; providing for penalties, forfeitures, and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws'; providing for the registering of federal permits; also regulating, under permit, through a Pennsylvania Alcohol Permit Board created in the Department of Welfare, the manufacture, production, distillation, development, use in manufacture, denaturization, redistillation, recovery, reuse, holding in bonds, holding in storage by bailee for hire, sale at wholesale, and transportation for hire, of any alcohol or alcoholic liquid, by certain persons; also providing for fees and the disposition thereof; also authorizing the inspection of the records of permittees and purchasers of said alcohol or alcoholic liquid; also declaring certain places nuisances and providing for their abatement; also providing penalties; and also repealing all acts or parts of acts inconsistent with this act' by abolishing the Pennsylvania Alcohol Permit Board and transferring the powers and duties of the board to the Department of Health.

Mr. PHILIP STERLING, from the Committee on State Government, reported as committed, House Bill No. 1679, entitled:

An Act to amend an act approved the seventh day of May, one thousand nine hundred and twenty-three (Pamphlet Laws, page 151), entitled "An act defining and regulating the business of dry cleaning and dyeing; providing for the maintenance, construction, and inspection of dry cleaning and dyeing buildigs and establishments; providing for enforcing the act, and penalties for violation thereof" as amended, by transferring the duty of enforcing the act from the Pennsylvania State Police to the Department of Labor and Industry.

Mr. PHILIP STERLING, from the Committee on State Government, reported as committed, House Bill No. 1680, entitled:

An Act to repeal Section 11 and to amend Sections 3, 4, 5, 6, 7, 8, and 9 of the act approved the second day of March, one thousand nine hundred and twenty-one (Pamphlet Laws, twelve), entitled "An act relating to vocational rehabilitations; accepting the provisions and benefits of the act of Congress, approved the second day of June, one thousand nine hundred tnd twenty, entitled 'An act to provide for the promotion of vocation rehabilitation of persons disabled in industry or otherwise and their return to civil employment'; providing for the rehabilitation of disabled persons and their return to civil employment; and providing for the cooperation of the State Board of Education and the Department of Labor and Industry in carrying out the provisions of this act" by transferring the duties imposed by the act upon the Department of Labor and Industry to the Department of Health.

Miss BRANCATO, from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 1537, entitled:

An Act to amend clause five of section three of the act, approved the thirteenth day of May, one thousand nine hundred and nine (P. L. 520), entitled "An act relating to food; defining food; providing for the protection of the public health; and the prevention of fraud and deception, by prohibiting the manufacture or sale, the offering for sale or exposing for sale, or the having in possession with intent to sell, of adulterated, misbranded, or deleterious foods; prescribing certain duties of the Dairy and Food Commissioner in reference thereto; and providing penalties for the violation thereof," as amended, by extending, changing and limiting the provisions thereof; relating to fruits used in fruit cake and the use of sulphur dioxide.

Mr. BERNHARD, from the Committee on State Government, reported as committed, House Bill No. 1781, entitled:

An Act to amend the act approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, three hundred forty-three) entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging, to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agenciy thereof and all receipts of appropria tions from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State and certain officers of such subdivisions, every persons, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth" as amended, by adding new sections; eliminating the duty of the Treasury Department to examine and audit requisitions for disbursements; eliminating the duty of the Department of the Auditor General to audit the affairs of the State Workmen's Insurance Board; providing for the adjustment and settlement of claims against the Commonwealth; abolishing the publication of mercantile appraisers lists; and providing for the reimbursement of the General Fund the special operating funds for services rendered by the Department of the Auditor General and the Treasury Department.

Mr. BERNHARD, from the Committee on State Government, reported as committed, House Bill No. 1782, entitled:

An Act to further amend section 285 of the act approved the second day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, four hundred forty-eight), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by making the moneys in the Fish Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments.

Mr. BERNHARD, from the Committee on State Government, reported as committed, House Bill No. 1783, entitled:

An Act to amend the act approved the second day of April, one thousand nine hundred and twenty-five (Pamphlet Laws, one hundred twenty-two), entitled "An act to authorize the Superintendent of Public Instruction to fix and to collect reasonable fees for certain services rendered by that Department" by authorizing the Department of Public Instruction to collect a fee for issuing certificates to teachers.

Mr. BERNHARD, from the Committee on State Government, reported as committed, House Bill No. 1787, entitled:

An Act to further amend section 1201 of the act approved the twenty-fourth day of May, one thousand nine hundred and twenty-three (Pamphlet Laws, three hundred fifty-nine) entitled, "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto;" by making the moneys in the Game Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments.

Mr. SCHWARTZ, from the Committee on State Government, reported as committed, House Bill No. 2061, entitled:

An Act providing for the transfer of the State Nursery at Milton from the Department of Highways to the Department of Forests and Waters

Mr. PATTERSON, from the Committee on State Government, reported as committed, House Bill No. 1658, entitled:

An Act authorizing the transfer of a certain sum from the Manufacturing Fund to the General Fund and appropriating the moneys in the Manufacturing Fund for this purpose.

Mr. PATTERSON, from the Committee on State Government, reported as committed, House Bill No. 1659, entitled:

An Act to further amend Section 17 of the act approved the fourteenth day of June, one thousand nine hundred and twenty-three (Pamphlet Laws seven hundred ten) entitled "An act to amend section seventeen of the act, approved the fourteenth day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, seven hundred ten), entitled 'An act allowing and regulating boxing, sparring, and wrestling matches and exhibitions; establishing a State Athletic Commission; making an appropriation therefor; and appropriating moneys received for monument and memorial purposes; and prescribing penalties,'" by increasing certain license fees.

Mr. MYERS, from the Committee on State Government, reported as committed, House Bill No. 1657, entitled:

An Act to amend Sections 5 and 6 of the act approved the fourteenth day of April, one thousand nine hundred and twenty-five (Pamphlet Laws, two hundred thirty-four) entitled "An act relating to Boarding Houses for Infants; providing for the licensing thereof and the adoption of rules and regulations for the maintenance, operation, and conduct thereof, by the Department of Welfare; and fixing penalties," by authorizing the Department of Welfare to collect fees for licenses issued under the act.

Mr. MYERS from the Committee on State Government, reported as committed House Bill No. 1656, entitled:

An Act to further amend Section 9 of the act approved the sixteenth day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, seventeen hundred eighty) entitled "An act to fix the salaries and compensations of the judges of Supreme Court, the judges of the Superior Court, the

udges of the courts of common pleas, the judges of the orhans' courts, the judges of the Municipal Court of Philadelhia, and the judges of the County Court of Allegheny County, y reducing the compensation and further defining the travelng expenses of judges presiding in other districts.

Mr. McBRIDE from the Committee on Education, reported s committed, House Bill No. 1264, entitled:

An Act to amend section six of the act, approved the thireth day of March, one thousand nine hundred and seventeen P. L. 21), entitled "An act defining optometry; and relating to he right to practice optometry in the Commonwealth of Pennlvania, and making certain exceptions; and providing a oard of Optometrical Education, Examination and Lncensure, nd means and methods whereby the right to practice optoietry may be obtained; and providing for the means to carry ut the provisions of this act; and providing for revocation or spension of licenses given by said board ,and providing enalties for violations thereof; and repealing all acts or parts f acts inconsistent therewith," as amended, by further reglating branch offices of optometrists.

Mr. LEONARD P. KANE from the Committee on State overnment, reported as committed, House Bill No. 1934, entled:

An Act providing for receipt by the Commonwealth of perinal property bequeathed to the Commonwealth; providing r the vesting of title in the Commonwealth of real estate evised to the Commonwealth, the custody, repairs, leasing nd sale thereof by the Department of Justice; and providing e payment of costs of repair of such property.

Mr. STORB, from the Committee on State Government, reorted as committed, House Bill No. 1655, entitled:

An Act to amend the act approved the eleventh day of May, ne thousand nine hundred and twenty-one (Pamphlet Laws ve hundred twenty-two) entitled "An act relating to dogs, nd the protection of live stock and poultry from damage by ogs; providing for the licensing of dogs by the Secretary of griculture; providing for the enumeration of dogs by assesrs; regulating the keeping of dogs, and authorizing their deruction in certain cases; providing for the protection of censed dogs, and for dogs temporarily imported for trial, show nd breeding purposes; prescribing certain privileges for huntg dogs, and dogs owned or used by the Board of Game Comissioners; providing for the assessment of damages done to ve stock and poultry by dogs, and for the illegal killing of censed dogs, and the payment of such damages by the Comonwealth; imposing powers and duties on certain State, ounty, city, borough, town and township officers and emloyes; directing the payment of all moneys collected into the tate Treasury; and making an appropriation thereof, and roviding penalties" by transferring certain duties imposed by he act upon the Department of Agriculture to the Departent of Revenue and the Pennsylvania State Police and reealing certain sections of the act.

Mr. ZIMMERMAN, from the Committee on Education, reorted as committed, House Bill No. 1266, entitled:

An Act to provide for the issuance and acceptance of cerficates from duly licensed optometrists whenever such cerficates may now or hereafter be required as to ocular and isual efficiency by any law of the Commonwealth, and repealng all laws; general, special, or local, or any parts thereof, that re or may be inconsistent therewith.

Mr. DUFFY, from the Committee on State Government, reorted as committed, House Bill No. 1653, entitled:

An Act to amend Sections 1, 3 and 4 of the act approved he first day of July, one thousand nine hundred and nineteen Pamphlet Laws, seven hundred and seventeen), entitled "An ct fixing the number ,compensation, mileage, and duties of he officers and employes of the General Assembly, and proiding for their election or appointment, term of office, and anner of filling vacancies" by changing the number of emloyes of the General Assembly.

Mr. DUFFY, from the Committee on State Government, reported as committed, House Bill No. 1654, entitled:

An Act to further amend Section 7 of the act approved the fourteenth day of April, one thousand nine hundred and three (Pamphlet Laws, one hundred eighty), entitled "An act to establish a Department of Mines in Pennsylvania; defining its purposes and authority; providing for the appointment of a chief of said department, and assistants, and fixing their salaries and expenses" by increasing fees to be paid by applicants to the Department of Mines for certificates of qualification as mine foremen and assistant mine foremen in the anthracite mines and providing for the disposition of the fees received by the Department.

Mr. WITKIN, from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 1337, entitled:

An Act to amend section one of the act approved the eleventh day of July, one thousand nine hundred and seventeen (P. L. 758), entitled "An act for the protection of the public health by regulating the possession, control, dealing in, giving away, delivery, dispensing, administering, prescribing, and use of certain drugs; and keeping records thereof; by regulating the use of drugs in the treatment of the drug habit; by providing for the revocation and suspension of licenses of physicians, dentists, veterinarians pharmacists, druggist, and registered nurses for certain causes, and by providing for the enforcement of this act, and penalties," as amended, by extending the provisins of said act to include marihuana.

Mr. SCOTT, from the Committee on Aeronautics, reported as committed, House Bill No. 1848, entitled:

An Act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Internal Affairs in respect thereto; providing for the licensing and registration of airmen and aircraft; establishing the legal status of air navigation; providing for sovereignty in and ownership of space; providing for the lawfulness of flights; regulating civil cases of action arising out of operation of aircraft; fixing the status of contracts, crimes and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the ccurts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition, and repealing certain existing laws.

Mr. YEAKEL, from the Committee on Education, reported as committed, House Bill No. 1265, entitled:

An Act to amend section nine of the act, approved the thirtieth day of March, one thousand nine hundred and seventeen (P. L. 21), entitled "An act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions, and providing a Board of Optometrical Education, Examination and Licensure, and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for the revocation or suspension of licenses given by said board, and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith," as amended, by enlarging the power of the board to refuse, cancel, revoke or suspend licenses.

Mr. STEEDLE, from the Committee on State Government, reported as committed, House Bill No. 1650, entitled:

An Act to amend the act approved the fifteenth day of April, one thousand eight hundred and seventy-three (Pamphlet Laws, seventy-five) entitled "An act relating to the fees of the surveyor general" by prescribing certain fees to be charged by the Department of Internal Affairs for services rendered by the Land Office.

Mr. STEEDLE, from the Committee on State Government, reported as committed, House Bill No. 1649, entitled:

An Act to reenact Section 1 and to amend Section 6 of the act approved the thirteenth day of June, one thousand eight hundred and eighty-three (Pamphlet Laws, one hundred

nineteen) entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies" as amended by re-establishing the Anatomical Board of the State of Pennsylvania and making the board self-sustaining.

Mr. BENNETT, from the Committee on State Government, reported as committed, House Bill No. 1651, entitled:

An Act to further amend section twenty-three of the act approved the first day of June, one thousand eight hundred and eighty-nine (Pamphlet Laws, four hundred twenty) entitled "An act to provide revenue by taxation approved the seventh day of June Anno Domini, one thousand eight hundred and seventy-nine" by extending the provisions of the act to include natural gas companies, artificial gas companies, water companies, steam heat companies, and limited partnerships, associations, joint-stock associations, copartnerships, and persons heat business and appropriating part of the tax to the Public engaged in the natural gas, artificial gas, water, or steam Service Commission of the Commonwealth.

Mr. BENNETT, from the Committee on State Government, reported as committed, House Bill No. 1652, entitled:

An Act to amend Sections 2 and 6 of the act approved the twelfth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, nine hundred forty-one) entitled "An act providing for the preparation, contents, style, printing, and binding of the Legislative Journal and its delivery and distribution; providing for the preparation, printing, and binding of the Journals of the Senate and House of Representatives; authorizing the appointment of official reporters, expert typewriters, clerks and other employes, and providing for their compensation and mileage; providing for the making of an appendix and index, the printing of wrappers or envelopes for mailing the Legislative Journal; and repealing all acts or parts of acts inconsistent herewith" by further prescribing the method of printing bills and joint resolutions in the Legislative Journal; changing the number of employes of the General Assembly, necessary for the preparation of the Legislative Journal, and repealing part of an inconsistent act.

Mr. SCHWAB, from the Committee on State Government, reported as committed, House Bill No. 1647, entitled:

An Act to amend Sections 8 and 15 of the act approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (Pamphlet Laws, four hundred sixty-five) entitled "An act to provide for the safety of persons employed, housed, or assembled in certain buildings and structures not in cities of the first class, second class, and second class A, by requiring certain construction, and ways of egress, equipment, and maintenance; providing for the licensing of projectionists; requiring the submission of plans for examination and approval; providing for the promulgation of rules and regulations for the enforcement of this act; providing for the enforcement of this act by the Department of Labor and Industry and, in certain cases, by the chiefs of fire departments in cities of the third class; providing penalties for violations of the provisions of this act; and repealing certain acts" as amended by authorizing the Department of Labor and Industry to charge for the cost of making examinations of plans and eliminating duplicating and overlapping inspections of plans in certain cases.

Mr. SCHWAB, from the Committee on State Government, reported as committed, House Bill No. 1648, entitled:

An Act to amend Section 4 of the act approved the twelfth day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, five hundred ten) entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals; conferring certain powers and duties upon the Department of Welfare; and providing penalties" by increasing the license fee to be collected by the Department of Welfare.

Mr. HARMUTH, from the Committee on Public Health and Sanitation, reported as amended, House Bill No. 406, entitled:

An Act for the protection of human life by regulating the business of exterminating vermin, insects and rodents by the use of certain gases, fumes, sprays, vapors or bait; providing for the licensing of persons engaged in such business; imposing duties upon the Department of Health of the Commonwealth; and providing penalties.

Mr. CHERVENAK, from the Committee on State Government, reported as committed, House Bill No. 1671, entitled:

An Act to further amend section 21 of the act approved the seventh day of June, one thousand nine hundred and fifteen (Pamphlet Laws nine hundred), entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics, as required to be established by the State Department of Health; and, in order, to secure prompt and faithful registration of births, marriages, deaths and diseases, of practitioners of medicine and surgery, of midwives, nurses, and undertakers, and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages and diseases throughout the State, as provided in section ten of an act, entitled 'An act creating the Department of Health and defining its powers and duties,' approved the twenty-seventh day of April, nineteen hundred and five, and providing penalties for violations of this act," by increasing the fee to be charged by the Department of Health for certified copies of records of births, deaths or marriages.

Mr. CHERVENAK, from the Committee on State Government, reported as committed, House Bill No. 1670, entitled:

An Act to amend section 7 of the act approved the thirty-first day of May, one thousand nine hundred and twenty-three (Pamphlet Laws four hundred eighty-one), entitled "An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen, assistant mine foremen, and fire bosses in the bituminous coal mines of this Commonwealth; prescribing the qualifications; defining the powers and duties, and fixing the compensation of such examiners; authorizing the Chief of the Department of Mines to determine the district in which boards of examiners shall hold examinations, and to designate the boards before whom applicants in the various inspection districts shall appear; providing for the issuance of certificates of qualification to successful applicants; fixing the fees to be paid by applicants, and providing for their disposition; forbidding the employment of unqualified persons as mine foremen, assistant mine foremen and fire bosses, providing a penalty for forging or making false statements regarding certificates" by increasing the fees to be paid to the Department of Mines by applicants for certificates of qualification as mine foremen, assistant mine foremen and fire bosses in the bituminous mines and providing for the disposition of the fees received by the department.

Mr. BALDI, from the Committee on State Government, reported as amended, House Bill No. 1594, entitled:

An Act creating a Legislative Finance Bureau, and providing for the appointment of a chief thereof by the General Assembly; defining the powers and duties of said Bureau, and making an appropriation.

Mr. WESTRICK, from the Committee on State Government, reported as committed, House Bill No. 2062, entitled:

An Act to amend the act approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistant therewith," by reducing the number of assistant county super-

intendents and the salaries of county and assistant superintendents; abolishing State teachers college districts and certain State teachers colleges; and authorizing the Superintendent of Public Instruction with the approval of the State Council of Education to assign a professional service area to each State teachers college.

Mr. McELWEE, from the Committee on State Government, reported as committed, House Bill No. 1784, entitled:

An Act prescribing fees to be charged by the Secretary of the Commonwealth for filing nomination papers and nomination petitions.

Mr. McELWEE, from the Committee on State Government, reported as committed, House Bill No. 1785, entitled:

An Act authorizing the Department of Mines to charge a fee for making examinations and inspections of anthracite and bituminous mines.

Mr. McELWEE, from the Committee on State Government, reported as committed, House Bill No. 1786, entitled:

An Act to further amend section 11 of the act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred sixty-two), entitled "An act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto; declaring false oaths by the subscribers to be misdemeanors; and providing penalties for the violation thereof," by making the moneys in the State Workmen's Insurance Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments.

Mr. McELWEE, from the Committee on State Government, reporetd as committed, House Bill No. 1788, entitled:

An Act to further amend sections 3 and 4 of the act approved the first day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand forty-six) entitled "An act appropriating the moneys in the Motor License Fund" by making the moneys in the Motor License Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments.

Mr. McELWEE, from the Committee on State Government, reported as committed, House Bil No. 1789, entitled:

An Act to further amend paragraph (a) of section 9 of the act approved the fifteenth day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, eight hundred nine) entitled "An act relating to the organization, maintenance, and operation of the Department of Banking, and the scope of its supervision and control over corporations. partnerships, unincorporated associations, and individuals, and the assets and liabilities thereof; providing penalties for the enforcement of its provisions; and repealing the Banking Department Act of nineteen hundred and nineteen, with table of contents" by making the moneys in the Banking Department Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments.

Mr. MERRELL, from the Committee on Highways, reported as committed, House Bill No. 1850, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by prohibiting the issuance of certain registration plates unless applied for on a form prescribed and furnished by the department and accompanied by an extra fee.

Mr. SCHROCK, from the Committee on Highways, reported as amended, House Bill No. 1033, entitled:

An Act to amend section seven hundred twenty-two, of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts, and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporaetd towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as amended, exempting certain veterans' organizations from payment of fees for registration and certificates of titles of motor vehicles owned and used by them.

By Mr. JOHN W. GRIFFITH, from the Committee on Public Health and Sanitation, reported as amended, House Bill No. 1847, entitled:

An Act to protect the public health; defining and providing for the licensing of bakeries and regulating the inspection, maintenance and operation of bakeries and premises, stores and shops connected therewith; defining and regulating the manufacture, sale and offering for sale of baker products; conferring powers on the Department of Agriculture; and providing penalties.

By Mr. WALL, from the Committee on State Government, reported as committed, House Bill No. 1662, entitled:

An Act to further amend section 14 of an act approved the thirteenth day of May, one thousand nine hundred and fifteen (Pamphlet Laws, two hundred eighty-six) entitled "An act to provide for the health, safety, and welfare of minors; by forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by

the Commissioner of Labor and Industry, the attendance officers of school districts and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith" by requiring minors or their parents or guardians to pay to physicians a fee not in excess of one dollar ($1.00) for physical examinations made in connection with certificates of physical fitness required by the act.

Mr. WALL, from the Committee on State Government, reported as committed, House Bill No. 1663, entitled:

An Act to amend section 2 of the act approved the twenty-second day of June; one thousand nine hundred and thirty-one (Pamphlet Laws, six hundred eighty-two) entitled "An act relating to domestic animals, and providing for their appraisement when about to be slaughtered to prevent the spread of diseases; and regulating payment by the Commonwealth in such cases, and the payment of salvage by butchers" by reducing the amount of compensation payable by the Commonwealth for bovine animals destroyed to prevent the spread of disease.

Mr. GEORGE E. DOWNEY, from the Committee on Pensions and Gratuities, reported as committed, House Bill No. 1440, entitled:

An Act to amend section one of the act, approved the eleventh day of June, one thousand eight hundred and seventy-nine (Pamphlet Laws, one hundred forty-eight), entitled, "An act to require all magistrates and other officials in cities of the first, second and third class, authorized to take acknowledgments and administer oaths, to perform such service free of charge for soldiers and widows of soldiers, when making affidavit to papers for the purpose of drawing pensions," by extending the provisions of this act to include bonuses, compensation and war risk insurance, and extending the application of the act to all political subdivisions of the State.

Mr. MALE, from the Committee on State Government, reported as committed, House Bill No. 2059, entitled:

An Act creating and appropriating a special fund in the State Treasury for the purpose of insuring the Commonwealth against losses of public moneys or securities arising from embezzlement or theft thereof by or the malfeasance of its officers and employes, except the officers and employes of the Treasury Department, prohibiting the purchase of surety bonds for officers and employes covered by fund; and providing for the investment of the moneys in the fund and the ascertainment of losses to be paid out of the fund.

Mr. CRAMER, from the Committee on State Government, reported as committed, House Bill No. 2060, entitled:

An Act to amend section 3 of the act approved the thirty-first day of March, one thousand nine hundred and twenty-seven (Pamphlet Laws, ninety-one) entitled "An act relating to municipal indebtedness; imposing certain powers and duties upon the Department of Internal Affairs, and the officers of counties, cities of the third class, boroughs, towns, townships, school districts of the second, third and fourth classes and poor districts, in connection with the proceedings to incur and increase indebtedness; and the establishing and maintaining of sinking funds; fixing the maximum maturity of refunding bonds; and providing penalties" by authorizing the Department of Internal Affairs to charge and collect fees for examining and approving proceedings relating to municipal indebtedness.

Mr. J. E. BROWN, from the Committee on State Government, reported as committed, House Bill No. 1668, entitled:

An Act to repeal paragraph (x) of section 1 of Article II and section 8 of Article IV and to amend section 47 of Article VI of an act approved the twenty-sixth day of July, one thousand nine hundred thirteen (Pamphlet Laws, one thousand three hundred seventy-four), entitled "An act defining public service companies; and providing for thier regulation by prescribing and defining their duties and liabilities; prescribing, defining and limiting their powers, and regulating thtir incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission fo rthe regulation aforesaid; prescribing, and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages, in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers, counsel, and employes; prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals'; and an act, entitled 'To provide the maximum car service charges, including storage charges, that railroad companies and corporations or associations, may charge and collect on each car loading, and unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved the twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act," by eliminating the duties of the Public Service Commission pertaining to the investigation of accidents and authorizing additional fees to be collected for papers filed with the commisison.

Mr. JOHN E. BROWN, from the Committee on State Government, reported as committed, House Bill No. 1669, entitled:

An act to amend sections 3 and 4 of the act approved the twenty-seventh day of April, one thousand nine hundred and eleven (Pamphlet Laws one hundred ten), entitled "An act for the assignment of judges to districts other than their own, for the purpose of expediting business, with provisions for their compensation" by further regulating the assignment of judges to districts other than their own and requiring such judges to itemize their expenses in reports filed with the Auditor General.

Mr. TAHL, from the Committee on State Government, reported as committed, House Bill No. 1666, entitled:

An Act to amend section 9 of the act approved the thirteenth day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, six hundred forty-four) entitled "An

act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes" by increasing the fee to be charged by the Department of Welfare for certificates of registration.

Mr. LORD, from the Committee on Highways, reported as committed, House Bill No. 1741, entitled:

An Act to amend section ten as amended of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligations and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof! providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commisisoner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township, or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated town with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," by providing for the construction and maintenance of certain bridges in boroughs by the Commonwealth.

Mr. McCREARY, from the Committee on State Government, reported as committed, House Bill No. 1661, entitled:

An Act to amend section 309 of the act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred thirty-six), entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder," as amended, by prescribing the method of determining the weekly wages of claimants in certain cases.

Mr. McCREARY, from the Committee on State Government, reported as committed, House Bill No. 1660, entitled:

An Act to amend sections 1, 2, 15 and 19 of the act approved the sixth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, seven hundred eighty-eight) entitled "An act to protect the health of the persons employed in bakeries by requiring the ventilation, drainage, sanitation, and purity of bakeries, the cleanliness of persons employed therein and of all bakery products, tools, implements, ingredients, and other things used in connection with their manufacture, delivery, and sale; by regulating and, in certain cases restricting, the use of such bakeries; by regulating the manufacture, sale, and delivery of such products; by requiring all persons employed or permitted to work therein to be certified as free from certain diseases and skin infections; by prohibiting the presence of all animals; by requiring a certificate of compliance, and regulating the issuance of same; by providing for the enforcement of this act; and by providing penalties for violations thereof," by reenacting and changing definitions in the act and transferring the duties imposed by the act upon the Department of Labor and Industry to the Department of Health.

Mr. TAHL, from the Committee on State Government, reported as committed, House Bill No. 1667, entitled:

An Act to amend sections 1, 4 and 5 of the act approved the eighteenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, ten hundred forty-five) entitled "An act providing for the establishment of a Bureau of Rehabilitation in the Department of Labor and Industry, and conferring upon the Commissioner of Labor and Industry, the power to supervise and direct the rendering of certain physically handicapped persons fit to engage in remunerative occupations; providing for the appointment of a chief of the bureau, subordinate officers, and employes, and furnishing suitable accommodations; and making an appropriation by transferring to the Department of Health the powers and duties imposed by the act upon the Department of Labor and Industry and repealing certain sections of the act.

Mr. NOTHNAGLE, from the Committee on Mines and Mining, reported as committed, House Bill No. 1111, entitled:

An Act providing for the protection of persons employed in the anthracite coal mines by requiring attendants at certain ventilating fans; and providing penalties.

Mr. WAY, from the Committee on Banking, reported as committed, House Bill No. 1694 (Senate Bill No. 591), entitled:

An Act to further amend section one of an act, approved the thirty-first day of May, one thousand eight hundred ninety-three (Pamphlet Laws, one hundred eighty-eight), entitled "An act designating the days and half days to be observed as legal holidays, and for the payment, acceptance and protesting of bills, notes, drafts, checks and other negotiable paper on such days," by authorizing bank holidays during State and National financial crises.

Mr. JOHN L. HOLMES, from the Committee on Banking, reported as committed, House Bill No. 1491 (Senate Bill No. 598), entitled:

An Act to amend sections one hundred and sixty-four, one hundred and sixty-five, and one hundred and sixty-six of the act, approved the thirty-first day of March, one thousand eight hundred and sixty (P. L. 382), entitled "An act to consolidate, revise and amend the penal laws of this Commonwealth," by making unlawful the counterfeiting, altering and uttering of scrip and possession of materials for falsely making the same.

Mr. MUMFORD, from the Committee on Banking, reported as committed, House Bill No. 1844 (Senate Bill No. 682), entitled:

An Act authorizing and regulating the issue and sale of preferred stock by banks and trust companies.

Mr. MYERS, from the Committee on Public Health and Sanitation, reported as amended, House Bill No. 1684 (Senate Bill No. 155), entitled:

An Act for the protection of the public health and to prevent fraud and deception in the manufacture, sale, offering for sale, exposing for sale, and having in possession with intent to sell, of adulterated or deleterious ice cream, custard

ice cream, french ice cream, french custard, frozen custard sherbet ice and fruit ice, including coated ice cream and the coating thereof; fixing standards for ice cream, custard ice cream, french ice cream, french custard, frozen custard, sherbet, ice and fruit ice, and to prevent the sale of imitation ice cream and defining said imitation ice cream; providing penalties for the violation thereof, and providing for the enforcement thereof.

Mr. McHENRY, from the Committee on Highways, reported as committed, House Bill No. 1446 (Senate Bill No. 138), entitled:

An Act to amend section sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highway to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State-aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways, making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended, fixing the time within which proceedings to assess damages for land taken for the changing, widening or relocation of highway.

Mr. McCLURE, from the Committee on Judiciary General reported as committed, House Bill No. 1695 (Senate Bill No. 619), entitled:

An Act authorizing courts of common pleas to stay and adjourn the execution of certain writs in the hands of sheriffs; ratifying, confirming and validating the actions of courts in staying and adjourning the execution of such writs and of sheriffs in obeying orders and decrees of courts in accordance with this act and a resolution of the General Assembly, and dispensing with the necessity of re-advertising and re-posting such writs.

Mr. SHREINER, from the Committee on Highways, reported as committed, House Bill No. 146, entitled:

An Act to amend sections four hundred nine and six hundred three of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as amended by providing for change in regulating the registration of foreign motor vehicles and licensing of foreign operators.

Mr. HUTTON, from the Committee on State Government, reported as amended, House Bill No. 22, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended repealing certain sections abolishing certain administrative agencies abolishing certain functions of certain administrative agencies decreasing the salaries and compensation and limiting and decreasing the number of certain State officers and employes increasing the power of the Auditor General State Treasurer and the Secretary of Internal Affairs and generally further reorganizing and limiting the conduct of the administrative work of the Commonwealth

BILL ON FIRST READING

Mr. McCLURE asked and obtained unanimous consent to have House Bill No. 1695, Senate Bill No. 619, read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1695 (Senate Bill No. 619), entitled:

An Act authorizing courts of common pleas to stay and adjourn the execution of certain writs in the hands of sheriffs ratifying confirming and validating the actions of courts in staying and adjourning the execution of such writs and of sheriffs in obeying orders and decrees of courts in accordance with this act and a resolution of the General Assembly and dispensing with the necessity of re-advertising and re-posting such writs.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL ON FINAL PASSAGE

Mr. TAHL. Mr. Speaker, I desire to call up at this time House Bill No. 515, Printer's No. 281.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Tahl.

The House resumed the consideration on final passage of House Bill No. 515, entitled:

An Act to amend section one as amended and section two of the act approved the ninth day of May one thousand nine hundred and thirteen (Pamphlet Laws one hundred ninety-eight) entitled "An act prohibiting the furnishing by gift sale or otherwise of cigarettes or cigarette paper to minors requiring minors to divulge where and from whom cigarettes or cigarette paper have been obtained and providing penalties for violation of this act" by reducing the age limit of persons to whom cigarettes or cigarette paper may be furnished

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HERMANSEN. Mr. Speaker and members of the House, with reference to the bill that is before the House, I wish to say that I think it is a good bill because it regulates the sale of cigarettes, which was not regulated under the former bill that we had because previously it stated that cigarettes should not be sold to minors, meaning by that anyone under twenty-one years of age was not eligible to buy cigarettes. With this bill as it was introduced this evening it prohibits any business man or anyone dealing in cigarettes to sell cigarettes to anyone under the age of eighteen and I think that is about as far as the law can be made effective. I think it is a good bill and should be supported.

Mr. WASSERMAN. Mr. Speaker, the bill I have before me provides a limit of sixteen years, and I understand that this bill has been amended to provide for eighteen years of age. I would like to have the sponsor of the bill explain that.

Mr. TAHL. Mr. Speaker, this bill originally provided for sixteen years, prohibiting the sale of cigarettes to minors under sixteen years, but at the request of a number of members it has been amended to eighteen, so that the bill as it stands now would read under the age of sixteen.

The SPEAKER. The Chair desires to ask the gentleman from Philadelphia, Mr. Wasserman, if the copy of the bill he has before him, Printer's No. 186, carries the provision of sixteen years and does not carry the prohibition under eighteen years.

Mr .WASSERMAN. Mr. Speaker, it does carry sixteen years and does not carry eighteen years.

The SPEAKER. The Chair desires to inform the gentleman from Philadelphia, Mr. Tahl, that the Printer's No. is in error. It must be correct before we can vote on the bill. Will the gentleman from Philadelphia, Mr. Tahl, inform us of the latest Printer's number, because we cannot act upon the bill unless it is properly before us.

Mr. TAHL. Mr. Speaker, the number is 186.

The SPEAKER. The gentleman from Philadelphia, Mr. Tahl, is in error.

Mr. WITKIN. Mr. Speaker, I move that action on this bill be deferred for the present, to give the gentleman from Philadelphia, Mr. Tahl, an opportunity to get the right number.

Mr. TAHL. Mr. Speaker, I find that the correct Printer's No. of this bill is 281.

The SPEAKER. The gentleman from Philadelphia, Mr. Tahl, informs the House that the correct Printer's No. on this bill is 281.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—113

Andrews,	Flanagan,	Malina,	Shreiner,
Baker,	Forrest,	Marcks,	Shugarts,
Baldi,	Furman,	Mason,	Simon,
Barnhardt,	Gartner,	McGinnis,	Sinwell,
Bechtel,	Green,	McGrail,	Snyder,
Beech,	Greenstein,	McHenry,	Sowers,
Bennett,	Griffith,	Melchiorre,	Spann,
Bernhard,	Hamilton,	Merrell,	Steedle,
Blumberg,	Harmuth,	Mohn,	Storb,
Boyd,	Harris,	Moore,	Stone,
Brancato,	Heffernan,	Myers,	Tahl,
Brennan,	Heffner,	Nothnagle,	Turner,
Brown, W. L.,	Hermansen,	O'Connor,	Wagner,
Cannon,	Hester,	Pennock,	Wasserman,
Caputo,	Himes, L. R.,	Peters,	Way,
Carey,	Hoffman,	Powers,	Weidemann,
Chervenak,	Holmes, J. B.,	Price,	Westrick,
Cohen,	Hoopes,	Quinn,	White,
Conner,	Horst,	Reed,	Wike,
Cooke,	Hutton,	Reilly,	Williams, J. J.,
Cordier,	Kane, J. J.,	Rice,	Wilson, L. M.,
Craig,	King,	Root,	Wilson, T. B.,
Cramer,	Kinney,	Roth,	Witkin,
Dane,	Lane,	Royle,	Woodside,
Davies,	Laubach,	Ruda,	Yeakel,
Downey, J.,	Lenahan,	Sautter,	Yourishin,
Duffy,	Lewis,	Schwab,	Zimmerman,
Ederer,	Long,	Schwartz,	Talbot,
Evans,	Lovett, J. E.,		Speaker.

NAYS—40

Brown, J. E.,	Hewitt,	McKinney,	Sterling, R. B.,
Brownfield,	Howard,	O'Keefe,	Stevens,
Carson,	Lord,	O'Neill,	Stevenson,
DeFrehn,	Lovett, W. S.,	Patterson,	Stiteler,
Downey, G. E.,	Lynch, M.,	Peelor,	Wade,
Dunmire,	Male,	Perry, D. R.,	Walker, G. E.,
Flinchbaugh,	McBride,	Powell,	Wall,
Gallagher,	McClure,	Rhodes,	Welsh,
Gillette,	McElwee,	Schrock,	Wood,
Habbyshaw,	McGregor,	Stank,	Wright,

The majority required by the Constitution having voted in the affirmative the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 28, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives, and Senate, recalling from the Governor House Bill No. 374, Printer's No. 41, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

Mr. DWYER. Mr. Speaker, I move that the communication from the Governor together with the bill be laid upon the table.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 27, 1933.

To the Honorable, the House of Representatives, of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate, recalling from the Governor House Bill No. 70, Printer's No. 28, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

Mr. BAKER. Mr. Speaker, I move that the communication from the Governor together with the bill be laid upon the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 445.

An Act to amend sections 703 1015 1406 1902 2103 2403 Cl 53 2559 2562 2563 2564 2566 2567 2601 2620 2621 2706 2955 2978 3206 3211 3212 3501 3801 and 3803 of and to add sections 1913 and 2990 to the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" providing for vacancies in office and the filling thereof where persons elected fail to qualify for the publication of ordinances for the deposit of funds by the city treasurer for exemption from advertisemnet of contracts with the Commonwealth for a platoon system for paid men of volunteer fire departments for group insurance for the exoneration of tax collectors and the settlement of their duplicates for penalties and interest on taxes for the collection of delinquent taxes for the licensing of transient merchants and business for the acquisition of unobstructed views for detours for the construction of sewage treatment works and the acquisition of property therefor for the collection of a frontage tax for water mains and certain license taxes that the powers of the Shade Tree Commission may be exercised by council for the advertisement of contracts in trade journals and for the improvement of boundary streets

with the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 11, line 13, by inserting after the word "all" the word "photographers"; also on page 13, line 1, by inserting after the word "transient" the words "wholesale and"; also in line 7 by inserting after the word "transient" the words "wholesale and."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. SHREINER. Mr. Speaker, I move that the message of the Senate together with the bill be laid upon the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 374.

An Act empowering counties, cities, boroughs, towns and townships to borrow money from the Reconstruction Finance Corporation to finance certain projects.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 3, by inserting the word "projects" the words "and prescribing the manner of such borrowing."

Amend section 1, page 1, line 9, by striking out after the word "without" the words "advertisement for" and inserting in lieu thereof the words "soliciting or obtaining"; also by inserting after the word "bids" the word "therefor"; also in line 14, by inserting after the word "approved" the following: "Provided that no such bonds or other obligations shall be issued or sold for less than par."

Amend section 2, page 2, line 1, by striking out after the figure "2" the word "Such" and inserting in lieu thereof the words "Except as herein otherwise expressly provided such"; also in line 2 by inserting after the word "manner" the words "prescribed by."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180

Andrews,	Griffith,	McKinney,	Scott,
Baker,	Haines,	Melchiorre,	Sheffer,
Baldi,	Hamilton,	Meredith,	Shellenberger,
Barnhardt,	Harmuth,	Merrell,	Shenkel,
Bechtel,	Harris,	Metzler,	Shettel,
Beech,	Hart,	Mohn,	Shortz,
Bennett,	Heffernan,	Moore,	Shreiner,
Bernhard,	Hefferon,	Mumford,	Shugarts,
Blumberg,	Heffner,	Munley,	Simon,
Boyd,	Hermansen,	Myers,	Sinwell,
Brancato,	Hewitt,	Negley,	Snyder,
Brennan,	Himes, H. E.,	Nothnagle,	Sowers,
Brown, J. E.,	Himes, L. R.,	O'Connor,	Spann,
Brownfield,	Holmes, J. B.,	O'Keefe,	Stank,
Cannon,	Holmes, J. L.,	O'Neill,	Steedle,
Caputo,	Hoopes,	O'Rourke,	Sterling, P.,
Carey,	Hough	Patterson,	Sterling, R. B.,
Carson,	Howard,	Peelor,	Stevens,
Chervenak,	Jaffe,	Pennock,	Stevenson,
Cohen,	Jones,	Perry, D. R.,	Stiteler,
Conner,	King,	Perry, J. J.,	Storb,
Cooke,	Kinney,	Peters,	Stone,
Cordier,	Labar,	Powell,	Stott,
Craig,	Lane,	Powers,	Surface,
Cramer,	Laubach,	Price,	Tahl,
Dane,	Lenahan,	Quinn,	Terry,
Davies,	Lewis,	Raub,	Turner,
DeFrehn,	Long,	Rectenwald,	Wade,
Denning,	Lord,	Reed,	Wagner,
Downey, G. E.,	Lose,	Reilly,	Walker, G. E.,
Duffy,	Lovett, W. S.,	Rhodes,	Walker, W. A.,
Dunmire,	Lynch, J. R.,	Rice,	Wall,
Dwyer,	Lynch, M.,	Roan,	Wasserman,
Ederer,	Male,	Root,	Way,
Emhardt,	Malina,	Roth,	Weidemann,
Eroe,	Marcks,	Royle,	White,
Evans,	Mason,	Ruby,	Williams, G. W.,

Fitzgerald,	McBride,	Ruth,	Wilson, L. M
Flynn,	McCandless,	Sarig,	Wilson, T. B
Forrest,	McCreary,	Sautter,	Witkin,
Furman,	McElwee,	Schrock,	Woodside,
Gallagher,	McGinnis,	Schrope,	Yeakel,
Gartner,	McGrail,	Schwab,	Yourishin
Gillette,	McGregor,	Schwartz,	Talbot
Green,	McHenry,	Scorza,	Speaker
Greenstein,	McKay.		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

STATEMENT BY MR. TURNER

Mr. TURNER asked and obtained unanimous consent to make the following statement.

Mr. Speaker and members of the House, there was laid on your desks a while ago a digest of House Bill No. 22, which was reported from the Committee on State Government this evening.

We have a few extra copies of this digest. If any of the members desire them and will apply to the Committee on State Government we will see that you get them. If the members in the next few days will go over this digest and if they have any questions that they desire to ask we will be only to glad to answer them.

ADJOURNMENT

Mr. JOHN B. HOLMES. Mr. Speaker, I move that this House do now adjourn until tomorrow morning at 11.00 o'clock.

The motion was agreed to, and (at 11.10 o'clock P. M.) the House adjourned until tomorrow morning at 11 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1933 — 130th of the General Assembly

Vol. 15 — HARRISBURG, PA., WEDNESDAY, MARCH 29, 1933. — No. 39

SENATE

WEDNESDAY, March 29, 1933.

The Senate met at 11 o'clock A. M.

The PRESIDENT PRO TEMPORE (Hon. James S. Boyd) in the Chair.

PRAYER

The Chaplain, Rev. George P. Donehoo, offered the following prayer:

O Lord, our God, how excellent is Thy Name in all the earth. We rejoice in Thee when the sun arises and we rejoice in Thee when the shades of night spread themselves over this earth. Help us in these times to say in reality, "Bless the Lord, O my Soul, and all that is within me bless His Holy Name." Help us not to forget His benefits. Help us to remember how much we are cluttering up our lives with the things that we call living while we forget to live. Bless us this day. May the glorious sunshine of the day shine into our souls so that we may in reality live. Be with the Senate today. Bless all of the members, and especially be with all the members of the committees who are giving so much time and effort to real, sincere work. Help us all to encourage each other and rejoice in Thee. We ask in Thy Name. Amen.

JOURNAL APPROVED

The PRESIDENT PRO TEMPORE. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. EINSTEIN, the further reading was dispensed with, and the Journal was approved.

RESOLUTION OF TAXPAYER'S LEAGUE OF FRANKLIN COUNTY

Mr. RICE presented the following communication:

Chambersburg, March 27, 1933.

Hon. John S. Rice, State Senate, Harrisburg, Pa.
Dear Sir:

The following resolutions were adopted at a meeting of the Taxpayers' League of Franklin County, Saturday, March 25, 1933:

Whereas, on account of the farmers having to bear a large share of the tax burden caused by the levying of a state tax on gasoline for road purposes; and

Whereas, nearly all farmers have tractors, gasoline engines and gasoline motors which use gasoline for fuel, and which are used for agricultural and horticultural purposes only, and are never used for commercial purposes on the public highways;

Therefore, Be It Resolved,—That we, the members of the Taxpayers' League of Franklin County, Pennsylvania, petition, request and urge our Senator and our Representative in the Legislature, now in session, to use their utmost influence and ability to cause to be removed or exempted this tax on gasoline used for agricultural or horticultural purposes; that a copy of this resolution be mailed by the secretary of this League to the Senator and the Representative of this district, and one to the Governor of the Commonwealth; and that our said Representatives are hereby requested to present this resolution to their respective Houses.

Respectfully yours,
JOSEPH P. TUBRIDY.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency the Governor of the Commonwealth, which was read as follows:

APPROVAL OF RESOLUTION RELATIVE TO PAYMENT OF SALES TAX

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 29, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a Resolution of the Senate and House of Representatives providing that every vendor liable for the emergency sales tax under the Act of August 9, 1932, may on or before April 1, 1933, pay one-half of such tax concurrently with the filing of his report and may pay the remaining one-half of said tax in a single instalment on or before the 15th day of May, 1933, but the amount of the tax not paid on or before April 1, 1933, shall bear interest at the rate of six per centum per annum until May 15, 1933, and twelve per centum per annum thereafter; and declaring the purpose of the General Assembly to enact suitable legislation to effectuate this resolution, etc.

GIFFORD PINCHOT.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

MEMBER OF THE BOARD OF TRUSTEES OF LOCUST MOUNTAIN STATE HOSPITAL

MEMBER OF THE BOARD OF TRUSTEES OF THE MOTHERS' ASSISTANCE FUND OF LAWRENCE COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 29, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

Harrison Powell, of Shenandoah, Schuylkill County, as a member of the Board of Trustees of Locust Mountain State Hospital, for the term of four years, and until his successor is qualified.

Miss Clare C. Duff, of New Castle, Lawrence County, as a member of the Board of Trustees of the Mothers' Assistance

Fund of Lawrence County, vice Mrs. Jessie W. Cunningham, of New Castle, resigned, until June 1, 1935, and unti lher successor is duly appointed and qualified.

GIFFORD PINCHOT.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 29, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

George P. Vogeley, Pittsburgh.

BEAVER COUNTY

Carl Douds, Rochester.

DAUPHIN COUNTY

P. W. Fetterhoff, Harrisburg.
Homer L. Kreider, Harrisburg.

DELAWARE COUNTY

Mrs. Elizabeth M. Burns, Chester.

ERIE COUNTY

Alban W. Curtze, Erie.

INDIANA COUNTY

Joseph P. Dalessio, Beyer.

LANCASTER COUNTY

Roy G. Hubley, Columbia.

MONTGOMERY COUNTY

Chas. H. Peacock, Jr., Wynnewood.

PHILADELPHIA COUNTY

James C. Davie, Philadelphia.
Walter S. Hartley, Philadelphia.
Miss Mary F. Lyons, Philadelphia.

WESTMORELAND COUNTY

Thomas H. Mensch, Greensburg.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 29, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for re-appointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

PHILADELPHIA COUNTY

R. Lee Kass, Philadelphia, April 8, 1933.
Miss Katherine D. McDowell, Philadelphia, April 22, 1933.

GIFFORD PINCHOT.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 79 (Senate Bill No. 804), entitled:

An Act to amend section one thousand two hundred and five of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled, "Public School Code," as amended, reducing the time before the close of school terms for board of school directors to terminate teachers' contracts.

Which was committed to the Committee on Education.

House Bill No. 92 (Senate Bill No. 805), entitled:

An Act permitting fishing on Sunday with one rod and two hooks and fixing penalties.

Which was committed to the Committee on Law and Order.

House Bill No. 179 (Senate Bill No. 806), entitled:

An Act to amend section two hundred and twelve of the act, approved the fourteenth day of May, one thousand nine hundred and twenty-five (P. L. 762), entitled "General Poor Relief Act of 1925," by providing for depositories for funds of poor districts.

Which was committed to the Committee on Finance.

House Bill No. 197 (Senate Bill No. 807), entitled:

An Act to amend sections eight hundred and eight hundred and one of the act, approved the fourteenth day of May, one thousand nine hundred and twenty-five (P. L. 762), entitled "General Poor Relief Act of 1925," defining legal settlement, and the liability of poor districts for support.

Which was committed to the Committee on Judiciary General.

House Bill No. 198 (Senate Bill No. 808), entitled:

An Act to amend sections one, two and three of the act, approved the sixth day of April, one thousand nine hundred and five (P. L. 112), entitled, "An act providing for the relief of poor persons; regulating their settlements in poor districts; providing a means of enforcing the removal of a poor person to the district of his settlement, the payment for relief furnished to him and the payment of costs thereto, and authorizing courts of quarter session to compel certain relations to contribute to the relief of poor persons," defining legal settlement and the liability of poor districts for support.

Which was committed to the Committee on Judiciary General.

House Bill No. 256 (Senate Bill No. 809), entitled:

An Act to validate acts done by corporations before the recording of their charters.

Which was committed to the Committee on Corporations.

House Bill No. 454 (Senate Bill No. 810), entitled:

An Act relating to change of polling places.

Which was committed to the Committee on Elections.

House Bill No. 459 (Senate Bill No. 811), entitled:

An Act permitting Building and Loan associations to invest part of their assets in bonds of the United States or of the Commonwealth of Pennsylvania, or bonds or indentures issued by a Federal Home Loan Bank.

Which was committed to the Committee on Banks and Building and Loan Association.

House Bill No. 876 (Senate Bill No. 812), entitled:

An Act to amend sections one hundred ten, six hundred twelve, six hundred twenty-one, six hundred twenty-two, eight hundred eight, clause two of section one thousand five hundred and two, and sections one thousand seven hundred and fifteen, two thousand and sixty-three, and two thousand three hundred and two of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206),

entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto"; regulating advertising, fixing the voting power at county conventions of township officers; correcting certain section headings; providing the security to be given by depositories; prescribing penalties for the enforcement of ordinances, and for the delinquent taxes; permitting certain municipal claims to be embraced in one claim; and providing that the width of sidewalks may be fixed by resolution.

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 515 (Senate Bill No. 813), entitled:

An Act to amend section one as amended, and section two, of the act, approved the ninth day of May, one thousand nine hundred and thirteen (P. L. 198), entitled "An act prohibiting the furnishing, by gift, sale, or otherwise, of cigarettes or cigarette paper to minors; requiring minors to divulge where and from whom cigarettes or cigarette paper have been obtained; and providing penalties for violation of this act," by reducing the age limit of persons to whom cigarettes or cigarette paper may be furnished.

Which was committed to the Committee on Law and Order.

House Bill No. 952 (Senate Bill No. 814), entitled:

An Act prohibiting advertisements relating to foreign insurance companies not registered to do business in this Commonwealth and prescribing penalties.

Which was committed to the Committee on Insurance.

House Bill No. 962 (Senate Bill No. 815), entitled:

An Act relating to judicial sales of real estate, the credits to be given upon obligations on account of certain sales; and giving the right of subrogation to mortgagors in the event of certain sales.

Which was committed to the Committee on Judiciary General.

House Bill No. 974 (Senate Bill No. 816), entitled:

An Act providing that whenever a husband or wife creates a trust fund of personal property, reserving for himself or herself during his or her life time any part of the income or benefits therefrom, and disposing of the principal or income upon his or her death, such trust shall be subject to the rights of the surviving spouse under the intestate laws.

Which was committed to the Committee on Judiciary General.

House Bill No. 1185 (Senate Bill No. 817), entitled:

An Act creating borough and township poor districts in the County of Wyoming, to be administered by overseers of the poor; and abolishing the county poor district.

Which was committed to the Committee on Education.

House Bill No. 1247 (Senate Bill No. 818), entitled:

An Act to repeal the act approved the sixteenth day of March, one thousand eight hundred and sixty-six (P. L. 203), entitled "A supplement to an act passed the thirteenth day of April, one thousand eight hundred and fifty-nine, relating to billiard saloons, et cetera, in the counties of Chester and Delaware, extending the same to counties of Erie, Crawford, Venango, Warren, Tioga Potter and McKean," so far as the same applies to the County of Crawford.

Which was committed to the Committee on Judiciary Special.

House Bill No. 1543 (Senate Bill No. 819), entitled:

An Act to amend section five of the act approved the nineteenth day of August, one thousand nine hundred and thirty-two (P. L. 92), entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors, as herein defined; prescribing the method and manner of collecting such tax; and providing penalties"; extending the period for payment of part of the tax.

Which was committed to the Committee on Finance.

TIME OF NEXT MEETING

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House of Representatives has concurred in resolution from the Senate as follows:

In the Senate, March 28, 1933.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene Monday evening, April 3, at nine o'clock; and when the House of Representatives adjourns this week it reconvene Monday evening, April 3, at nine o'clock.

APPOINTMENTS BY THE CHIEF CLERK

The PRESIDENT. The Chief Clerk announces the following appointments for the day:

Clarence J. Buckman, Jr., Langhorne.
David Henry Lane Aron, Philadelphia.

HOUSE CONCURS IN SENATE BILL No. 392

He also returned to the Senate, Senate Bill No. 392, entitled:

An Act authorizing the compromise of tax claims on real property purchased by the county on county treasurers' sales for nonpayment of taxes, and the reconveyance of such property.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN AMENDMENTS TO SENATE BILL NO. 374 RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 374, entitled:

An Act empowering counties, cities, boroughs, towns and townships to borrow money from the Reconstruction Finance Corporation to finance certain projects.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

COMMUNICATION FROM AMERICAN JEWISH CONGRESS

The Chair cleared his table and laid before the Senate resolutions adopted by the American Jewish Congress, Pittsburgh Council, which was read as follows and referred to the Committee on Federal Relations.

Whereas, Thousands of Jews have lived in Germany for centuries as peaceful and law-abiding citizens, contributing towards every phase of the cultural, social, economic and political life of the country; and

Whereas, The dominant National Socialist Party is engaged in a vicious program of anti-Semitic propaganda, in utter disregard of these loyal services of the Jewish people to the welfare of the country; and

Whereas, Under the inspiration of this insidious propaganda, and with the connivance of the present Nazi government of Germany, numerous assaults have been committed upon the Jews in Germany, medieval tortures inflicted upon law-abiding citizens, and acts of wanton cruelty and savagery against innocent and helpless Jews, in violation of all principles of humanity; and

Whereas, The various governmental authorities in Germany have deprived numerous Jews of their offices as judges, lawyers, physicians, professors, have removed all protection of Jewish life and property, and are violating the civil and political rights of the Jewish people as a whole;

New Therefore Be It Resolved, That we, the Jewish community of Western Pennsylvania united under the auspices of the American Jewish Congress, and heartened by the sympathetic co-operation of our fellow-Americans, in public meeting assembled at the Carnegie Music Hall, Pittsburgh, Monday evening, March 27th, 1933, utter our solemn and unqualified protest against these savage outrages and violations of human rights and civil prerogatives; and

Be It Further Resolved, That we petition the Government of the United States to use its good offices with the Government of Germany to the end that an immediate halt be called to these outrages and violations, and that the rights of the Jewish people, in common with their fellow-citizens, be duly recognized and respected; and

Be It Further Resolved, That copies of these Resolutions be forwarded to the General Assembly of the Commonwealth of Pennsylvania, now in session assembled, with the prayer that it memorialize the Government of the United States to this end.

COPY OF REPORT AUDIT OF ACCOUNTS OF FAIRMONT PARK COMMISSION

The Chair cleared his table and laid before the Senate partial audit by the County Comptroller of Philadelphia of the Fairmount Park Commission.

BILLS SIGNED

The PRESIDENT PRO TEMPORE (Mr. James S. Boyd), announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, tne titles were publicly read as follows:

House Bill No. 126, entitled:

An Act to amend section one thousand four hundred one of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "Fiscal Code" limiting the lien and procedure for collection of taxes, bonus and other moneys due the Commonwealth in certain cases.

House Bill No. 963, entitled:

An Act to amend section two of the act approved the twenty-second day of April one thousand eight hundred and seventy-four (Pamphlet Laws one hundred nine) entitled "An act to provide for the submission of civil cases to the decision of the court and to dispense with trial by jury" providing that upon request of counsel the decision of the court in such cases shall state separately the facts found the answers to points submitted and the conclusions of law

Whereupon,

The President Pro Tempore (Mr. James S. Boyd) in the presence of the Senate signed the same.

SENATE BILL No. 158, RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 158, entitled:

An Act to amend section six, as amended, and section eight of an act approved the twelfth day of July, one thousand nine hundred and thirteen (P. L. 719), entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation"; prohibiting persons from being candidates for more than one party nomination.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. WOODWARD. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made be the House of Representatives to the foregoing bill.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 1, page 5, lines 14 and 15, by striking out the words "borough and township" and inserting in lieu thereof: "borough, incorporated town, township, school and poor district."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Frazier,	Norton,	Shapiro,
Aron,	Gelder,	Owlett,	Snyder,
Batchelor,	Graff,	Parkinson,	Sones,
Baumer,	Harris,	Pethick,	Sordoni,
Bell,	Harvey,	Pierson,	Staudenmeier,
Bennett,	Homsher,	Prince,	Thompson,
Brandt,	Howell,	Quigley,	Trainer,
Buckman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,	Salus,	Boyd,
Einstein,	McClure,	Scott,	Pres. Pro. Tem.
Fay,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEE

Mr. WOODWARD, from the Committee on Judiciary General, reported as committed, Senate Bill No. 732, entitled:

An Act to further amend Section two of an act, approved the twenty-ninth day of March, eighteen hundred and ninety-nine (Pamphlet Laws twenty-one), entitled "An act to establish a board for the examination of accountants, to provide for the granting of certificates to accountants, and to provide a punishment for the violation of this act," as amended, by providing for the certification of accountants in certain cases without examination.

Mr. BUCKMAN, from the Committee on Corporations, reported as committed, Senate Bill No. 537, entitled:

An Act to amend section one of the act, approved the twenty-fifth day of June, one thousand eight hundred and ninety-five (P. L. 310), entitled "A further supplement to 'An act to provide for the incorporation and regulation of certain corporations', approved April twenty-ninth, one thousand eight hundred and seventy-four," by providing that all corprations organized not for profit, shall have authority to issue capital stock to an amount not exceeding five hundred thousand dollars.

Mr. EINSTEIN, from the Committee on New Counties and County Seats, reported as amended, Senate Bill No. 525 (House Bill No. 206), entitled:

An Act requiring the Board of County Commissioners of counties of the second class on approval of the president judge of the court of common pleas of said counties to fix the compensation of fire marshals and to require the Board of County Commissioners of counties of the second class subject to the approval of the common pleas court to provide for the retirement of such fire marshals on annual pensions after twenty years of service, such compensation and pension to be payable by the county.

Mr. EALY, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 391, entitled:

An Act to amend sections six hundred and fifteen, six hundred and sixteen and six hundred and twenty of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; impsoing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as amended, limiting the circumstances under which an operator's license or learner's permit may be suspended; providing that an appeal from such action by the secretary shall act as a supersedeas; and modifying the penalties for violations of license provisions.

Mr. PRINCE, from the Committee on Forestry, re-reported as amended, Senate Bill No. 643, entitled:

An Act dedicating and setting aside certain lands in Cameron and Clinton Counties as a public park and pleasure ground, to be known s "Bucktail State Park;" and imposing certain powers and duties in connection therewith upon the Department of Forests and Waters and the Department of Justice of the Commonwealth.

Mr. TRAINER, from the Committee on New Counties and County Seats, reported as amended, Senate Bill No. 671, entitled:

An Act to amend sections three hundred twelve, three hundred thirteen, three hundred fourteen, three hundred seventeen, three hundred eighteen, three hundred nineteen, three hundred twenty, three hundred twenty-one, three hundred twenty-two, three hundred twenty-three, three hundred twenty-four, three hundred twenty-five and three hundred twenty-six, of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by changing the amount of contributions to the retirement fund, the retirement age, the length of service necessary to entitle members to retirement allowance, upon being totally disabled, and increasing the number of members of the retirement board, and authorizing counties of the second class to make appropriations to an employes retirement fund.

BILLS INTRODUCED

Mr. ZIESENHEIM (By Request) read in his place and presented to the Chair, Senate Bill No. 820, entitled:

An Act relating to seated lands purchased by county commissioners at county treasurer's sale of seated lands for collection of taxes; authorizing the county commissioners to sell the same at private sale under the circumstances.

Which was committed to the Committee on New Counties and County Seats.

Mr. BELL read in his place and presented to the Chair, Senate Bill No. 821, entitled:

A Supplement to the act approved the twenty- second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Fayette.

Which was committed to the Committee on Public Roads and Highways.

Mr. GRAFF read in his place and presented to the Chair, Senate Bill No. 822, entitled:

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Butler.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair, Senate Bill No. 823, entiled:

An Act to amend section one thousand one hundred and twenty-six of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof! providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended, vesting discretion in the school directors of certain counties with respect to the appointment of an assistant county superintendent.

Which was committed to the Committee on Education.

Also read in his place and presented to the Chair Senate Bill No. 824, entitled:

An Act authorizing school districts to reemploy temporarily teachers who have reached compulsory superannuation retirement age at such salary as may be agreed upon; suspending in such cases minimum salary schedules; regulating the retirement of such teachers; and providing for contribution by the Commonwealth on behalf of any such teacher's salary.

Which was committed to the Committee on Education.

Mr. WILLIAMSON (by request) read in his place and presented to the Chair Senate Bill No. 825, entitled:

An Act to amend the act approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws, general, special or local or any parts thereof, that are or may be inconsistent therewith," as amended; authorizing the officers of school districts to prepare, sign and make payment upon certain orders before approval of the orders by the board; relating to the payment of temporary indebtedness from current revenue; permitting the refunding of certain indebtedness and the depositing of collateral security by depositories, secretaries, treasurers and tax collectors of school districts in lieu of surety bonds; removing the right of certain boards of school directors to make agreements concerning the tuition of non-resident pupils; relieving certain school districts of the duty of providing special education for feeble minded children and placing such obligation upon the Department of Welfare; allowing certain pupils to attend schools in other districts; empowering the State Council of Education to regulate the issuance of certificates to students and graduates of State teachers colleges; authorizing boards of trustees of State teachers colleges to charge their pupils certain fees; designating certain persons as auditors of financial matters of certain school districts; relating to the filing of reports of audits, discontinuing teachers institutes and providing for meetings of teachers, the payment of the expenses thereof by the counties, and the compensation for the teachers in attendance; and repealing certain sections and parts of sections.

Which was committed to the Committee on Education.

Mr. PRINCE read in his place and presented to the Chair Senate Bill No. 826, entitled:

An Act relating to adoption.

Which was committed to the Committee on Judiciary General.

Mr. STAUDENMIER read in his place and presented to the Chair Senate Bill No. 827, entitled:

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Schuylkill.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 828, entitled:

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Schuylkill.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 829, entitled:

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Schuylkill.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 830, entitled:

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Columbia.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 831, entitled:

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Schuylkill.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair, Senate Bill No. 832, entitled:

An Act to amend section three of the act approved the eleventh day of May, one thousand nine hundred and twenty-seven (P. L. 962), entitled "An act authorizing the Secretary of Highways, with the approval of the Governor and the commissioners of the county affected, to relocate roads or highways where an application for the construction of said road has been filed in accordance with the provisions of the act of June twelfth, one thousand nine hundred and nineteen (Pamphlet Laws, four hundred fifty), as amended; providing for the vacation of the original road or section thereof under certain conditions and restrictions; and providing for the payment of damages to abutting property owners incurred as

a result of such relocation," requiring the approval by court of agreements for the payment of damages by counties under the provisions of the act.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair, Senate Bill No. 833, entitled:

An Act to amend section five hundred and fifteen of the act approved, the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entiled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," requiring approval of court to agreements by counties for the payment of land taken, injured or destroyed.

Which was committed to the Committee on New Counties and County Seats.

Mr. McCLURE read in his place and presented to the Chair, Senate Bill No. 834, entitled:

An Act empowering cities, boroughs, incorporated towns and townships to charge and collect annual rentals for the use of certain sewers, sewage systems and treatment works, including charges for operation, inspection, maintenance, repair, depreciation and the amortization of indebtedness and interest thereof

Which was committed to the Committee on Municipal Affairs.

Mr. SALUS read in his place and presented to the Chair, Senate Bill No. 835, entitled:

An Act making an appropriation to the Department of Welfare of the Commonwealth of Pennsylvania or the improvement, repair, alteration and construction of the present buildings of the Philadelphia Hospital for Mental Diseases at Byberry, Philadelphia, for the purpose of fire protection and for the improvement, repair, alteration and construction of new buildings on the grounds of the said hospital; providing for the letting of contracts therefor and for the drawing of requisitions for payment thereof.

Which was committed to the Committee on Appropriations.

Mr. SONES read in his place and presented to the Chair, Senate Bill No. 836, entitled:

An Act making an appropriation to the Department of Welfare for the payment of claims against the Commonwealth for the erection and construction of railroad tracks and trestles at the Danville State Hospital.

Which was committed to the Committee on Appropriations.

Mr. FRAZIER read in his place and presented to the Chair, Senate Bill No. 837, entitled:

An Act relating to building and loan associations, defining the rights of shareholders to discent from any plan of merger or consolidation or any agreement to sell all the rights, privileges, assests, property, and franchises of a building and loan association and establishing limitations of actions.

Which was committed to the Committee on Banks and Building and Loan Associations.

Mr. LANIUS read in his place and presented to the Chair, Senate Bill No. 838, entitled:

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of York.

Which was committed to the Committee on Public Roads and Highways.

Mr. BATCHELOR read in his place and presented to the Chair, Senate Bill No. 839, entitled:

An Act to amend Route 04050 of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State Highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing in the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act."

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair, Senate Bill No. 840, entitled:

An Act to amend sections two, three, four, section five as amended, and section six of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by providing for the filing of a statement as to property taxable under the act by all persons, copartnerships, unincorporated associations, companies, limited partnerships, joint-stock associations and corporations.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair, Senate Bill No. 841, entitled:

An Act to amend section one thousand two hundred and four of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission and officer of the State government, every political subidvision of the State, and certain officers of such subdivisions, every person, association and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," as amended, further regulating the publication of mercantile appraisers' lists.

Which was committed to the Committee on Finance.

Mr. WOODWARD read in his place and presented to the Chair, Senate Bill No. 842, entitled:

A Joint Resolution proposing an amendment to section seven, article nine of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Pensions and Gratuities.

Mr. PETHICK read in his place and presented to the Chair, Senate Bill No. 843, entitled:

A Supplement to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (Pamphlet Laws, eight hundred sixty-nine), entitled "An act providing for the organization, government, discipline, maintenance, and regulation of the armed land forces of this Commonwealth," as amended, authorizing any officer of the National Guard, with the approval of the Governor, as Commander-in-Chief thereof, to continue to hold his position for a certain time after he reaches the age of retirement.

Which was committed to the Committee on Military Affairs.

BILLS SIGNED

The PRESIDENT PRO TEMPORE (Mr. James S. Boyd), announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 168, entitled:

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," establishing an additional route in the County of Indiana.

Senate Bill No. 374, entitled:

An Act empowering counties, cities, boroughs, towns and townships to borrow money from the Reconstruction Finance Corporation to finance certain projects.

Senate Bill No. 392, entitled:

An Act authorizing the compromise of tax claims on rail property purchased by the county on county treasurers' sales for nonpayment of taxes, and the reconveyance of such property.

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. James S. Boyd) in the presence of the Senate signed the same.

PRESENTATION TO LIEUTENANT-GOVERNOR EDWARD C. SHANNON

Mr. PRINCE. Mr. President, the slaves of tobacco in the Senate, who include practically the entire membership, having long observed the addiction of the Lieutenant-Governor, our presiding officer, to this amiable failing, urge his acceptance of this choice cabinet containing an expensive product of Lancaster County manufacture.

These exquisite Havanas, General Shannon, surpass in aroma the fragrance of the far-famed Red Rose of your own bailiwick, and possess the tranquilizing and sedative properties of Oriental hashish.

They express, in a very mild degree, our appreciation and gratitude for your merciful application of the Senate rule on smoking.

LIEUTENANT-GOVERNOR SHANNON. Again I say, my comrades of the Senate, it is most embarrassing, although I appreciate the spirit in which this box of cigars is presented. It is just another evidence of your most gracious kindness to me, and I assure you I appreciate it highly.

Yesterday I completed one of the busiest days in my career, and one of the most colorful. I was not late in reporting to the Senate this morning by reason of any affairs of my own, but because I was on official business.

I assure you I appreciate very much all you have done for me; and I shall continue, as I have done in the past, to serve you to the best of my ability.

COURTS AUTHORIZED TO STAY EXECUTION OF WRITS OF POSSESSION UNTIL APRIL 3, 1933

Mr. EINSTEIN. Mr. President, I move that the Senate do now proceed to the consideration of Resolution reported from the Committee on Judiciary General on March 21.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

The resolution was read as follows:

LANDLORD AND TENANT STAYING WRITS OF DISPOSSESSION

In the House of Representatives, March 8, 1933.

Whereas, Constables are executing writs of possession throughout the Commonwealth; and

Whereas, Tenants are entitled to the same protection as execution debtors are given in Senate Resolution just adopted; now therefore be it

Resolved (if the Senate concur), That the Senate and House of Representatives hereby authorize the several Courts of Common Pleas of the several counties of this Commonwealth to stay the execution of all writs of possession until a date not later than April 3, 1933; and be it further

Resolved, That the General Assembly hereby declares its purpose to enact legislation more fully to effectuate this Resolution, et cetera, as provided in said Senate Resolution; and be it further

Resolved, That this Resolution shall become effective immediately upon its final adoption.

On the question,

Will the Senate agree to the Resolution?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed consideration of Senate Bill No. 580, (House Bill No. 127), as follows:

An Act to amend section one thousand two hundred seven of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing

the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts or appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" taking out of operation the Fiscal Code questions relating to the lien and payment of liquid fuel taxes and referring such questions to the provisions of the liquid fuels tax acts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand two hundred seven of the Act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" is hereby amended to read as follows

Section 1207 Liquid Fuels Tax The Department of Revenue shall collect the liquid fuels tax as provided in the Act or Acts imposing said tax and the procedure for making such collections [(] as well as the lien of said tax [)] shall be as provided in said Act or Acts All questions relating to the lien of such tax including the date from which such tax shall become a lien and its right to priority of lien and payment over other liens shall be determined by the provisions of the said Act or Acts and not by the provisions of Article XIV of this Act

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Frazier,	Norton,	Shapiro,
Aron,	Gelder,	Owlett,	Snyder,
Batchelor,	Graff,	Parkinson,	Soues,
Baumer,	Harris,	Pethick,	Sordoni,
Bell,	Harvey,	Pierson,	Staudenmeier,
Bennett,	Homsher,	Prince,	Thompson,
Brandt,	Howell,	Quigley,	Trainer,
Buckman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,	Salus,	Boyd,
Einstein,	McClure,	Scott,	Pres. Pro. Tem.
Fay,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed consideration of Senate Bill No. 727, as follows:

An Act providing for the regulation of aeronautics within this Commonwealth conferring powers and imposing duties upon the Department of Revenue in respect thereto providing for the licensing and registration of airman and aircraft establishing the legal status of air navigation providing for sovereignty in and ownership of space providing for lawfulness of flights regulating civil causes of action arising out of operation of aircraft fixing the status of contracts crimes and torts in by or by means of operation of aircraft imposing duties upon officers burgesses magistrates aldermen justices of the peace the courts and clerks thereof providing for denial or revocation of licenses providing for certain penalties and their disposition and repealing certain existing laws

ARTICLES

I Short Title and Preliminary Provisions
II Powers and Duties of Department of Revenue
III Qualifications of Airman and Aircraft Federal Licenses
IV Legal Status of Air Navigation
V Procedure for Denial or Revocation of Licenses
VI Violation Provisions Penalties and Procedure
VII Repeals and Construction of Act
VIII Effective Date

ARTICLE I

SHORT TITLE AND PRELIMINARY PROVISIONS

Section 101 Short Title
Section 102 Definitions
Section 103 Constitutional Construction

Section 101 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as "The Aeronautical Code"

Section 102 Definitions The following words and phrases when used in this act shall for the purpose of this act have the meanings respectively ascribed to them in this section

(a) "Aeronautics" The act or practice of the art and science of transportation by aircraft and operation construction repair or maintenance of aircraft airports landing fields or air navigation facilities and including repairs packing and maintenance of parachutes

(b) "Aircraft" Any contrivance now known or hereafter invented used or designed for navigation of or flight in the air except a parachute or other contrivance designed for such navigation but used primarily as safety equipment

(c) "Civil Aircraft" Aircraft not of the Military or Naval forces of the United States Government and aircraft not used exclusively in any governmental service of any state or country

(d) "Airman" Airman shall mean an individual (including the person in command and any pilot mechanic or member of the crew) who engages in the operation of aircraft while under way and any individual in charge of the inspecting overhauling or repairing of aircraft or parachute riggers and repairmen

(e) "Air Navigation Facilities" Shall include airports landing fields and water surfaces for landing aircraft and all aids to air navigation including but not confined to lights marks structures and electrical communicating systems

(f) "Airport" Any locality either of water or land which is adapted for the landing and taking off of aircraft and which provides facilities for shelter supply and repair of aircraft or a place used regularly for receiving or discharging passengers or cargo by air

(g) "Landing Field" Any locality either of water or land which is adapted for the landing and taking off of aircraft but which is not equipped with facilities for shelter supply and repair of aircraft

(h) "Intermediate Landing Field" Any locality either of water or land which is adopted for the landing and taking off of aircraft is located along any airway and is intermediate

to airports and landing fields connected by the airway but which is not equipped with facilities for shelter supply and repair of aircraft and is not used regularly for the receiving or discharging of passengers or cargo by air

(i) "Civil Airway" A route in the navigable air space over or above the territory or waters of the State of Pennsylvania designated by the Department of Revenue as a route suitable for intrastate or interstate air commerce

(j) "Department" Department of Revenue of this Commonwealth

(k) "Navigable Air Space" Air space above the minimum safe altitudes of flight prescribed by the Department

(l) "Officer" Any constable State policeman or State Highway patrolman or other officer authorized to make arrests or to serve process

(m) "Nonresident" Shall apply to any person who has no regular place of abode or business within this State for a longer period than thirty (30) days or parts thereof not necessarily consecutive in the calendar year

(n) "Owner" Any person firm corporation partnership or association holding title to any aircraft or having legal right to register the same

(o) "Person" Any individual association copartnership firm company corporation or other association of individuals

(p) "Pilot" An individual who operates an aircraft in flight or while under way

(q) "Passenger" Any person riding in an aircraft but having no part in its operation

(r) "Secretary" Secretary of Revenue of this Commonwealth

Section 103 Constitutional Construction The provisions of this act are severable and if any provision thereof is held to be unconstitutional the decision so holding shall not be construed as affecting or impairing any other provision of this act or the act as a whole It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

ARTICLE II

POWERS AND DUTIES OF DEPARTMENT OF REVENUE

Section 201 Powers and Duties of Department of Revenue The Department of Revenue shall administer the provisions of this act and for such purpose is authorized and directed to promulgate such regulations as are necessary to execute the powers invested in it by this act and other applicable laws

It shall be the duty of the Department to

(a) Provide for the examination and rating and licensing of airports landing fields and air navigation facilities available for use of aircraft

(b) Adopt rules and regulations for the issuance expiration suspension or revocation of license of airports landing fields and air navigation facilities and of such other licenses or certificates as the Department deems necessary in administering the functions vested in said Department under this act

(c) Establish set apart and provide for the protection of necessary air space reservations within the Commonwealth of Pennsylvania in addition to and not in conflict wtih air space reservations established by the President of the United States or any Department of the United States or with any civil or military airway designated under the provisions of the Air Commerce Act of one thousand nine hundred and twenty-six and the amendments thereto or other act of Congress pertaining thereto

(d) Designate establish and chart civil airways within over and above the lands or waters of the Commonwealth of Pennsylvania and arrange for publication of maps of such airways utilizing the facilities and assistance of existing agencies of the Commonwealth as far as practicable The Department shall grant no exclusive right for the use of any civil airway airport intermediate landing field or other air navigation facility under its jurisdiction

(e) Investigate record and report the causes of accidents in civil air navigation within this Commonwealth

(f) Encourage the establishment of airports civil airways and other air navigation facilities

(g) Supervise and regulate the safety adequacy and sufficiency of all airports landing fields and air navigation facilities and equipment used or to be used in private or commercial flying

(h) Adopt rules and regulations governing the instruction in flight or ground school of student flyers or mechanics and the safety adequacy and sufficiency of aircraft airmen airports landing fields and air navigation facilities and equipment used or to be used in the instruction of student flyers or mechanics

(i) Adopt rules and regulations for the marking of highways municipalities and all other aerial markings used throughout the Commonwealth

(j) Adopt rules and regulations governing the erection location and maintenance of aerial beacon lights and other aerial night lighting equipment within the Commonwealth

(k) To exchange with the Department of Commerce and other State governments through existing governmental channels information pertaining to the civil air navigation

(l) To enforce the regulations and air traffic rules promulgated as provided hereunder through the assistance and co-operation of State and local authorities charged with the enforcement of law in their respective jurisdictions

(m) To establish by regulation the minimum safe altitudes for flight and including air traffic rules

All rules and regulations prescribed by the Department under the authority of this section shall be consistent with and conform to the then current Federal legislation governing aeronautics and the regulations duly promulgated thereunder and rules issued from time to time pursuant thereto Provided That nothing in this section shall confer upon the Department the power to determine schedules issuance of stock determination of public convenience or the adequacy and sufficiency of service of common carriers engaged in commercial flying within this Commonwealth

ARTICLE III

QUALIFICATIONS OF AIRMAN AND AIRCRAFT FEDERAL LICENSES

Section 301 Aircraft Construction Design and Airworthiness Federal Licenses

Section 302 Qualifications for Airman Federal Licenses

Section 303 Possession and Display of Licenses

Section 304 Nonresidents

Section 301 Aircraft Construction Design and Airworthiness Federal Licenses The public safety requiring and the advantages of uniform regulation making it desirable in the interest of aeronautical progress that aircraft operating within this Commonwealth should conform with respect to design construction and airworthiness to the standards prescribed by the United State Government with respect to navigation of civil aircraft subject to its jurisdiction it shall be unlawful for any person or resident to operate or navigate any aircraft within this Commonwealth unless such aircraft has an appropriate effective license issued by the United States Government and is registered by the United States Government Providd however That this restriction shall not apply to aircraft owned by the United States Government or the possessions thereof nor to aircraft of any state or territory nor to aircraft licensed by a foreign country if similar reciprocal relations exist between the United States and such foreign country

Section 302 Qualifications for Airman Federal Licenses The public safety requiring and advantages of uniform regulation making it desirable in the interest of aeronautical progress that a person or resident engaging within this Commonwealth in navigating or operating aircraft in any form of navigation or while in charge of the inspecting overhauling or repairing of aircraft or the repairing packing and maintenance of parachutes shall have the qualifications necessary for obtaining and holding a license issued by the Department of Commerce of the United States it shall be unlawful for any person to operate or navigate or inspect overhaul or repair any aircraft or repair pack and maintain parachutes in this Commonwealth unless such person is the holder of an appropriate effective license or permit issued by the United States Government Provided however That this restriction shall not apply to those persons operating aircraft owned by the United States Government or the possessions thereof or aircraft of any state or territory or aircraft licensed by a foreign country if similar reciprocal relations exist between the United States and such foreign country

Section 303 Possession and Display of Licenses The certificate of the license required for the person operating such aircraft and the certificate of the license required for air-

craft and such other licenses or certificates as may be issued by the Department shall be kept in such places and exhibited to such persons at such time and under such circumstances as shall be required by the regulations of the Department

Section 304 Nonresidents The provisions of this act in so far as they relate to registration and license shall not apply to aircraft owned and operated within this Commonwealth by nonresidents of this Commonwealth for a period not to exceed thirty (30) days in the calendar year Provided That the owner or pilot can show satisfactory proof he has complied with the laws relating to registration and license of airmen and aircraft in the state territory district or country of which he is a resident And further provided That a nonresident owner or airman cannot engage within this Commonwealth in the carrying of passengers mecrchandise or property for hire or reward by means of civil aircraft or in any commercial flying for hire or reward unless he has complied with the provisions of this act governing registration and license as if he were a resident of this Commonwealth

ARTICLE IV

LEGAL STATUS OF AIR NAVIGATION

Section 401 Ownership of Space
Section 402 Lawfulness of Flight
Section 403 Damage to Persons and Property on the Ground
Section 404 Jurisdiction over Crimes and Torts
Section 405 Jurisdiction over Contracts
Section 406 Liability to Passengers
Section 407 Collision of Aircraft

Section 401 Ownership of Space The ownership of the space over and above the lands and waters of this Commonwealth is declared to be vested in the owner of the surface beneath but such ownership extends only so far as is necessary to the enjoyment of the use of the surface without interference and is subject to the right of passage or flight of aircraft Flight through the space over and above land or water at a sufficient height and without interference to the enjoyment and use of the land or water beneath is not an actionable wrong unless said flight results in actual damage to the land or water or property thereon or therein or use of the land or water beneath

Section 402 Lawfulness of Flight Flight in aircraft over the lands and water of this Commonwealth is lawful unless at such low altitude as to interfere with the then existing use to which the land or water or the space over the land or water is put by the owner or unless so conducted as to be dangerous or damaging to persons or property lawfully on the land or water beneath The landing of an aircraft on the lands or waters of another without his consent in unlawful except in the case of a forced or emergency landing For damage caused by a forced or emergency landing the owner lessee and operator of the aircraft shall be liable as provided in section four hundred three

Section 403 Damage to Persons and Property on the Ground The owner and the pilot or either of them of every aircraft which is operated over the lands or waters of this Commonwealth shall be liable for injuries or damage to persons or property on or over the land or water beneath caused by the ascent descent or flight of aircraft or the dropping or falling of any object therefrom whether such owner was negligent or not unless the injury was caused in whole or in part by the negligence of the person injured or of the owner lessee or bailee of the property damaged in accordance with the rules of law applicable to torts on land in this Commonwealth

As used in this section "owner" shall include a person having full title to aircraft and operating it through servants and shall also include a bona fide lessee or bailee of such aircraft whether gratuitously or for hire but "owner" as used in this section shall not include a bona fide bailor or lessor of such aircraft whether gratuitously or for hire or a mortgagee conditional seller trustee for creditors of such aircraft or other persons having a security title only nor shall the owner of such aircraft be liable when the pilot thereof is in possession thereof as a result of theft or felonious conversion

The person in whose name an aircraft is registered with the United States Department of Commerce shall be prima facie the owner of such aircraft within the meaning of this section

The injured person or owner lessee or bailee of the damaged property shall have a lien on the aircraft causing the injury to the extent of the damage caused by such aircraft or objects falling therefrom

Section 404 Jurisdiction over Crimes and Torts All crimes torts and other wrongs committed by or against a pilot or passengers while in flight over or above the lands and waters of this Commonwealth shall be governed by the laws of this Commonwealth and the question whether damage occasioned by or to an aircraft while over this Commonwealth constitutes a tort crime or other wrong by or against the owner of such aircraft shall be determined by the laws of this Commonwealth

Section 405 Jurisdiction over Contracts All contractual and other relations entered into by pilots or passengers while in flight over or above the lands or waters of this Commonwealth shall be governed by the laws applicable to similar relations entered into on the lands of this Commonwealth

Section 406 Liability to Passengers The liability of the owner or pilot of an aircraft carrying passengers for injury or death to such passengers shall be determined by the rules of law applicable to torts on the lands or waters of this Commonwealth arising out of similar relationships

Section 407 Collision of Aircraft The liability of the owner of one aircraft to the owner of another aircraft or to pilots or passengers on either aircraft for damage caused by collision on land or in the air shall be determined by the rules of law applicable to torts on the lands or waters of this Commonwealth

ARTICLE V

PROCEDURE FOR DENIAL OR REVOCATION OF LICENSES

Section 501 Procedure for Denial or Revocation of Licenses The licenses of airports landing fields air navigation facilities and such other licenses or certificates that the Department may under authority of this act issue shall be denied or revoked only after the applicant or licensee shall have been accorded a hearing or opportunity for a hearing thereon Within ten (10) days after notice that application for registration and license has been denied or the license or certificate revoked the applicant or holder may file a written request with the Department for a public hearing thereon The Secretary of the Department upon receipt of the request shall arrange forthwith

(1) For a public hearing to be held within twenty (20) days after such receipt in such place as the Secretary deems most practicable and convenient and

(2) Give the applicant or holder at least ten (10) days' notice of the hearing unless an earlier hearing is consented to by him

Notice may be served personally upon the applicant or holder or sent him by registered mail The decision of the Department if in accordance with law shall be final

ARTICLE VI

VIOLATION PROVISIONS PENALTIES AND PROCEDURE

Section 601 Violation Provisions
Section 602 Summary Offenses
Section 603 Proceedings by Warrant Served as Now Provided by Law
Section 604 Arrests on View
Section 605 Appeal from Summary Conviction
Section 606 Report of Convictions
Section 607 Disposition of Fines and Forfeitures
Section 608 Registration Number Prima Facie Evidence
Section 609 Liability for Costs Not Paid by Defendant
Section 610 Admissibility of Certified Copies of Records as Evidence

Section 601 Violation Provisions It shall be unlawful for any person to commit any of following acts

(a) To operate or navigate aircraft while under the influence of intoxicating liquor or narcotic drug or habit producing drug or permit any person who may be under the influence of intoxicating liquor or narcotic or habit producing drug to operate or navigate any aircraft owned by him or in his custody or control

(b) To operate or navigate aircraft while in possession of any Federal license or to display or cause or permit to be displayed such license knowing the same to have been cancelled revoked suspended or altered

(c) To lend to or knowingly to permit the use of by one not entitled thereto any Federal airman's and aircraft license issued to the person so lending or permitting the use thereof

(d) To display or to represent as one's own any Federal airman's or aircraft license not issued to the person so displaying the same

Tampering with or making use of or navigating any aircraft without the knowledge or consent of the owner or custodian thereof

(f) To use a false or fictitious name or to give a false or fictitious address in any application or form required under the provisions of this act or the rules and regulations of the Department adopted pursuant to this act or knowingly make any false statement or report or knowingly conceal a material fact or otherwise commit a fraud in any application

Penalty Any person violating any of the provisions of subsections (b) (c) (d) or (f) of this section shall upon summary conviction before a burgess alderman magistrate or justice of the peace be sentenced to pay a fine of not less than fifty ($50.00) dollars nor more than two hundred ($200.00) dollars and the cost of prosecution or undergo imprisonment for not more than thirty (30) days or suffer both such fine and imprisonment

Any person violating any of the provisions of subsections (a) or (e) of this section shall be guilty of a misdemeanor and shall upon conviction thereof in a court of quarter sessions be sentenced to pay a fine of not less than one hundred ($100.00) dollars nor more than five hundred ($500.00) dollars and the costs of prosecution or undergo imprisonment for not more than one (1) year or suffer both such fines and imprisonment

Section 602 Summary Offenses Any person violating any of the provisions of this act unless such violation is by this act or other law of this Commonwealth declared to be a misdemeanor or any of the rules and regulations adopted by the Department pursuant to this act shall upon conviction thereof in any summary proceeding before any magistrate alderman or justice of the peace be sentenced to pay a fine of not less than fifty ($50.00) dollars and not more than two hundred ($200.00) dollars and in default of the payment of such fine and costs to undergo imprisonment in the county jail for a period not exceeding thirty (30) days

Section 603 Proceedings by Warrant Served as Now Provided by Law Proceedings under this act may be commenced by warrant and served as now provided by law

All information charging violations of any of the provisions of this act except in cases where the offense is designated a misdemeanor or felony shall be brought within thirty (30) days after the commission of the alleged offense and not thereafter except that where an information is filed against a person prima facie guilty of an offense and it subsequently appears that a person other than the person named in the information was the offender an information may be filed against such other person within thirty (30) days after his or her identity shall have been discovered

Section 604 Arrests on View Any officer may arrest when displaying a badge or other sign of authority upon view any person violating any of the provisions of this act and such officers shall forthwith make and file with the burgess magistrate alderman or justice of the peace before whom the arrested person is taken an affidavit setting forth in detail the offense complained of

If the defendant is unable to give bail as provided in this act for a hearing or for his appearance at court the burgess magistrate alderman or justice of the peace shall accept as bail any article of sufficient value or if the defendant is the owner thereof shall hold in custody the aircraft found in his possession and the court burgess magistrate alderman or justice of the peace after the trial of the defendant or when bail according to law has been given shall made such order as to the disposition of such aircraft or other articles accepted as bail as shall seem just and proper

Section 605 Appeal from Summary Conviction Any person convicted in any summary proceeding under this act shall have the right of appeal as in other cases of summary conviction

Section 606 Report of Convictions

(a) Every burgess magistrate alderman and justice of the peace in this Commonwealth shall keep a full report of every case in which a person is charged with violation of any provisions of this act and in the event that such person is convicted or that his bail is forfeited an abstract of such report shall be sent forthwith by the burgess magistrate alderman or justice of the peace to the Department but thi srequirement shall not be deemed to make such court a court of record

(b) Abstracts required by this section shall be made upon forms prepared by the Department and shall include all necessary information as to the parties to the case the nature of the offense the date of hearing the plea the judgment the amount of the fine or forfeiture and other information deemed necessary and every such abstract shall be certified by the burgess magistrate alderman or justice of the peace as a true abstract of the record of the court

(c) Each clerk of any court of record of this Commonwealth shall also within ten (10) days after final judgment of conviction under any of the provisions of this act send to the Department a certified copy of such judgment of conviction Certified copies of the judgment shall also be forwarded to the Department upon conviction of any person of manslaughter or other felony in the commission of which an aircraft was used The Department shall keep such records in its offices for at least three (3) years and they shall be open to the inspection of any person during reasonable business hours

(d) Failure refusal or neglect to comply with any of the provisions of this section shall constitute misconduct in office and shall be ground for removal therefrom

Section 607 Disposition of Fines Fees and Forfeitures All fines fees and forfeitures collected under the provisions of this act for violations of the same and all bail forfeited shall be paid to the Department and transmitted to the State Treasury and credited to the "Motor License Fund" and sworn statements of all fines and penalties so collected shall also be made upon blanks furnished by the Department by the burgess magistrate alderman justice of the peace or other officer imposing or receiving the same to the Department and such reports shall be made monthly Any burgess magistrate alderman justice of the peace or other officer who shall fail to make such monthly reports and returns or pay the same to the Department shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred ($500.00) dollars or suffer imprisonment for not more than sixty (60) days

Section 608 Registration Number Prima Facie Evidence In any proceeding for the violation of the provisions of this act or the rules and regulations of the Department adopted pursuant to this act the Federal license number or identification mark displayed on such craft shall be prima facie evidence that the owner of such aircraft was operating the same If at any hearing or proceeding the owner shall testify under oath or affirmation that he was not operating the said aircraft at the time of the alleged violation of this act and the rules and regulations of the Department shall submit himself to an examination as to who at that time was operating such aircraft and reveal the name of the person if known to him or if the information is made in a county other than that of his own residence shall forward to the burges magistrate alderman or justice of the peace an affidavit setting forth these facts then the prima facie evidence arising from the Federal license number or identification mark shall be overcome and removed and the burden of proof shifted

Section 609 Liability for Costs Not Paid by Defendant Whenever any officer whose duty it is to enforce the provisions of this act shall in good faith bring suit for any violation of such provisions and for any legal cause shall fail to receive the costs of record such costs shall be a charge upon the proper county and shall be audited and paid as are costs of like character in said county

Section 610 Admissibility of Certified Copies of Records as Evidence Any certified copies or certified photostatic copies of any records books papers documents determinations rulings or orders of the Department when certified under the seal of the Department shall be acceptable as evidence in the courts of this Commonwealth with the same force and effect as the originals in all cases where such original records books papers documents determinations rulings or orders of the Department would be admitted as evidence

ARTICLE VII

REPEALS AND CONSTRUCTION OF ACT

Section 701 Repeals

Section 702 Construction of Act

Section 701 Repeals The following acts of Assembly are hereby repealed

(a) The act approved April twenty-fifth one thousand nine hundred and twenty-nine (Pamphlet Laws seven hundred fifty-three) entitled "An act concerning aeronautics and es-

tablishing the legal status of air navigation providing for sovereignty in and ownership of air space imposing liability for injury or damage caused by aircraft fixing jurisdiction over and liability for contracts executed and torts and crimes committed during the operation of aircraft and repealing inconsistent legislation"

(b) The act approved the twenty-fifth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws seven hundred twenty-four) entitled "An act to regulate areonautics providing for the licensing registration rating control and regulation of aircraft airmen airports landing fields intermediate landing field and air navigation facilities conferring powers and imposing duties upon the State Aeronautics Commission in respect thereto providing for the acquisition maintenance and operation of intermediate landing fields and air navigation facilities by the Commonwealth providing for the enforcement of the provisions of this act and imposing penalties" as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws eight hundred forty-seven)

Section 702 Construction of Act The provisions of this act shall not effect any act done liability incurred or right accrued or vested or affect any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such repealed laws

ARTICLE VIII
EFFECTIVE DATE

Section 801 Time of Taking Effect The provisions of this act shall become effective immediately upon approval by the Governor

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Frazier,	Norton,	Shapiro,
Aron,	Gelder,	Owlett,	Snyder,
Batchelor,	Graff,	Parkinson,	Sones,
Baumer,	Harris,	Pethick,	Sordoni,
Bell,	Harvey,	Pierson,	Staudenmeier,
Bennett,	Homsher,	Prince,	Thompson,
Brandt,	Howell,	Quigley,	Trainer,
Buckman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,	Salus,	Boyd,
Einstein,	McClure,	Scott,	Pres. Pro. Tem.
Fay,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 263, entitled:

An Act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto; requiring operators and owners of automobiles under certain circumstances to furnish proof of financial responsibility as herein defined; providing for the suspension of operators' license and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer, and prothonotaries; and prescribing penalties.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

BILL RECOMMITTED

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 263, the bill just read, be recommitted to the Committee on Public Roads and Highways.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 322, entitled:

An Act to eliminate reckless and irresponsible drivers from the public highways, and to protect the safety of users of the public highways by providing in certain cases for the suspension and revocation of operator's licenses and privileges (whether resident or non-resident), and for the establishment of ability to respond in damages for injury to property and persons, including injuries resulting in death caused by the use or operation of motor vehicles (including unlicensed operators and unregistered motor vehicles); conferring powers and imposing duties upon the Department of Revenue, the Insurance Commissioner, insurance carriers, and clerks of the courts; requiring certain provisions in motor vehicle liability insurance policies; and providing penalties.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

BILL RECOMMITTED

Mr. HARVEY. Mr. President, I move that Senate Bill No. 322, the bill just read, be recommitted to the Committee on Public Roads and Highways.

Mr. WILLIAMSON. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. SALUS. Mr. President, I ask unanimous consent that Senate Bill No. 341, on third reading, entitled:

An Act to amend section four of an act approved the thirteenth day of May, one thousand nine hundred and fifteen (P. L. 286) entitled "An act to provide for the health, safety, and welfare of minors: By forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school districts, and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," by changing the hours of labor permitted for

minors under sixteen years of age and prescribing a daily lunch period of not less than forty-five minutes for such employed minors.

go over in its order, and be considered on Monday, because I have every reason to believe that at that time there will be little or no opposition to this bill.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 468 (House Bill No. 218), entitled:

An Act to amend section twelve of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within this Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers, common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by preventing suspension of permits without hearings and providing for appeals in case of suspension or revocation of permits.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Frazier,	Miller,	Scott,
Aron,	Gelder,	Norton,	Shapiro,
Batchelor,	Graff,	Owlett,	Snyder,
Baumer,	Harris,	Parkinson,	Sones,
Bell,	Harvey,	Pethick,	Sordoni,
Bennett,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Woodward,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,	Mansfield,	Roberts,	Boyd,
Einstein,	McClure,	Salus,	Pres. Pro. Tem
Fay,			

NAYS—1

Williamson,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 538, entitled:

An Act prohibiting the publication printing or radio broadcasting of advertisements or notices of insurance companies, associations, exchanges or persons not authorized to do business in this Commonwealth; requiring certificates from the Insurance Department before accepting insurance or broadcasting the same by radio; and fixing penalties.

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. COYNE. Mr. President, I ask unanimous consent to amend Section 2, page 2, lines 18 and 19, by striking out the words "upon the payment of a fee of twenty-five cents (25c) for each certificate issued"; also Section 3, page 2, line 21, by inserting before the word "violating" the following: "knowingly or wilfully"; also lines 23 and 24, by striking out the words "or less than six months"; also lines 24 and 25, by striking out the words "and in addition thereto shall" and inserting in lieu thereof: "or to"; also lines 25 and 26, by striking out the following "less than three hundred dollars ($300) nor"; also line 26, by adding at the end of the section the following: "or both, at the discretion of the court."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 572 (House Bill No. 851), entitled:

An Act lapsing all unobligated balances of appropriations for township reward heretofore made from the Motor License Fund.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Frazier,	Norton,	Shapiro,
Aron,	Gelder,	Owlett,	Snyder,
Batchelor,	Graff,	Parkinson,	Sones,
Baumer,	Harris,	Pethick,	Sordoni,
Bell,	Harvey,	Pierson,	Staudenmeier,
Bennett,	Homsher,	Prince,	Thompson,
Brandt,	Howell,	Quigley,	Trainer,
Buckman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,	Salus,	Boyd,
Einstein,	McClure,	Scott,	Pres. Pro. Tem.
Fay,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 573 (House Bill No. 949), entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Frazier,	Norton,	Shapiro,
Aron,	Gelder,	Owlett,	Snyder,
Batchelor,	Graff,	Parkinson,	Sones,
Baumer,	Harris,	Pethick,	Sordoni,
Bell,	Harvey,	Pierson,	Staudenmeier,
Bennett,	Homsher,	Prince,	Thompson,
Brandt,	Howell,	Quigley,	Trainer,
Buckman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,	Salus,	Boyd,
Einstein,	McClure,	Scott,	Pres. Pro. Tem.
Fay,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 574 (House Bill No. 948), entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue to meet interest and Sinking Fund requirements on the State debt.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Frazier,	Norton,	Shapiro,
Aron,	Gelder,	Owlett,	Snyder,
Batchelor,	Graff,	Parkinson,	Sones,
Baumer,	Harris,	Pethick,	Sordoni,
Bell,	Harvey,	Pierson,	Staudenmeier,
Bennett,	Homsher,	Prince,	Thompson,
Brandt,	Howell,	Quigley,	Trainer,
Buckman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,	Salus,	Boyd,
Einstein,	McClure,	Scott,	Pres. Pro. Tem
Fay,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS RECOMMITTED

Mr. SHAPIRO. Mr. President, I move that Senate Bill No. 585 (House Bill No. 852) on third reading, entitled:

An Act validating sheriff's sales of real estate on judgments of foreclosure in scire facias sur mortgage cases when the release of the mortgagor from liability was not filed with the praecipe.

be recommitted to the Committee on Judiciary General.

Mr. REED. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, I would like to call the attention of the members of the Senate to the fact that this bill does not do what it purports to do, namely, to make valid a valid title which may have been defective, but that it makes valid an invalid title, and, therefore, I think the Senate should recommit the bill because it would be a bad law.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

Mr. PARKINSON. Mr. President, I move that Senate Bill No. 630 on third reading, entitled:

An Act declaring milk to be a public utility, creating a Milk Commission with powers to regulate the price, terms and conditions upon which milk may be sold, and providing penalties for violations thereof.

be recommitted to the Committee on Agriculture.

Mr. CLARK. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 640, entitled:

An Act to amend the first "Whereas" clause, the first paragraph of article one, clause (d) of article two, and article ten of section one, and section two as amended, of the act, approved the twenty-fifth day of June, one thousand nine hundred and thirty-one (P. L. 1352), entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration, operation, and maintenance of bridges over the Delaware River, and for the construction of additional bridge facilities across said river; authorizing the Governor, for these purposes, to enter into an agreement with the State of New Jersey; creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof, including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges; transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River; and making an appropriation," by providing for the appointment of an engineer by the commission, and for the repayment to the Commonwealth of appropriation herein made.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Frazier,	Norton,	Shapiro,
Aron,	Gelder,	Owlett,	Snyder,
Batchelor,	Graff,	Parkinson,	Sones,
Baumer,	Harris,	Pethick,	Sordoni,
Bell,	Harvey,	Pierson,	Staudenmeier,
Bennett,	Homsher,	Prince,	Thompson,
Brandt,	Howell,	Quigley,	Trainer,
Buckman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,	Salus,	Boyd,
Einstein,	McClure,	Scott,	Pres. Pro. Tem
Fay,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 653 (House Bill No. 192), entitled:

An Act to amend section two of the act approved the tenth day of April one thousand eight hundred and seventy-nine (Pamphlet Laws sixteen), entitled "An act relating to mutual saving fund building and loan associations regulating the mode of charging premiums bonus or interest in advance of withdrawals of repayment and collection of loans also restricting the power to levy excessive fines and defining the rights and liabilities of married women stockholders and prescribing the non-application to these associations of the bonus tax and registry laws for corporations" by further regulating withdrawals

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Frazier,	Norton,	Shapiro,
Aron,	Gelder,	Owlett,	Snyder,
Batchelor,	Graff,	Parkinson,	Sones,
Baumer,	Harris,	Pethick,	Sordoni,
Bell,	Harvey,	Pierson,	Staudenmeier,
Bennett,	Homsher,	Prince,	Thompson,
Brandt,	Howell,	Quigley,	Trainer,
Buckman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,	Salus,	Boyd,
Einstein,	McClure,	Scott,	Pres. Pro. Tem
Fay,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 720, entitled:

An Act to authorize certain corporations organized under the laws of Pennsylvania, including railroad corporations organized under the laws of Pennsylvania and of any other state or states, to increase or decrease the par value of the shares of their capital stock; providing that such change of par value of shares may reduce the aggregate par value of outstanding capital stock, or alter or affect the division of authorized capital stock as between outstanding stock and authorized stock unissued; prescribing the manner in which such change shall be made; and repealing all acts and parts of acts inconsistent herewith.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Frazier,	Norton,	Shapiro,
Aron,	Gelder,	Owlett,	Snyder,
Batchelor,	Graff,	Parkinson,	Sones,
Baumer,	Harris,	Pethick,	Sordoni,
Bell,	Harvey,	Pierson,	Staudenmeier,
Bennett,	Homsher,	Prince,	Thompson,
Brandt,	Howell,	Quigley,	Trainer,
Buckman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,	Salus,	Boyd,
Einstein,	McClure,	Scott,	Pres. Pro. Tem.
Fay,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 721, entitled:

An Act authorizing stock corporations with certain exceptions, to make provisions for, and to issue, shares of capital stock of any class or classes, or to change shares of authorized or outstanding capital stock of any class into one or more classes, with or without nominal or par value, and with such designations, terms, relative rights, powers, privileges, preferences, limitations, restrictions and qualifications as may be specified; regulating such corporations and the liabilities of their directors; making other provisions relating to the capital stock of such corporations; and repealing all acts or parts of acts inconsistent herewith.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Frazier,	Norton,	Shapiro,
Aron,	Gelder,	Owlett,	Snyder,
Batchelor,	Graff,	Parkinson,	Sones,
Baumer,	Harris,	Pethick,	Sordoni,
Bell,	Harvey,	Pierson,	Staudenmeier,
Bennett,	Homsher,	Prince,	Thompson,
Brandt,	Howell,	Quigley,	Trainer,
Buckman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,	Salus,	Boyd,
Einstein,	McClure,	Scott,	Pres. Pro. Tem.
Fay,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 787 (House Bill No. 1590), entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief and work relief

And said bill having been read at length the third time.

On the question,

Will the Senate agree to the bill?

Mr. REED. Mr. President and members of the Senate, a great deal of criticism has been made of the Legislature of Pennsylvania because of its delay in making appropriation for unemployment relief, but in my opinion there has been no criticism of the action of the Senate on account of the speed with which this bill has come before the Senate. I believe it was passed by the House of Representatives last Thursday and yesterday morning when I first secured the calendar I found this bill on second reading. I immediately attempted to prepare an amendment and went to the Legislative Reference Bureau, but before the amendments could be prepared the bill had passed second reading. I listened to the Senator from Centre, Mr. Scott, and accepted his suggestion that this bill be not delayed, on account of its urgency.

It was my desire to amend this bill for three reasons:

First, because in my opinion, $2,000,000.00 is not enough. There are considerably over one million unemployed in Pennsylvania today. We therefore should appropriate more money covering April and May. It may be that the reforms forced by a Democratic administration at Washington, including 3.2 beer will shortly lessen unemployment, but the spectre of hungry men, women, and children which we observe today calls for more humanity on the part of this Legislature than is apparent in a $2,000,000.00 appropriation. My amendment makes it $4,000,000.00. It will be argued that we do not have the money, but I deny that assertion. The Governor of Pennsylvania has kingly powers. Through his privately owned Executive Board he can force economies in administration and procure the money. Of course he does not want to do this, as his favorite pastime is to lambast the Legislature, and then to create useless jobs and activities to enhance his political power.

My second reason for desiring to amend the bill is that as the bill now stands there is a question as to its constitutionality. Under the pending bill, the money is to be distributed according to the provisions of the second Talbot Act; that is through the State Emergency Relief Board. I do not imply any criticism of the distinguished gentlemen serving on that Board, but the Governor has so much control, that the operations of that Board have been most unfortunate. I concede that the State Emergency Relief Board is a proper agency to distribute funds coming from the Federal Government, but equally I contend that it is not the proper agency to distribute funds secured from the tax payers of Pennsylvania. To emphasize my point, let me call attention to the history of unemployment relief legislation since the regular session of 1931.

During the special session of 1931, I was one of the group who promoted the first Talbot bill in the House of Representatives. The Attorney General of Pennsylvania declared that bill to be unconstitutional, and despite my profound respect for the legal acumen of Attorney General Schnader, I risked what little professional reputation I may possess to publicly hazard the guess on the floor of the House of Representatives that the first Talbot Bill was not only constitutional, but that it was the only method by which money could be legally appropriated to the unemployed. Attorney General Schnader, as you will recall, was positive in his statement that the first Talbot Bill was a violation of the Constitution, but the Supreme Court of Pennsylvania kept that bill on the statute books of Pennsylvania, and Governor Pinchot and Attorney General Schnader had to submit. My amendment therefor would cause this money to be distributed through the Poor Boards of Pennsylvania in accordance with the provisions of the first Talbot Act, a method which the Supreme Court of Pennsylvania has said violates no provision of the Constitution. The second Talbot Bill has never been tested in the courts. It is my opinion that it is unconstitutional. The first Talbot Bill was held constitutional on all counts, especially as a poor law. In my opinion, the second Talbot Bill is unconstitutional because it is not a poor law and violates Article 3, Section 18, of the Constitution, prohibiting appropriations for charitable purposes.

My third reason for desiring to amend is that distribution under the first Talbot Bill was economical and was satisfactory to the unemployed. It was not many weeks ago that the army of the unemployed moved on Harrisburg and told us in no unmistakable terms what they thought of the second Talbot Bill. Furthermore, in my opinion, administration under the Governor's plan is extravagant and wasteful. I could produce a vast amount of evidence, but I will content myself with referring to an article which appeared in the Philadelphia Inquirer of Sunday, March 5, containing the text of the letter written by E. Arthur Sweeny to Governor Pinchot. I now ask that that article be incorporated in, and made a part of my remarks and be printed in full in the record.

HITS PINCHOT REGIME FOR EXTRAVAGANCE IN USING RELIEF FUNDS

FORMER PRESIDENT OF PENNSYLVANIA PUBLISHING ASSOCIATION RESIGNS TO GOVERNOR AND MAKES SENSATIONAL CHARGES ALLEGING GREAT WASTE OF MONEY IN SALARIES

Special to The Inquirer

HARRISBURG, March 4.—A scathing arraignment of the State Administration's conduct for emergency relief with specific charges of extravagance of its outstanding features, including its $10,000 a year directing head, his $8,000 a year assistant, a $5000 a year publicity director, and a corps of other high salaried employees are contained in a letter to Governor Gifford Pinchot by E. Arthur Sweeny, a former president of the Pennsylvania Newspaper Publishers Association.

Mr. Sweeny, who is president of the Greensburg Tribune-Review Publishing Company, which controls both the Greensburg Review and the Daily Tribune, voices his emphatic disapproval of the enormous sums of money of State relief funds being spent for salaries and other expenses, including "the cost of red tape social investigators."

He gave an interesting recital of his personal knowledge of these conditions with a formal resignation as a member of the Westmoreland County Emergency Relief Board.

Mr. Sweeny's letter to Governor Pinchot reads:

"Hon. Gifford Pinchot, Chairman, State Emergency Relief Board, Harrisburg Pa.

"My dear Governor:

"I herewith submit my resignation as a member of the Westmoreland County Emergency Relief Board.

"I am constrained to this action because I cannot bring myself to agree with a policy of further overhead expense in the administration of relief.

"Action taken by a majority of the members of the Westmoreland County Emergency Relief Board, Monday, January 20, authorizes the employment of an executive director for this county, at a salary of $200 a month. A further increase in this paid organization, including an auditor and controller and investigators in the near future seems to be a foregone conclusion. This, I understand, is in keeping with the policy of the State Board and urged by its executive director and his assistants.

Rebukes Social Workers

"Notwithstanding the earnest pleas of representatives of the State organization, as well as roving social workers, sent to appear before the Westmoreland county board, I have been unable to see the wisdom of using a large sum of relief money for administrative purposes.

"I am quite familiar with the arguments fo ra paid organization, with executive directors, auditors and controllers and investigators for each of the counties. I have also taken into consideration that these pleas are brought to the counties by field representatives, inspired by the highly paid State organization, whose directing head receives a salary of $10,000 per annum, and his assistant, $8000, with graduated salaries for others in the department.

"Other leading positions in this department show a chief clerk, $3600; director of supervisory field work, $3000; asistant to director of supervisory field work, $2400; puchasing agent, $3960; assistant purchasing agent, $2000; nutritionist, $4800; publicity director, $5000, and five field representatives at $2400 each. Of course a heavy overhead for typists and clerks in the department comes on top of this for the State headquarters where there are at least 22 clerical employees.

Allegheny County Scandal

"Heavy as those expenditures are, they are indeed modest when compared with the cost of such an organization as it is set up in Allegheny county under this system. In the department, there, we find 194 clerks, 127 typists, 391 investigators, 37 interviewers, 40 supervisors and five assistant supervisors, making a total of 794 employees. The estimated monthly payroll in that county is $60,000 with approximately $12,000 a month for transportation, supplies, postage, telephone, etc. There we have in one county alone, based on present costs, an expenditure of $864,000 per annum!

"At this rate of going, how many millions is it likely to take to administer relief in Pennsylvania for the next year, and I am told that the State Department is talking of a five-year plan? It seems to me that the State is on the brink of being engulfed in a social workers' complex.

"It has been said frequently within recent months that the present crisis is a great, or even greater, that that during the war.

In those years much was heard of the dollar a year man and the work he did is now one of the proud pages in the history of this country. The need of dollar a year men today is even greater than it was during wartime. I firmly believe that if a call, free from all suspicion of politics, were to be made by those in authority, that services of these men would be forthcoming. Such executive direction would insure the maximum in experience and ability by people familiar with the expenditure of large sums of money and the handling of large numbers of people, together with expert knowledge on matters of organization. Such leadership would bring back to every community a full appreciation of its share of responsibility.

Cold Standardizing System

"Today such responsibility is being shirked and the business man having a relief problem brought to his attention in his own immediate neighborhood quickly shoves it into the cold standardized system of State relief, perhaps forgetting that after all, he is the one who will have to pay the bill eventually.

"With the big organization already set up in Harrisburg, the many paid county organizations now being urged, it would seem that the Department of Relief in Pennsylvania, may, before the year 1933 expires, outrank many other State departments in number of employees. Dollars will thus be diverted from direct relief for payroll requirements.

"There is an inherant danger in such an organization, in addition to the diversion of large sums for salaries. The future of the jobe thus created will of necessity depend upon the continuance of relief in a big way. With such a newly created department of salaried people bend their efforts toward wiping out relief or will the tendency be to organize it for a long engagement?

"I feel confident that a proper appeal to the patriotic men and women of ability in Pennsylvania would bring sufficient volunteer help to administer the necessary relief in a proper way.

"In tendering my resignation, I desire to say that I will continue to give my own services on several charity boards with which I am now active and whose few employees are paid by private subscriptions and not out of public relief funds.

"I feel, however, my views differ so widely from the plan being urged at the present time that I would be out of tune with the general policy to such an extent that my services would be of little use on the county board and possibly a hindrance."

On February 7, last, I introduced Senate Bill No. 330, providing for a $30,000,000 appropriation for unemployment relief along the lines of the first Talbot Act, and on the same day the same Bill, House Bill No. 817 was introduced by my colleague from Dauphin County, Representative Habbyshaw. These bills have since rested in the Appropriations Committee of the Senate and of the House, and are sleeping the sleep that knows no awaking. I merely mention this fact because there has been much criticism from the Governor and others, that the Legislature has delayed in the matter of unemployment relief. I call attention to the fact that Dauphin County went to the bat on February 7.

I am conscious that one Senator can block my amendments. I will ask for unanimous consent, and I shall make no motion. Having made my plea on behalf of the unemployed in Dauphin County, I now ask unanimous consent to offer the following amendments:

Amend section 1, page 1, line 4, by striking out the word "two" and insert in lieu thereof, "four." Amend section 1, page 1, line 4, by striking out the figures "($2,000,000)" and insert in lieu thereof "($4,000,000)." Amend section 1, page 1, line 7, by striking out the words "State Emergency Relief Board" and insert in lieu thereof "Department of Welfare." Amend section 1, page 1, line 9, by striking out the words "and be expended." Amend section 1, page 1, line 10, by striking out the word "Board" and insert in lieu thereof "Department of Welware." Amend section 1, page. 1, line 10, by striking out the word "direct" and insert in lieu thereof "unemployment." Amend section 1, page 1, line 10, by striking out the words "and work relief." Amend section 1, page 1, line 11, by striking out the words "the act approved the nine-" Amend section 1, page 1, lines 12 to 16, by striking out all of said lines, both inclusive. Amend section 1, page 2, lines 1 and 2, by striking out all of said lines, and insert in lieu thereof "Act No. 7-E of the twenty-eighth of December, one thousand nine hundred and thirty-one (P. L. 1503), entitled "An act making an appropriation under the police power and as a governmental duty to the Department of Welfare for State aid to political subdivisions charged by law with the care of the poor, and providing for the allocation and use of the moneys so appropriated"

The PRESIDENT. Is there objection?

Mr. SCOTT. Mr. President, I object.

The PRESIDENT. The Chair hears objection.

Mr. REED. Mr. President, objection has been made, as I expected it would be, and I submit because I hope to remain a Republican Organization Senator. Only last night I expected to vote against the Bill in an unamended form, because the bill to me is very objecticnable, but then I recalled Governor Pinchot's statement concerning the first Talbot Bill, and turning to page 1509 of the Pamphlet Laws of 1931, I read:

"My conclusion is that I cannot sign this bill because it is not fit to be signed. But I cannot veto this bill because there is a chance, however remote, that it might be held consti-

tutional, and so give some relief to the unemployed and save the Commonwealth from the disgrace of refusing to help her people. I cannot destroy that chance.

My only course is to follow the recommendation of the Attorney General, and to let the Talbot Bill become law without my signature. That is my decision.

When this bill becomes law, this Administration will favor a prompt decision, because no money can be paid out under it unless and until the Supreme Court affirms its constitutionality. Until it does the opinion of the Attorney General must stand. But the final decision will rest not with him, not with me, but with the Supreme Court."

In harmony with Governor Pinchot's thought, althought believing the present bill to be unconstitutional, I shall vote "aye." I cannot destroy the chance, however, remote, that some small part of this appropriation will ultimately filter to the unemployed of Pennsylvania who so badly need it.

And the question recurring,

Will the Senate agree to the bill?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Frazier,	Norton,	Shapiro,
Aron,	Gelder,	Owlett,	Snyder,
Batchelor,	Graff,	Parkinson,	Sones,
Baumer,	Harris,	Pethick,	Sordoni,
Bell,	Harvey,	Pierson,	Staudenmeier,
Bennett,	Homsher,	Prince,	Thompson,
Brandt,	Howell,	Quigley,	Trainer,
Buckman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,	Salus,	Boyd,
Einstein,	McClure,	Scott,	Pres. Pro. Tem.
Fay,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 72, as follows:

An Act prescribing penalties to be imposed upon conviction of stealing poultry

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That if any person shall be guilty of stealing poultry of any or all kinds the person so offending shall be guilty of a felony and shall on conviction be sentenced to pay a fine of not more than five hundred ($500) or to undergo imprisonment for not more than three years or both in the discretion of the court

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 77, as follows:

An Act to amend the act approved the eleventh day of June one thousand eight hundred and seventy-nine (Pamphlet Laws one hundred forty-eight) entitled "An act to require all magistrates and other officials in cities of the first second and third class authorized to take acknowledgements and administer oaths to perform such service free of charge for soldiers and widows of soldiers when making affidavit to papers for the purpose of drawing pensions" extending the provisions of the act to all officers taking oath and to papers other than those connected with pensions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the eleventh day of June one thousand eight hundred and seventy-nine (Pamphlet Laws one hundred forty-eight) entitled "An act to require all magistrates and other officials in cities of the first second and third class authorized to take acknowledgments and administer oaths to perform such service free of charge for soldiers and widows of soldiers when making affidavit to papers for the purpose of drawing pensions" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter it shall be the duty of any magistrate alderman justice of the peace or any other person authorized to take acknowledgments and administer oaths to perform such service for any soldier widow or orphan of a soldier or soldier's parents who may apply to them for the purpose of making affidavit to papers for the purpose of obtaining pensions and all other papers connected with and referring to the military service of any exservice person free of charge therefor [provided That the provisions of this act shall only apply to magistrates aldermen justices of the peace or other persons authorized to take acknowledgments in cities of the first second and third class]

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 144, as follows:

An Act to amend section two of the act approved the twenty-ninth day of April one thousand nine hundred and fifteen (Pamphlet Laws two hundred) entitled "An act creating in counties having over eight hundred thousand and less than one million five hundred thousand inhabitants according to the last preceding United States census a board to fix and determine the number and compensation of employes in all county offices boards bureaus departments and divisions thereof prescribing the powers and duties of said board and regulating appeals from the decision thereof" defining the voting power of members of the salary board

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the twenty-ninth day of April one thousand nine hundred and fifteen (Pamphlet Laws two hundred) entitled "An act creating in counties having over eight hundred thousand and less than one million five hundred thousand inhabitants according to the last preceding United States census a board to fix and determine the number and compensation of employes in all county offices boards bureaus departments and divisions thereof prescribing the powers and duties of said board and regulating appeals from the decision thereof" is hereby amended to read as follows

Section 2 The said board shall meet from time to time when required by any county officer president or other executive head of any separate board or division whatsoever the number or compensation of whose employes is sought to be fixed and determined and shall fortwith consider and fix and determine the same in manner as they may deem best for the public service and such county officer president or executive head shall sit as a member of said board and be entitled to vote so long as the matter affecting his office is under consideration and no longer The board of county commissioners shall have one vote the controller one vote and the county officer president or other executive head of any separate board or division one vote and [a] the decision of the majority shall govern A full minute of all meetings of said board shall be entered in a book kept for that purpose

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 237, as follows:

An Act to amend the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by adding a new subdivisions providing for the appointment of a fire marshal in counties of the second class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended by adding thereto a new subdivisions following section two hundred and eighty-one to read as follows

4 Fire Marshals

Section 285 Appointment in Counties of the Second Class In counties of the second class the district attorney shall appoint one fire marshal The fire marshal shall receive an annual salary of four thousand dollars

The office of fire marshal as now existing in any county of the second class is hereby abolished and the powers and duties now exercised and performed by such fire marshal under law are hereby vested in and imposed upon the fire marshal appointed under the provisions of this section

Section 2 All acts or parts of acts general special or local inconsistent with this act are hereby repealed in so far as they are inconsistent

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 257, as follows:

An Act requiring State-aided hospitals under certain conditions immediately to admit indigent veterans as herein defined and to provide care and treatment for them until they can be accommodated in Federal institutions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That within the meaning of this act "veteran" shall mean any ex-service man or woman having a legal residence in this Commonwealth who has been honorably discharged from any branch of the military or naval forces of the United States and ex-members of the Army Nurse Corps (female) ex-members of the Navy Nurse Corps (female) and women who were transported from the United States by the United States Government to serve in base hospitals overseas and whose service with the United States Government terminated honorably whether by discharge or otherwise

Section 2 It shall be the duty of any State-aided hospital within this Commonwealth which has facilities available for treatment of the disease with which an indigent veteran is afflicted immediately to admit such veteran if sick or disabled and eligible for Federal hospitalization upon the presentation to the hospital of a certificate by any reputable physician that the veteran has applied for Federal hospitalization and that an emergency exists and the hospital shall provide care and treatment for such veteran until such time as a bed is available in a Federal institution

Section 3 Every State-aided hospital which cares for and treats an indigent veteran under the provisions of this act shall be compensated for such care and treatment as in the case of other indigent patients

Section 4 This act shall become immediately effective upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 352 (House Bill No. 298), entitled:

An Act to amend section one of the act approved the thirteenth day of May one thousand nine hundred and twenty-five (P. L. 676) entitled "An act providing for the burial of certain persons who have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service men' authorizing county commissioners to provide markers and burial plots for such deceased service men at the expense of such county in which they shall die or have a legal residence at the time of their death and providing for the burial of widows of soldiers sailors or marines" as amended broadening the definition of the term "deceased service men"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 456, as follows:

An Act protecting the eyes of workmen and others from the harmful rays of electric and acetylene welding operations and imposing a penalty

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That wherever electric or acetylene welding is done the point where such welding operations are being conducted shall be so enclosed that the harmful rays will not reach the eyes of any workmen or other person rightfully in the vicinity of such operation

Section 2 Any person copartnership association or corporation violating the provisions of this act shall upon summary conviction thereof be sentenced to pay a fine of not more than one hundred dollars or undergo imprisonment for not more than ten days

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 476, as follows:

An Act ratifying and confirming certain contracts for the erection of joint county bridges where the bridges have been erected and accepted

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all contracts for the erection of bridges across streams dividing counties heretofore made by the commissioners of the respective counties pursuant to which bridges have been constructed and accepted by the counties be and hereby they are ratified and confirmed notwithstanding that the action of the grand juries of the respective counties approving and authorizing the construction of such bridges was had and taken prior to the twenty-eighth day of June one thousand nine hundred and twenty-three and notwithstanding that the commissioners of the respective counties subsequently agreed to pay the costs and expenses of such construction in a ratio or proportion different from that of the population of the respective counties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 514 (House Bill No. 456), entitled:

An Act to amend the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety, regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensng the operators thereof, upon payment of prescrbed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposton of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by requiring certain motor vehicles to be equipped with laminated safety glass; fixing penalties; and providing for the suspension or revocation by the Public Service Commission of certificates of public convenience of common carriers for violations of the provisions of this act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 581 (House Bill No. 300), as follows:

An Act to amend section two of the act approved the thirteenth day of March one thousand eight hundred and fifteen (Pamphlet Laws one hundred seventy-seven) entitled "An act to amend the act entitled 'An act directing the mode of selling unseated lands for taxes and for other purposes'" authorizing and directing county treasurers to execute deeds for unseated lands sold by their predecessors in office and validating deeds heretofore so executed

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the thirteenth day of March one thousand eight hundred and fifteen (Pamphlet Laws one hundred seventy-seven) entitled "An act to amend the act entitled 'An act directing the mode of selling unseated lands for taxes and for other purposes'" is hereby amended to read as follows

Section II And be it further enacted by the authority aforesaid That from and after the passing of this act when any treasurer who shall have made sale of unseated lands as aforesaid shall die or be removed from office or when the term of office of such treasurer shall have expired before any deed or deeds are executed by him to the purchaser or purchasers then and in every such case it shall be the duty of the treasurer for the time being to perfect such title and execute a deed or deeds to the purchaser or purchasers and they are hereby empowered and required upon the full discharge and payment of the money or price for which the said lands were sold with such cost and charges as remain unpaid to the former treasurer to make execute and acknowledge any deed or deeds and to perform and do all other matters and things that by the former treasurer might could or ought to have been performed or done which when done shall be held and adjudged as effectual in law as if the title had been completed by the former treasurer and any deed or deeds heretofore executed by any treasurer in accordance with this section are hereby validated

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be conisdered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 611 (House Bill No. 850), entitled:

An Act to amend Section Two of an act approved the twentieth day of April one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred twenty-one) entitled "An act authorizing the Secretary of Highways to designate by letter or to name number or combine State highways or any part or parts thereof in such manner as in his discretion will best accommodate and inform the traveling public using the highways of the Commonwealth and facilitate the keeping of maps and records of the Department of Highways and to include in any route designated for the convenience of the traveling public any township road or roads" by including public roads

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 650 (House Bill No. 1187), entitled:

An Act empowering a court in which a suit for the recovery of damages for personal injuries to a minor is pending to make an order authorizing a compromise or settlement to be made for such minor, and empowering a court in which a judgment is obtained for such minor, or by which a compromise or settlement is approved, to fix counsel fees and other expenses incident to said suit; and to award the balance to a duly appointed guardian of such minor; and limiting the liability of said guardian to the sum of money thus coming into his hands.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 658 (House Bill No. 1240), entitled:

An Act creating a presumption of reasonableness of certain contracts for counsel fees made by the next friend or guardian of a minor provided the same be evidenced by writing.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 678, as follows:

An act to amend sections four hundred and twenty-two and four hundred and twenty-three of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" removing the expenditure limit within which counties may contribute to the cost of the funerals of deceased service persons

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four hundred and twenty-two and four hundred and twenty-three of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" are hereby amended to read as follows

Section 422 Sum to be Spent The county commissioners of the county of this State within which a deceased service man as hereinabove defined had a legal residence at the date of his death or the county commissioners of the county where a deceased service man died in case he or she had no legal residence in any county of this Commonwealth upon notice that the body is unclaimed by relatives or friends and who upon investigation shall find such condition to exist are hereby authorized and directed to expend the sum of seventy-five dollars ($75.00) toward the funeral expenses of such deceased service man Provided however That such county commissioners shall not contribute any moneys toward the funeral expenses of such deceased service man [where the total expenses of his or her funeral including said allowance of seventy-five dollars ($75.00) shall exceed four hundred dollars ($400.00) nor] unless application for the payment of such moneys shall be made within one year after the date of the burial of such deceased service man

Section 423 Burial of Widows of Deceased Service Men The county commissioners of each county are hereby directed to expende the sum of seventy-five dollars ($75.00) from the county funds towards the funeral expenses of any widow of any person who served in the Army or Navy of the United States during any war in which the United States was engaged or served in the Army or Navy of the United States where a state or condition of war existed in the United States or any foreign country or territory or upon the high seas or who was in active service of the militia of the State of Pennsylvania under and in pursuance of any proclamation issued by the Governor during the Civil War and not duly mustered into the service of the United States and who was honorably discharged or relieved from such service upon due proof being made of such facts [Provided however That the county commissioners shall not contribute any moneys toward the funeral expenses of any such widow of a soldier sailor or marine where the total expense of any such funeral including said allowance of seventy-five dollars shall exceed four hundred dollars]

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 691, as follows:

An Act to amend section fifty-seven of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by requiring the county commissioners to furnish office supplies for county officers not located in county buildings or at the county seat

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section fifty-seven of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 57 Office Furniture Stationery Et Cetera The county commissioners shall at the cost of the county furnish the office furniture equipment and supplies blank books blanks dockets books for records stationery postage fuel light and janitor and telephone service required for each of the county officers whose offices are located in the county buildings or at such other places at the county seat as my be designated by the court and all supplies used by the public in connection with such offices and the county commissioners shall at the cost of the county furnish the office supplies blank books blanks dockets books for records stationery postage and telephone service required for each of the county officers whose offices are not required by law to be kept and maintained in county buildings or at the county seat

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 695, as follows:

An Act to preserve the continuity of service of officers and enlisted men of the Pennsylvania National Guard who were mustered into the service of the United States during the World War and afterward were enlisted or commissioned in the said National Guard

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term of continuous service of any officer or enlisted man in the Pennsylvania National Guard in so far as the same is necessary to enable him to be placed on the State retired list shall not be construed to have been interrupted by such officer or enlisted man being mustered into the service of the United States prior to or during the World War if after being mustered out of the service of the United States subsequent to November eleventh one thousand nine hundred and eighteen he was either commissioned or enlisted in the Pennsylvania National Guard as the organizations and units thereof were reorganized up to and including the date of Federal recognition of the Division on the twenty-second day of December one thousand nine hundred and twenty-one

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 702, as follows:

An Act to repeal the act approved the twentieth day of April one thousand nine hundred twenty-seven (Pamphlet Laws three hundred ten) entitled "An act regulating the compensation of sheriffs for boarding prisoners confined in the county jail in the counties of the seventh class"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the twentieth day of April one thousand nine hundred twenty-seven (Pamphlet Laws three hundred ten) entitled "An act regulating the compensation of sheriffs for boarding prisoners confined in the county jail in the counties of the seventh class" is hereby repealed

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been real at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 717, as follows:

An Act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following streets in borough or incorporated towns shall respectively be adopted as State highways to be constructed and maintained at the expense of the Commonwealth under the provisions of present or future laws governing State highways in boroughs

Adams County

Fairfield Borough

Route 01001 Extending Route 01001 Beginning at a point on the Fairfield Borough-Hamiltonban Township line thence in a northerly direction on South Street to an intersection with Route 44 at South and Main Sreets in the borough of Fairfield Adams County a distance of about .27 of a mile

Route 01015 Extending Route 01015 Beginning at a point on the Fairfield Borough-Hamiltonban Township line thence in a southeasterly direction on Railroad Avenue to an intersection with Route 44 at Railroad Avenue and Main Street in the borough of Fairfield Adams County a distance of about .63 of a mile

Arendtsville Borough

Route 01002 Extending Route 01002 Beginning at a point on the Arendtsville Borough-Franklin Township line thence in a northerly direction on Gettysburg Street to an intersection with Route 342 at Gettysburg and Main Streets in the borough of Arendtsville Adams Couny a disance of abou .51 of a mile

Roue 01018 Extending Route 01018 Beginning at a point on the Arendtsville Borough-Butler Township line thence in a westerly direction on Cherry Street to an intersection with the continuation of Rural Route 01002 at Cherry and Gettysburg Streets in the borough of Arendtsville Adams County a distance of about .24 of a mile

New Oxford Borough

Route 01003 Extending Route 01003 Beginning at a point on the New Oxford Borough-Oxford Township line thence in a southwesterly direction on Berlin Road to an intersection with the continuation of Rural Route 01004 at Berlin Road and Carlisle Street in the borough of New Oxford Adams County a distance of about .31 of a mile

Route 01004 Extending Route 01004 Beginning at a point on the New Oxford Borough-Oxford Township line thence in a southeasterly direction on Carlisle Street to an intersection with Route 126 at Carlisle Street and Lincoln Way in the borough of New Oxford Adams County a distance of about .27 of a mile

Application 6810 Beginning at a point on the New Oxford Borough-Oxford Township line thence in a northwesterly direction on Hanover Street to an intersection with Route 126 at Hanover Street and Lincoln Way in the borough of New Oxford Adams County a distance of about .30 of a mile

McSherrystown Borough

Route 01005 Extending Route 01005 Beginning at a point on the McSherrystown Borough-Conewago Township line thence in a northwesterly direction on Third Street to an intersection with Route 231 at Third and Main Streets in the boruogh of McSherrystown Adams County a distance of about .21 of a mile

Application 5510 Beginning at a point on the McSherrystown Borough-Conewago Township line thence in a southeasterly direction on Second and Church Streets to an intersection with Route 231 at Main and Second Streets in the borough of McSherrystown Adams County a distance of about .23 of a mile

Bendersville Borough

Route 01010 Extending Route 01010 Beginning at a point on the Bendersville Borough-Menallen Township line thence in a northerly direction on south Main Street to an intersection with the continuance of Rural Route 01010 at Main and Railroad Streets in the borough of Bendersville Adams County a distance of about .44 of a mile

Route 01010 Extending Route 01010 Beginning at a point on the Bednersville Borough-Menallen Township line thence in a southeasterly and easterly direction on North Main and Railroad Streets to an intersection with Route 41 Spur on the eastern borough line of Bendersville Borough Adams County a distance of about .81 of a mile

York Springs Borough

Route 01011 Extending Route 01011 Beginning at a point on the York Springs Borough-Huntingdon Township line thence in a northeasterly direction on Willow Street to an intersection with Route 342 at Willow and Main Streets in the borough of York Springs Adams County a distance of about .10 of a mile

Route 01047 Extending Route 01047 Beginning at a point on the York Springs Borough-Huntingdon Township line thence in a southeasterly direction on the Pine Grove Road to an intersection with Route 342 at Pine Grove Road and Main Street in the borough of York Springs Adams County a distance of about .17 of a mile

Abbottstown Borough

Route 01037 Extending Route 01037 Beginning at a point on the Abbottstown Borough-Berwick Township line thence in a southeasterly direction on Conewago Road to an intersection with Route 190 at Conewago Road and East Berlin Road in the borough of Abbottstown Adams County a distance of about .10 of a mile

Littlestown Borough

Application 111 Beginning at a point on the Littlestown Borough-Germany Township line thence in a northeasterly direction on West King Street to an intersection with Routes 230 and 42 at King and Queen Streets in the borough of Littlestown Adams County a distance of about .30 of a mile

East Berlin Borough

Route 66005 Extending Route 66005 Beginning at a point on the East Berlin Borough-Adams-York County line thence in a northwesterly direction on King Street to an intersection with Routes 190 and 399 at King and Baltimore Streets in the borough of East Berlin Adams County a distance of about .38 of a mile

Allegheny County

Heidelberg Borough

Route 02022 Extending Route 02022 Beginning at a point on the Heidelberg Borough-Collier Township line thence in an easterly direction on Collier Street to an intersection with Route 108 in the borough of Heidelberg Allegheny County a distance of about .44 of a mile

Coraopolis Borough

Route 02026 Extending Route 02026 Beginning at a point on the Coraopolis Borough-Moon Township line thence in a northerly direction on Montour Street to an intersection with Route 76 in the borough of Coraopolis Allegheny County a distance of about .76 of a mile

McDonald Borough

Route 02032 Extending Route 02032 Beginning at a point on the McDonald Borough-South Fayette Township line thence in a northerly direction on East Street to an intersection with First Avenue thence in a southwesterly direction on First Avenue to an intersection with Main Street thence in a northwesterly direction on Main Street to an intersection with the Oakdale-McDonald Road in the borough of McDonald Allegheny County a distance of about .45 of a mile

Carnegie Borough

Route 02037 Extending Route 02037 Beginning at a point on the Carnegie Borough-Collier Township line thence in an easterly direction on Collier Avenue to an intersection with Cubbage Street thence in a southerly direction on Cubbage Street to an intersection with Fourth Avenue thence in a northeasterly direction on Fourth Avenue to its junction with Main Street thence in a northeasterly direction on Main Street to Route 108 in the borough of Carnegie Allegheny County a distance of about 1.06 miles

Route 02038 Extending Route 02038 Beginning at a point on the Carnegie Borough-Scott Township line thence in a northerly and northwesterly direction on Chestnut Street to an intersection with Route 108 in the borough of Carnegie Allegheny County a distance of about ..33 of a mile

Bridgeville Borough

Route 02050 Extending Route 02050 Beginning at a point on the Bridgeville Borough-Upper St Clair Township line thence in a westerly direction on Lessnet Road to an intersection with Bank Street thence in a northerly and northwesterly direction on Bank Street to an intersection with Dewey Avenue thence in a northeasterly direction on Dewey Avenue to an intersection with Station Street thence in a northwesterly direction on Station Street to an intersection with Route 108 or Washington Avenue in the borough of Bridgeville Allegheny County a distance of about .98 of a mile

Elizabeth Borough

Route 02055 Extending Route 02055 Beginning at a point on the Elizabeth Borough-Forward Township line thence in a westerly direction on Mullbery Street to an intersection with Ninth Street thence in a northerly direction on Ninth Street to an intersection with Bayard Street thence in a westerly direction on Bayard Street to an intersection with Third Street thence in a northerly direction on Third Street to an intersection with Route 330 in the borough of Elizabeth Allegheny County a distance of about .45 of a mile.

Castle Shannon Borough

Route 02073 Extending Route 02073 Beginning at a point on the Castle Shannon Borough-Baldwin Township line thence in a northeasterly direction on McRoberts Road to an intersection with Hamilton Road thence in a northerly direction on Hamilton Road to an intersection with Route 247 in the borough of Castle Shannon Allegheny County a distance of about .55 of a mile

East McKeesport Borough

Route 02088 Extending Route 02088 Beginning at a point on the East McKeesport Borough-North Versailles Township line thence in a northerly direction on Broadway to an intersection with Route 120 in the borough of East McKeesport Allegheny County a distance of about .28 of a mile.

West View Borough

Route 02089 Extending Route 02089 Beginning at a point on the West View Borough-Ross Township line thence in an easterly direction on Highland Avenue to an intersection with Route 246 in the borough of West View Allegheny County a distance of about .89 of a mile

Brentwood Borough

Route 02093 Extending Route 02093 Beginning at a point on the Brentwood Borough-Baldwin Township line thence in a northwesterly direction on Willet Avenue to an intersection with Churchview Avenue in the borough of Brentwood Allegheny County a distance of about .46 of a mile.

Route 02097 Extending Route 02097 Beginning at a point on the Brentwood Borough-Baldwin Township line thence in a north and westerly direction on East Willock Road to its intersection with the Brownsville Road in the boorugh of Brentwood Allegheny County a distance of about .5 of a mile

Route 02099 Extending Route 02099 Beginning at a point on the Brentwood Borough-Baldwin Township line thence in a westerly direction on the Stilley (Doyle) Road to an intersection with Route 330 in the borough of Brentwood Allegheny County a distance of about .04 of a mile

Haysville Borough

Route 02096 Extending Route 02096 Beginning at a point on the Haysville Borough-Aleppo Township line thence in a southwesterly direction on River Avenue to an intersection with Beaver Road in the borough of Haysville Allegheny County a distance of about .19 of a mlie

East Pittsburgh Borough

Route 02103 Extending Route 02103 Beginning at a point on the North Braddock Borough-East Pittsburgh Borough line thence in a southerly direction on Main Street to an intersection with Center Avenue thence in a easterly direction on Center Avenue to an intersection with Route 120 in the borough of East Pittsburgh Allegheny County a distance of about .34 of a mile

Edgewood Borough

Route 02103 Extending Route 02103 Beginning at a point on the Edgewood Borough-Braddock Township line thence in a northwesterly direction on Maple Avenue to the intersection of Edgewood Swissvale and Maple Avenues in the borough of Edgewood Allegheny County a distance of about ..55 of a mile

North Braddock Borough

Route 02103 Extending Route 02103 Beginning at a point on the North Braddock Borough-Braddock Township line thence in a southerly and southeasterly direction on East Wolf Avenue to an intersection with Pallas Avenue thence in an easterly direction on Pallas Avenue to an intersection with Brinton Avenue thence in a southerly direction on Brinton Avenue to the North Braddock Borough-East Pittsburgh Borough line in the borough of North Braddock Allegheny County a distance of about 1.06 miles

Edgeworth Borough

Route 02115 Extending Route 02115 Beginning at a point on the Edgeworth Borough-Leet Township line thence in a southerly and westerly direction on the Little Sewickley Creek Road to an intersection with Beaver Road in the borough of Edgeworth Allegheny County a distance of about .97 of a mile

Glenfield Borough

Route 02123 Extending Route 02123 Beginning at a point on the Glenfield Borough-Aleppo Township line thence in a southeasterly direction on School Street to an intersection with Center Street thence in a southerly direction on Center Street to an intersection with Beaver Road in the borough of Glenfield Allegheny County a distance of about .93 of a mile

Emsworth Borough

Route 02125 Extending Route 02125 Beginning at a point on the Emsworth Borough-Kilbuck Township line thence in a southeasterly direction on the Roosevelt Road to an intersection with Locust Street thence in a southerly direction on Locust Street to an intersection with Beaver Avenue (Ohio River Boulevard) in the borough of Emsworth Allegheny County a distance of about .34 of a mile

Bradford Woods Borough

Route 02135 Extending Route 02135 Beginning at a point on the Bradford Woods-Marshall Township line near the Shenot residence thence in a northwesterly direction on Wexford Run Road to an intersection with Route 02104 near the north borough line of Bradford Woods in the borough of Bradford Woods Marshall Township Allegheny County a distance of about 1.06 miles

Etna Borough

Route 02153 Extending Route 02153 Beginning at a point on the Etna Borough-Shaler Township line thence in a southerly direction on Jones Street to an intersection with Wilson Street thence in an easterly direction on Wilson Street to an intersection with Grant Avenue thence in a

southeasterly direction on Grant Avenue to an intersection with Route 72 in the borough of Etna Allegheny County a distance of about .51 of a mile

Verona Borough

Route 02168 Extending Route 02168 Beginning at a point on the Verona Borough-Penn Township line thence in a westerly direction on Second Avenue to an intersection with Wildwood Avenue in the borough of Verona Allegheny County a distance of about .04 of a mile

Route 02196 Extending Route 02196 Beginning at a point on the Verona Borough-Penn Township line thence in a westerly direction on Plum Street to the Verona Borough-Oakmont Borough line in Verona Borough Allegheny County a distance of about .07 of a mile

Cheswick Borough

Route 02169 Extending Route 02169 Beginning at a point on the Cheswick Borough-Springdale Township line thence in a southerly direction on Pillow Avenue to an intersection with Route 70 in the borough of Cheswick Allegheny County

Versailles Borough

Route 02178 Extending Route 02178 Beginning at a point on the Versailles Borough-Versailles Township line thence in a westerly direction on Center Street to an intersection with Route 288 in the borough of Versailles Allegheny County a distance of about .63 of a mile

Munhall Borough

Route 02185 Extending Route 02185 Beginning at a point on the Whitaker Borough-Munhall Borough line thence in a general northwesterly direction to an intersection with the Duquesne-Homestead Boulevard in the borough of Munhall Allegheny County a distance of about .63 of a mile

Whitaker Borough

Route 02185 Extending Route 02185 Beginning at a point on the Whitaker Borough-Mifflin Township line thence in a northwesterly direction along Whitaker Street to a point on the Munhall Borough-Whitaker Borough line in the borough of Whitaker Allegheny County a distance of about .27 of a mile

Wilmerding Borough

Route 02193 Extending Route 02193 Beginning at a point on the Wilmerding Borough-North Versailles Township line thence in a southeasterly direction on Sprague Street to an intersection with Station Street thence in an easterly direction on Station Street to an intersection with Caldwell Street in the Borough of Wilmerding Allegheny County a distance of about .17 of a mile

Oakmont Borough

Route 02196 Extending Route 02196 Beginning at a point on the Verona Borough-Oakmont Borough line thence in a westerly direction on Plum Street to an intersection with Oakmont Avenue in the borough of Oakmont Allegheny County a distance of about .42 of a mile

Armstrong County

Worthington Borough

Route 03011 Extending Route 03011 Beginning at a point on the Worthington Borough-West Franklin Township line thence in a northeasterly direction on Bear Street to an intersection with Route 71 at Main and Bear Streets in the borough of Worthington Armstrong County a distance of about .4 of a mile

Route 03016 Extending Route 03016 Beginning at a point on the Worthington Borough-West Franklin Township line intersection with Route 71 at Bain and Bear Streets in the Borough of Worthington Armstrong County a distance of about .3 of a mile

West Kittanning Borough

Route 03018 Extending Route 03018 Beginning at a point on the West Kittanning Borough-East Franklin Township line thence in an easterly direction on Southern Street to an intersection with Southern and Garfield Streets thence northerly on Garfield Street to an intersection with Route 9 at the north end of Garfield Street in the borough of West Kittanning Armstrong County a distance of about .3 of a mile

Apollo Borough

Route 03042 Extending Route 03042 Beginning at a point on the Apollo Borough-Kiskiminitas Township line thence in a northerly direction on Kiskiminitas Avenue to an intersection with Route 9 at First Street and Kiskiminitas Avenue in the borough of Apollo Armstrong County a distance of about .2 of a mile

Elderton Borough

Route 03054 Extending Route 03054 Beginning at a point on the Elderton Borough-Plumcreek Township line thence in an easterly direction to an intersection with Route 67 in the borough of Elderton Armstrong County a distance of about .2 of a mile

Route 03055 Extending Route 03055 Beginning at point on the Elderton-Plumcreek Township line thence in a westerly direction to an intersection with Route 67 in the borough of Elderton Armstrong County a distance of about .2 of a mile

Rural Valley Borough

Route 03065 Extending Route 03065 Beginning at a point on the Rural Valley Borough-Conawnshannock Township line thence in a northeasterly direction on Water Street to an intersection with Route 189 at Water Street and the Clearfield Pike in the borough of Rural Valley Armstrong County a distance of about 1.3 miles

Route 03073 Extending Route 03073 Beginning at a point on the Rural Valley Borough-Cowanshannock Township line thence in a southerly direction on Washington Avenue to an intersection with Route 189 at Clearfield Pike and Washington Avenue in the borough of Rural Valley Armstrong County a distance of about 1.2 miles

Kittanning Borough

Route 03067 Extending Route 03067 Beginning at a point on the Kittanning Borough-Reyburn Township line thence in a southwesterly direction on Union Avenue to an intersection with the continuation of Rural Route 03068 at Union and Woodward Avenues in the borough of Kittanning Armstrong County a distance of about .10 of a mile

Route 03068 Extending Route 03068 Beginning at a point on the Kittanning Borough-Reyburn Township line thence south and southeasterly on Johnston and Orr Avenues along the West Penn Electric Railway to Woodward Avenue thence on Woodward and Grant Avenues to an intersection with Route 189 at Market Street and Grant Avenue in the borough of Kittanning Armstrong County a distance of about 2.4 miles

Dayton Borough

Route 03075 Extending Route 03075 Beginning at a point on the Dayton Borough-Wayne Township line thence in a southeasterly direction to an intersection with Rural Route 03077 at Main Street thence in a northeasterly direction on Main Street to an intersection with Route 534 at Main and State Streets in the borough of Dayton Armsstrong County a distance of about .5 of a mile

Route 03077 Extending Route 03077 Beginning at a point on the Dayton Borough-Wayne Township line thence in a northeasterly direction on Main Street to an intersection with the continuation of Rural Route 03077 at Main Street in the borough of Dayton Armstrong County a distance of about .10 of a mile

Route 03087 Extending Route 03087 Beginning at a point on the Dayton Borough-Wayne Township line thence southwesterly on Milton Street to an intersection with the continuation of Rural Route 03095 at Main and Milton Streets in the borough of Dayton Armstrong County a distance of about .3 of a mile

Route 03095 Extending Route 03095 Beginning at a point on the Dayton Borough-Wayne Township line thence in a westerly direction on Main Street to an intersection with Route 534 at Main and State Streets in the borough of Dayton Armstrong County a distance of about .5 of a mile

South Bethlehem Borough

Route 03090 Extending Route 03090 Beginning at a point on the South Bethlehem Borough-Mahoning Township line thence in a northerly direction on Putneyville Road to an intersection with Route 66 at Putneyville Road and Broad Street in the borough of South Bethlehem Armstrong County a distance of about .3 of a mile

Ford City Borough

Route 03096 Extending Route 03096 Beginning at a point on the Ford City Borough-Manor Township line thence southwesterly on Fifth Avenue to an intersection with Route 378 at Fourth Avenue and Fifth Avenue in the borough of Ford City Armstrong County a distance of about .5 of a mile

Beaver County

Fallston Borough

Route 04004 Extending Route 04004 Beginning at a point on the Fallston Borough-Patterson Township line thence in a southeasterly direction on an unnamed street to Route 204 in the borough of Fallston Beaver County a distance of about .13 of a mile

Bridgewater Borough

Route 04006 Extending Route 04006 Beginning at a point on the Bridgewater Borough-Brighton Township line thence in an easterly and southeasterly direction on an unnnamed borough street to an intersection with Sharon Road thence northerly and easterly to an intersection with Route 204 in the borough of Bridgewater Beaver County a distance of about .28 of a mile

Darlington Borough

Route 04007 Extending Route 04007 Beginning at a point on the Darlington Borough-Darlington Township line thence in a northerly direction on Plumb Street for a distance of forty feet thence in a westerly direction on First Street to an intersection with Route 204 in the borough of Darlington Beaver County a distance of about .07 of a mile

Route 04009 Extending Route 04009 Beginning at a point on the Darlington Borough-Darlington Township line thence in a westerly direction on Fifth Street to a junction with Market Street thence in a southerly direction on Market Street to an intersection of Route 204 and Route 265 in the borough of Darlington Beaver County a distance of about .3 of a mile

West Mayfield Borough

Route 04007 Extending Route 04007 Beginning at a point on the West Mayfield Borough-Chippewa Township line thence in an easterly direction on Thirty-seventh Street Extension and Thirty-seventh Street to the West Mayfield Borough-Beaver Falls City line in West Mayfield Borough Beaver County a distance of about .88 of a mile

Beaver Borough

Route 04008 Extending Route 04008 Beginning at a point on the Beaver Borough-Brighton Township line thence in a southerly direction on Beaver Street Extension and Beaver Street to an intersection with Route 243 at the junction of Beaver Street and River Road in Beaver Borough Beaver County a distance of about .44 of a mile

Moneca Borough

Route 04015 Extending Route 04015 Beginning at a point on the Monaca Borough-Center Township line thence in a northerly direction on Marshall Road to an intersection with Bechtel Street on Bechtel Street to its intersection with Bechtel Avenue thence on Bechtel Avenue to Route 76 in the borough of Monaca Beaver County a distance of about .95 of a mile

Baden Borough

Route 04016 Extending Route 04016 Beginning at a point on Baden Borough Economy Township line thence in a westerly direction of Phillips Street Extension and Phillips Street to an intersection with Route 641 in the borough of Baden Beaver County a distance of about 1.26 miles

Aliquippa Borough

Route 04019 Extending Route 04019 Beginning at a point on the Aliquippa Borough-Hopewell Township line thence in a southerly and southwesterly direction on Monaca Road to a junction with Application 1338 on Sheffield Street and Franklin Avenue thence continuing on Sheffield Street and Application 1338 to a junction with Application 3325 thence continuing on Sheffield Street and Application 3325 to Route 76 to the intersection of Brodhead Road and Sheffield Street in the borough of Aliquippa Beaver County a distance of about 1.6 miles

Route 04061 Extending Route 04061 Beginning at a point on the Aliquippa Borough-Hopewell Township line thence in a southerly direction on an unnamed borough street to an intersection with Route 76 in the borough of Aliquippa Beaver County a distance of about .34 of a mile

Route 04072 Extending Route 04072 Beginning at a point on the Aliquippa Borough-Hopewell Township line thence in an easterly direction on an unnamed borough street to an intersection with Application 1952 or Mill Street in the borough of Aliquippa Beaver County a distance of about .29 of a mile

New Galilee Borough

Route 04021 Extending Route 04021 Beginning at a point on the New Galilee Borough-Big Beaver Township line thence in a northerly direction on Centennial Street to Route 354 in the borough of New Galilee Beaver County a distance of about .15 of a mile

Hookstown Borough

Route 04052 Extending Route 04052 Beginning at a point on the Hookstown Borough-Greene Township line thence in an easterly direction on Mill Street to an intersection with Route 278 in the borough of Hookstown Beaver County a distance of about .13 of a mile

Homewood Borough

Route 04057 Extending Route 04057 Beginning at a point on the Homewood Borough-Big Beaver Township line thence in an easterly direction on Reservoir Street to an intersection with Main Street thence on Main Street to Route 77 in the borough of Homewood Beaver County a distance of about .27 of a mile

Shippingport Borough

Route 04064 Extending Route 04064 Beginning at a point on the Shippingport Borough-Potter Township line thence in a westerly direction on the Safe Harbor Road to an intersection with Route 483 in the borough of Shippingport Beaver County a distance of about 1.94 miles

Route 04068 Extending Route 04068 Beginning at a point on the Shippingport Borough-Raccoon Township line thence in a northwesterly direction on an unnamed street to an intersection with Route 483 in the borough of Shippingport Beaver County a distance of about .02 of a mile

Freedom Borough

Route 04073 Extending Route 04073 Beginning at a point on the East Rochester Borough%Rochester Township line thence in a southwesterly direction on Second Street to its intersection with Fourth Avenue thence in a southerly driection on Fourth Avenue to its intersection with Sixth Street thence in a westerly direction on Sixth Street to Route 641 in the borough of Freedom Beaver County a distance of about .64 of a mile

Route 532 Extending Route 532 Beginning on Route 532 at the Freedom Borough line thence over Ninth Street to its intersection with State Highway Route 641 in Freedom Borough Beaver County a distance of about .36 of a mile

Eastvale Borough

Route 04076 Extending Route 04076 Beginning at a point on the Eastvale Borough-Daugherty Township line thence in a westerly direction on Fourth Street to Application 122 in the Borough of Eastvale Beaver County a distance of about .13 of a mile

Midland Borough

Route 04080 Extending Route 04080 Beginning at a point on the Midland Borough-Industry Township line thence in a westerly direction on the Murphy Hill Road to its junction with Park Place East thence in a westerly direction on Park Place East to its intersection with Ninth Street thence in a southwesterly direction to Route 243 in the borough of Midland Beaver County a distance of about .88 of a mile

New Brighton Borough

Route 04081 Extending Route 04081 Beginning at a point on the New Brighton Borough-Pulaski Township line thence in a southerly direction to an intersection with Allegheny Street thence in a westerly direction on Allegheny Street to its intersection with Ninth Street thence in a southwesterly direction on Ninth Street to Route 77 in the borough of New Brighton Beaver County a distance of about .63 of a mile

Route 482 Extending Route 482 Beginning on Route 482 at the New Brighton Borough line thence over Mercer Avenue and Fifth Street to the intersection of Fifth Street and State Highway Route 77 in the borough of New Brighton Beaver County a distance of about .97 of a mile

Bedford County

Bedford Borough

Route 39 Application 5706 Extending Route 39 Beginning at a point on the east Bedford Borough-Bedford Township line thence in a westerly direction on Penn Street to an intersection with Route 48 at Penn and Richard Streets in the borough of Bedford Bedford County a distance of about .42 of a mile

Route 05029 Extending Route 05029 Beginning at a point on the south Bedford Borough-Bedford Township line thence in a northwesterly direction on Cumberland Street to an intersection with Route 118 at Cumberland and Pitt Streets in the borough of Bedford Bedford County a distance of about .05 of a mile

Route 05042 Application 1132 Extending Route 05042 Beginning at a point on the northeast Bedford Borough-Bedford Township line thence in a westerly direction on Railroad Street to an intersection with Route 47 at Railroad and Richard Streets in the borough of Bedford Bedford County a distance of about .24 of a mile

Hyndman Borough

Route 05012 Extending Route 05012 Beginning at a point on the West Hyndman Borough-Londonderry Township line thence in a southeasterly direction on Church Street to George Street thence in a southerly direction on Schellsburg Street to an intersection with Route 356 at Schellsburg and Center Streets in the borough of Hyndman Bedford County a distance of about .79 of a mile

Rainsburg Borough

Route 05017 Extending Route 05017 Beginning at a point on the west Rainsburg Borough-Colerain Township line thence in an easterly direction on Cumberland Street to an intersection with Route 329 at Cumberland and Main Streets in the borough of Rainsburg Bedford County a distance of about .17 of a mile

Manns Choice Borough

Route 05026 Extending Route 05026 Beginning at a point on the east Manns Choice Borough-Harrison Township line thence in a northwesterly direction on Cove Street to an intersection with Route 356 at Cove and Main Streets in the borough of Manns Choice Bedford County a distance of about .06 of a mile

Exerett Borough

Route 05034 Extending Route 05034 Beginning at a point on the south Everett Borough-West Providence Township line thence in a northwesterly direction on Earlston Road to an intersection with Route 39 at Earlston Road and West Main Street in the borough of Everett Bedford County a distance of about .05 of a mile

New Paris Borough

Route 05054 Extending Route 05054 Beginning at a point on the western New Paris Borough-Napier Township line thence in a southeasterly direction to an intersection with Route 356 at Main Street in the borough of New Paris Bedford County a distance of about .06 of a mile

Route 05055 Extending Route 05055 Beginning at a point on the western New Paris Borough-Napier Township line thence in a southeasterly dircetion on Chestnut Street to an intersection with Route 356 at Chestnut and Main Streets in the borough of New Paris Bedford Couny a distance of about .06 of a mile

Pleasantville Borough

Route 05074 Extending Route 05074 Beginning at a point on the Pleasantville Borough-West Saint Clair Township line thence in a southwesterly direction on School Street to an intersection with Routes 222 and 356 at School and Allegheny Streets in the borough of Pleasantville Bedford County a distance of about .09 of a mile

Berks County

Shoemakersville Borough

Route 06002 Traffic Route 164 Extending Route 06002 Beginning at a point on the Shoemakersville Borough-Perry Township line thence in a northwesterly direction on Second Street to a point of intersection with Legislative Route 160 Station 638+17 at Second and Main Streets in the borough of Shoemakersville Berks County a distance of about .09 of a mile

Route 06124 Traffic Route 135 Extending Route 06124 Beginning at a point on the Shoemakersville Borough-Perry Township line thence west on Noble Street to a point of intersection with Legislative Route 160 Station 663+37 at Noble and Main Streets in the borough of Shoemakersville Berks County a distance of about .38 of a mile

Strausstown Borough

Route 06006 Traffic Route 223 Extending Route 06006 Beginning at a point on the Strausstown Borough-Upper Tulpehocken Township line thence south on Goodman Street to a point of intersection with Legislative Route 141 Station 1785+22 at Goodman and Main Streets in the borough of Strausstown Berks County a distance of about .14 of a mile

Route 06009 Traffic Route 244 Extending Route 06009 Beginning at a point on the Strausstown Borough-Upper Tulpehocken Township line thence in a northeasterly direction on Main Street to a point of intersection with legislative Route 141 Station 1780 in the borough of Strausstown Berks County a distance of about .13 of a mile

Route 06016 Traffic Route 223 Extending Route 06016 Beginning at a point on the Strausstown Borough-Upper Tulpehocken Township line thence in a westerly direction on East Avenue to a point of intersection with Legislative Route 141 Station 1800+39 at East Avenue and Main Street in the borough of Strausstown Berks County a distance of about .16 of a mile

Lyons Borough

Route 06008 Traffic Route 104 Extending Route 06008 Beginning at a point on the Lyons Borough-Maxatawny Township line thence in a northwesterly direction on Kemp Street to a point of intersection with Legislative Routes 06118 and 06119 Traffic Route 115 at East Penn Avenue and Kemp Street in the borough of Lyons Berks County a distance of about .13 of a mile

Route 06118 Traffic Route 115 Extending Route 06118 Beginning at a point on the Lyons Borough-Richmond Township line thence in a northeasterly direction on East Penn Avenue to a point of intersection with the continuation of Legislative Routes 06008 and 06142 Traffic Route 104 at Kemp Street and East Penn Avenue in the borough of Lyons Berks County a distance of about .28 of a mile

Route 06119 Traffic Route 115 Extending Route 06119 Beginning at a point on the Lyons Borough-Maxatawny Township line thence in a southwesterly direction on East Penn Avenue to a point of intersection with the continuation of Legislative Routes 06008 and 06142 Traffic Route 104 at Kemp Street and East Penn Avenue in the Borough of Lyons Berks County a distance of about .33 of a mile

Route 06142 Traffic Route 104 Extending Route 06142 Beginning at a point on the Lyons Borough Maxatawny Township line thence in a southeasterly direction on Main Street to Penn Street thence in a southwesterly direction on Penn Street to Kemp Street thence in a southeasterly direction on Kemp Street to a point of intersection with Legislative Routes 06118 and 06119 Traffic Route 115 at East Penn Avenue and Kemp Street in the borough of Lyons Berks County a distance of about .55 of a mile

Fleetwood Borough

Route 06010 Traffic Route 124 Extending Route 06010 Beginning at a point on the Fleetwood Borough-Ruscomb Manor Township line thence in a northeasterly direction on Richmond Street to a point of intersection with Legislative Route 06117 Traffic Route 115 Station 319+37 at Richmond and Main Streets in the borough of Fleetwood Berks County a distance of about .43 of a mile

Route 06117 Traffic Route 115 Extending Route 06117 Beginning at a point on the Fleetwood Borough-Richmond Township line thence in a northeasterly direction on Main Street to a point of intersection with the continuation of Legislative Route 06010 at Richmond and Main Streets in the borough of Fleetwood Berks County a distance of about .22 of a mile

Route 06118 Traffic Route 115 Extending Route 06118 Beginning at a point on the Fleetwood Borough-Richmond Township line thence in a southwesterly direction on Main Street to a point of intersection with Legislative Route 06124 at Franklin Street thence in a southwesterly direction on Main Street to a point of intersection with Legislative Route 06010 at Richmond and Main Streets in the borough of Fleetwood Berks County a distance of about .83 of a mile

Route 06124 Traffic Route 124 Extending Route 06124 Beginning at a point on the Fleetwood Borough-Richmond Township line thence in a southeasterly direction on Franklin Street to a point of intersection with Legislative Route 06118 Traffic Route 115 Station 325+00 at Franklin and Main Streets in the borough of Fleetwood Berks County a distance of about .37 of a mile

Centerport Borough

Route 06019 Traffic Route 213 Extending Route 06019 Beginning at a point on the Centerport Borough-Center Township line thence in a northeasterly direction on Market Street to a point of intersection with Legislative Route 06031 Traffic Route 174 Station 850+19 at Market and Main Streets in the borough of Centerport Berks County a distance of about .04 of a mile

Route 06031 Traffic Route 174 Extending Route 06031 Beginning at a point on the Centerport Borough-Center Township line thence in a southeasterly direction on Main Street to a point of intersection with Legislative Route 06031 Traffic Route 213 at the Centerport Borough and Center Township line in the borough of Centerport Berks County a distance of about .25 of a mile

Wyomissing Hills Borough

Route 06038 Traffic Route 214 Extending Route 06038 Beginning at a point on Wyomissing Hills Borough-Spring Township line thence in a southeasterly direction along the Wyomissing Hills Borough-Spring Township line said line lying in the center of a street known as Bern Road to a point of intersection with Legislative Route 06038 at the Wyomissing Hills Borough-Spring Township line in the borough of Wyomissing Hills Berks County a distance of about .95 of a mile

Wyomissing Borough

Route 06038 Traffic Route 214 Extending Route 06038 Beginning at a point on the Wyomissing Borough-Spring Township line thence in a southeasterly and easterly direction on Bern Road to a point of intersection with Legislative Route 149 Station 1347+22 at Bern Road and Penn Avenue in the borough of Wyomissing Berks County a distance of about .34 of a mile

Route 06070 Traffic Route 163 Extending Route 06070 Beginning at a point on the Wyomissing Borough-Spring Township line thence in a southeasterly direction on Van Reed Road to a point of intersection with Legislative Route 149 Station 1359+13 at Van Reed Road and Penn Avenue in the borough of Wyomissing Berks County a distance of about .24 of a mile

Sinking Springs Borough

Route 06039 Traffic Route 174 Extending Route 06039 Beginning at a point on the Sinking Springs Borough-Spring Township line thenece in a southwesterly direction on Mull Avenue to a point of intersection with Legislative Route 149 Station 1181+38 at Mull and Penn Avenues in the borough of Sinking Springs Berks County a distance of about .38 of a mile

Route 06062 Traffic Route 174 Extending Route 06062 Beginning at a point on the Sinking Springs Borough-Spring Township line thence in a northeasterly direction on Columbia Avenue to a point of intersection with Legislative Route 149 Station 1173 at Columbia and Penn Avenues in the borough of Sinking Springs Berks County a distance of about .91 of a mile

Route 06063 Traffic Route 153 Extending Route 06063 Beginning at a point on the Sinking Springs Borough-Spring Township line thence in an easterly direction on Mount Hope Road to a point of intersection with Legislative Route 06062 Traffic Route 174 Station 241+34 at Mount Hope Road and Columbia Avenu in the borough of Sinking Springs Berks County a distance of about .46 of a mile

Route 06071 Traffic Route 153 Extending Route 06071 Beginning at a point on the Sinking Springs Borough-Spring Township line thence in a northwesterly direction on Shillington Road to a point of intersection with Legislative Route 149 Station 1183+93 at Shillington Road and Penn Avenue in the borough of Sinking Springs Berks County a distance of about .34 of a mile

Bernville Borough

Route 06047 Traffic Route 224 Extending Route 06047 Beginning at a point on the Bernville Borough-Penn Township line thence in a northeasterly direction on so-called Robesonia Road to a point of intersection with Legislative Route 310 Station 659+18 at Robesonia Road and Main Street in the borough of Bernville Berks County a distance of about .06 of a mile

Robesonia Borough

Route 06047 Traffic Route 224 Extending Route 06047 Beginning at a point on the Robesonia Borough-Heidelberg Township line thence in a southerly direction on May Street to a point of intersection with Legislative Route 149 Station 803+77 at May Street and Penn Avenue in the borough of Robesonia Berks County a distance of about .20 of a mile

Route 06052 Traffic Route 153 Extending Route 06052 Beginning at a point on the Robesonia Borough-Heidelberg Township line thence in a southerly direction on Church Street to a point of intersection with Legislative Route 149 Station 818+15 at Church Street and Penn Avenue in the borough of Robesonia Berks County a distance of about .33 of a mile

Womelsdorf Borough

Route 06049 Traffic Route 52 Extending Route 06049 Beginning at a point on the Womelsdorf Borough-Heidelberg Township line thence in a northerly direction on South Street to a point of intersection on Legislative Route 149 Station 677+32 at South Second and West High Streets in the borough of Womelsdorf Berks County a distance of about .29 of a mile

Route 06050 Traffic Route 254 Extending Route 06050 Beginning at a point on the Womelsdorf Borough-Heidelberg Township line thence in a southerly direction on North Water Street to a point of intersection with Legislative Route 149 Station 691+34 at North Water and East High Streets in the borough of Womelsdorf Berks County a distance of about .49 of a mile

Wernersville Borough

Route 06058 Traffic Route 194 Extending Route 06058 Beginning at a point on the Wernersville Borough-Lower Heidleberg Township line thence in a northerly direction on Lincoln Road to a point of intersection with Legislative Route 149 Station 1020+80 at Church Road and Penn Avenue in the borough of Wernersville Berks County a distance of about .20 of a mile

Route 06063 Traffic Route 153 Extending Route 06063 Beginning at a point on the Wernersville Borough-South Heidelberg Township line thence in a westerly direction on Lincoln Drive to a point of intersection with Legislative Route 06066 Traffic Route 194 Station 198+47 at Lincoln Drive thence north on Werner Street to a point of intersection with Legislative Route 149 Station 1008 at Werner Street and Penn Avenue in the borough of Wernersville Berks County a distance of about .60 of a mile

Rout 06066 Traffic Route 194 Extending Route 06066 Beginning at a point on the Wernersville Borough-South Heidelberg Township line thence in a northerly direction on Lincoln Drive to Werner Street to a point of intersection with Legislative Route 06063 Traffic Route 153 at Lincoln Drive and Werner Street in the borough of Wernersville Berks County a distance of about .49 of a mile

Shillington Borough

Route 06075 Traffic Route 154 Extending Route 06075 Beginning at a point on the Shillington Borough-Cumru Township line thence north on South Wyomissing Avenue to a point of intersection with Legislative Route 148 Station 1469 at Wyomissing and Lancaster Avenues in the borough of Shillington Berks County a distance of about .38 of a mile

Route 06079 Traffic Route 153 Extending Route 06079 Beginning at a point on the Shillington Borough-Cumru Township line thence in a westerly direction on Philadelphia Avenue to a point of intersection with Legislative Route 148 Station 1483+91 at Philadelphia Avenue and Lancaster Avenue also Liberty Street and New Holland Avenue in the borough of Shillington Berks County a distance of about .43 of a mile

Mohnton Borough

Route 06075 Traffic Route 154 Extending Route 06075 Beginning at a point on the Mohnton Borough-Cumru Township line thence in a southerly direction on Wyomissing Avenue to a point connecting with Legislative Route 660 Station 0+00 at Wyomissing Avenue and Werner Street in the borough of Mohnton Berks County a distance of about .43 of a mile

Route 06076 Traffic Route 143 Extending Route 06076 Beginning at a point on the Mohnton Borough-Cumru Township line thence in a southeasterly direction on Madison Avenue Road from the Five-mile House to a point of intersection with Legislative Route 06076 Traffic Route 154 Station 122+50 at Madison Avenue and Wyomissing Avenue in the borough of Mohnton Berks County a distance of about .92 of a mile

Kenhorst Borough

Route 06079 Traffic Route 153 Extending Route 06079 Beginning at a point on the extreme southwest corner of Kenhorst

Borough-Cumru Township line thence in an easterly direction on Philadelphia Avenue to a point of intersection with Legislative Route 518 Station 816+50 thence in an easterly direction on Philadelphia Avenue to extreme southeast corner of Kenhorst Borough line in the borough of Kenhorst Berks County a distance of about .30 of a mile

Birdsboro Borough

Route 06096 Traffic Route 124 Extending Route 06096 Beginning at a point on the Birdsboro Borough-Union Township line thence in a northerly direction on road called Hopewell Road to an intersection with Legislative Route 147 at Station 1620 at so-called Hopewell Road and Main Street in the borough of Birdsboro Berks County a distance of about .84 of a mile

Bechtelsville Borough

Route 06098 Traffic Route 292 Extending Route 06098 Beginning at a point on the Bechtelsville Borough-Washington Township line thence in an easterly direction on Race Street to an intersection with Legislative Route 284 Station 1035+37 at Race and Main Streets in the borough of Bechtelsville Berks County a distance of about .22 of a mile

Temple Borough

Route 06116 Traffic Route 193 Extending Route 06116 Beginning at a point on the Temple Borough-Muhlenberg Township line thence in a westerly direction on Mount Laurel Road to a point of intersection with Legislative Route 157 Spur at Mount Laurel Road and Kutztown Road in the borough of Temple Berks County a distance of about .28 of a mile

Topton Borough

Route 06119 Traffic Route 115 Extending Route 06119 Beginning at a point on the Topton Borough-Longswamp Township line thence in a northeasterly direction on Wise Street to a point of intersection with Legislative Route 06120 Traffic Route 155 Station 0+00 thence in a northeasterly direction on Wise Street to a point of intersection with Legislative Route 06138 Traffic Route 352 Station 207+85 thence continuing northeasterly on Wise Street to extreme eastern corner of Topton Borough and Longswamp Township line in the borough of Topton Berks County a distance of about .60 of a mile

Route 06120 Traffic Route 155 Extending Route 06120 Beginning at a point on the Topton Borough-Longswamp Township line thence in a northerly direction on an unnamed road to a point of intersection with Legislative Route 06119 Traffic Route 115 Station 731+25 at Wise Street in the borough of Topton Berks County a distance of about .11 of a mile

Route 06138 Traffic Route 352 Extending Route 06138 Beginning at a point on the Topton Borough-Longswamp Township line thence south on Main Street to Franklin Street thence east on Franklin Street to Home Street thence south on Home Street to a point of intersection with Legislative Route 06119 Traffic Route 115 Station 737+75 at Home and Wise Streets in the borough of Topton Berks County a distance of about .69 of a mile

Hamburg Borough

Route 06125 Traffic Route 124 Extending Route 06125 Beginning at a point on the Hamburg Borough-Windsor Township line thence west on Windsor Street to a point of intersection with Legislative Route 160 near Station 852 at Windsor and South Fourth Streets in the borough of Hamburg Berks County a distance of about .40 of a mile

Route 06127 Traffic Route 145 Extending Route 06127 Beginning at a point on the Hamburg Borough-Windsor Township line thence west on Mountain Avenue to a point of intersection with Legislative Route 141 Station 2486+46 at Mountain Avenue and North Fourth Street in the borough of Hamburg Berks County a distance of about .66 of a mile

Kutztown Borough

Route 06134 Traffic Route 104 Extending Route 06134 Beginning at a point on the Kutztown Borough-Maxatawny Township line thence in a southeasterly direction on Schley Avenue to Greenwich Street thence southeast on Greenwich Street to a point of intersection with Legislative Route 157 near Station 739 at Greenwich and Main Streets in the borough of Kutztown Berks County a distance of about .48 of a mile

Route 06141 Traffic Route 362 Extending Route 06141 Beginning at a point on the Kutztown Borough-Maxatawny Township line thence in a northwesterly direction on Willow Street to a point of intersection with Legislative Route 157 Station 747+65 at Willow and Main Streets in the borough of Kutztown Berks County a distance of about .47 of a mile

Route 06142 Traffic Route 104 Extending Route 06142 Beginning at a point on the Kutztown Borough-Maxatawny Township line thence in a northwesterly direction on Noble Street to a point of intersection with Legislative Route 157 at Noble and Main Streets in the borough of Kutztown Berks County a distance of about .44 of a mile

Mt. Penn Borough

Route 06146 Traffic Route 134 Extending Route 06146 Beginning at a point on the Mt. Penn Borough-Lower Alsace Township line thence in a southwesterly direction on Carsonia Avenue to an intersection with Legislative Route 197 at Station 2971+73 at Carsonia Avenue and Friedensburg Road in the borough of Mt. Penn Berks County a distance of about .27 of a mile

Bally Borough

Application 975 Spur Traffic Route 302 Beginning at a point on the Bally Borough-Washington Township line thence in a northerly direction on a road known as the Shultzville Road to an interesection with Legislative Route 284 Station 872+97 at Shultzville Road and Main Street in the borough of Bally Berks County a distance of about .21 of a mile

Laureldale Borough

Route 06143 Extending Route 06143 Beginning at a point on the southern end of the Laureldale Borough and Muhlenberg Township Line thence in a northerly direction on Kutztown Road to the northern boundary line of Laureldale Borough and Muhlenberg Township in the borough of Laureldale Berks County a distance of about .81 of a mile

Blair County

Martinsburg Borough

Route 07004 Extending Route 07004 Beginning at a point on the east Martinsburg Borough-North Woodbury Township line thence in a northwesterly direction on Spring Street to an intersection with Route 286 at Spring and South Market Streets in the borough of Martinsburg Blair County a distance of about .15 of a mile

Roaring Springs Borough

Route 07007 Extending Route 07007 Beginning at a point on the northeast Roaring Springs Borough-Taylor Township line thence in a southwesterly direction on Spang Street to an intersection with Route 285 at Spang and Main Streets in the borough of Roaring Springs Blair County a distance of about .59 of a mile

Hollidaysburg Borough

Route 07012 Extending Route 07012 Beginning at a point on the south Hollidaysburg Borough-Blair Township line thence in a westerly direction on Plank Road Street thence northerly on Union Street to an intersection with Route 260 at Union and Allegheny Streets in the borough of Hollidaysburg Blair County a distance of about .47 of a mile

Route 07014 Extending Route 07014 Beginning at a point on the west Hollidaysburg Borough-Blair Township line thence in a northeasterly direction on Newry Street to an intersection with Route 53 at Newry and Broad Streets in the borough of Hollidaysburg Blair County a distance of about .45 of a mile

Route 07015 Extending Route 07015 Beginning at a point on the north Hollidaysburg Borough-Blair Township line thence in a southwesterly direction on Edgar Street thence in a westerly direction on Garber Street to an intersection with Route 55 at Garber and Penn Streets in the borough of Hollidaysburg Blair County a distance of about .11 of a mile

Williamsburg Borough

Route 07013 Extending Route 07013 Beginning at a point on the south Williamsburg Borough-Woodbury Township line thence in a northwesterly direction on Second Street thence in a northeasterly direction on High Street to an intersection with Route 260 at High and Front Streets in the borough of Williamsburg Blair County a distance of about .45 of a mile

Route 494 Extending Route 494 Beginning on Route 494 at the Williamsburg Borough line thence in a northerly direction over High Street to an intersection with the continuation of Rural Route 07013 at High and Second Streets in the borough of Williamsburg Blair County a distance of about .26 of a mile

Duncansville Borough

Route 07014 Extending Route 07014 Beginning at a point on the south Duncansville Borough-Blair Township line thence in a northerly direction on Seventh Street to an intersection with Route 53 at Seventh Street and Third Avenue in the borough of Duncansivlle Blair County a distance of about .11 of a mile

Application 3583 Beginning at a point on the north Duncansville Borough-Allegheny Township line thence in a southerly direction on Thirteenth Street to an intersection with Route 53 at Thirteenth Street and Third Avenue in the borough of Duncansville Blair County a distance of about .32 of a mile

Bellwood Borough

Route 07027 Extending Route 07027 Beginning at a point on the south Bellwood Borough-Antis Township line thence in a northeasterly direction on Main Street to an intersection with Route 383 at Main and Cambria Streets in the borough of Bellwood Blair County a distance of about .41 of a mile

Tyrone Borough

Route 07032 Extending Route 07032 Beginning at a point on the west Tyrone Borough-Snyder Township line thence in a southeasterly direction on Deckers Hollow Road thence southwesterly on Adams Avenue thence southeasterly on Twenty-third Street thence southerly on Columbia Avenue thence easterly on Fifteenth Street thence southerly on Lincoln Avenue thence easterly on Fourteenth Street to an intersection with Route 57 at Fourteenth Street and Pennsylvania Avenue in the borough of Tyrone Blair County a distance of about 1.48 miles

Bradford County

Canton Borough

Route 08003 Extending Route 08003 Beginning at a point on the Canton Borough-Canton Township line thence in a westerly direction on South Main Street to an intersection with the continuation of Rural Route 08005 at South Main Street and South Minnequa Avenue in the borough of Canton Bradford County a distance of about .20 of a mile

Route 08005 Extending Route 08005 Beginning at a point on the Canton Borough-Canton Township line thence in a northerly direction on Lake Road thence in an easterly direction on South Main Street thence in a northerly direction on South Minnequa Avenue to an intersection with Route 299 at South Minnequa Avenue and Main Street in the borough of Canton Bradford County a distance of about .50 of a mile

Route 08036 Extending Route 08036 Beginning at a point on the Canton Borough-Canton Township line thence in a southeasterly direction on Upper Mountain Road to an intersection with Route 20 at Upper Mountain Road and Troy Street in the borough of Canton Bradford County a distance of about .33 of a mile

Route 08040 Extending Route 08040 Beginning at a point on the Canton Borough-Canton Township line thence in a southerly direction on Center Street to an intersection with Route 299 at Center and Towanda Streets in the borough of Canton Bradford County a distance of about .70 of a mile

New Albany Borough

Route 08008 Extending Route 08008 Beginning at a point on the New Albany Borough-Albany Township line thence in an easterly direction on Mechanic Street to an intersection with Route 17 at Mechanic and First Streets in the borough of New Albany Bradford County a distance of about .32 of a mile

Route 08009 Extending Route 08009 Beginning at a point on the New Albany Borough-Albany Township line thence in a westerly direction on Division Street to an intersection with Route 17 at Division and First Streets in the borough of New Albany Bradford County a distance of about .19 of a mile

Sylvania Borough

Route 08024 Extending Route 08024 Beginning at a point on the Sylvania Borough-Columbia Township line thence in an easterly direction on old East and West Highway to an intersection with Route 212 at East and West Highway and Main Street in the borough of Sylvania Bradford County a distance of about .54 of a mile

Route 08045 Extending Route 08045 Beginning at a point on the Sylvania Borough-Columbia Township line thence in a westerly direction on Porter Road to an intersection with Route 212 at Porter Road and Main Street in the borough of Sylvania Bradford County a distance of about .13 of a mile

Route 08047 Extending Route 08047 Beginning at a point on the Sylvania Borough-Columbia Township line thence in southeasterly direction on Elmira Street to an intersection with Route 212 at Elmira and Main Streets in the borough of Sylvania Bradford County a distance of about .26 of a mile

Route 08038 Extending Route 08038 Beginning at a point on the Alba Borough Canton Township line thence in a southeasterly direction on Fall Brook Road to an intersection with Route 20 at Fall Brook Road and Main Street in the borough of Alba Bradford County a distance of about .50 of a mile

Route 08040 Extending Route 08040 Beginning at a point on the Alba Borough-Canton Township line thence in a northerly direction on Railroad Street to an intersection with the continuation of Rural Route 08041 at Railroad and Granville Streets in the borough of Alba Bradford County a distance of about .54 of a mile

Route 08041 Extending Route 08041 Beginning at a point on the Alba Borough-Canton Township line thence in a westerly direction on Granville Street to an intersection with Route 20 at Granville and Main Streets in the borough of Alba Bradford County a distance of about .64 of a mile

Troy Borough

Route 08045 Extending Route 08045 Beginning at a point on the Troy Borough-Troy Township line thence in a southeasterly direction on Porter Road to an intersection with Route 212 at Porter Road and Elmira Streets in the borough of Troy Bradford County a distance of about .05 of a mile

Burlington Borough

Route 08063 Extending Route 08063 Beginning at a point on the Burlington Borough-Burlington Township line thence in a southerly direction on Main Street to an intersection with Route 212 at Main and Troy Streets in the borough of Burlington Bradford County a distance of about .60 of a mile

Route 08069 Extending Route 08069 Beginning at a point on the Burlington Borough-Burlington Township line thence in a northerly direction on Elm Street to an intersection with Route 212 at Main and Troy Streets in the borough of Burlington Bradford County a distance of about .31 of a mile

Route 08093 Extending Route 08093 Beginning at a point on the Burlington Borough-Burlington Township line thence in a southerly direction on Mack Road to an intersection with Route 212 at Mack Road and Towanda Street in the borough of Burlington Bradford County a distance of about .39 of a mile

Athens Borough

Route 08066 Extending Route 08066 Beginning at a point on the Athens Borough-Athens Township line thence in a southeasterly direction on North and South Elmira Streets to an intersection with Route 287 at South Elmira and Main Streets in the borough of Athens Bradford County a distance of about 1.01 miles

Route 08081 Extending Route 08081 Beginning at a point on the Athens Borough-Athens Township line thence in a westerly direction on Susquehanna Street to an intersection with Route 287 at Susquehanna and Main Streets in the borough of Athens Bradford County a distance of about .13 of a mile

Monroeton Borough

Route 08069 Extending Route 08069 Beginning at a point on the Monroeton Borough-Monroe Township line thence in a southerly direction on Mechanic Street to an intersection with Route 299 at Mechanic and Main Streets in the borough of Monroeton Bradford County a distance of about .26 of a mile

Towanda Borough

Route 08072 Extending Route 08072 Beginning at a point on the Towanda Borough-Towanda Township line thence in a southeasterly direction on Old Plank Road thence in an easterly direction on State Street to an intersection with Route 15 at State and Main Streets in the borough of Towanda Bradford County a distance of about .56 of a mile

Rome Borough

Route 08079 Extending Route 08079 Beginning at a point on the Rome Borough-Rome Township line thence in an easterly direction on Center Hollow Road to an intersection with Route 15 at Center Hollow Road and Main Street in the borough of Rome Bradford County a distance of about .23 of a mile

Route 08086 Extending Route 08086 Beginning at a point on the Rome Borough-Rome Township line thence in a southerly direction on Mill Street to an intersection with Route 15 at Mill and Main Streets in the borough of Rome Bradford County a distance of about .19 of a mile

LeRaysville Borough

Route 08095 Extending Route 08095 Beginning at a point on the Leraysville Borough-Pike Township line thence in a northwesterly direction on Centerville Road to an intersection with Route 343 at Centerville Road and Main Street in the borough of LeRaysville Bradford County a distance of about .13 of a mile

South Waverly Borough

Route 08114 Extending Route 08114 Beginning at a point on the South Waverly Borough-Athens Township line thence in a northerly direction on Elmira Street thence in an easterly direction on Pitney Street to an intersection with Route 287 at Pitney Street and Keystone Avenue in the borough of South Waverly Bradford County a distance of about 1.05 miles

Bucks County

Tullytown Borough

Route 09015 Extending Route 09015 Beginning at a point on the Tullytown Borough-Falls Township line thence in a westerly direction on Slickville Road to an intersection with Route 150 of Slickville Road and the Bristol Pike in the borough of Tullytown Buck County a distance of about .54 of a mile

Perkasie Borough

Route 09016 Extending Route 09016 Beginning at a point on the Perkasie Borough-East Rockville Township line thence in a southeasterly direction to an intersection with Route 386 at Ridge Road in the borough of Perkasie Bucks County a distance of about .13 of a mile

Route 09101 Extending Route 09101 Beginning at a point on the Perkasie Borough-East Rockhill Township line thence in a southwesterly direction on Fifth Street to an intersection with the continuation of State-aid Application 6426 at Fifth and Market Streets in the borough of Perkasie Bucks County a distance of about 1.21 miles

Application 6426 Beginning at a point at the southeastern terminus of State-aid Application 6426 in Perkasie Borough thence in a southeasterly direction on Market Street to an intersection with the continuation of Rural Route 09101 at Fifth and Market Streets in the borough of Perkasie Bucks County a distance of about .40 of a mile

Yardley Borough

Route 09023 Extending Route 09023 Beginning at point on the Yardley Borough-Upper Makefield Township line thence in a northeasterly direction on Reading Avenue to an intersection with the continuation of State-aid Application 104 at Main Street and Reading Avenue in the borough of Yardley Bucks County a distance of about .20 of a mile

Route 09025 Extending Route 09025 Beginning at a point on the Yardley Borough-Lower Makefield Township line thence in an easterly and southeasterly direction on Main Street to an intersection with Route 252 at Main Street and Alton Avenue in the borough of Yardley Bucks County a distance of about .69 of a mile

Application 104 Beginning at a point on the Yardley Borough-Lower Makefield Township line thence in a northwesterly direction on Main Street to an intersection with Route 252 at Main Street and Afton Avenue in the borough of Yardley Bucks County a distance of about .85 of a mile

Langhorne Manor Borough

Route 09030 Extending Route 09030 Beeginning at a point on the Langhorne Manor-Middletown Township line thence in an easterly direction on Comly Avenue to an intersection with Route 152 at Comley and Belleview Avenues in the borough of Langhorne Manor Bucks County a distance of about .30 of a mile

Chalfont and New Britain Boroughs

Route 09034 Extending Route 09034 Beginning at a point on the Chalfont and New Britain Borough line and on the New Britain Township line thence in a northwesterly direction on Bristol Road and on the Chalfont-New Britain Borough line to an intersection with Route 178 at Brisol Road and Butler Avenue on the Chalfont-New Britain Borough line Bucks County a distance of about .20 of a mile

Doylestown Borough

Route 09041 Extending Route 09041 Beginning at a point on the Doylestown Borough-Doylestown Township line thence in a northeasterly direction on Court Street to an intersection with Routes 178 and 178 Spur at Court and State Streets in the borough of Doylestown Bucks County a distance of about .38 of a mile

Route 09049 Extending Route 09049 Beginning at a point on the Doylestown Borough-Doylestown Township line thence in a northwesterly direction on Green Street to an intersection with Route 151 at Main and Green Streets in the borough of Doylestown Bucks County a distance of about .24 of a mile

Route 09069 Extending 09069 Beginning at a point on the Doylestown Borough Township line thence in a southeasterly direction on West Street to an intersection with Route 178 at West and State Streets in the borough of Doylestown Bucks County a distance of about .30 of a mile

Newtown Borough

Route 09042 Extending Route 09042 Beginning at a point on the Newtown Borough-Newtown Township line thence in an easterly direction on Centre Avenue to an intersection with Route 152 at Centre Avenue and State Street in the borough of Newtown Bucks County a distance of about .05 of a mile

New Hope Borough

Route 09049 Extending Route 09049 Beginning at a point on the New Hope Borough-Solebury Township line extending in a northeasterly direction on Pineville Road to an intersection with Route 155 at Pineville and Lower York Roads in the borough of New Hope Bucks County a distance of about .37 of a mile

New Britain Borough

Route 09069 Extending Route 09069 Beginning at a point on the New Britain Borough-Doylestown Township line thence northwesterly and southerly on James Avenue to an intersection with Route 178 at James and Butler Avenues in the borough of New Britain Bucks County a distance of about .13 of a mile

Chalfont Borough

Route 09073 Extending Route 09073 Beginning at a point on the Chalfont Borough and New Britain Township line thence in an easterly direction on Sunset Avenue to an intersection with Route 658 at Sunset Avenue and Main Street in the Borough of Chalfont Bucks County a distance of about .59 of a mile

Route 09076 Extending Route 09076 Beginning at a point on the Chalfont Borough-New Britain Township line thence in a southwesterly direction on Park Avenue to an intersection with Route 658 at Main Street and Park Avenue in the borough of Chalfont Bucks County a distance of about .53 of a mile

Richlandtown Borough

Route 09080 Extending Route 09080 Beginning at a point on the Richlandtown Borough-Richland Township line thence in a southerly direction on Main Street to an intersection with the continuation of Rural Route 09089 at Main and Cherry Streets in the borough of Richlandtown Bucks County a distance of about .42 of a mile

Route 09085 Extending Route 09085 Beginning at a point on the Richlandtown Borough-Richland Township line thence in a northwesterly direction on Union Street to an intersection with Route 386 at Union and Main Streets in the borough of Richlandtown Bucks County a distance of about .18 of a mile

Route 09089 Extending Route 09089 Beginning at a point on the Richlandtown Borough-Richland Township line thence in an easterly direction on Cherry Street and in a southerly direction on Main Street to an intersection with Route 386 at Main and Church Streets in the borough of Richlandtown Bucks County a distance of about .32 of a mile

Quakertown Borough

Route 09084 Extending Route 09084 Beginning at a point on the Quakertown Borough-Richland Township line thence in a northwesterly direction on Front Street to an intersection with Route 386 at Broad and Front Streets in the borough of Quakertown Bucks County a distance of about .37 of a mile

Route 09086 Extending Route 09086 Beginning at a point on the Quakertown Borough-Richland Township line thence in a southerly direction on Main Street to an intersection with Routes 153 and 386 at Main and Broad Streets in the borough of Quakertown Bucks County a distance of about .20 of a mile

Dublin Borough

Route 09087 Extending Route 09087 Beginning at a point on the Dublin Borough-Hilltown Township line thence in a northeasterly direction on Maple Street to an intersection with Route 270 at Maple and Main Streets in the borough of Dublin Bucks County a distance of about .33 of a mile

Route 09090 Extending Route 09090 Beginning at a point on the Dublin Borough-Bedminister Township line thence in a

southerly direction on Middle Road to an intersection with Route 270 at Middle Road and Main Street in the borough of Dublin Bucks County a distance of about .21 of a mile

Route 09092 Extending Route 09092 Beginning at a point on the Dublin Borough-Bedminister Township line thence in a southwesterly direction on Deep Run Road to intersection with the continuation of Rural Route 09090 in the borough of Dublin Bucks County a distance of about .23 of a mile

Sellersville Borough

Route 09100 Extending Route 09100 Beginning at a point on the Sellersville Borough-West Rockhill Township line thence in a northwesterly direction on Diamond Street to an intersection with Routes 153 and 154 at Diamond and Main Streets and Park Avenue in the borough of Sellersville Bucks County a distance of about .46 of a mile

Route 0914 Extending Route 0914 Beginning at a point on the Sellersville Borough-West Rockhill Township line thence in a northeasterly direction on Maple Avenue to an intersection with Route 153 at Maple Avenue and Main Street in the borough of Sellersville Bucks County a distance of about .29 of a mile

Route 09106 Extending Route 09106 Beginning at a point on the Sellersville Borough-West Rockhill Township line thence in an easterly direction on Lawn Avenue and Noble Street to an intersection with Route 153 at Noble and Main Streets in the borough of Sellersville Bucks County a distance of about .59 of a mile

Application 356 Beginning at a point on the Sellersville Borough-West Rockhill Township line thence in a northerly and northeasterly direction on Clymer Avenue to an intersection with Route 153 at Clymer Avenue and Main Street in the borough of Sellersville Bucks County a distance of about .25 of a mile

Trumbauersville Borough

Route 09107 Extending Route 09107 Beginning at a point on the Trumbauersville Borough-Milford Township line thence in a southeasterly direction through Trumbauersville Borough to an intersection with the continuations of Rural Routes 09108 and 09109 in the borough of Trumbauersville Bucks County a distance of about .11 of a mile

Route 0918 Extending Route 09108 Beginning at a point on the Trumbauersville Borough-Milford Township line thence in a northerly and northwesterly direction through Trumbauersville Borough to an intersection with the continuations of Rural Routes 09109 and 09107 in the borough of Trumbauersville Buck County a distance of about .78 of a mile

Route 09109 Extending Route 09109 Beginning at a point on the Trumbauersville Borough-Milford Township line thence in an easterly direction to an intersection with the continuations of Rural Routes 09107 and 09108 in the borough of Trumbauersville Bucks County a distance of about .21 of a mile

Route 09110 Extending Route 09110 Beginning at a point on the Trumbauersville Borough-Milford Township line thence in a westerly direction to an intersection with the continuation of Rural Route 09108 in the borough of Trumbauersville Bucks County a distance of about .46 of a mile

Route 09111 Extending Route 09111 Beginning at a point on the Trumbauersville Borough-Milford Township line thence in a northerly direction through Trumbauersville Borough to an intersection with the continuation of Rural Route 09107 in the borough of Trumbauersville Bucks County a distance of about .17 of a mile

Morrisville Borough

Application 104 Beginning at a point on the Morrisville Borough-Lower Makefield Township line thence in a southeasterly direction on Pennsylvania Avenue to an intersection with State-aid Applications 1809 and 1302 at Pennsylvania and Trenton Avenues in the borough of Morrisville Bucks County a distance of about .27 of a mile

Ivyland Borough

Route 09042 Application 5716 Extending Route 09042 Beginning at a point on the Warminster Township-Ivyland Borough line thence in a southwesterly direction over Application 5716 to an intersection with State Highway Route 463 in the Borough of Ivyland Bucks County a distance of about .56 of a mile

Butler County

Mars Borough

Route 10001 Extending Route 10001 Beginning at a point on the Mars Borough-Adams Township line thence easterly on Beaver Street to Pittsburgh Street thence northeasterly on Pittsburgh Street to an intersection with Route 309 at Crow Irvine and Pittsburgh Streets in the borough of Mars Butler County a distance of about .5 of a mile

Route 10006 Extending Route 10006 Beginning at a point on the Mars Borough-Adams Township line thence northeasterly on Pittsburgh Street to a continuation of Rural Route 10001 at the intersection of Beaver and Pittsburgh Streets in the borough of Mars Butler County a distance of about .3 of a mile

Evans City Borough

Route 10008 Extending Route 10008 Beginning at a point on the Evans City Borough-Jackson Township line thence northeasterly on Pittsburgh Street to an intersection with Route 78 at Harmony and Pittsburgh Streets in the borough of Evans City Butler County a distance of about .2 of a mile

Route 10043 Extending Route 10043 Beginning at a point on the Evans City Borough-Jackson Township line thence southeasterly on Franklin Street to an intersection with Route 78 at Franklin and Pittsburgh Streets in the borough of Evans City Butler County a distance of about .4 of a mile

Valencia Borough

Route 10011 Application 1068 Extending Route 10011 Beginning at a point on the Valencia Borough-Adams Township line thence in a southwesterly direction on a road known as the Three Degree Road over Application 1121 to the Butler-Allegheny County line in the borough of Valencia Butler County a distance of about .60 of a mile (This borough lies partly in Butler County and partly in Allegheny County)

Saxonburg Borough

Route 10019 Extending Route 10019 Beginning at a point on the Saxonburg Borough-Jefferson Township line thence easterly on Main Street to an intersection with State-aid Application 269 at Main and Butler Streets and the borough of Saxonburg Butler County a distance of about .25 of a mile

Route 10024 Extending Route 10024 Beginning at a point on the Saxonburg Borough-Jefferson Township line thence northwesterly on Freeport Road to Main Street thence northerly on Rebecca Street to an intersection with Route 387 at Water and Rebecca Streets in the borough of Saxonburg Butler County a distance of about .8 of a mile

Millerstown Borough

Route 10036 Extending Route 10036 Beginning at a point on the Millerstown Borough-Donegal Township line thence northerly to an intersection with the continuation of Rural Route 10039 in the borough of Millerstown Butler County a distance of about .15 of a mile

Route 10039 Extending Route 10039 Beginning at a point on the Millerstown Borough-Donegal Township line thence in a northwesterly direction on Slippery Rock Street to an intersection with Route 214 at Main and Slippery Rock Streets in the borough of Millerstown Butler County a distance of about .4 of a mile

Route 10059 Extending Route 10059 Beginning at a point on the Millerstown Borough-Donegal Township line thence south and southeasterly on Slippery Rock Street to an intersection with Route 214 at Main and Slippery Rock Streets in the borough of Millerstown Butler County a distance of about .6 of a mile

Prospect Borough

Route 10043 Extending Route 10043 Beginning at a point on the Prospect Borough-Connoquenessing Township line thence northerly on Pittsburgh Street to an intersection with Route 79 at Butler New Castle and Pittsburgh Streets in the borough of Prospect Butler County a distance of about 1.3 miles

Route 10051 Extending Route 10051 Beginning at a point on the Prospect Borough-Franklin Township line thence southerly on Franklin Street to an intersection with Route 79 at Butler New Castle and Franklin Streets in the borough of Prospect Butler County a distance of about .5 of a mile

Connoquenessing Borough

Route 10044 Extending Route 10044 Beginning at a point on the Connoquenessing Borough-Forward Township line thence northeasterly on Harmony Street to an intersection with Route 78 at Main and Harmony Streets in the borough of Connoquenessing Butler County a distance of about .8 of a mile

West Liberty Borough

Route 10058 Extending Route 10058 Beginning at a point on the West Liberty Borough-Brady Township line near the southeast corner thence northeasterly to an intersection with Rural Route 10065 in the borough of West Liberty Butler County a distance of about 1 mile (There are no names for streets or roads in this borough)

Route 10065 Extending Route 10065 Beginning at a point on the West Liberty Borough-Worth Township line near the center of the west borough line thence easterly to an intersection with Rural Route 10059 in the borough of West Liberty Butler County a distance of about 1.10 miles (There are no names for streets or roads in this borough)

East Butler Borough

Route 10059 Extending Route 10059 Beginning at a point on the East Butler Borough-Summit Township line thence northwesterly on Grant Avenue to the East Butler Borough-Summit Township line through the borough of East Butler Butler County a distance of about 1.4 miles

Karns City Borough

Route 10061 Extending Route 10061 Beginning at a point on the Karns City Borough-Fairview Township line thence in an easterly direction on South Street to an intersection with Route 724 at Main and Concord Streets in the borough of City Butler County a distance of about .3 of a mile

West Sunbury Borough

Route 10062 Extending Route 10062 Beginning at a point on the West Sunbury Borough-Clay Township line thence in a westerly direction on Concord Street to an intersection with Route 724 at Main and Concord Streets in the borough of West Sunbury Butler County a distance of about .10 of a mile

Route 10062 Extending Route 10062 Beginning at a point on the West Sunbury Borough-Clay Township line thence in a southeasterly direction on Church Street to an intersection with the continuation of Rural Route 10063 at Main and Church Streets in the borough of West Sunbury Butler County a distance of about .15 of a mile

Route 10063 Extending Route 10063 Beginning at a point on the West Sunbury Borough Clay Township ilne thence southerly on Main Street to an intersection with Route 724 at Main and State Streets in the borough of West Sunbury Butler County a distance of about .3 of a mile

Slippery Rock Borough

Route 10066 Extending Route 10066 Beginning at a point on the Slippery Rock Borough-Slippery Rock Township line thence southerly on Main Street to an intersection with Routes 73 and 233 at Franklin and Main Streets in the borough of Slippery Rock Butler County a distance of about .8 of a mile

Route 10067 Extending Route 10067 Beginning at a point on the Slippery Rock Borough-Slippery Rock Township line thence southerly on the Grove City Road to the point of intersection with Route 73 at Franklin Street and Grove City Road in the borough of Slippery Rock Butler County for a distance of about .24 of a mile

Eau Claire Borough

Route 10072 Extending Route 10072 Beginning at a point on the Eau Claire Borough-Venango Township line thence easterly on Main Street to an intersection with Route 75 at Main and Washington Streets in the borough of Eau Claire Butler County a distance of about .5 of a mile

Route 10083 Extending Route 10083 Beginning at a point on the Eau Claire-Venango Township line thence westerly on Main Street to an intersection with Route 75 at Main and Washington Streets in the borough of Eau Claire Butler County a distance of about .7 of a mile

Harrisville Borough

Route 10072 Extending Route 10072 Beginning at a point on the Harrisville Borough-Mercer Township line thence westerly on Hill Street to an intersection with Route 73 at Mill Mercer and Main Streets in the borough of Harrisville Butler County a distance of about .25 of a mile

Fairview Borough

Route 10075 Extending Route 10075 Beginning at a point on the Fairview Borough-Fairview Township line thence easterly on Washington Street to a point of intersection with Main and Washington Streets in the borough of Fairview Butler County a distance of about .4 of a mile

Route 10076 Extending Route 10076 Beginning at a point on the Fairview Borough-Fairview Township line thence westerly on Wilson Road to Church Street thence southerly on Church Street to Washington Street thence westerly on Washington Street to a point of intersection with Main and Washington Streets in the borough of Fairview Butler County a distance of about .2 of a mile

Petrolia Borough

Route 10076 Extending Route 10076 Beginning at a point on the Petrolia Borough-Fairview Township line thence in a northeasterly direction on Argyle Street to an intersection with Route 251 at Main and Argyle Streets in the borough of Petrolia Butler County a distance of about .20 of a mile

Bruin Borough

Route 10079 Extending Route 10079 Beginning at a point on the Bruin Borough-Parker Township line thence northeasterly on Washington Street to an intersection with Route 251 at Main and Washington Streets in the borough of Bruin Butler County a distance of about 1.15 miles

Route 10080 Extending Route 10080 Beginning at a point on the Bruin Borough-Parker Township line thence northwesterly on Railroad Street to an intersection with Route 251 at Main and Railroad Streets in the borough of Bruin Butler County a distance of about .8 of a mile

Route 10081 Extending Route 10081 Beginning at a point on the Bruin Borough-Parker Township line thence southeasterly on Eldorado Road to an intersection with Route 251 at Eldorado Road and School Streets in the borough of Bruin Butler County a distance of about .2 of a mile

Cambria County

Tunnel Hill Borough

Route 07018 Extending Route 07018 Beginning at a point on the Tunnel Hill Borough (Cambria County)-Allegheny Township (Blair County) line thence in a northerly direction on Tunnel Hill Street along the Tunnel Borough (Cambria County)-Allegheny Township (Blair County) line to an intersection with the continuation of Rural Route 11035 at Tunnel Hill and Forest Streets in the borough of Tunnel Hill Cambria County and Allegheny Township Blair County a distance of about .57 of a mile

Scalp Level Borough

Route 11001 Extending Route 11001 Beginning at a point on the west Scalp Level Borough-Richland Township line thence in an easterly direction on Locust Street to an intersection with route 222 at Locust Street in the borough of Scalp Level Cambria County a distance of about .51 of a mile

Westmont Borough

Route 11006 Extending Route 11006 Beginning at a point on the west Westmont Borough-Upper Yoder Township line thence in an easterly direction on Mencher Highway to an intersection with the continuations of Rural Routes 11011 and 11065 at Mencher Highway and St. Clair Road in the borough of Westmont Cambria County a distance of about .52 of a mile

Route 11011 Extending Route 11011 Beginning at a point on the south Westmont Borough-Upper Yoder Township line thence in a northeasterly direction on Elknud Road thence in a westerly direction on Mencher Highway to an intersection with the continuations of Rural Routes 11006 and 11065 at Mencher Highway and St. Clair Road in the borough of Westmont Cambria County a distance of about 1.10 miles

Route 11065 Extending Route 11065 Beginning at a point on the west Westmont Borough-Upper Yoder Township line thence in a southeasterly direction on St. Clair Road to an intersection with the continuations of Rural Routes 11006 and 11011 at St Clair Road and Mencher Highway in the borough of Westmont Cambria County a distance of about .67 of a mile

Ferndale Borough

Route 11007 Extending Route 11007 Beginning at a point on the west Ferndale Borough-Upper Yoder Township line thence in a southeasterly direction on Summit Avenue thence in a northeasterly direction on Henry Street thence in an easterly direction on Clay Street to an intersection with Route 52 at Clay Street and Ferndale Avenue in the borough of Ferndale Cambria County a distance of about .69 of a mile

Southmont Borough

Route 11007 Application 5802 Extending Route 11007 Beginning at a point on the Southmont Borough-Upper Yoder Town-

ship line thence in a southeasterly direction along the Southmont Borough-Upper Yoder Township line on Hershberger Road to the Johnstown City line at Hershberger Road and Summit Avenue in Southmont Borough and Upper Yoder Township Cambria County a distance of about .65 of a mile

Geistown Borough

Route 11009 Extending Route 11009 Beginning at a point on the east Geistown Borough-Richland Township line thence in a northwesterly direction on Klton Road to an intersection with Route 222 at Elton Road in the borough of Geistown Cambria County a distance of about .79 of a mile

Franklin Borough

Route 11013 Extending Route 11013 Beginning at a point on the east Franklin Borough-Conemaugh Township line thence in a northwesterly direction on Bridge Street thence in a northeasterly direction on Main Street to an intersection with Route 52 at Main and Locust Streets in the borough of Franklin Cambria County a distance of about .50 of a mile

Route 11016 Extending Route 11016 Beginning at a point on the east Franklin Borough-Conemaugh Township line thence in a westerly and southwesterly direction on Main Street to an intersection with Route 52 at Main and Franklin Streets in the borough of Franklin Cambria County a distance of about .47 of a mile

Wilmore Borough

Route 11017 Extending Route 11017 Beginning at a point on the south Wilmore Borough-Summerhill Township line thence in a northerly direction on Main Street to an intersection with Route 276 at Main Street in the borough of Wilmore Cambria County a distance of about .70 of a mile

Summerhill Borough

Route 11021 Extending Route 11021 Beginning at a point on the north Summerhill Borough-Croyle Township line thence in a southeasterly direction on Jackson Street to an intersection with the continuation of Rural Route 11025 at Jackson and Main Streets in the borough of Summerhill a distance of about .42 of a mile

Route 11022 Extending Route 11022 Beginning at a point on the east Summerhill Borough-Croyle Township line thence in a westerly direction on an unnamed street which crosses the Conemaugh River to an intersection with Route 276 in the borough of Summerhill Cambria County a distance of about .23 of a mile

Route 11025 Extending Route 11025 Beginning at a point on the north Summerhill Borough-Croyle Township line thence in a southerly direction on Ebensburg Road thence southerly on Main Street to the Pennsylvania Railroad thence westerly on Main Street to Madison Street thence southerly on Main Street to Croyle Street thence easterly and southeasterly on Main Street to an intersection with Route 276 at Main Street in the borough of Summerhill Cambria County a distance of about .73 of a mile

Ebensburg Borough

Route 11026 Extending Route 11026 Beginning at a point on the south Ebensburg Borough-Cambria Township line thence in a northerly direction on Center Street to an intersection with Routes 52 53 and 62 at Center and High Streets in the borough of Ebensburg Cambria County a distance of about .24 of a mile

Route 11033 Extending Route 11033 Beginning at a point on the north Ebensburg Borough-Cambria Township line thence in a southerly direction to an intersection with Route 62 at Beech Alley and Highland Avenue in the borough of Ebensburg Cambria County a distance of about .15 of a mile

Route 11034 Extending Route 11034 Beginning at a point on the north Ebensburg Borough-Cambria Township line thence in a southerly direction on Julian Street to an intersection on Route 62 at Julian Street and Highland Avenue in the Borough of Ebensburg Cambria County a distance of about .24 of a mile

Cassandra Borough

Route 11027 Extending Route 11027 Beginning at a point on the north Cassandra Borough-Washington Township line thence in a southwesterly direction on Willow Street thence southeasterly on Main Street to an intersection with Route 276 at Main and Portage Streets in the borough of Cassandra Cambria County a distance of about .30 of a mile

Lilly Borough

Route 11027 Extending Route 11027 Beginning at a point on the west Lilly Borough-Washington Township line thence in a southeasterly direction on Cemetery Street thence easterly on Church Street thence southerly on George Street thence easterly on Bridge Street thence northerly on Main Strret to an intersection with Route 276 at Main and Cleveland Streets in the borough of Lilly Cambria County a distance of about .69 of a mile

Vintondale Borough

Route 11029 Extending Route 11029 Beginning at a point on the southeast Vintondale Borough-Jackson Township line thence in a northwewsterly direction on Chirckory Street to Main Street thence in a westerly direction on Main Street to the Cambria-Indiana County line in the borough of Vintondale Cambria County a distance of about 1.09 miles

Nanty-Glo Borough

Route 11030 Extending Route 11030 Beginning at a point on the south Nanty-Glo Borough-Jackson Township line thence in a northerly direction on Lloyd Street thence easterly on Roberts Street thence northeasterly on Chestnut Street to an intersection with Route 54 at Chestnut and Second Streets in the borough of Nanty-Glo Cambria County a distance of about 1.01 miles

Route 11032 Extending Route 11032 Beginning at a point on the north Nanty-Glo Borough-Blacklick Township line thence in a southerly direction on Cardiff Road to an intersection with Route 54 at Cardiff Road and Second Street in the borough of Nanty-Glo Cambria County a distance of about 1.03 miles

Gallitzin Borough

Route 11035 Extending Route 11035 Beginning at a point on the Tunnel Hill Borough-Gallitzin Township (Cambria County)-Allegheny Township (Blair County) lines thence in a southerly direction on Tunnel Hill Street along the Tunnel Hill Borough (Cambria County)-Allegheny Township (Blair County) lines thence westerly on Forest Street to the Tunnel Hill Borough-Gallitzin Borough line in the borough of Tunnel Hill Cambria County a distance of about .22 of a mile then continuing from the Tunnel Hill Borough-Gallitzin Borough line in a westerly direction on Forest Street thence northwesterly on Chestnut Street to the Gallitzin Borough-Gallitzin Township line on Route 53 Spur in the borough of Gallitzin Cambria County a distance of about .74 of a mile

Chest Springs Borough

Route 11041 Extending Route 11041 Beginning at a point on the southwestern Chest Springs Borough-Allegheny Township and Clearfield Township lines thence in an easterly direction on Ecken Road to an intersection with Route 406 at Ecken Road and Columbia Street in the borough of Chest Springs Cambria County a distance of about .27 of a mile

Carrolltown Borough

Route 11045 Extending Route 11045 Beginning at a point on the west Carrolltown Borough-West Carrolltown Townwship line thence in an easterly northerly and easterly direction to an intersection with Route 62 at Main Street in the borough of Carrolltown Cambria County a distance of about .27 of a mile

Route 11048 Extending Route 11048 Beginning at a point on the east Carrolltown Borough-East Carroll Township line thence in awesterly direction on Carroll Street to an intersection with Route 62 at Carroll and Main Street in the borough of Carrolltown Cambria County a distance of about .48 of a mile

Route 11049 Extending Route 11049 Beginning at a point on the north Carrolltown Borough-East Carroll Township line thence in a southwesterly direction to an intersection with Route 62 at Main Street in the borough of Carrolltown Cambria County a distance of about .09 of a mile

Spangler Borough

Route 11046 Extending Route 11046 Beginning at a point on the south Spangler Borough-Barr Township line thence in a northeasterly direction on North First Street to an intersection with Route 62 at North First Street and Bigler Avenue in the borough of Spangler Cambria County a distance of about .36 of a mile

Route 11047 Extending Route 11047 Beginning at a point on the south Spangler Borough-Barr Township line thence in a

northerly direction on Ninth Stret to an intersection with Route 62 at Ninth Street and Bigler Avenue in the borough of Spangler Cambria County a distance of about .31 of a mile

Barnesboro Borough

Route 11049 Extending Route 11049 Beginning at a point on the east Barnesboro Borough-Susquehanna Township line thence in a northwesterly direction on Chestnut Street to an intersection with Route 62 at Chestnut and Ninth Streets in the borough of Barnesboro Cambria County a distance of about .64 of a mile

Hastings Borough

Route 11051 Extending Route 11051 Beginning at a point on the west Hastings Borough-Susquehanna Township line thence in a northeasterly direction on Spangler Street thence southeasterly on Third Avenue thence northeasterly on Beaver Street to an intersection with Route 221 at Beaver and Bridge Streets in the borough of Hastings Cambria County a distance of about .79 of a mile

Loretto Borough

Route 10037 Extending Route 11037 Beginning at a point on the north Loretto Borough-Allegheny Township line thence in a westerly direction to State-aid Application 7166 to an intersection with Route 53 at St Marys Street in the borough of Loretto Cambria County a distance of about 0.37 of a mile

Portage Borough

Route 10024 Extending Route 10024 Beginning at a point on the south Portage Borough-Portage Township line thence in a northerly direction on Main Street to an intersection with Route 276 at Main Street in the borough of Portage Cambria County a distance of about .084 of a mile

Patton Borough

Route 10048 Extending Route 10048 Beginning at a point on the south Patton Borough-East Carroll Township line thence in a northerly direction on Mellon Avenue thence northwesterly on Park Avenue thence northerly on South Fifth Avenue to an intersection with Route 221 at South Fifth and Magee Avenues in the borough of Patton Cambria County a distance of 0.62 of a mile

Route 10054 Extending Route 10054 Beginning at a point on the north Patton Borough-Chest Township line thence in a southerly direction on Ridge Avenue thence westerly on Highland Avenue thence southerly on North Third Avenue thence westerly on McIntyre Avenue thence southerly on North Fourth Avenue to an intersection with Route 221 at North Fourth and Magee Avenues in the borough of Patton Cambria County a distance of about 0.75 of a mile

Cameron County

Driftwood Borough

Route 12001 Extending Route 12001 Beginning at a point on Route 12001 at the Driftwood Borough-Gibson Township line Cameron County thence in a northwesterly direction via public road along Bennett Branch of the Sinnamahoning Creek to an intersection with a continuation of Route 12001 at the Driftwood Borough-Gibson Township line a distance of about .30 of a mile

Carbon County

Bowmanstown Borough

Route 13001 Extending Route 13001 Beginning at a point on the Bowmanstown Borough-East Penn Township line thence in an easterly direction on Lehigh Street to an intersection with Route 163 at Lehigh and White Streets in the borough of Bowmanstown Carbon County a distance of about .23 of a mile

Route 13014 Extending Route 13014 Beginning at a point on the Bowmanstown-Lower Towamensing Township line in a southwesterly direction on Fire Line Road to an intersection with Route 163 at Fire Line Road and White Street in the borough of Bowmanstown Carbon County a distance of about .82 of a mile

Lehighton Borough

Route 13002 Extending Route 13002 Beginning at a point on the Lehighton Borough-Mahoning Township line thence in a northerly direction on Penn Street to a point where it intersects the continuation of Route 13005 at Penn and Bridge Streets thence in an easterly direction on Bridge Street to an intersection with Route 163 in the borough of Lehighton Carbon County a distance of about .66 of a mile

Route 13005 Extending Route 13005 Beginning at a point on the Lehighton Borough-Mahoning Township line thence in an easterly direction on Bridge Street to an intersection with the continuation of Route 13002 at Bridge and Penn Streets in the borough of Lehighton Carbon County a distance of about .63 of a mile

Route 13008 Extending Route 13008 Beginning at a point on the Lehighton Borough-Mahoning Township line thence in an easterly direction on Mahoning Street to Third Street thence continuing in an easterly direction on South Street to an intersection with Route 163 at South and First Streets in the borough of Lehighton Carbon County a distance of about 1.23 miles

East Side Borough

Route 13018 Extending Route 13018 Beginning at a point on the East Side Borough-Kidder Township line thence in a northerly direction on Tannery Road to an intersection with Route 408 at Tannery Road and the western approach to a bridge spanning the Lehigh River in the borough of East Side Carbon County a distance of about .50 of a mile

Weatherly Borough

Route 13023 Extending Route 13023 Beginning at a point on the Weatherly Borough-Lehigh Township line thence in a general southwesterly direction on Spring Mountain Road to an intersection with the extension of State-aid Application 1012 at Spring Mountain Road and East Main Street in the borough of Weatherly Carbon County a distance of about .47 of a mile

Route 13026 Extending Route 13026 Beginning at a point on the Weatherly Borough-Packer Township line thence in an easterly direction on West Main Street to an intersection with Route 170 at West Main and Plane Streets in the borough of Weatherly Carbon County a distance of about .75 of a mile

Application 1012 Beginning at a point on the Weatherly Borough-Lehigh Township line thence in an easterly direction on East Main Street to an intersection with Route 170 at East Main and Hudsondale Streets in the borough of Weatherly Carbon County a distance of about 1.62 miles

Beaver Meadow Borough

Route 13027 Extending Route 13027 Beginning at a point on the Beaver Meadow Borough-Banks Township line thence in an easterly direction on Tamaqua Street to an intersection with Route 170 at Tamaqua and Berwick Streets in the borough of Beaver Meadow Carbon County a distance of about .29 of a mile

Palmerton Borough

Application 1461 Extending State-aid Application 1461 Beginning at a point on the Palmerton Borough-Lower Towamensing Township line thence in a westerly direction on Delaware Avenue to an intersection with Route 163 at Delaware Avenue and Mauch Chunk Road in the Borough of Palmerton Carbon County a distance of about 1.51 miles

Centre County

Snow Shoe Borough

Route 14003 Application 407 Extending Route 14003 Beginning at a point on the Snow Shoe Township-Snow Shoe Borough line thence in a southerly direction over State-aid Application 407 to an intersection with Route 219 at the Methodist Episcopal Church Corner in the borough of Snow Shoe Centre County a distance of about .58 of a mile

Howard Borough

Route 14012 Extending Route 14012 Beginning at a point on the Howard Township-Howard Borough line thence in a southeasterly direction on Walnut Street to a point on Route 219 at the intersection of Walnut and Main Streets in the borough of Howard Centre County a distance of about .17 of a mile.

Bellefonte Borough

Route 14017 Extending Route 14017 Beginning at a point on Route 14017 at the Bellefonte Borough-Spring Township line Centre County thence in a southeasterly direction on North Thomas Street and High Street to an intersection with Route 346 at the intersection of High Street and Water Street in the borough of Bellefonte Centre County a distance of about .60 of a mile

Route 14028 Extending Route 14028 Beginning at a point on the Spring Township-Bellefonte Borough line thence in a southwesterly direction on Howard Street to a point on Route 107 at the intersection of Howard and Allegheny Streets in the borough of Bellefonte Centre County a distance of about .50 of a mile

Centre Hall Borough

Route 14021 Extending Route 14021 Beginning at a point on Route 14021 at the Centre Hall Borough-Potter Township line Centre County thence in a northeasterly direction on Church Street to an intersection with Routes 27 and 306 at the intersection of Church Street and Pennsylvania Avenue in Centre Hall Borough Centre County a distance of about .32 of a mile

Chester County

Oxford Borough

Route 15005 Extending Route 15005 Beginning at a point at the Oxford Borough-West Nottingham Township line thence in an easterly direction on Locust Street to a point on Route 131 at the intersection of Locust Street and the Baltimore Pike in the borough of Oxford Chester County a distance of about 1.05 miles

Route 15010 Extending Route 15010 Beginning at a point on the Oxford Borough-East Nottingham Township line thence in a northerly direction on Fifth Street to an intersection with Route 605 at Fifth and Market Streets in the borough of Oxford Chester County a distance of about .44 of a mile

Route 15025 Extending Route 15025 Beginning at a point on the Oxford Borough-Lower Oxford Township line thence in a southeasterly direction on Pine Street to its intersection with Route 527 in the borough of Oxford Chester County a distance of about .39 of a mile

West Grove Borough

Route 15022 Extending Route 15022 Beginning at a point on the West Grove Borough-London Grove Township line thence in a northerly direction on Prospect Avenue to an intersection with Route 131 at Prospect Avenue and the Baltimore Pike in the borough of West Grove Chester County a distance of about .53 of a mile

Route 15045 Extending Route 15045 Beginning at a point on the West Grove Borough-London Grove Township line thence in a southwesterly direction on Chatham Road to an intersection with Route 131 at Chatham Road and the Baltimore Pike in the borough of West Grove Chester County a distance of about .26 of a mile

Kennett Square Borough

Route 15038 Extending Route 15038 Beginning at a point on Kennett Square Borough-Kennett Township line thence in a northerly direction on Union Street to an intersection with Routes 131 and 273 at Union Street and the Baltimore Pike in the borough of Kennett Square Chester County a distance of about .72 of a mile

Route 15042 Extending Route 15042 Beginning at a point on the Kennett Square Borough-Kennett Township line thence in a westerly direction on Birch Street in a southerly direction on Broad Street and in a westerly direction on South Street to an intersection with the continuation of Rural Route 15038 at South and Union Streets in the borough of Kennett Square Chester County a distance of about .59 of a mile

Application 245 Beginning at a point on Kennett Square Borough-Kennett Township line thence in a westerly direction on South Street to an intersection with the continuation of Rural Route 15042 at Broad and South Streets in the borough of Kennett Square Chester County a distance of about .43 of a mile

Avondale Borough

Route 15047 Extending Route 15047 Beginning at a point on the Avondale Borough-New Garden Township line thence in a southwesterly direction on Church Street to an intersection with Route 131 at Church Street to an intersection with Route 131 at Church Street and the Baltimore Pike in the borough of Avondale Chester County a distance of about .56 of a mile

Phoenixville Borough

Route 15049 Extending Route 15049 Beginning at a point on the Phoenixville Borough-Schuylkill Township line thence in a northeasterly direction on Bridge Street to an intersection with Routes 201 and 270 at Bridge Street and Nutts Avenue in the borough of Phoenixville Chester County a distance of about .48 of a mile

Modena Borough

Route 15057 Extending Route 15057 Beginning at a point on the Modena Borough-East Fallowfield Township line thence in a northwesterly direction on Creek Road through Modena and South Coatesville Boroughs to a point at the intersection of Creek Road with the city line of Coatesville in Chester County a distance of about 1.49 miles

Route 15068 Extending Route 15068 Beginning at a point on the Modena Borough-East Fallowfield Township line thence in a northeasterly direction on Hepzibah Road in a northwesterly direction on Brandywine Avenue and in a northeasterly direction on Union Road to an intersection with the continuation of Rural Route 15057 at Union and Creek Roads in the borough of Modena in Chester County a distance of about .49 of a mile

Atglen Borough

Route 15062 Extending Route 15062 Beginning at a point on the Atglen Borough-West Sadsbury Township line thence in a westerly direction on Lower Valley Road to an intersection with Route 215 at Ridge Avenue and the Gap and Newport Pike in the borough of Atglen Chester County a distance of about .15 of a mile.

Route 15063 Extending Route 15063 Beginning at a point on the Atglen Borough-West Sadsbury Township line thence in a westerly direction on Upper Valley road in a southerly direction on Swan Road and in a westerly direction on Liberty Street to an intersection with Route 215 at Liberty Street and the Gap and Newport Pike in the borough of Atglen Chester County a distance of about .41 of a mile

Route 15065 Extending Route 15065 Beginning at a point on the Atglen Borough-West Sadsbury Township line thence in a southerly direction on Swan Road to an intersection with the continuation of Rural Route 15063 at Swan Road and Upper Valley Roads in the borough of Atglen Chester County a distance of about .35 of a mile

Parkesburg Borough

Route 15062 Extending Route 15062 Beginning at a point on the Parkesburg Borough-West Sadsbury Township line thence in a northerly direction on said township line and in an easterly direction on First Avenue to an intersection with State-aid Application 4814 at First Avenue and West Street in the borough of Parkesburg Chester County a distance of about .77 of a mile

Route 15063 Extending Route 15063 Beginning at a point on the Parkesburg Borough-West Sadsbury Township line thence in an easterly direction on Main Street to an intersection with the continuation of Rural Route 15064 at Main Street and Strasburg Avenue in the borough of Parkesburg Chester County a distance of about .61 of a mile

Route 15064 Extending Route 15064 Beginning at a point on the Parkesburg Borough-West Sadsbury Township line thence in an easterly direction on Strasburg Avenue and Main Street to an intersection with Route 274 at Main and Church Streets in the borough of Parkesburg Chester County a distance of about .84 of a mile

South Coatesville Borough

Route 15073 Extending Route 15073 Beginning at a point on the South Coatesville Borough-East Fallowfield Township line thence in a westerly direction on West Chester Road thence in a northwesterly direction on Oak Avenue to Coatesville City line Chester County a distance of about .24 of a mile

Downingtown Borough

Route 15075 Extending Route 15075 Beginning at a point on the Downingtown Borough-West Bradford Township line thence in an easterly direction on Glenside Avenue in a northerly direction on Bradford Avenue and in an easterly and northerly direction on Viaduct Street to an intersection with Route 142 at Viaduct Street and the Lincoln Highway in the borough of Downingtown Chester County a distance of about .59 of a mile

Spring City Borough

Route 15088 Extending Route 15088 Beginning at a point on the Spring City Borough-East Vincent Township line thence in an easterly direction on New Street in a northerly direction on Main Street and in an easterly direction on Bridge Street to a point at the middle of an intercounty bridge over the Schuylkill River said point being on the Chester-Montgomery County line and on the Spring City Borough-Royersford Borough line in the borough of Spring City through Chester County a distance of about .75 of a mile

Application 96 Beginning at a point on the Spring City Borough-East Vincent Township line thence in an easterly direction on Bridge Street to an intersection with the continuation of Rural Route 15088 at Main and Bridge Streets in the borough of Spring City Chester County a distance of about .52 of a mile

Honeybrook Borough

Route 15146 Extending Route 15146 Beginning at a point on the Honeybrook Borough-Honeybrook Township line thence in a westerly direction to a point on the Horseshoe Pike Route 137 in the borough of Honeybrook Chester County a distance of about .03 of a mile

Route 15147 Extending Route 15147 Beginning at a point on the Honeybrook Borough-Honeybrook Township line thence in a westerly direction to a point on the Horseshoe Pike Route 137 in the borough of Honeybrook Chester County a distance of about .34 of a mile

West Chester Borough

Application 1557 Beginning at a point on the West Chester Borough-East Bradford Township line thence in a northeasterly and easterly direction on Miner Street to an intersection with Route 135 at Miner and High Streets in the borough of West Chester County a distance of about .69 of a mile

Clarion County

Rimersburg Borough

Route 16003 Extending Route 16003 Beginning at a point on the Rimersburg Borough-Madison Township line thence in a northwesterly direction on Lawsonham Street to an intersection with Route 214 at Main and Lawsonham Streets in the borough of Rimersburg Clarion County a distance of about .50 of a mile

Route 16004 Extending Route 16004 Beginning at a point on the Rimersburg Borough-Toby Township line thence in a southeasterly direction on Monterey Street to an intersection with Route 214 at Monterey and Main Streets in the borough of Rimersburg Clarion County a distance of about .15 of a mile.

Route 16019 Extending Route 16019 Beginning at a point on the Rimersburg Borough-Toby Township line thence in a southeasterly direction on Cherry Run Street to an intersection with Route 214 at Main and Cherry Run Streets in the borough of Rimersburg Clarion County a distance of about .25 of a mile

Curllsville Borough

Route 16007 Extending Route 16007 Beginning at a point on the Curllsville Borough-Monroe Township line thence northwesterly to an intersection with the continuation of Rural Route 16022 on Walnut Street also known as the Churchville-New Bethlehem Road in the borough of Curllsville Clarion County a distance of about .25 of a mile

Route 16022 Extending Route 16022 Beginning at a point on the Curllsville Borough-Piney Township line thence southeasterly to an intersection with the continuation of Rural Route 16023 at Main Street thence northeasterly on Main Street to an intersection with Walnuat Street thence easterly on Walnut Street to an intersection with Rural Route 16024 at the Curllsville Borough-Monroe Township line in the borough of Curllsville Clarion County a distance of about 1.05 miles

Route 16023 Extending Route 16023 Beginning at a point on the Curllsville Borough-Monroe Township line thence northeasterly to an intersection with the continuation of Rural Route 16022 at Main Street in the borough of Curllsville Clarion County a distance of about .15 of a mile

Hawthorne Borough

Route 16013 Extending Route 16013 Beginning at a point on the Hawthorne Borough-Red Bank Township line thence in a southeasterly direction on Clarion Road to an intersection with Route 237 at Clarion Road and Route 237 in the borough of Hawthorne Clarion County a distance of about .45 of a mile

Sligo Borough

Route 16031 Extending Route 16031 Beginning at a point on the Sligo Borough-Piney Township line thence in a southerly direction to an intersection with Route 311 on Madison Street at Station 550+53 (Route 311 1932 construction plans) in the borough of Sligo Clarion County a distance of about .30 of a mile

Strattonville Borough

Route 16038 Extending Route 16038 Beginning at a point on the Strattonville Borough-Clarion Township line thence in a northerly direction on South Street to a point thence in an easterly direction to a point on Fifth Street thence in a northerly direction on Fifth Street to an intersection with Route 64 at Main and Fifth Streets in the borough of Strattonville Clarion County a distance of about .45 of a mile

Route 16055 Extending Route 16055 Beginning at a point on the Strattonville Borough-Clarion Township line thence in a southerly direction on Sixth Street to an intersection with Route 64 at Main and Sixth Streets in the borough of Strattonville Clarion County a distance of about .45 of a mile

Edenburg Borough

Route 16046 Extending Route 16046 Beginning at a point on the Edenburg Borough-Beaver Township line thence in a southerly direction on North Street and Main Street to an intersection with Route 219 at Main and West Railroad Streets in the borough of Edenburg Clarion County a distance of about .20 of a mile

Clearfield County

Mahaffey Borough

Route 17002 Extending Route 17002 Beginning at a point on Route 17002 at the Bell Township-Mahaffey Borough line thence in an easterly direction on the Bethlehem Hill Road to a point on the Mahaffey Borough-Bell Township line in the borough of Mahaffey Clearfield County a distance of about .3 of a mile

Westover Borough

Route 17003 Extending Route 17003 Beginning at a point on Route 17003 at the Burnside Township-Westover Borough line Clearfield County thence in a southeasterly direction on the East Ridge Road to an intersection with Route 221 in Westover Borough Clearfield County at the intersection of East Ridge Road and Chet Street and continuing on East Ridge Road to the intersection of East Ridge Road and Bridge Street thence on Bridge Street and Irvonna Road in an easterly direction to an intersection with a continuation of Rural Route 17003 at the Westover Borough-Chest Township line Clearfield County a distance of about 2.31 miles

Burnside Borough

Route 17005 Extending Route 17005 Beginning at a point on the Burnside Township-Burnside Borough line thence in a westerly direction on New Washington Road to a point on Route 62-B at the intersection of New Washington Road and Main Street in the borough of Burnside Clearfield County a distance of about .56 of a mile

Troutville Borough

Route 17009 Extending Route 17009 Beginning at a point on Route 17009 at the Brady Township-Troutville Borough line Clearfield County thence in a southasterly direction on Point Avenue to an intersection with Route 189 at the intersection of Point Avenue and Main Street in Troutville Borough Clearfield County a distance of about .52 of a mile

Newburg Borough

Route 17018 Extending Route 17018 Beginning at a point on Route 17018 at its intersection with Rural Route 17025 on the Ferguson Township-Newburg Borough line Clearfield County thence in a westerly direction on an unnamed borough street and Main Street to an intersection with Route 221 at the intersection of Main Street and Hurd Street in Newburg Borough Clearfield County a distance of about .35 of a mile

Irvona Borough

Route 17019 Extending Route 17019 Beginning at a point on Route 17019 at the Beccaria Township-Irvona Borough line Clearfield County thence in a northerly direction on Dorsey Street to an intersection with Route 234 at the intersection of Dorsey and Julia Streets in Irvona Borough Clearfield County a distance of about .54 of a mile

Route 17022 Extending Route 17022 Beginning at a point on the Beccaria Township-Ivrona Borough line thence in a southeasterly direction on Rose Street to a point on the continuation of Rural Route 17019 at the intersection of Rose and Dorsey Streets in the borough of Irvona Clearfieled County a distance of about .93 of a mile

Route 17023 Extending Route 17023 Beginning at a point on the Beccaria Township-Irvona Borough line thence in a south-

erly direction on an unnamed borough street to an intersection with Rout 234 in the borough of Irvona Clearfield County a distance of about .04 of a mile

Curwensville Borough

Route 17027 Extending Route 17027 Beginning at a point on Route 17027 at the Pike Township-Curwensville Borough line Clearfield County thence in a northerly direction on Grampian Road Anderson Avenue Meadow Street Walnut Street to an intersection with Route 59 at the intersection of Walnut and State Streets in Curwensville Borough Clearfield County a distance of about .69 of a mile

Route 17039 Extending Route 17039 Beginning at a point on the Pike Township-Curwensville Borough line thence in a southeasterly direction on Naulton Road and Filbert Street to a point on Route 59 at the intersection of Filbert and State Streets beginning at a point on the Pike Township-Curwensville Borough line thence in a southerly direction on Ridge Avenue to a point on Route 59 at the intersection of Ridge Avenue and State Street in the borough of Curwensville Clearfield County a distance of about .91 of a mile

Grampian Borough

Route 17028 Extending Route 17028 Beginning at a point on the Penn Township-Grampian Borough line thence in a southeasterly direction on Walltown Road to a point on Route 59 at the intersection of Walltown Road and State Street in the borough of Grampian Clearfield County a distance of about .12 of a mile

Coalport Borough

Route 17033 Extending Route 17033 Beginning at a point on the Beccaria Township-Coalport Borough line thence in a westerly direction on Blain Street to a point on Route 234 at the intersection of Blain and Main streets in the borough of Coalport Clearfield County a distance of about .07 of a mile

Clearfield Borough

Route 17038 Application 415 Extending Route 17038 Beginning at a point on Rural Route 17038 in Lawrence Township Clearfield County thence in a northwesterly direction over State-aid Application 415 to the Lawrence Township-Clearfield Borough line thence on Ogden Avenue and State-aid Applications 415 and 1448 to an intersection with Route 59 at the intersection of Ogden Avenue and South Second Street in Clearfield Borough Clearfield County a distance of about 1.19 miles

Route 17040 Extending Route 17040 Beginning at a point on Route 17040 on the Lawrence Township-Clearfield Borough line Clearfield County thence in an easterly and southeasterly direction on West Third Avenue Gulich Avenue and Market Streets to an intersection with Route 59 at the intersection of Market and Second Streets in Clearfield Borough Clearfield County a distance of about .48 of a mile

Route 17041 Application 720 Extending Route 17041 Beginning at a point on the Lawrence Township-Clearfield Borough line thence in a southeasterly direction on Turnpike Avenue (State-aid Application 720) to a point on the continuation of Rural Route 17040 at the intersection of Turnpike Avenue and Gulich and Market Streets in the borough of Clearfield Clearfield County a distance of about .88 of a mile

Route 17051 Extending Route 17051 Beginning at a point on the Lawrence Township-Clearfield Borough line thence in a southerly and westerly direction on West Front and Nichols Streets to a point on the continuation of Rural Route 17041 at the intersection of Nichols Street and Turnpike Avenue in the borough of Clearfield Clearfield County a distance of about .53 of a mile

Ramey Borough

Route 17044 Extending Route 17044 Beginning at a point on Route 17044 at the Gulich Township-Ramey Borough line Clearfield County thence in a northwesterly direction on Union Street to an intersection with Route 276 at the intersection of Union and Main Streets in Ramey Borough Clearfield County a distance of about .28 of a mile

Brisbin Borough

Route 17048 Extending Route 17048 Beginning at a point on the Decatur Township-Brisbin Borough line thence in a southwesterly direction on Teutonic Street to a point on Route 670 at the intersection of Teutonic and Swope Streets in the borough of Brisbin Clearfield County a distance of about .23 of a mile

Osceola Mills Borough

Route 17056 Extending Route 17056 Beginning at a point on the Decatur Township-Osceola Mills Borough line thence in a southeasterly direction on Elizabeth Street to a point on Route 234 at the intersection of Elizabeth and Sarah Streets in the borough of Osceola Mills Clearfield County a distance of about .39 of a mile

Chester Hill Borough

Route 17058 Extending Route 17058 Beginning at a point on Route 17058 on the Decatur Township-Center Hill Borough line Clearfield County thence in a southeasterly direction on Decatur Street to an intersection with Route 57 at the intersection of Decatur and Walton Streets in Chester Hill Borough Clearfield County a distance of about .35 of a mile

Wallaceton Borough

Route 17060 Extending Route 17060 Beginning at a point on the Boggs Township-Wallaceton Borough line thence in a westerly direction on Clearfield and Reed Streets to an intersection with Route 57 in the borough of Wallaceton Clearfield County a distance of about .61 of a mile

New Washington and Newburg Boroughs

Route 17070 Extending Route 17070 Beginning at a point on Route 17070 at the Burnside Township-New Washington Borough line Clearfield County thence in an easterly direction on Main Street in New Washington Borough thence in a northeasterly direction in Chest Township thence in an easterly direction on Main Street in Newburg Borough to an intersection with Route 221 at the intersection of Main and Hurd Streets in Newburg Borough Clearfield County a distance of about 2.28 miles

Clinton County

Mill Hall Borough

Route 18002 Extending Route 18002 Beginning at a point on Rural Route 18002 on the Bald Eagle Township-Mill Hall Borough line thence in a southwesterly direction to a point on Route 219 at the intersection of Borough Street and Beech Creek Avenue in the borough of Mill Hall Clinton County a distance of about .12 of a mile

South Renovo Borough

Route 18004 Extending Route 18004 Beginning at a point on Route 18004 at the South Renovo Borough-Noyes Township line at Petes Run Clinton County thence in an easterly direction on Pennsylvania Avenue to the intersection of Pennsylvania Avenue and Second Street thence north on Second Street to the intersection of Second Street and Susquehanna Avenue thence west on Susquehanna Avenue to the Susquehanna River bridge and the South Renovo-Renovo Borough line Clinton County thence in a northerly direction on Eighth Street in Renovo Borough to an intersection with Route 105 at the intersection of Eighth Street and Huron Avenue in Renovo Borough Clinton County a distance of about .45 of a mile

Loganton Borough

Route 18017 Extending Route 18017 Beginning at a point on Route 18017 at the Longanton Borough-Greene Township line Clinton County thence in a northerly direction on South Mill Street to an intersection with Route 359 at the intersection of South Mill Street and Main Street in Loganton Borough Clinton County a distance of about .64 of a mile

Columbia County

Catawissa Borough

Route 19011 Extending Route 19011 Beginning at a point on the Catawissa Borough-Franklin Township line thence in a northerly direction on Second Street to an intersection with Route 183 at Main and Second Streets in the borough of Catawissa Columbia County a distance of about .32 of a mile

Route 19014 Extending Route 19014 Beginning at a point on Route 183 at the intersection of Mill Street and Lower Mainsville Road in the borough of Catawissa thence in a northeasterly direction on Lower Mainsville Road to the Catawissa Borough-Catawissa Township line Columbia County a distance of about .2 of a mile

Orangeville Borough

Route 19031 Extending Route 19031 Beginning at a point on the Orangeville Borough-Orange Township line thence in a southerly direction on Mount Pleasant Street to an intersection

with Route 16 at Mount Pleasant and Main Streets in the borough of Orangeville Columbia County a distance of about .16 of a mile

Route 19035 Extending Route 19035 Beginning at a point on the Orangeville Borough-Orange Township line thence in a northeasterly direction on Lightstreet Road to an intersection with Route 673 on Berwick Road in the borough of Orangeville Columbia County a distance of about .19 of a mile

Berwick Borough

Route 19040 Extending Route 19040 Beginning at a point on Route 4 at the intersection of Market and Front Streets in the borough of Berwick thence in a northwesterly direction on Market Street over State-aid Application 5190 to the Berwick Borough-Briar Creek Township line Columbia County a distance of about 1.27 miles

Route 19042 Extending Route 19042 Beginning at a point on the Berwick Borough-Briar Creek Township line thence in a southeasterly direction on Martsville Avenue to an intersection with the continuation of Rural Route 190440 at Martsville Avenue and Market Street in the borough of Berwick Columbia County a distance of about .23 of a mile

Route 19045 Extending Route 19045 Beginning at a point on Route 4 at the intersection of Front and LaSalle Streets in the borough of Berwick thence in a northerly direction on LaSalle Street to Freas Avenue thence west on Freas Avenue to Dickson Street thence in a northerly direction on Dickson Street to the Berwick Borough-Briar Creek Township line Columbia County a distance of about .94 of a mile

Millville Borough

Route 19059 Extending Route 19059 Beginning at a point on the Millville Borough-Greenwood Township line thence in a northwesterly direction on an unnamed road to an intersection with Route 239 at State Street in the borough of Millville Columbia County a distance of about .13 of a mile

Stillwater Borough

Route 19070 Extending Route 19070 Beginning at a point on Route 16 at the intersection of an unnamed street in the borough of Stillwater thence in a northeasterly direction on an unnamed street to the Stillwater Borough-Fishing Creek Township line Columbia County a distance of about .53 of a mile

Benton Borough

Route 19076 Extending Route 19076 Beginning at a point on Route 19076 at the Jackson-Benton Township line thence in an easterly direction on State-aid Application 272 to an intersection with Route 16 in the borough of Benton Columbia County a distance of about 2.23 miles

Crawford County

Linesville Borough

Route 20006 Extending Route 20006 Beginning at a point on the Linesville Borough-Pine Township line thence in a northerly direction on Mercer Street to an intersection with Route 83 at Mercer and Erie Streets in the borough of Linesville Crawford County a distance of about .4 of a mile

Route 20043 Extending Route 20043 Beginning at a point on the Linesville Borough-Pine Township line thence in a southerly direction on Chestnut Street to an intersection with Route 83 at Chestnut and Erie Streets in the borough of Linesville Crawford County a distance of about .4 of a mile

Conneaut Lake Borough

Route 20016 Extending Route 20016 Beginning at a point on the Conneaut Lake Borough-Sadsbury Township line thence in a northerly direction on Third Street to an intersection with Route 82 at Third and Water Streets in the borough of Conneaut Lake Crawford County a distance of about .2 of a mile

Geneva Borough

Route 20017 Extending Route 20017 Beginning at a point on the Geneva Borough-Greenwood Township line thence easterly on Church Street to Center Street thence southeasterly on Center Street to an intersection with the continuations of Rural Route 20020 and Rural Route 20018 at Center and Main Streets in the borough of Geneva Crawford County a distance of about .4 of a mile

Route 20018 Extending Route 20018 Beginning at a point on the Geneva Borough-Greenwood Township line thence in a northwesterly direction on Center Street to an intersection with the continuations of Rural Route 20020 and Rural Route 20017 at Center and Main Streets in the borough of Geneva Crawford County a distance of about .3 of a mile

Route 20020 Extending Route 20020 Beginning at a point on the Geneva Borough-Union Township line thence in a general southerly direction on Main Street to an intersection with the continuations of Rural Route 20017 and Rural Route 20018 at Main and Center Streets in the borough of Geneva Crawford County a distance of about 1.1 miles

Conneautville Borough

Route 20038 Extending Route 20038 Beginning at a point on the Conneautville Borough-Summerhill Township line thence in a northeasterly direction on Linesville Road to Mulberry Street thence northeasterly on Mulberry Street to an intersection with Route 85 at Mulberry and Main Streets in the borough of Conneautville Crawford County a distance of about .7 of a mile

Route 20040 Extending Route 20040 Beginning at a point on the Conneautville Borough-Spring Township line thence in an easterly direction on Foster Road to an intersection with the continuation of Rural Route 20038 at Foster and Linesville Roads in the borough of Conneautville Crawford County a distance of about .4 of a mile

Route 20050 Extending Route 20050 Beginning at a point on the Conneautville Borough-Spring Township line thence in a southwesterly direction on Cussewago Road to Center Street thence southwesterly on Center Street to an intersection with Route 85 at Center and Water Streets in the borough of Conneautville Crawford County a distance of about .6 of a mile

Springboro Borough

Route 20041 Extending Route 20041 Beginning at a point on the Springboro Borough-Spring Township line thence in an easterly direction on Beaver Street to an intersection with Route 85 and the continuation of Rural Route 20052 at Beaver and Main Streets in the borough of Springboro Crawford County a distance of about .7 of a mile

Application 64 Extending Rural Route 20052 Beginning at a point on the Springboro Borough-Spring Township line thence in a westerly direction on Cussewago Street County-aid Application 2246 to an intersection with Route 85 and the continuation of Rural Route 20041 at Cussewago and Main Streets in the borough of Springboro Crawford County a distance of about .5 of a mile

Saegertown Borough

Route 20054 Extending Route 20054 Beginning at a point on the Saegertown Borough-Hayfield Township line thence in an easterly direction on McGill Street to an intersection with Route 84 at McGill and Main Streets in the borough of Saegertown Crawford County a distance of about .05 of a mile

Route 20066 Extending Route 20066 Beginning at a point on the Saegertown Borough-Hayfield Township line thence in a northwesterly and westerly direction on Grant Street to an intersection with Route 84 at Grant and Main Streets in the borough of Saegertown Crawford County a distance of about 1.4 miles

Route 20067 Extending Route 20067 Beginning at a point on the Saegertown Borough-Woodcock Township line thence in a westerly direction on North Street to an intersection with Route 84 at North and Main Streets in the borough of Saegertown Crawford County a distance of about 1.2 miles

Cambridge Springs Borough

Route 20056 Extending Route 20056 Beginning at a point on the Cambridge Springs Borough-Cambridge Township line thence in a southwesterly direction on McClelland Street to an intersection with Route 258 at McClelland and Forest Streets in the borough of Cambridge Springs Crawford County a distance of about .4 of a mile

Route 20072 Extending Route 20072 Beginning at a point on the Cambridge Springs Borough-Cambridge Township line thence in a general northeasterly direction on Main Street to an intersection with Route 84 at Main Street and Venango Avenue in the borough of Cambridge Springs Crawford County a distance of about .7 of a mile

Application 983 Extending Rural Route 20077 Beginning at a point on the Cambridge Springs Borough-Cambridge Township line thence in a northwesterly direction on Church Street

to an intersection with the continuation of Rural Route 20072 at Church and Main Streets in the borough of Cambridge Springs Crawford County a distance of about .5 of a mile

Venango Borough

Route 20057 Extending Route 20057 Beginning at a point on the Venango Borough-Venango Township line thence in an easterly direction on Cussewago Street to an intersection with Route 84 at Cussewago and Church Streets in the borough of Venango Crawford County a distance of about .2 of a mile

Route 20060 Extending Route 20060 Begininng at a point on the Venango Borough-Venango Township line thence in a southerly direction on Church Street to an intersection with Route 84 at Church and Cussewago Streets in the borough of Venango Crawford County a distance of about .3 of a mile

Route 20069 Extending Route 20069 Beginning at a point on the Venango Borough-Cambridge Township line thence in a northwesterly direction on Woodcock Road to an intersection with Route 84 at Woodcock Road and Cussewago Street in the borough of Venango Crawford County a distance of about .05 of a mile

Spartansburg Borough

Route 20061 Extending Route 20061 Beginning at a point on the Spartansburg Borough-Sparta Township line thence in a northerly direction on Spring Street to an intersection with Route 200 at Spring and Short Streets in the borough of Spartansburg Crawford County a distance of about .4 of a mile

Woodcock Borough

Route 20062 Extending Route 20062 Beginning at a point on the Woodcock Borough-Woodcock Township line thence in a northeasterly direction on Main Street to an intersection with the continuations of Rural Route 20069 Rural Route 20072 and Rural Route 20070 at Main and Center Streets in the borough of Woodcock Crawford County a distance of about .5 of a mile

Route 20069 Extending Route 20069 Beginning at a point on the Woodcock Borough-Woodcock Township line thence in a southeasterly direction on Center Street to an intersection with the continuations of Rural Route 20072 Rural Route 20070 and Rural Route 20062 at Center and Main Streets in the borough of Woodcock Crawford County a distance of about .5 of a mile

Route 20070 Extending Route 20070 Beginning at a point on the Woodcock Borough-Woodcock Township line thence in a northwesterly direction on Center Street to an intersection with the continuations of Rural Route 20062 Rural Route 20069 and Rural Route 20072 at Center and Main Streets in the borough of Woodcock Crawford County a distance of about .4 of a mile

Route 20072 Extending Route 20072 Beginning at a point on the Woodcock Borough-Cambridge Township line thence in a southwesterly direction on Main Street to an intersection with the continuations of Rural Route 20072 Rural Route 20062 and Rural Route 20069 at Main and Center Streets in the borough of Woodcock Crawford County a distance of about .4 of a mile

Blooming Valley Borough

Route 20065 Extending Route 20065 Beginning at a point on the Blooming Valley Borough-Woodcock Township line thence in a southeasterly direction on Saegertown Road to an intersection with Route 200 and the continuation of Rural Route 20087 at Saegertown Road and State Street in the borough of Blooming Valley Crawford County a distance of about .4 of a mile

Route 20087 Extending Route 20087 Beginning at a point on the Blooming Valley Borough-East Mead Township line thence in a northwesterly direction on Dickson Street to an intersection with Route 200 and the continuation of Rural Route 20065 at Dickson and State Streets in the borough of Blooming Valley Crawford County a distance of about .8 of a mile

Townville Borough

Route 20085 Extending Route 20085 Beginning at a point on the Townville Borough-Steuben Township line thence in a northeasterly direction on Centerville Road to an intersection with Route 448 and the continuation of Rural Route 20098 at Centerville Road and Main Street in the borough of Townville Crawford County a distance of about .1 of a mile

Route 20097 Extending Route 20097 Beginning at a point on the Townville Borough-Steuben Township line thence in a southwesterly direction on Fremont Street to an intersection with Route 448 at Fremont and Main Streets in the borough of Townville Crawford County a distance of about .5 of a mile

Route 20098 Extending Route 20098 Beginning at a point on the Townville Borough-Steuben Township line thence in a southerly and southwesterly direction on Centerville Road to an intersection with Route 448 and the continuation of Rural Route 20085 at Centerville Road and Main Street in the borough of Townville Crawford County a distance of about .3 of a mile

Centerville Borough

Route 20100 Extending Route 20100 Beginning at a point on the Centerville Borough-Athens Township line thence in an easterly direction on Water Street to an intersection with Route 271 and the continuation of Rural Route 20106 at Water and Erie Streets in the borough of Centerville Crawford County a distance of about .5 of a mile

Route 20106 Extending Route 20106 Beginning at a point on the Centerville Borough-Rome Township line thence in a westerly direction on Water Street to an intersection with Route 271 and the continuation of Rural Route 20100 at Water and Erie Streets in the borough of Centerville Crawford County a distance of about .9 of a mile

Hydetown Borough

Route 20105 Extending Route 20105 Beginning at a point on the Hydetown Borough-Oil Creek Township line thence in a southwesterly direction on Water Street to an intersection with Route 271 at Water and Main Streets in the borough of Hydetown Crawford County a distance of about .9 of a mile

Cumberland County

Newville Borough

Route 21002 Extending Route 21002 Beginning at a point on the Newville Borough-North Newton Township line thence in a northeasterly direction on Shippensburg Road Fairfield Avenue and Vine Street to an intersection with Route 191 at Vine and South High Streets in the borough of Newville Cumberland County a distance of about .63 of a mile

Route 21003 Extending Route 21003 Beginning at a point on the Newville Borough-North Newton Township line thence in an easterly direction on Green Street to an intersection with Route 191 at Green and North High Streets in the borough of Newville Cumberland County a distance of about .11 of a mile

Route 21003 Extending Route 21003 Beginning at a point on the Newville Borough-West Pennsboro Township line on the Newville and Carlisle County Road approximately 380 feet east of the Big Spring Creek thence in a southwesterly direction on East Main Street (which includes about 380 feet over the county road) to an intersection with Route 191 at Main and High Streets in the borough of Newville Cumberland County a distance of about .31 of a mile

Application 5750 Beginning at a point on the Newville Borough-North Newton Township line thence in a northeasterly direction on West Main Street to an intersection with Route 191 at West Main and High Streets in the borough of Newville Cumberland County a distance of about .19 of a mile

Mount Holly Springs Borough

Route 21008 Extending Route 21008 Beginning at a point on the Mount Holly Springs Borough-South Middleton Township line thence in a southwesterly direction on Mill Street to an intersection with Route 41 at Mill Street and Baltimore Avenue in the borough of Mount Holly Springs Cumberland County a distance of about .47 of a mile

Mechanicsburg Borough

Route 21017 Extending Route 21017 Beginning at a point on the Mechanicsburg Borough-Upper Allen Township line thence in a northeasterly and easterly direction on West Marble Street to an intersection with Route 416 at West Marble and South Market Streets in the borough of Mechanicsburg Cumberland County a distance of about .72 of a mile

Route 21051 Extending Route 21051 Beginning at a point on the Mechanicsburg Borough-Hampden-Silver Spring Township line thence in a southerly direction on North Walnut Street to an intersection with Route 507 at North Walnut and East Main Streets in the Borough of Mechanicsburg Cumberland County a distance of about .51 of a mile

Route 570 Extending Route 570 Beginning at a point on Route 570 at the Mechanicsburg Borough line thence over Simpson Street to an intersection with State Highway Route 416 at Market Street in the borough of Mechanicsburg Cumberland County a distance of about .60 of a mile

Camp Hill Borough

Route 21021 Extending Route 21021 Beginning at a point on the Camp Hill Borough-East Pennsboro Township line thence in a southerly direction on Twenty-first Street to an intersection with Route 34 at Twenty-first and Market Streets in the borough of Camp Hill Cumberland County a distance of about .16 of a mile

Wormleysburg Borough

Route 21021 Extending Route 21021 Beginning at a point on the Wormleysburg Borough-East Pennsboro Township line thence in an easterly direction on Stella Street to an intersection with Route 30 at Stella and Front Streets in the borough of Wormleysburg Cumberland County a distance of about .14 of a mile

New Cumberland Borough

Route 21022 Extending Route 21022 Beginning at a point on the New Cumberland Borough-Lower Allen Township line thence in an easterly and southeasterly direction on Simpson Ferry Road Brandt Avenue and Seventh Street to an intersection with Route 250 at Seventh and Bridge Streets in the borough of New Cumberland Cumberland County a distance of about 1.16 miles

Shiremanstown Borough

Route 21024 Extending Route 21024 Beginning at a point on the Shiremanstown Borough-Lower Allen Township line thence in a northwesterly direction on Locust Street to an intersection with Route 570 at Locust and West Main Streets in the borough of Shiremanstown Cumberland County a distance of about .19 of a mile

Application 1614 Beginning at a point on the Shiremanstown Borough-Hampden Township line thence in a southeasterly direction on Railroad Street to an intersection with Route 570 at Railroad and West Main Streets in the borough of Shiremanstown Cumberland County a distance of about .13 of a mile

Newburg Borough

Route 21043 Extending Route 21043 Beginning at a point on the Newburg Borough-Hopewell Township line thence in a southerly direction on High Street to an intersection with Route 264 at High and Main Streets in the borough of Newburg Cumberland County a distance of about .23 of a mile

Route 21044 Extending Route 21044 Beginning at a point on the Newburg Borough-Hopewell Township line thence in a southeasterly direction on Mountain Street to an intersection with Route 264 at Mountain and Main Streets in the borough of Newburg Cumberland County a distance of about .17 of a mile

Route 21045 Extending Route 21045 Beginning at a point on the Newburg Borough-Hopewell Township line thence in a westerly direction on Main Street to an intersection with Route 264 at Main and Water Streets in the borough of Newburg Cumberland County a distance of about .29 of a mile

Shippensburg Borough

Route 21048 Extending Route 21048 Beginning at a point on the Shippensburg Borough-Shippensburg Township line thence in a northwesterly direction on South Queen Street to an intersection with Route 35 at Queen and East King Streets in the borough of Shippensburg Cumberland County a distance of about .48 of a mile

Route 21048 Extending Route 21048 Beginning at a point on the Shippensburg Borough-Shippensburg Township line thence in a southeasterly direction on Britton Road and North Queen Street to an intersection with Route 35 at Queen and East King Streets in the borough of Shippensburg Cumberland County a distance of about .22 of a mile

Route 21049 Extending Route 21049 Beginning at a point on the Shippensburg Borough-Shippensburg Township line thence in a southeasterly direction on North Prince Street to an intersection with Route 35 at North Prince and East King Streets in the borough of Shippensburg Cumberland County a distance of about .21 of a mile

Route 21049 Extending Route 21049 Beginning at a point on the Shippensburg Borough-Shippensburg Township line thence in a southeasterly direction on North Queen Street to an intersection with the continuation of Rural Route 21048 at North Queen and East Fort Streets in the borough of Shippensburg Cumberland County a distance of about .04 of a mile

Route 28009 Extending Route 28009 Beginning at a point on the Cumberland-Franklin County line in the borough of Shippensburg at the intersection of Fayette and Garfield Streets where it interests the continuation of Rural Route 28009 thence in a northwesterly directly on Fayette Street to an intersection with Route 35 at Fayette and West King Streets in the borough of Shippensburg Cumberland County a distance of about .21 of a mile

Carlisle Borough

Route 21032 Extending Route 21032 Beginning at a point on the Carlisle Borough-North Middleton Township line thence in a southerly and easterly direction on Wagoners Gap Road "B" Street and College Avenue to an intersection with Route 35 at College Avenue and Walnut Bottom Road in the borough of Carlisle Cumberland County a distance of about 1.57 miles

Dauphin County

Millersburg Borough

Traffic Route 345 Route 2201 Extending Route 2201 Beginning at a point on the Millersburg Borough-Upper Paxton Township line thence in a westerly direction along the Millersburg Borough-Upper Paxton Township line on the road between Howard Cummings' farm and Oak Hill Cemetery to an intersection with State Highway Route 1 at the road between Howard Cummings' farm and Oak Hill Cemetery and Market Street in the borough of Millersburg Dauphin County a distance of about .09 of a mile

Berrysburg Borough

Traffic Route 34 Route 22002 Extending Route 22002 Beginning at a point on the Berrysburg Borough-Mifflin Township line thence in a northerly direction on Market Street to an intersection with State Highway Routes 336 and 339 at Market and Main Streets in the borough of Berrysburg Dauphin County a distance of about .36 of a mile

Traffic Route 34 Route 22002 Extending Route 22002 Beginning at a point on the Elizabeth Borough-Washington Township line thence in a southerly direction on Market Street to an intersection with State Highway Route 199 at Market and Main Streets in the borough of Elizabeth Dauphin County a distance of about .27 of a mile

Elizabeth Borough

Traffice Route 34 Route 22002 Extending Route 22002 Beginning at a point on the Elizabethville Borough-Washington Township line thence in a northerly direction on Market Street to an intersection with State Highway Route 199 at Market and Main Streets in the borough of Elizabethville Dauphin County a distance of about .38 of a mile

Halifax Borough

Traffic Route 34 Route 22002 Extending Route 22002 Beginning at a point on the Halifax Borough-Halifax Township line thence in a westerly direction on Armstrong Street to an intersection with State Highway Route 1 at Armstrong and Second Streets in the borough of Halifax Dauphin County a distance of about .33 of a mile

Dauphin Borough

Traffic Route 34 Route 22004 Extending Route 22004 Beginning at a point on the Dauphin Borough-Middle Paxton Township line thence in a southerly direction on the old Sunbury Pike now known as the Clarks Valley Road to an intersection of the Clarks Valley Road and Erie Street in the borough of Dauphin Dauphin County a distance of about .58 of a mile

Penbrook Borough

Traffic Route 183 Route 22008 Extending Route 22008 Beginning at a point on the Hummelstown Borough-Derry Township line thence in a northwesterly direction along the Penbrook Borough-Susquehanna Township line on Canby Street thence continuing on Canby Street to an intersection with State Highway Route 370 at Canby and Twenty-eighth Streets thence continuing in a northwesterly direction on Canby Street to an intersection with State Highway Route 140 at Canby and Main Streets in the borough of Penbrook Dauphin County a distance of about .43 of a mile

Traffic Route 183 Route 22043 Extending Route 22043 Beginning at a point on the Penbrook Borough-Susquehanna Township line thence in a southeasterly direction on Canby Street to an intersection with State Highway Route 140 at Canby and Main Streets in the borough of Penbrook Dauphin County a distance of about .27 of a mile

Hummelstown Borough

Traffic Route 444 Route 22015 Extending Route 22015 Beginning at a point on the Hummlestown Borough-Derry Township line thence in a northwesterly direction along the Hummelstown Borough-Derry Township line on Quarry Road thence continuing on Quarry Road to an intersection with State Highway Route 139 at Quarry Road and Main Streets in the borough of Hummelstown Dauphin County a distance of about .29 of a mile

Traffic Route 454 Route 22015 Extending Route 22015 Beginning at a point on the Hummelstown Borough-South Hanover Township line thence in a southerly direction on Hanover Street to an intersection with State Highway Route 139 at Hanover and Main Streets in the borough of Hummelstown Dauphin County a distance of about .25 of a mile

Traffic Route 454 Route 22017 Extending Route 22017 Beginning at a point on the Hummelstown-Derry Township line thence in a northerly direction on Hanover Street to an intersection with State Highway Route 139 at Hanover and Main Streets in the borough of Hummelstown Dauphin County a distance of about .25 of a mile

Highspire Borough

Traffic Route 126 Route 22019 Extending Route 22019 Beginning at a point on the Highspire Borough-Lower Swatara Township line thence in a southwesterly direction on Race Street to an intersection with State Highway Route 129 at Race and Second Streets in the borough of Highspire Dauphin County a distance of about .23 of a mile

Steelton Borough

Traffic Route 67 Route 22020 Extending Route 22020 Beginning at a point on the Steelton Borough-Swatara Township line thence in a southwesterly direction on Chamber Street to an intersection with State Highway Route 129 at Chamber and Front Streets in the borough of Steelton Dauphin County a distance of about .24 of a mile

Williamstown Borough

Traffic Route 325 Route 22032 Extending Route 22032 Beginning at a point on the Williamstown Borough-Williams Township line thence in an easterly direction on Broad Street to an intersection with Broad and Grand Streets thence ina southerly direction on Grand Street to an intersection with State Highway Route 199 at Grand and Market Streets in the borough of Williamstown Dauphin County a distance of about .29 of a mile

Gratz Borough

Traffic Route 335 Route 22034 Extending Route 22034 Beginning at a point on the Gratz Borough-Lykens Township line thence in a general northeasterly direction on West Street to an intersection with State Highway Route 339 at West and Market Streets in the borough of Gratz Dauphin County a distance of about .94 of a mile

Traffic Route 335 Route 22034 Extending Route 22034 Beginning at a point on the Gratz Borough-Lykens Township line thence in a southwesterly direction along the Gratz-Borough-Lykens Township line on Center Street thence continuing on Center Street to an intersection with State Highway Route 339 at Center and Market Streets in the borough of Gratz Dauphin County a distance of abou .83 of a mile

Traffic Route 414 Route 22036 Extending Route 22036 Beginning at a point on the Gratz Borough-Lykens Township line thence in a southerly direction along the Gratz Borough-Lykens Township line on the Uniontown Road to an intersection with State Highway Route 339 at Uniontown Road and Market Street in the borough of Gratz Dauphin County a distance of about .07 of a mile

Middletown Borough

Route 22016 Extending Route 22016 Beginning at a point on the Middletown Borough Lower Swatara Township line thence in a general southwesterly direction on Vine Street to an intersection with State Highway Route 129 at Vine and East Main Streets in the Borough of Middletown Dauphin County a distance of about 0.38 miles

Steelton Borough

Application 1612 Extending Application 1612 Beginning at a point on the Steelton Borough Swatara Township Line thence in a southeasterly direction on Mohn Street to an intersection with State Highway Route 129 at Mohn and Front Streets in the Borough of Steelton Dauphin County a distance of about 0.11 miles

Delaware County

Rose Valley Borough

Route 23013 Extending Route 23013 Beginning at a point on the Rose Valley Borough-Nether Providence Township line at the intersection of Brookhaven Road and Rose Valley Road thence southwesterly on Brookhaven Road to a second point on the boundary line of Rose Valley Borough Delaware County a distance of about .16 of a mile

Route 23076 Extending Route 23076 Beginning at a point on the Upper Providence Township-Rose Valley Borough line thence in a southerly direction on Manchester Avenue and Rose Valley Road to an intersection with Legislative Route 23013 in the borough of Rose Valley Delaware County a distance of about .85 of a mile

Upland Borough

Route 23013 Extending Route 23013 Beginning at a point on the Chester Township-Upland Borough line thence in a southeasterly direction on Sixth Street to an intersection with the continuation of Rural Route 23014 at Sixth and Main Streets in the borough of Upland Delaware County a distance of about .42 of a mile

Media Borough

Route 23031 Extending Route 23031 Beginning at a point on the Media Borough-Upper Providence Township line thence in a southwesterly direction on State Road to an intersection with Route 144 at Providence Road and Monroe Street in the Borough of Media Delaware County a distance of about .08 of a mile

Route 23076 Extending Route 23076 Beginning at a point on the Media Borough-Upper Providence and Nether Providence Township lines thence in a northerly direction on Manchester Avenue to an intersection with Route 130 at Manchester Avenue and Washington Street in the borough of Media Delaware County a distance of about .18 of a mile

Route 23093 Extending Route 23093 Beginning at a point on the Media Borough-Upper Providence Township line thence in a southerly direction on Orange Street to an intersection with Route 130 at Orange and Washington Streets in the borough of Media Delaware County a distance of about .64 of a mile

Route 726 Extending Route 726 Beginning on Route 726 at the Media Borough line thence over Orange Street to an intersection with Route 131 in the borough of Media Delaware County a distance of about .18 of a mile

Lansdowne Borough

Route 23047 Extending Route 23047 Beginning at a point on the Lansdowne Borough-Upper Darby Township line thence in a southerly direction on Lansdowne Avenue to an intersection with Legislative Route 130 at Lansdowne and Baltimore Avenues in the borough of Lansdowne Delaware County a distance of about .70 of a mile

Route 23059 Extending Route 23059 Beginning at a point on the Lansdowne Borough-Upper Darby Township line thence in a southerly direction on Shadeland Avenue to an intersection with Route 130 at Shadeland and Baltimore Avenues in the borough of Lansdowne Delaware County a distance of about .15 of a mile

Route 23062 Extending Route 23062 Beginning at a point on the Lansdowne Borough-Upper Darby Township line and about 25 feet west of the intersection of Shadeland Avenue and Marshall Road thence in an easterly direction through Lansdowne Borough to a second point on the boundary line of the borough of Lansdowne Delaware County a distance of about 1.33 miles

Route 23074 Extending Route 23074 Beginning at a point on the Lansdowne Borough-Upper Darby Township line thence in a westerly direction on Stewart Avenue to an intersection with the continuation of Rural Route 23047 at Lansdowne and Stewart Avenues in the borough of Lansdowne Delaware County a distance of about .35 of a mile

East Lansdowne Borough

Route 23064 Extending Route 23064 Beginning at a point on the East Lansdowne Borough-Upper Darby Township line and about 40 feet north of Route 130 thence northerly on Church Lane Oak Avenue and Long Lane through East Lansdowne Borough to a second point on the boundary line of the borough of East Lansdowne Delaware County a distance of about .52 of a mile

Route 23074 Extending Route 23074 Beginning at a point on the East Lansdowne Borough-Upper Darby Township line thence in an easterly and southerly direction on Pembroke

Avenue and Penn Boulevard to an intersection with Route 130 at Penn Boulevard and Baltimore Avenue in the borough of East Lansdowne Delaware County a distance of about .38 of a mile

Yeadon Borough

Route 23064 Extending Route 23064 Beginning at point in Upper Darby Township about 241 feet north of the Yeadon Borough line thence in a southerly direction through Upper Darby Township and Yeadon Borough on Church Lane to an intersection with Route 180 at Church Lane and Bunting Lane in Yeadon Borough Delaware County a distance of about 1.02 miles

Clifton Heights Borough

Route 23065 Extending Route 23065 Beginning at a point on the Clifton Heights Borough-Upper Darby Township line thence in a southeasterly direction over Springfield Road through Clifton Heights Borough to a point on Route 130 the intersection of Springfield Road and Baltimore Pike Delaware County a distance of about .5 of a mile

Swarthmore Borough

Route 23070 Extending Route 23070 Beginning at a point on Swarthmore Borough-Nether Providence Township line thence in an easterly direction on Yale Avenue to an intersection with Route 225 at Yale Avenue and Chester Road in the borough of Swarthmore Delaware County a distance of about .44 of a mile

Route 23071 Extending Route 23071 Beginning at a point on the Swarthmore Borough-Ridley Township line thence in a northerly direction on Leiperville Road to an intersection with Route 225 at Leiperville and Chester Roads in the borough of Swarthmore Delaware County a distance of about .30 of a mile

Route 23092 Extending Route 23092 Beginning at a point on the Swarthmore Borough-Ridley Township line thence in a southwesterly direction on Michigan Avenue to an intersection with the continuation of Rural Route 23071 at Michigan Avenue and Leiperville Road in the borough of Swarthmore Delaware County a distance of about .61 of a mile

Sharon Hill Borough

Route 23072 Extending Route 23072 Beginning at a point on the Sharon Hill Borough-Darby Township line thence in a northerly direction through Sharon Hill Borough on Sharon Avenue to an intersection with Route 180 at Sharon Avenue and Chester Pike in Sharon Hill Borough Delaware County a distance of about .44 of a mile

Route 23073 Extending Route 23073 Beginning at a point on Sharon Hill Borough-Darby Township line thence in a northerly direction on Hook Road to an intersection with Route 180 at Hook Road and Chester Pike in Sharon Hill Borough Delaware County a distance of about .28 of a mile

Glenolden Borough

Route 23091 Extending Route 23091 Beginning at a point on the Glenolden Borough-Ridley Township line thence in a southerly direction on South Avenue to an intersection with Route 729 at South Avenue and Parker Avenue in the borough of Glenolden Delaware County a distance of about .23 of a mile

Marcus Hook Borough

Route 23063 Extending Route 23063 Beginning at a point on the Lower Chichester Township-Marcus Hook Borough line thence in a southerly direction on Blue Ball Road to an intersection with Route 132 at Blue Ball Road and Wilmington Post Road in the Borough of Marcus Hook Delaware County a distance of about .22 of a mile

Upland Borough

Route 23014 Extending Route 23014 Beginning at a point on the Chester Township-Upland Borough line thence in a southerly direction on Main Street to a point on the Upland Borough-Chester City line in the borough of Upland Delaware County a distance of about 1.19 miles

ELK COUNTY

Ridgway Borough

Route 24002 Extending Route 24002 Beginning at a point on Route 24002 at the Ridgway Township-Ridgway Borough line Elk County thence in an easterly direction on West Main Street and Main Street to an intersection with Route 98 at the intersection of Main Street and South Mill Street in Ridgway Borough Elk County a distance of about .86 of a mile

Saint Marys Borough

Route 24013 Application 1247 Extending Route 24013 Beginning at a point on the Benzinger Township Saint Marys Borough line thence in a westerly and southerly direction on Washington and North Saint Marys Streets to a point on Route 556 at the Intersection of North Saint Marys and North Saint Michaels Streets in the Borough of Saint Marys Elk County a distance of about .62 of a mile

ERIE COUNTY

Albion Borough

Route 25004 Extending Route 25004 Beginning at a point on the Albion Borough-Conneaut Township line thence in a southerly direction on Main Street to an intersection with Route 295 and Route 85 at Main and State Streets in the borough of Albion Erie County a distance of about .5 of a mile

East Springfield Borough

Rout e 25004 Extending Route 25004 Beginning at a point on the East Springfield Borough-Springfield Township line thence in a northerly direction on Church Street to an intersection with Route 86 and the continuation of Rural Route 25007 at Church and Main Streets in the borough of East Springfield Erie County a distance of about .9 of a mile

Route 25007 Extending Route 25007 Beginning at a point on the East Springfield Borough-Springfield Township line thence in a southeasterly and southerly direction on Depot Street to Church Street thence on Church Street to an intersection with Route 86 and the continuation of Rural Route 25004 at Church and Main Streets in the borough of East Springfield Erie County a distance of about 1.4 miles

North Girard Borough

Route 25008 Extending Route 25008 Beginning at a point on the North Girard Borough-Girard Township line thence in a northeasterly and northerly direction on Lake Street to an intersection with the continuations of Rural Route 25019 and Rural Route 25020 at Lake and Depot Streets in the borough of North Girard Erie County a distance of about .5 of a mile

Route 25019 Extending Route 25019 Beginning at a point on the North Girard Borough-Girard Township line thence in a southerly direction on Lake Street to an intersection with the continuation of Rural Route 25008 and Rural Route 25020 at Lake and Depot Streets in the borough of North Girard Erie County a distance of about .3 of a mile

Route 25020 Extending Route 25020 Beginning at a point on the North Girard Borough-Girard Township line thence in a southwesterly direction on Martin Avenue to Rice Avenue thence northwesterly on Rice Avenue to Depot Street thence southwesterly on Depot Street to an intersection with the continuations of Rural Route 25008 and Rural Route 25019 at Depot and Lake Streets in the borough of North Girard Erie County a distance of about 1 mile

Cranesville Borough

Route 25011 Extending Route 25011 Beginning at a point on the Cranesville Borough-Elk Creek Township line thence in a westerly direction on Crane Street to an intersection with Route 295 at Crane and Meadville Streets in the borough of Cranesville Erie County a distance of about .7 of a mile

Platea Borough

Route 25013 Extending Route 25013 Beginning at a point on the Platea Borough-Girard Township line thence in a westerly direction on the Old State Road to an intersection with Route 295 at the Old State Road and Main Street in the Borough of Platea Erie County a distance of about 1 mile

Route 25014 Extending Route 25014 Beginning at a point on the Platea Borough-Girard Township line thence in a southwesterly and westerly direction on Peach Street to an intersection with Route 295 at Peach and Main Streets in the Borough of Platea Erie County a distance of about 1.2 miles

Waterford Borough

Route 25013 Extending Route 25013 Beginning at a point on the Waterford Borough-Waterford Township line thence in a northeasterly direction on West Third Street to West Park Row thence southeasterly on West Park Row to South Park Row thence northeasterly on South Park Row to an intersection with Route 84 at South Park Row and High Street in the borough of Waterford Erie County a distance of about .6 of a mile

Route 25056 Extending Route 25056 Beginning at a point on the Waterford Borough-Waterford Township line thence in a southwesterly direction on East Third Street to East Park Row thence northwesterly on East Park Row to North Park Row thence southwesterly on North Park Row to an intersection with Route 84 at North Park Row and High Street in the borough of Waterford Erie County a distance of about .6 of a mile

Girard Borough

Route 25016 Extending Route 25016 Beginning at a point on the Girard Borough-Girard Township line thence in a northwesterly direction on Walnut Street to an intersection with Route 86 at Walnut and East Main Streets in the borough of Girard Erie County a distance of about .3 of a mile

Middleboro Borough

Route 25017 Extending Route 25017 Beginning at a point on the Middleboro Borough-McKean Township line thence in an easterly direction on Sterrettania Street to an intersection with Route 258 at Sterrettania and Main Streets in the borough of Middleboro Erie Couny a distance of about .3 of a mile

Route 25018 Extending Route 25018 Beginning at a point on the Middleboro Borough-McKean Township line thence in a southerly direction on the Grubb Road to an intersection with Route 258 at Grubb Road and Main Street in the borough of Middleboro Erie County a distance of about .3 of a mile

Fairview Borough

Route 25022 Extending Route 25022 Beginning at a point on the Fairview Borough-Fairview Township line thence in a general westerly direction on Sterrettania Street to an intersection with Route 272 at Sterrettania and Church Streets in the borough of Fairview Erie County a distance of about .6 of a mile

Mill Village Borough

Route 25035 Extending Route 25035 Beginning at a point on the Mill Village Borough-LeBoeuf Township line thence in a northwesterly direction on Mackey Hill Road to Main Street thence northwesterly on Main Street to an intersection with Route 709 and the continuation of Rural Route 25039 at Main and Center Streets in the borough of Mill Village Erie County a distantc of .6 of a mile

Route 25038 Extending Route 25038 Beginning at a point on the Mill Village Borough-LeBoeuf Township line thence in a northwesterly direction on Main Street to an intersection with the continuation of Rural Route 25035 at Main Street and Mackey Hill Road in the borough of Mill Village Erie County a distance of about .2 of a mile

Route 25039 Extending Route 25039 Beginning at a point on the Mill Village Borough-LeBoeuf Township line thence in a general southerly direction on Main Street to an intersection with Route 709 at Main and Center Streets in the borough of Mill Village Erie County a distance of about .6 of a mile

Union City Borough

Route 25040 Extending Route 25040 Beginning at a point on the Union City Borough-Union Township line thence in an easterly direction on West High Street to an intersection with Route 271 and Route 304 at West High and Main Streets in the borough of Union City Erie County a distance of about .6 of a mile

Route 987 Extending Route 987 (being a continuation of Rural Route 25041) Beginning at a point on the Union City Borough-Union Township line thence in a northwesterly direction on Concord Street to an intersection with Route 271 at Concord and Main Streets in the borough of Union City Erie County a distance of about .9 of a mile

Elgin Borough

Route 25042 Extending Route 25042 Beginning at a point on the Elgin Borough-Concord Township line thence in a northerly direction on Main Street to an intersection with the continuation of Rural Route 25045 and Rural Route 25046 at Main and Pleasant Streets in the borough of Elgin Erie County a distance of about .4 of a mile

Route 25045 Extending Route 25045 Beginning at a point on the Elgin Borough-Union Township line thence in an easterly direction on Pleasant Street to an intersection with the continuations of Rural Route 25046 and Rural Route 25042 at Pleasant and Main Streets in the borough of Elgin Erie County a distance of about .9 of a mile

Route 25046 Extending Route 25046 Beginning at a point on the Elgin Borough-Concord Township line Thence in a westerly direction on Pleasant Street to an intersection with the continuations of Rural Route 25045 and Rural Route 25042 at Pleasant and Main Streets in the borough of Elgin Erie County a distance of about .4 of a mile

Wattsburg Borough

Route 25061 Extending Route 25061 Beginning at a point on the Wattsburg Borough-Venango Township line thence in a westerly direction on Jamestown Street to an intersection with Route 88 at Jamestown and Main Streets in the borough of Wattsburg Erie County a distance of about .5 of a mile

Wesleyville Borough

Route 25064 Extending Route 25064 Beginning at a point on the Wesleyville Borough-Lawrence Park Township line thence in a southeasterly direction on Water Street to an intersection with Route 87 at Water Street and Buffalo Road in the borough of Wesleyville Erie County a distance of about .2 of a mile

Application 85 Extending continuation of Rural Route 25067 Beginning at a point on the Wesleyville Borough-Harborcreek Township line thence in a northwesterly direction on the Statton Road to an intersection with Route 87 at the Statton and Buffalo Roads in the broough of Wesleyville Erie County a distance of about .5 of a mile

Fayette County

Masontown Borough

Route 26008 Extending Route 26008 Beginning at a point on the Masontown Borough-German Township line thence in a westerly direction on Church Street to an intersection with the continuation of State-aid Application 1022 at Church and Main Streets in the borough of Masontown Fayette County a distance of about .11 of a mile

Route 26079 Extending Route 26079 Beginning at a point on the Masontown Borough-German Township line thence in a northwesterly direction on Fairview Street to Bradley Street thence in a westerly direction on Bradley Street to an intersection with the continuation of Route 579 at Bradley and South Main Streets in the borough of Masontown Fayette County a distance of about .10 of a mile

Route 579 Extending Route 579 Beginning on Route 579 at the Masontown Borough line thence over South Main Street to an intersection with the continuation of Rural Route 26008 at Main and Church Streets in the borough of Masontown Fayette County a distance of about .50 of a mile

Vanderbilt Borough

Route 26025 Extending Route 26025 Beginning at a point on the Vanderbilt Borough-Dunbar Township line thence in a northerly direction to an intersection with Route 247 in the borough of Vanderbilt Fayette County a distance of about .23 of a mile

Application 1267 Beginning at a point on the Vanderbilt Borough-Dunbar Township line thence in a southerly direction on State-aid Application 1016 to an intersection with Route 247 in the borough of Vanderbilt Fayette County a distance of about .13 of a mile

Fairchance Borough

Route 26035 Extending Route 26035 Beginning at a point on the Fairchance Borough-Georges Township line thence in a southerly direction on Morgantown Street to an intersection with the continuation of Rural Route 26082 at Morgantown and Church Streets in the borough of Fairchance Fayette County a distance of about 1.05 miles

Route 26082 Extending Route 26082 Beginning at a point on the Fairchance Borough-Georges Township line thence in an easterly direction on Church Street to an intersection with the continuation of Rural Route 26035 at Church and Morgantown Streets in the borough of Fairchance Fayette County a distance of about .28 of a mile

Point Marion Borough

Route 26039 Extending Route 26039 Beginning at a point on the Point Marion Borough-Springbill Township line thence in a northwesterly direction on the old Stewarttown Road to the old Morgantown Road thence in a northerly direction on the old Morgantown Road to an intersection with Route 116 on Morgantown Street near Broadway in the borough of Point Marion Fayette County a distance of about .41 of a mile

Dunbar Borough

Route 26047 Traffic Route 110 Extending Route 26047 Beginning at a point on the Dunbar Borough-Dunbar Township line thence in a westerly direction on Woodvale Street to an intersection with Rural Route 26070 Traffic Route 110 at the southwestern borough line in the borough of Dunbar Fayette County a distance of about .38 of a mile

Brownsville Borough

Route 26066 Extending Route 26066 Beginning at a point on the Brownsville Borough-Brownsville Township line thence in a northwesterly direction on Union Street to an intersection with Route 113 at Union Street and Broadway in the borough of Brownsville Fayette County a distance of about .29 of a mile

Markleysburg Borough

Route 26067 Extending Route 26067 Beginning at a point on the Markleysburg Borough-Henry Clay Township line thence in a westerly direction on a borough street for a distance of about 935 feet thence in a northerly direction on a obrough street to an intersection with Route 363 in the borough of Markleysburg Fayette County a distance of about .22 of a mile

Ohiopyle Borough

Route 26071 Extending Route 26071 Beginning at a point on the Ohiopyle Borough-Stewart Township line thence in an with State Highway Route 139 at Quarry Road and Main easterly direction on an unnamed borough street to an intersection with Route 366 in the borough of Ohiopyle Fayette County a distance of about .23 of a mile

Everson Borough

Route 26088 Extending Route 26088 Beginning at a point on the Everson Borough-Upper Tyrone Township line thence in an easterly direction on Jones Street to an intersection with Route 117 at Jones and Brown Streets in the borough of Everson Fayette County a distance of about .13 of a mile

Dawson Borough

Application 10 Beginning at a point on the Dawson Borough-Lower Tyrone Township line thence in a southwesterly direction to an intersection with State-aid Application 1267 at the Dawson Borough-Dunbar Township line (Dawson Bridge-Youghiogheny River) in the borough of Dawson Fayette County a distance of about .49 of a mile

South Brownsville Borough

Application 496 Beginning at a point on the South Brownsville Borough-Luzerne Township line thence in a northeasterly direction on High Street to an intersection with Route 113 at High and Bridge Streets in the borough of South Brownsville Fayette County a distance of about .69 of a mile

Forest County

Tionesta Borough

Route 27001 Extending Route 27001 Beginning at a point on the Tionesta Borough-Tionesta Township line thence in a northeasterly direction on the Smoky Hill Road to an intersection with Route 98 at Smoky Hill Road and Elm Street in the borough of Tionesta Forest County a distance of about .04 of a mile

Route 27007 Extending Route 27007 Beginning at a point on the Tionesta Borough-Tionesta Township line thence in a southwesterly direction on the German Hill Road to an intersection with Route 98 at the German Hill Road and Elm Street in the borough of Tionesta Forest County a distance of about 1 mile

Franklin County

Chambersburg Borough

Route 28007 Extending Route 28007 Beginning at a point on the Chambersburg Borough-Hamilton Township line thence in a southerly direction on Commerce and Hood Streets to an intersection with Route 37 at Hood Street and Lincoln Way west in the borough of Chambersburg Franklin County a distance of about .84 of a mile

Route 588 Extending Route 588 Begining on Route 588 at the Chambersburg Borough line thence over Wayne Avenue and Derbyshire Street to an intersection with Route 35 in the borough of Chambersburg Franklin County a distance of about .70 of a mile

Mont Alto Borough

Route 28009 Extending Route 28009 Beginning at a point on the Mont Alto Borough-Quincy Township line thence in a southwesterly direction on Main Street extended to an intersection with Application 5503 thence in a westerly direction over a portion of Application 5503 on Park Street to the intersection of Applications 5503 and 595 at Park and Main Streets and Fayetteville Road thence in a northwesterly direction over a portion of Application 585 on the Fayetteville Road to an intersection with Route 522 on the Mont Alto Borough-Quincy Township line in the borough of Mont Alto Franklin County a distance of about .18 of a mile

Shippensburg Borough

Route 28009 Extending Route 28009 Beginning at a point on the Shippensburg Borough-Southampton Township line thence in a northwesterly direction on Fayette Street to an intersection with the continuation of Rural Route 28009 Cumberland County at a point on the Cumberland-Franklin County line at Fayette and Garfield Streets in the borough of Shippensburg Franklin County a distance of about .15 of a mile

Orrstown Borough

Route 28014 Extending Route 28014 Beginning at a point on the Orrstown Borough-Southampton Township line thence in a northeasterly direction on West Main Street to an intersection with Route 264 at Main and South Streets in the borough of Orrstown Franklin County a distance of about .16 of a mile

Mercersburg Borough

Route 28037 Extending Route 28307 Beginning at a point on the Mercersburg Borough-Montgomery Township line thence in a southwesterly direction on Oregon Street to an intersection with Route 224 at Oregon and North Main Streets in the borough of Mercersburg Franklin County a distance of about .31 of a mile

Route 28037 Extending Route 28307 Beginning at a point on the Mercersburg Borough-Montgomery Township line thence in a northeasterly direction on South Park Avenue to an intersection with Route 224 at South Park Avenue and North Main Street in the borough of Mercersburg Franklin County a distance of about .63 of a mile

Greencastle Borough

Route 28004 Extending Route 28004 Beginning at a point on the Greencastle Borough-Antrim Township line thence in a southerly direction on Saint Thomas Road and North Carl Avenue to an intersection with Route 224 at North Carl Avenue and West Baltimore Street in the Borough of Greencastle Franklin County a distance of about 0.60 of a mile

Route 28004 Extending Route 28004 Beginning at a point on the Greencastle Borough-Antrim Township line thence in a northwesterly direction on Leiterburg Street to an intersection with Route 36 at Leiterburg and South Washington Streets in the Borough of Greencastle Franklin County a distance of about 0.52 of a mile

Route 28041 Extending Route 28041 Beginning at a point on the Greencastle Borough-Antrim Township line thence in a southwesterly direction on North Allison Avenue to an intersection with Route 224 at North Allison Avenue to an in- Baltimore Street in the Borough of Greencastle Franklin County a distance of about 0.58 of a mile

Waynesboro Borough

Route 28004 Extending Route 28004 Beginning at a point on the Waynesboro Borough-Washington Township line thence in a northeasterly direction on Cleveland Avenue to an intersection with Route 224 at Cleveland Avenue and Main Street in the Borough of Waynesboro Franklin County a distance of about 0.96 of a mile

Route 588 Extending Route 588 Beginning on Route 588 at the Waynesboro Borough line thence over Grant Street to an intersection with Route 224 at Grant and Main Streets in the borough of Waynesboro Franklin County a distance of about .40 of a mile

Route 28025 Extending Route 28025 Beginning at a point on the Waynesboro Borough-Washington Township line thence in a southwesterly direction on Road Side Avenue to an intersection with Route 44 at Road Side Avenue and Main Street in the Borough of Waynesboro Franklin County a distance of about 0.42 of a mile

Route 28023 Application 584 Extending Route 28023 Beginning at a point in Waynesboro Borough at the south end of the concrete pavement on Application 584 thence in a southwesterly direction on North Church Street to an intersection with Route 224 at North Church and Main Streets in the Borough of Waynesboro Franklin County a distance of about 0.30 of a mile

Greene County

Graysville Borough

Route 30007 Extending Route 30007 Beginning at a point on the Graysville Borough-Richhill Township line thence in a southeasterly direction to an intersection with the continuation of Rural Route 30067 in the borough of Graysville Greene County a distance of about .82 of a mile

Route 30067 Extending Route 30067 Beginning at a point on the Graysville Borough-Richhill Township line thence in a southerly direction to an intersection with Route 256 in the borough of Graysville Green County a distance of about .99 of a mile

Route 30070 Extending Route 30070 Beginning at a point on the Graysville Borough-Morris Township line thence in a southerly direction to an intersection with Route 256 in the borough of Graysville Greene County a distance of about 1.43 miles

New Freeport Borough

Route 3008 Extending Route 30008 Begeinning at a point on the New Freeport Borough-Springhill Township line thence in an easterly direction to an intersection with Route 111 in the borough of New Freeport Green County a distance of about .70 of a mile

Route 30010 Extending Route 30010 Beginning at a point on the New Freeport Borough-Gilmore Township line thence in a westerly direction to an intersection with Route 111 in the borough of New Freeport Greene County a distance of about .71 of a mile

Route 30037 Extending Route 30037 Spur Beginning at a point on the New Freeport Borough-Springhill Township line thence in an easterly direction to an intersection with Route 111 in the borough of New Freeport Greene County a distance of about 2.03 miles

Mount Morris Borough

Route 30017 Traffic Route 121 Extending Route 30017 Beginning at a point on the Mount Morris Borough Perry Township line thence in an easterly direction across Dunkard Creek to Apple Alley thence in a notheasterly direction on Apple Alley to Main Street thence in a southeasterly direction on Main Street to Washington Street thence in a northeasterly direction on Washington Street to an intersection with Route 110 at Washington and Mechanic Streets in the borough of Mount Morris Greene County a distance of about .3) of a mile

Route 30017 Traffic Route 330 Extending Route 30017 Beginning at a point on the Mount Morris Borough-Perry Township line thence in an easterly direction across Wades Run thence in a westerly direction to an intersection with the continuation of Rural Route 30017 (Traffic Route 121) at Apple Alley in the borough of Mount Morris Greene County a distance of about .24 of a mile

Waynesburg Borough

Route 30017 Traffic Route 340 Extending Route 30017 Beginning at a point on the Waynesburg Borough-Franklin Township line thence in a northerly direction on South Porter Street to an intersection with Route 110 at Porter and High Streets in the borough of Waynesburg Greene County a distance of about .17 of a mile

Route 30072 Extending Route 30072 Beginning at a point on the Waynesburg Borough-Franklin Township line thence in a southerly direction on North Porter Street to an intersection with Route 110 at Porter and High Streets in the borough of Waynesburg Greene County a distance of about .49 of a mile

Carmichaels Borough

Route Extending Route 30021 Beginning at a point on the Carmichaels Borough-Cumberland Township line thence in a northerly direction to an intersection with Route 451 in the borough of Carmichaels Greene County a distance of about .05 of a mile

Route 30062 Extending Route 30062 Beginning at a point on the Carmichaels Borough-Cumberland Township line thence in a westerly direction on South Street to an intersection with Route 451 at South and Vine Streets in the borough of Carmichaels Greene County a distance of about .30 of a mile

Clarksville Borough

Route 30051 Extending Route 30051 Beginning at a point on the Clarksville Borough-Jefferson Township line thence in an easterly direction on Main Street to an intersection with Rural Route 62012 at the Green-Washington County line in the borough of Clarksville Green County a distance of about .27 of a mile

Route 30081 Extending Route 30081 Beginning at a point on the Clarksville Borough-Morgan Township line thence in a southerly direction on South Street to an intersection with the continuation of Rural Route 30051 at South and Main Streets in the borough of Clarksville Greene County a distance of about .9 of a mile

Jefferson Borough

Route 30055 Extending Route 30055 Beginning at a point on the Jefferson Borough-Morgan Township line thence in a southeasterly direction to an intersection with the intersection of Route 268 and Route 118 in the borough of Jefferson Greene County a distance of about .10 of a mile

Route 30057 Extending Route 30057 Beginning at a point on the Jefferson Borough-Jefferson Township line thence in a northwesterly direction to an intersection with the intersection of Route 268 and Route 118 in the borough of Jefferson Greene County a distance of about .23 of a mile

Rices Landing Borough

Route 30077 Extending Route 30077 Beginning at a point on the Rices Landing Borough-Jefferson Township line thence in a northeasterly direction on Jefferson Street to Main Street thence in a northwesterly direction on Main Street to Fourth Street thence in a northeasterly direction on Fourth Street to an intersection with Rural Route 26002 Fayette County at the Greene-Fayette County line (Monongahela River) in the borough of Rices Landing Greene County a distance of about .88 of a mile

Huntingdon County

Three Spring Borough

Route 31010 Extending Route 31010 Beginning at a point on the south Three Springs Borough-Clays Township line thence in a northeasterly direction to an intersection with Route 431 at Hudson Street in the borough of Three Springs Huntingdon Sounty a distance of about .02 of a mile

Route 31017 Extending Route 31017 Beginning at a point on the north Three Springs Borough-Clay Township line thence in a southwesterly direction on Church Street to an intersection with Routes 192 and 431 at Church and Hudson Streets in the borough of Three Springs Huntingdon County a distance of about 1.02 miles

Broad Top City Borough

Route 31012 Extending Route 31012 Beginning at a point on the south Broad Top City Borough-Carbon Township line thence in a northerly direction to the southern end of State-aid Application 4973 in the borough of Broad Top City Huntingdon County a distance of about .15 of a mile

Dudley Borough

Route 31014 Extending Route 31014 Beginning at a point on the west Dudley Borough-Carbon Township lnie thence in a northeasterly direction on Washington Street to an intersection with Route 721 at Washington and Main Streets in the borough of Dudley Huntingdon County a distance of about .56 of a mile

Mount Union Borough

Route 31017 Extending Route 31017 Beginning at a point on the south Mount Union Borough-Shirley Township line thence in a northeasterly direction on Division Street to an intersection with Route 121 at Division and Shirley Streets in the borough of Mount Union Huntingdon County a distance of about .59 of a mile

Mapleton Borough

Route 31022 Extending Route 31022 Beginning at a point on the southern borough line of Mapleton in Huntingdon County thence northerly on Campbell Street to its intersection with Rural Route 31027 extension at Campbell and Main Streets in the borough of Mapleton Huntingdon County a distance of about .20 of a mile

Route 31027 Extending Route 31027 Beginning at a point on the north Mapleton Borough-Union Township line thence in a southerly direction on Culvert Street to Callohill and Main Streets thence easterly on Main Street to an intersection with the continuation of Rural Route 31022 at Main and Campbell Streets in the borough of Mapleton Huntingdon County a distance of about .23 of a mile

Shirleysburg Borough

Route 31030 Extending Route 31030 Begining at a point on the east Shirleysburg Borough-Shirley Township line thence in a westerly direction to an intersection with Route 121 at Shirley Street in the borough of Shirleysburg Huntingdon County a distance of about .04 of a mile

Huntingdon Borough

Route 31042 Extending Route 31042 Beginning at a point on the East Huntingdon Borough-Henderson Township line thence in a southwesterly direction on First Street to an intersection with Route 33 at First and Penn Streets in the borough of Huntingdon Huntingdon County a distance of about .14 of a mile

Route 31044 Extending Route 31044 Beginning at a point on the north Huntingdon Borough-Oneida Township line thence in a southeasterly direction on Warm Springs Avenue to Seventh Street thence southerly on Steventh Street to an intersection with Route 55 at Seventh and Penn Streets in the borough of Huntingdon Huntingdon County a distance of about 1.72 miles

Route 759 Extending Route 759 Beginning on Route 759 at the Huntingdon Borough line thence in a southeasterly direction over Moore Street to an intersection with Seventh Street in the borough of Huntingdon Huntingdon County a distance of about 1.04 miles.

Indiana County

Saltsburg Borough

Route 32001 Application 253 Extending Route 32001 Beginning at a point on the Saltsburg Borough-Conemaugh Township line thence in a southwesterly direction on Indiana Avenue to the intersection of Indiana Avenue and Cathedral Alley thence in a southeasterly direction on Cathedral Alley to the intersection of Cathedral Alley and Point Street thence in a southwesterly direction on Point Street to the intersection of Point Street and Salt Street thence in a northwesterly direction on Salt Street to an intersection with Route 228 at Salt and Washington Streets in the borough of Saltsburg Indiana County a distance of about .55 of a mile

Blairsville Borough

Route 32004 Application 637 Extending Route 32004 Beginning at a point on the Blairsville Borough-Burrell Township line thence in a southeasterly direction on Jacksonville Road to the intersection of Jacksonville Road and Ranson Avenue thence in an easterly direction on Ranson Avenue to the intersection of Ranson Avenue and Walnut Street to an intersection with Route 223 at Walnut and Market Streets in the borough of Blairsville Indiana County a distance of about .75 of a mile

Route 32005 Extending Route 32005 Beginning at a point on the Blairsville Borough-Burrell Township line thence in a northwesterly direction on South Liberty Street to an intersection with Route 223 at West Market and South Liberty Streets in the borough of Blairsville Indiana County a distance of about .45 of a mile

Route 32016 Application 423 Extending Route 32016 Beginning at a point on the Blairsville Borough-Burrell Township line thence in a southwesterly direction on Indiana Road to an intersection of Indiana Road and North Brady Street thence in a southerly direction on North Brady Street to an intersection with Route 223 at Market and North Brady Streets in the borough of Blairsville Indiana County a distance of about .60 of a mile

Jacksonville Borough

Route 32033 Application 527-B Extending Route 32033 Beginning at a point on the Jacksonville Borough-Young Township line thence in a southeasterly direction on Mill Street to an intersection with Route 228 at Mill and Main Streets in the borough of Jacksonville Indiana County a distance of about .10 of a mile

Homer City Borough

Route 32035 Extending Route 32035 Beginning at a point on the Homer City-Center Township line thence in a southwesterly direction on Mechanicsburk Road to an intersection westerly direction on Mechanicsburg Road to an intersection easterly direction on Greeley Street to an intersection at Greeley Street thence in a southwesterly direction on Church Street to an intersection with Route 68 at Church and South Main Streets in the borough of Homer City Indiana County a distance of about .45 of a mile

Indiana Borough

Route 32036 Application 268 Extending Route 32036 Beginning at a point on the Indiana Borough-White Township line thence in a northerly direction on South Sixth Street over Application 321 to the intersection of Wayne and South Sixth Streets thence northerly on South Sixth Street to an intersection with Route 67 at South Sixth and Philadelphia Streets in the borough of Indiana Indiana County a distance of about .75 of a mile

Route 32053 Extending Route 32053 Beginning at a point on the Indiana Borough-White Township line at the end of Application 527-B thence in a southerly direction over North Ninth Street to an intersection with Route 67 in Indiana Borough Indiana County a distance of about .34 of a mile

Creekside Borough

Route 32061 Extending Route 32061 Beginning at a point on the Creekside Borough-Washington Township line thence in a northeasterly direction on Chambersville Road to an intersection with Route 63 Spur at Chambersville Road and Indiana Road in the borough of Creekside Indiana County a distance of about .20 of a mile

Cherry Tree Borough

Route 32079 Extending Route 32079 Beginning at a point on the Cherry Tree Borough-Montgomery Township line thence in an easterly direction to an intersection with Mahoning Street thence in a southeasterly direction on Mahoning Street to an intersection with Route 571 Spur at Mahoning Street and Indiana Road in the borough of Cherry Tree Indiana County a distance of about .40 of a mile

Marion Center Borough

Route 32088 Extending Route 32088 Beginning at a point on the Marion Center-East Mahoning Township line thence in a westerly direction on Main Street to an intersection with the continuation of Rural Route 32089 near the end of State-aid Application 530-A in the borough of Marion Center Indiana County a distance of about .30 of a mile

Route 32089 Extending 32089 Beginning at a point on the Marion Center Borough-East Mahoning Township line thence in a southwesterly direction on Richmond Road to the intersection of Richmond Road and Main Street thence in a southwesterly direction on Main Street to an intersection with Routes 508 and 63 Spur at Main and North Manor Streets in the borough of Marion Center Indiana County a distance of about .60 of a mile

Route 32092 Extending Route 32092 Beginning at a point on the Marion Center-East Mahoning Township line thence in a southeasterly direction on Punxsutawney Street to the intersection of Punxsutawney Street and North Manor Street thence in a southwesterly direction on North Manor Street to an intersection with Route 508 and 63 Spur at Main and North County a distance of about .65 of a mile

Plumville Borough

Route 32094 Extending Route 32094 Beginning at a point on the Plumville Borough-South Mahoning Township line thence in a southwesterly direction on Main Street to an intersection with Route 189 on Main Street in the borough of Plumville In-

Smicksburg Borough

Route 32097 Extending Route 32097 Beginning at a point on the Smicksburg Borough-West Mahoning Township line thence in a northeasterly direction on Main Street to an intersection with State-aid Application 4744 on Main Street in the borough of Smicksburg Indiana County a distance of about .15 of a mile

Route 32104 Application 4937 Extending Route 32104 Beginning at point on the Smicksburg Borough-Mahoning Township line thence in a northerly direction on Indiana Road to the intersection of Indiana Road on Main Street thence in a northeasterly direction on Main Street to an intersection with Route 540 Spur near Main and Church Streets in the borough of Smicksburg Indiana Conuty a distance of about .35 of a mile

Route 32111 Extending Route 32111 Beginning at a point on the Smicksburg Borough-West Mahoning Township line thence in a southeasterly direction on Mill Street to an intersection with State-aid Application 4744 at Mill and Main Streets in the borough of Smicksburg Indiana County a distance of about .30 of a mile

Glen Campbell Borough

Route 32102 Extending Route 32102 Beginning at a point on the Glen Campbell Borough-Banks Township line thence in

a southeasterly direction on Jefferson Street to an intersection with Route 573 at Main and Jefferson Streets in the borough of Glen Campbell Indiana County a distance of about .65 of a mile

Jefferson County

Timblin Borough

Route 33003 Extending Route 33003 Beginning at a point on the Timblin Borough-Ringgold Township line thence southerly on State Street to an intersection at Market and State Streets in the borough of Timblin Jefferson County a distance of about .35 of a mile

Route 33005 Extending Route 33005 Beginning at a point on the Timblin Borough-Ringgold Township line thence westerly on Market Street to an intersection at State and Market Streets in the borough of Timblin Jefferson County a distance of about .80 of a mile

Summerville Borough

Route 33003 Extending Route 33003 Beginning at a point on the Summerville Borough-Clover Township line thence in a northerly direction on Heathville Roads to the intersection of Heathville Road and State Street thence in a northwesterly direction on State Street to the intersection of State Street and Water Street thence in an easterly direction on Water Street to the intersection of Water Street and Carrier Street thence in a northwesterly direction on Carrier Street to an intersection with Route 237 at Carrier and Harrison Streets in the borough of Summerville Jefferson County a distance of about .90 of a mile

Route 33011 Extending Route 33011 Beginning at a point on the Summerville Borough-Clover Township line thence in a westerly direction on the Content Road to an intersection with the continuation of Route 33003 at Heathville and Content Roads in the borough of Summerville Jefferson County a distance of about .10 of a mile

Corsica Borough

Route 33006 Extending Route 33006 Beginning at a point on the Corsica Borough-Union Township line thence in a northwesterly direction on the Summerville Road to an intersection with Route 64 at Summerville Road and Main Street in the borough of Corsica Jefferson County a distance of about .15 of a mile

Route 33008 Extending Route 33008 Beginning at a point on the Corsica Borough-Union Township line thence in a southwesterly direction on the Olean Road to an intersection with Route 64 at Main Street and Olean Road in the borough of Corsica Jefferson County a distance of about .40 of a mile

Brookville Borough

Route 33013 Application 4420 Extending Route 33013 Beginning at a point on the Brookville Borough-Rose Township line thence in a northeasterly direction on White Street over Application 5775 to the south end of a steel truss bridge over Red Bank Creek thence northerly on White Street to an intersection with Route 64 at Main and White Streets in the borough of Brookville Jefferson County a distance of about .30 of a mile

Worthville Borough

Route 33016 Extending Route 33016 Beginning at a point on the Worthville Borough-Ringgold Township line thence in a northwesterly direction on Main Street to an intersection with the continuation of Route 33017 at Main Street and Langville Extension in the borough of Worthville Jefferson County a distance of about .55 of a mile

Route 33017 Extending Route 33017 Beginning at a point on the Worthville Borough-Beaver Township line thence in a northeasterly direction on Langville Extension to an intersection with the continuation of Route 33016 at Main Street and Langville Extension in the borough of Worthville Jefferson County a distance of about .40 of a mile

Route 33017 Extending Route 33017 Beginning at a point on the Worthville Borough-Beaver Township line thence in a southwesterly direction on Main Street to an intersection with the continuation of Route 33016 at Main Street and Langville Extension in the borough of Worthville Jefferson County a distance of about .05 of a mile

Punxsutawney Borough

Route 33024 Extending Route 33024 Beginning at a point on the Punxsutawney Borough-Young Township line thence in an easterly direction on Perry Street to an intersection with Route 63 at Perry and North Mahoning Streets in the borough of Punxsutawney Jefferson County a distance of about .40 of a mile

Route 33025 Extending Route 33025 Beginning at a point on the Punxsutawney Borough-Young Township line thence in a southeasterly direction on North Findley Street to an intersection with Route 189 at North Findley and Mahoning Streets in the borough of Punxsutawney Jefferson County a distance of about .80 of a mile

Route 33034 Extending Route 33034 Beginning at a point on the Punxsutawney Borough-Young Township line thence in a northwesterly direction on Altman Avenue to the intersection of Altman Avenue and Gaskill Avenue thence in a westerly direction on Gaskill Avenue to an intersection with Route 63 at Indiana Street and Gaskill Avenue in the borough of Punxsutawney Jefferson County a distance of about .40 of a mile

Route 33037 Extending Route 33037 Beginning at a point on the Punxsutawney Borough-Bell Township line thence in a westerly direction on the Albion Road to an intersection with Route 358 at Graffius Avenue and Albion Road in the borough of Punxsutawney Jefferson County a distance of about .05 of a mile

Reynoldsville Borough

Route 33029 Extending Route 33029 Beginning at a point on the Reynoldsville Borough-Winslow Township line thence in a southwesterly direction on Broadway Street to an intersection with Route 60 at Broadway and Pike Streets in the borough of Reynoldsville Jefferson County a distance of about .60 of a mile

Route 33054 Extending Route 33054 Beginning at a point on the Reynoldsville Borough-Winslow Township line thence in a southwesterly direction on Fourth Street to an intersection with Route 60 at Fourth and Main Streets in the borough of Reynoldsville Jefferson County a distance of about .60 of a mile

Brockway Borough

Route 33047 Extending Route 3047 Beginning at a point on the Brockway Borough-Snyder Township line thence in a northwesterly direction on Arch Street to the intersection of Arch Street and Broad Street to the intersection of Board Street and Fifth Avenue thence in a northerly direction on Fifth Avenue to an intersection of Route 61 at Main Street and Fifth Avenue in the borough of Brockway Jefferson County a distance of about .65 of a mile

Big Run Borough

Route 33050 Extending Route 33050 Beginning at a point on the Big Run Borough-Gaskill Township line thence in a northeasterly direction on Mill Street to an intersection with Route 189 at Mill and Main Streets in the borough of Big Run Jefferson County a distance of about .20 of a mile

Route 33051 Extending Route 33051 Beginning at a point on the Big Run Borough-Henderson Township line thence in a southeasterly direction on Pennsylvania Avenue to an intersection with Route 189 at Main Street and Pennsylvania Avenue in the borough of Big Run Jefferson County a distance of about .40 of a mile

Route 33035 Extending Route 33035 Beginning at a point on the Big Run Borough-Gaskill Township line thence in a northwesterly direction on McCartney Road to an intersection with Route 189 at McCartney Road and Main Street in the borough of Big Run Jefferson County a distance of about .05 of a mlie

Juniata County

Mifflin Borough

Traffic Route 165 Route 34004 Extending Route 34004 Beginning at a point on the Hifflin Borough-Milford Township line thence in an easterly direction on Licking Street to an intersection with Licking and Mowry Streets thence in a southerly direction on Mowry Street to an intersection at Mowry Street and State Highway Route 193 in the borough of Mifflin Juniata County a distance of about .57 of a mile

Traffic Route 276 Route 34004 Extending Route 34004 Beginning at a point on the Mifflin Borough-Milford Township line thence in a southerly direction on Foster Street to an intersection with the continuation of Traffic Route 165 Rural Route 34004 at Foster and Licking Streets in the borough of Mifflin Juniata County a distance of about .09 of a mile

Thompsontown Borough

Traffic Route 236 Route 34019 Extending Route 34019 Beginning at a point on the Thompsontown Borough-Delaware Township line thence in a southeasterly direction on Pine Street to an intersection with State Highway Route 31 and

State Highway Route 275 at Pine Mill and Main Streets in the borough of Thompsontown Juniata County a distance of about .35 of a mile

Route 34029 Application 1791 Extending Route 34029 Beginning at a point on the Thompsontown Borough-Delaware Township Line thence in a northeasterly direction on Mill Street to an intersection with State Highway Routes 31 and 275 and the continuation of Traffic Route 236 Rural Route 34019 at Main Mill and Pine Streets in the Borough of Thompsontown Juniata County a distance of about 0.32 miles

Lackawanna County

Moscow Borough

Route 35001 Extending Route 35001 Beginning at a point on the Moscow Borough-Spring Brook Township line thence in an easterly direction on Church Street to an intersection with Route 168 at Church and Main Streets in the borough of Moscow Lackawanna County a distance of about 2.20 miles

Route 35005 Extending Route 35005 Beginning at a point on the Moscow Borough-Madison Township line thence in a southwesterly direction on Market Street to an intersection with Route 172 at Market and Mill Streets in the borough of Moscow Lackawanna County a distance of about .84 of a mile

Elmhurst Borough

Route 35008 Extending Route 35008 Beginning at a point on the Elmhurst Borough-Roaring Brook Township line thence in an easterly direction on Mullen Road to an intersection with Route 168 at Mullen Road and Main Street in the borough of Elmhurst Lackawanna County a distance of about .23 of a mile

Taylor Borough

Route 35013 Extending Route 35013 Beginning at a point on the Taylor Borough-Ransom Township line thence in a northeasterly direction on Continental Road thence in a southerly direction on Mountain Road thence in a northeasterly direction on Keyser Avenue to the Taylor Borough City of Scranton line in the borough of Taylor Lackawanna County a disance of about 1.44 miles

Clarks Green Borough

Route 35021 Extending Route 35021 Beginning at a point on the Clarks Green Borough-South Abington Township line thence in a southwesterly direction on Clearview Road to an intersection with Route 365 Spur at Clearview Road and Clarks Green Road in the borough of Clarks Green Lackawanna County a distance of about .40 of a mile

Glenburn Borough

Route 35022 Extending Route 35022 Beginning at a point on the Glenburn Borough-Abington Township line thence in a northwesterly direction on Ackerly Fair Ground Road to an intersection with Application 308 in the borough of Glenburn Lackawanna County a distance of about .69 of a mile

Route 35043 Extending Route 35043 Beginning at a point on the Glenburn Borough-West Abington Township line thence in an easterly direction on Old Abington Road to an intersection with Route 9 in the borough of Glenburn Lackawanna County a distance of about 1.51 miles

Dalton Borough

Route 35024 Extending Route 35024 Beginning at a point on the Dalton Borough-West Abington Township line thence in an easterly direction on West Abington Road thence in a southeasterly direction on Mill Street to an intersection with Route 9 in the borough of Dalton Lackawanna County a distance of about 1 mile

La Plume Borough

Route 35030 Extending Route 35030 Beginning at a point on the LaPlume Borough-North Abington Township line thence in a southwesterly direction along Fleetville-LaPlume Road to an intersection with Route 9 in the borough of LaPlume Lackawanna County a distance of about .81 of a mile

Vandling Borough

Route 35039 Extending Route 35039 Beginning at a point on the Vandling Borough-Fell Township line thence in a northwesterly direction on the Northwest Road thence in a westerly direction on Clinton Street thence in a northerly direction on Oak Street to an intersection with a county road in the borough of Vandling Lackawanna County a distance of about .86 of a mile

Route 35040 Extending Route 35040 Beginning at a point on the Vandling Borough-Fell Township line thence in a northeasterly direction on Main Street to the Lackawanna County-Susquehanna County line in the borough of Vandling Lackawanna County a distance of about .14 of a mile

Blakely Borough

Route 35041 Extending Route 35041 Beginning at a point on the Winton Borough-Jefferson Township line thence in a northwesterly direction on Moosic Lake Road passing through Winton Borough into Olyphant Borough thence in a northerly direction on Moosic Lake Road through Olyphant Borough into Winton Borough to Grassy Island Street thence in a westerly dircetion on Grassy Island Street to Church Street thence in a northerly direction on Church Street to Moosic Street thence in a westerly direction on Moosic Street to Bridge Street thence in a northerly direction on Bridge Street crossing Winton Borough-Blakely Borough line thence continuing in a northerly direction on Bridge Street in Blakely Borough to an intersection with county road at Bridge and Main Streets in the borough of Blakely Lackawanna County a distance of about 4.27 miles

Lancaster County

Elizabethtown Borough

Traffic Route 103 Route 36001 Extending Route 36001 Beginning at a point on the Elizabethown Borough-West Donegal Township line thence in an easterly direction on Falmouth Pike to an intersection with State Highway Route 280 at Falmouth Pike and West High Street in the borough of Elizabethtown Lancaster County a distance of about .05 of a mile

Traffic Route 103 Route 36001 Extending Route 36001 Beginning at a point on the Elizabethtown Borough-Mount Joy Township line thence in a southwesterly direction on East High Street to an intersection with State Highway Route 129 at East High and Market Streets in the borough of Elizabethtown Lancaster County a distance of about .59 of a mile

Traffic Route 324 Route 36070 Extending Route 36070 Beginning at a point on the Elizabethtown Borough-West Donegal Township line thence in a northeasterly direction on Maytown Avenue to an intersection with State Highway Route 129 at Maytown Avenue and Market Street in the borough of Elizabethtown Lancaster County a distance of about .22 of a mile

Denver Borough

Traffic Route 103 Route 36001 Extending Route 36001 Beginning at a point on the Denver Borough-West Cocalico Township line thence in a southeasterly direction on Main Street to an intersection with continuation of Rural Route 36001 Traffic Route 174 at Main and North Sixth Streets thence continuing in a southeasterly direction on Main Street to an intersection with the continuation of Rural Route 36046 Traffic Route 174 and Rural Route 36046 Traffic Route 103 at Main and Fourth Streets in the borough of Denver Lancaster County a distance of about .30 of a mile

Traffic Route 174 Route 36046 Extending Route 36046 Beginning at a point on the Denver Borough-East and West Cocalico Township line thence in a southwesterly direction on North Sixth Street to an intersection with the continuation of Rural Route 36001 Traffic Route 103 at North Sixth and Main Streets in the borough of Denver Lancaster County a distance of about .66 of a mile

Traffic Route 174 Route 36046 Extending Routee 36046 Beginning at a point on the Denver Borough-East and West Cocalico Township line thence in a northeasterly direction on South Fourth Street to an intersection with the continuation of Rural Routes 36001 and 36046 Traffic Route 103 at South Fourth and Main Streets in the borough of Denver Lancaster County a distance of about .57 of a mile

Traffic Route 103 Route 36046 Extending Route 36046 Beginning at a point on the Denver Borough-East Cocalico Township line thence in a general northwesterly direction on Main Street to an intersection with continuation of Rural Route 36046 Traffic Route 174 and Rural Route 36001 Traffic Route 103 at Main and Fourth Streets in the borough of Denver Lancaster County a distance of about .34 of a mile

Manheim Borough

Traffic Route 261 Route 36002 Extending Route 36002 Beginning at a point on the Manheim Borough-Rapho Township line thence in a northeasterly direction on West High Street to an intersection with State Highway Route 138 at Main and West High Street in the borough of Manheim Lancaster County a distance of about .61 of a mile

Traffic Route 261 Route 36002 Extending Route 36002 Beginning at a point on the Manheim Borough-Penn Township line thence in a southwesterly direction on East High Street to an intersection with State Highway Route 138 at Main and East High Streets in the borough of Manheim County a distance of about .36 of a mile

Mount Joy Borough

Traffic Route 261 Route 36002 Extending Route 36002 Beginning at a point on the Mount Joy Borough-Rapho Township line thence in a southwesterly direction on Manheim Street to an intersection with State Highway Route 129 at Manheim and Main Streets in the borough of Mount Joy Lancaster County a distance of about .39 of a mile

Traffic Route 394 Route 36067 Extending Route 36067 Beginning at a point on the Mount Joy Borough-Rapho Township line thence in a northerly direction on Longenecker Road to an intersection with State Highway Route 129 at Longenecker Road and Main Street in the borough of Mount Joy Lancaster County a distance of about .33 of a mile

Marietta Borough

Traffic Route 404 Route 36004 Extending Route 36004 Beginning at a point on the Marietta Borough-East Donegal Township line thence in a southerly direction on North Bank Avenue to an intersection with State Highway Route 280 at North Bank Avenue and Market Street in the borough of Marietta Lancaster County a distance of about .11 of a mile

Mountville Borough

Traffic Route 334 Route 36005 Extending Route 36005 Beginning at a point on the Mountville Borough-West Hempfield Township line thence in a northerly direction on Manor Street to an intersection with State Highway Route 128 at Manor and Main Streets in the borough of Mountville Lancaster County a distance of about .26 of a mile

Traffic Route 334 Route 36005 Extending Route 36005 Beginning at a point on the Mountville Borough-West Hempfield township line thence in a southwesterly direction on College Avenue to an intersection with State Highway Route 128 at College Avenue and Main Street in the borough of Mountville Lancaster County a distance of about .52 of a mile

Washington Borough

Traffic Route 231 Route 36008 Extending Route 36008 Beginning at a point on the Washington Borough-Manor Township line thence in a westerly direction on Lancaster Street to an intersection with State Highway Route 407 at Lancaster and Susquehanna Streets in the borough of Washington Lancaster County a distance of about .55 of a mile

Christiana Borough

Traffic Route 181 Route 36009 Extending Route 36009 Beginning at a point on the Christiana Borough-Sadsbury Township line thence in a northerly direction on Noble Road to an intersection with State Highway Route 485 at Noble Road and Bridge Street in the borough of Christiana Lancaster County a distance of about .17 of a mile

Traffic Route 181 Route 36085 Extending Route 36085 Beginning at a point on the Christiana Borough-Sadsbury Township line thence in a southwesterly direction along the Christiana Borough-Sadsbury Township line on Sadsbury Avenue to an intersection with State Highway Route 215 at Sadsbury Avenue and Arondale Road in the borough of Christiana Lancaster County a distance of about .22 of a mile

Strasburg Borough

Traffic Route 284 Route 36011 Extending Route 36011 Beginning at a point on the Strasburg Borough-Strasburg Township line thence in a southerly direction on North Decatur Street to an intersection with State Highway Route 698 at North Decatur and Main Streets in the borough of Strasburg Lancaster County a distance of about .21 of a mile

Traffic Route 284 Route 36011 Extending Route 36011 Beginning at a point on the Strasburg Borough-Strasburg Township line thence in a northerly direction on South Decatur Street to an intersection with State Highway Route 698 at South Decatur and Main Streets in the borough of Strasburg Lancaster County a distance of about .19 of a mile

Traffic Route 274 Route 36024 Extending Route 36024 Beginning at a point on the Strasburg Borough-Strasburg Township line thence in a northerly direction on South Jackson Street to an intersection with State Highway Route 698 at South Jackson and Main Streets in the borough of Strasburg a distance of about .28 of a mile

Traffic Route 61 Route 36024 Extending Route 32024 Beginning at a point on the Strasburg Borough-Strasburg Township line thence in a southeasterly direction on Lancaster Avenue to an intersection with State Highway Route 698 at Lancaster Avenue and the junction of Main and Miller Streets in the borough of Strasburg Lancaster County a distance of about .27 of a mile

Lititz Borough

Traffic Route 261 Route 36011 Extending Route 36011 Beginning at a point on the Lititz Borough-Warwick Township line thence in a northwesterly direction on East Main Street to an intersection with the continuation of Rural Route 36011 Traffic Route 284 at East Main and Water Streets thence continuing on East Main Street to an intersection with State Highway Route 442 at East Main and Broad Streets in the borough of Lititz Lancaster County a distance of about .92 of a mile

Traffic Route 284 Route 36011 Extending Route 36011 Beginning at a point on the Lititz Borough-Warwick Township line thence in a southwesterly direction on Water Street to an intersection with the continuation of Rural Route 36011 Traffic Route 261 at Water and East Main Streets in the Borough of Lititz Lancaster County a distance of about .65 of a mile

Traffic Route 133 Route 36044 Extending Route 36044 Beginning at a point on the Lititz Borough-Warwick Township line thence in an easterly direction on West Orange Street to an intersection with State Highway Route 442 at West Orange and South Broad Streets in the borough of Lititz Lancaster County a distance of about .52 of a mile

Traffic Route 261 Route 36045 Extending Route 36045 Beginning at a point on the Lititz Borough-Warwick Township line thence in an easterly direction on West Lincoln Avenue to an intersection with State Highway Route 442 at West Lincoln Avenue and North Broad Street in the borough of Lititz Lancaster County a distance of about .22 of a mile

Terre Hill Borough

Traffic Route 194 Route 36012 Extending Route 36012 Beginning at a point on the Terre Hill Borough-East Earl Township line thence in a northerly direction on Earl Street to an intersection with the continuation of Rural Routes 36013 and 36053 Traffic Route 381 at Earl and Main Streets in the borough of Terre Hill Lancaster County a distance of about .10 of a mile

Traffic Route 194 Route 36012 Extending Route 36012 Beginning at a point on the Terre Hill Borough-East Earl Township line thence in a southerly direction on Broad Street to an intersection with Rural Route 36013 Traffic Route 133 at Broad and Main Streets thence in an easterly direction on Main Street to an intersection with the continuation of Rural Route 63013 Traffic Route 381 at Main Street and Lancaster Avenue in the borough of Terre Hill Lancaster County a distance of about .43 of a mile

Traffic Route 133 Route 36013 Extending Route 36013 Beginning at a point on the Terre Hill Borough-East Earl Township line thence in a southeasterly direction on Vine Street to an intersection with Maple Street at Vine and Maple Streets thence in a southeasterly direction on Maple Streete to an intersection with Maple and Main Streets thence eastwardly on Main Street to an intersection with the continuation of Rural Route 36012 Traffic Route 194 at Main and Broad Streets in the borough of Terre Hill Lancaster County a distance of about .36 of a mile

Traffic Route 381 Route 36013 Extending Route 36013 Beginning at a point on the Terre Hill Borough-East Earl Township line thence in a general northerly direction on Lancaster Avenue to an intersection with the continuation of Rural Route 36012 Traffic Route 194 at Lancaster Avenue and Main Street thence continuing on Main Street in an easterly direction to an intersection with the continuation of Rural Route 36012 Traffic Route 194 at Main and Earl Streets in the borough of Terre Hill Lancaster County a distance of about .84 of a mile

Traffic Route 381 Route 36053 Extending Route 36053 Beginning at a point on the Terre Hill Borough-East Earl Township line thence in a general westerly direction on Main Street to an intersection with the continuation of Rural Route 36012 Traffic Route 194 at Main and Earl Streets in the borough of Terre Hill Lancaster County a distance of about .11 of a mile

Quarryville Borough

Traffic Route 354 Route 36023 Extending Route 36023 Beginning at a point on the Quarryville Borough-Eden Township line thence in a general southerly direction on Church Street to an intersection with State Highway Route 344 at Church and State Streets in the borough of Quarryville Lancaster County a distance of about .52 of a mile

Ephrata Borough

Traffic Route 264 Route 36030 Extending Route 36030 Beginning at a point on the Ephrata Borough-Ephrata Township line thence in a southwesterly direction on Church Avenue to the intersection of State Highway Route 137 at Church Avenue and Main Street in the borough of Ephrata Lancaster County a distance of about .64 of a mile

New Holland Borough

Traffic Route 244 Route 36030 Extending Route 36030 Beginning at a point on the New Holland Borough-Earl Township line thence in a northwesterly direction on Custer Avenue to an intersection with State Highway Route 244 at Custer Avenue and Main Street in the borough of New Holland Lancaster County a distance of about .33 of a mile

Adamstown Borough

Traffic Route 224 Route 36048 Extending Route 36048 Beginning at a point on the Adamstown Borough-Brecknock Township line thence in a general northerly direction on Willow Street to an intersection with State Highway Route 148 at Willow and Adamstown Streets in the borough of Adamstown Lancaster County a distance of about .29 of a mile

Columbia Borough

Traffic Route 384 Route 36065 Extending Route 36065 Beginning at a point on the Columbia Borough-West Hempfield Township line thence in a southwesterly direction on Ninth Street to an intersection with State Highway Route 128 at Ninth Street and Lancaster Avenue in the borough of Columbia Lancaster County a distance of about .71 of a mile

Akron Borough

Troffic Route 133 Route 36076 Extending Route 36076 Beginning at a point on the Akron Borough-Ephrata Township line thence in a northwesterly direction on Main Street to an intersection with State Highway Route 148 at Main and Ninth Streets in the borough of Akron Lancaster County a distance of about .21 of a mile

New Holland Borough

Route 36058 Application 352 Extending Route 36058 Beginning at a point on the New Holland Borough Earl Township line thence in a northwesterly direction on Brimmer Avenue to an intersection with State Highway Route 244 at Brimmer Avenue and Main Street in the Borough of New Holland Lancaster County distance of about .30 miles

Route 36030 Application 151 Extending Route 36030 Beginning at a point on the New Holland Borough-Earl Township line thence in a southeasterly direction on North Railroad Avenue to an intersection with State Highway Route 244 at North Railroad Avenue and Main Street in the Borough of New Holland Lancaster County a distance of about .22 miles

Mount Joy Borough

Route 36002 Application 288 Extending Route 36002 Beginning at a point in Mount Joy Borough at Donegal Springs Road and West Donegal Street thence in an easterly direction on West Donegal Street to an intersection of West Donegal and New Haven Streets thence continuing on New Haven Street in a northerly direction to an intersection with State Highway Route 129 at New Haven and Main Streets in the Borough of Mount Joy Lancaster County a distance of about .23 miles

Lawrence County

Enon Valley Borough

Route 04009 Extending Route 04009 Beginning at a point on the Enon Valley-Beaver County line thence in a northerly direction on Main Street to an intersection with Route 265 in the borough of Enon Valley Lawrence County a distance of about .2 of a mile

Bessemer Borough

Route 37001 Extending Route 37001 Beginning at a point on the Bessemer Borough-North Beaver Township line thence in a southerly direction on North Main Street to an intersection with East Poland Avenue in the borough of Bessemer Lawrence County a distance of about .8 of a mile

Wampum Borough

Route 37008 Extending Route 37008 Beginning at a point on the Wampum Borough-Big Beaver Township line thence in an easterly direction on Clyde Street to an intersection with Route 77 in the borough of Wampum Lawrence County a distance of about .43 of a mile

Ellwood City Borough

Route 37011 Extending Route 37011 Beginning at a point on the Ellwood City Borough-Wayne Township line thence in an easterly direction on Lawrence Avenue to an intersection with Route 347 or Fifth Street in the borough of Ellwood City Lawrence County a distance of about .7 of a mile

Route 350 Extending Route 350 Beginning on Route 350 at the Ellwood City Borough line thence over Fountain Avenue to an intersection with Route 315 in the borough of Ellwood City Lawrence County a distance of about .23 of a mile

New Wilmington Borough

Route 37042 Extending Route 37042 Beginning at a point on the New Wilmington Borough-Wilmington Township line thence in a northerly direction on South Market Street to an intersection with Route 80 or the continuation of Rural Route 37045 in the borough of New Wilmington Lawrence County a distance of about .7 of a mile

Route 37045 Extending Route 37045 Beginning at a point on the New Wilmington Borough-Wilmington Township line thence in a westerly direction on East Neshannock Street to an intersection with Route 80 or the continuation of Rural Route 37042 in the borough of New Wilmington Lawrence County a distance of about .32 of a mile

Volant Borough

Route 37045 Extending Route 37045 Beginning at a point on the Volant Borough-Wilmington Township line thence in an easterly direction on Main Street to an intersection with Route 614 at the Volant Borough-Wilmington Township line in the borough of Volant Lawrence County a distance of about .39 of a mile

Lebanon County

Palmyra Borough

Traffic Route 364 Route 38001 Extending Route 38001 Beginning at a point on the Palmyra Borough-North Londonderry Township line thence in a southerly direction on Forge Lane to an intersection with State Highway Route 139 in the borough of Palmyra Lebanon County a distance of about .29 of a mile

Traffic Route 364 Route 38001 Extending Route 38001 Beginning at a point on the Palmyra Borough-North Londonderry Township line thence in a northwesterly direction on Forge Lane to an intersection with State Highway Route 139 in Palmyra Borough Lebanon County a distance of about .45 of a mile

Traffic Route 67 Route 38003 Extending Route 38003 Beginning at a point on the Palmyra Borough-North Londonderry Township line thence in a southerly direction on North Railroad Street to an intersection with State Highway Route 139 in Palmyra Borough Lebanon County a distance of about 1.10 miles

Traffic Route 193 Route 38003 Extending Route 38003 Beginning at a point on the Palmyra Borough-North Londonderry Township line thence in a westerly direction on the Gravel Hill Roard to an intersection with Traffic Route 67 Rural Route 38003 at the Gravel Hill Road and North Railroad Street in Palmyra Borough Lebanon County a distance of about .20 of a mile

Traffic Route 193 Route 38036 Extending Route 38036 Beginning at a point on the Palmyra Borough-North Londonderry Township line thence in an easterly direction on the Gravel Hill Road to an intersection with a continuation of Traffic Route 67 Rural Route 38003 at Gravel Hill Road and North Railroad Street in Palmyra Borough Lebanon County a distance of about .18 of a mile

Route 424 Extending Route 424 Beginning on Route 424 at the Palmyra Borough line thence in a northeasterly direction over the Campbelltown Road to Railroad Street thence northerly over Railroad Street to its intersection with Route 139 in the borough of Palmyra Lebanon County a distance of about .46 of a mile

Myerstown Borough

Traffic Route 284 Route 38008 Extending Route 38008 Beginning at a point on the Myerstown Borough-Jackson Township line thence in a westerly direction on Richland Avenue to an intersection with a continuation of Traffic Route 183 Rural Route 38002 at Richland Avenue and College Street in the borough of Myerstown Lebanon County a distance of about .42 of a mile

Traffic Route 294 Route 38008 Extending Route 38008 Beginning at a point on the Myerstown Borough-Jackson Township line thence in a southeasterly direction on Locust Street to an intersection with State Highway Route 149 in the borough of Myerstown Lebanon County a distance of about .16 of a mile

Route 423 Extending Route 423 Beginning on Route 423 at the Myerstown Borough line thence in a southerly direction over College Avenue to its intersection with Route 149 in the borough of Myerstown Lebanon County a distance of about .37 of a mile

Jonestown Borough

Traffic Route 334 Route 38005 Extending Route 38005 Beginning at a point on the Jonestown Borough-Swatara Township line thence in a northwesterly direction on Lancaster Street to an intersection with State Highway Routes 140-C and 140-B in the borough of Jonestown Lebanon County a distance of about .4 of a mile

Lebanon-Independent Borough

Traffic Route 334 Route 38005 Extending Route 38005 Beginning at a point on the Lebanon-Independent Borough-North Lebanon Township line thence in a southerly direction on the Jonestown Road to an intersection with State Highway Route 141-A in Lebanon-Independent Borough Lebanon County a distance of about .37 of a mile

Traffic Route 63 Route 38007 Extending Route 38007 Beginning at a point on the Lebanon-Independent Borough-North Lebanon Township line thence in a southerly direction on Seventh Street to an intersection with a continuation of Traffic Route 183 Rural Route 38017 at the intersection of Maple and Seventh Streets in Lebanon-Independent Borough Lebanon County a distance of about .36 of a mile

Traffic Route 183 Route 38017 Extending Route 38017 Beginning at a point on the Lebanon-Independent Borough-North Lebanon Township line thence in a westerly direction on Maple Street to the Lebanon-Independent Borough-Lebanon City line at the intersection of Route 141-A at Maple and Ninth Streets in Lebanon-Independent Borough Lebanon County a distance of about 1.15 miles

Richland Borough

Traffic Route 193 Route 38011 Extending Route 38011 Beginning at a point on the Richland Borough-Mill Creek Township Line thence in an easterly direction on Linden Street to an intersection with the continuation of State Highway Route 425 at Linden and Poplar Streets thence in a northeasterly direction on Poplar Street to the intersection with Locust Street thence in an easterly direction on Locust Street to a point on the Richland Borough-Mill Creek Township Line in Richland Borough Lebanon County a distance of about 1.08 miles

Traffic Route 264 Route 38015 Extending Route 38015 Beginning at a point on the Richland Borough-Jackson Township line thence in a southeasterly direction on Main Street to an intersection with Traffic Route 193 Rural Route 38011 at Main Street and Sheridan Avenue in the borough of Richland Lebanon County a distance of about .94 of a mile

Traffic Route 274 Route 38015 Extending Route 38015 Beginning at a point on the Richland Borough-Mill Creek Township line thence in a southwesterly direction on Race Street to an intersection with a continuation of Traffic Route 264 Rural Route 38015 at Race and Main Streets in the Borough of Richland Lebanon County a distance of about .47 of a mile

Cleona Borough

Traffic Route 183 Route 38025 Extending Route 38025 Beginning at a point on the Cleona Borough-North Annville Township line at Hill Reformed Church thence in an easterly direc[illegible] on Bellegrove Road to a point on the Cleona Borough-[illegible] Lebanon Township line in Lebanon County a distanc[illegible]out .58 of a mile

Traffic [illegible] 173 Route 38026 Extending Route 38026 Beginning at a point on the Cleona Borough-North Cornwall Township line thence in a northwesterly direction on Mill Street to an intersection with State Highway Route 139 in Cleona Borough Lebanon County a distance of about .48 of a mile

Lehigh County

Coopersburg Borough

Route 39008 Extending Route 39008 Beginning at a point on the Coopersburg Borough-Upper Saucon Township line thence in a southwesterly and westerly direction on Station Avenue to an intersection with Route 153 at Station Avenue and Third Street in the borough of Coopersburg Lehigh County a distance of about .38 of a mile

Route 39008 Extending Route 39008 Beginning at a point on the Coopersburg Borough-Upper Saucon Township line thence in an easterly direction on Shaffer Street to an intersection with Route 153-A at Shaffer and Main Streets in the borough of Coopersburg Lehigh County a distance of about .13 of a mile

Emaus Borough

Route 39013 Extending Route 39013 Beginning at a point on the Emaus Borough-Salisbury Township line thence in a southwesterly direction on East Main Street to an intersection with Route 158 at East Main and Main Streets in the borough of Emaus Lehigh County a distance of about .69 of a mile

Macungie Borough

Route 39018 Extending Route 39018 Beginning at a point on the Macungie Borough-Lower Macungie Township line thence in a northerly direction on Chestnut Street to an intersection with Route 486 at Chestnut and Main Streets in the borough of Macungie Lehigh County a distance of about .15 of a mile

Route 39019 Extending Route 39019 Beginning at a point on the Macungie Borough-Lower Macungie Township line thence in a northeasterly direction on Church Street to an intersection with Route 486 at Main and Church Streets thence beginning from a point on Route 486 at the corner of Main and Walnut Streets in a northeastwardly direction on Walnut Street to the Macungie Borough-Lower Macungie Township line in the borough of Macungie Lehigh County a distance of about .6 of a mile

Route 39026 Extending Route 39026 Beginning at a point on the Macungie Borough-Lower Macungie Township line thence in a southwesterly direction on Lehigh Street a distance of .32 of a mile to School Alley thence continuing in a southwesterly direction on School Alley a distance of .06 of a mile to an intersection with Route 486 at Main Street and School Alley in the borough of Macungie Lehigh County a total distance of about .38 of a mile

Alburtis Borough

Route 39020 Extending Route 39020 Beginning at a point on the Alburtis Borough-Lower Macungie Township line thence in an easterly direction on Railroad Street to an intersection with the continuation of Route 39021 at Railroad and Franklin Streets thence beginning from a point on the continuation of Route 39021 at the corner of Macungie Avenue and Franklin Street easterly along Macungie Avenue to the Alburtis Borough-Lower Macungie Township line in the borough of Alburtis Lehigh County a distance of about 89 of a mile

Route 39021 Extending Route 39021 Beginning at a point on the Alburtis Borough-Lower Macungie Township line thence in a northwesterly direction on Franklin Street to an intersection with the continuation of Route 39020 at Franklin Street and Macungie Avenue thence continuing in a northwesterly direction on Franklin Street on the Alburtis Borough-Lower Macungie Township line in the borough of Alburtis Lehigh County a distance of about 1.20 miles

Catasauqua Borough

Route 39032 Extending Route 39032 Beginning at a point on the Catasauqua Borough-Hanover Township line thence in a southwesterly direction on Race Street to the Catasauqua Borough-Whitehall Township line which is a point on the bridge spanning the Lehigh River in the borough of Catasauqua Lehigh County a distance of about 1 mile

Route 39033 Extending Route 39033 Beginning at a point on the Catasauqua Borough-Hanover Township line thence in a northwesterly direction on Howerton Road to Fourteenth Street thence in a northerly direction on Fourteenth Street

to an intersection with the continuation of Route 39032 at Fourteenth and Race Streets in the borough of Catasauqua Lehigh County a distance of about .27 of a mile

Fountain Hill Borough

Route 487 Extending Route 487 Beginning on Route 487 at the Fountain Hill Borough line thence northeasterly over Broadway to the intersection of the Bethlehem City line in the borough of Fountain Hill Lehigh County a distance of about .85 of a mile

Luzerne County

Jeddo Borough

Route 40006 Extending Route 40006 Beginning at a point on the Jeddo Borough-Foster Township line thence in a westerly direction on Highland Street to the Jeddo Borough-Hazle Township line in the borough of Jeddo Luzerne County a distance of about .33 of a mile

Freeland Borough

Route 40007 Extending Route 40007 Beginning at a point on the Freeland Borough-Foster Township line thence in a southerly direction on Birckbeck Street thence in a westerly direction on Front Street thence in a southerly direction on Center Street to a connection with a county road at the borough line of Freeland Luzerne County a distance of about 1.11 miles

Conyngham Borough

Route 40010 Extending Route 40010 Beginning at a point on the Conyngham Borough-Sugar Loaf Township line thence in a northeasterly direction on Sugar Loaf Avenue to an intersection with Route 184 at Sugar Loaf Avenue and Main Street in the borough of Conyngham Luzerne County a distance of about .32 of a mile

Nuangola Borough

Route 40026 Extending Route 40026 Beginning at a point on the Nuangola Borough-Slocum Township line thence in a northerly direction on the Nuangola-Blytheburn Road thence in a southeasterly direction on the Nuangola-Blytheburn Road to a connection with a county road at the borough line of Nuangola Luzerne County a distance of about 1.5 miles

Luzerne Borough

Route 40054 Extending Route 40054 Beginning at a point on the Luzerne Borough-Kingston Township line thence in a southerly direction on North Street thence in a southwesterly direction on Kelley Street to an intersection with Route 11 at Kelley and Main Streets in the borough of Luzerne Luzerne County a distance of about .73 of a mile

Ashley Borough

Route 40036 Extending Route 40036 Beginning at a point on the Ashley Borough-Hanover Township line thence in a northeasterly direction on Main Street to an intersection with Route 170 at Main and Hazleton Streets in the borough of Ashley Luzerne County a distance of about .42 of a mile

Sugar Notch Borough

Route 40036 Extending Route 40036 Beginning at a point on the Sugar Notch Borough-Hanover Township line thence in a westerly direction on Main Street to the Warrior Run Borough-Sugar Notch Borough line in the borough of Sugar Notch Luzerne County a distance of about 1.40 miles

Warrior Run Borough

Route 40036 Extending Route 40036 Beginning at a point on the Warrior Run Borough-Hanover Township line thence in an easterly direction on Hanover Street thence in a southerly direction on Front Street thence in an easterly direction to the Sugar Notch Borough-Warrior Run Borough line in the borough of Warrior Run Luzerne County a distance of about .75 of a mile

Laurel Run Borough

Route 40039 Extending Route 40039 Beginning at a point on the Laurel Run Borough-Wilkes-Barre Township line thence in a southeasterly direction on Northampton Road to a connection with a county road at the borough line of Laurel Run Luzerne County a distance of about 1.40 miles

White Haven Borough

Route 40041 Extending Route 40041 Beginning at a point on the White Haven Borough-Dennison Township line thence in a southerly direction on Towanda Street thence in an easterly direction on Berwick Street to point on the White Haven borough line at the end of State Highway Route 408 in the borough of White Haven Luzerne County a distance of about .46 of a mile

Laflin Borough

Route 40046 Extending Route 40046 Beginning at a point on the Laflin Borough-Plains Township line thence in an easterly direction on Main Street to an intersection with Route 515 in the borough of Laflin Luzerne County a distance of about 1.72 miles

Larksville Borough

Route 40058 Extending Route 40058 Beginning at a point on the Larksville Borough-Jackson Township line thence in a southwesterly direction on an unnamed street to a point on the dividing line between Larksville Borough and Jackson Township Luzerne County a distance of about .1 of a mile

Route 40058 Extending Route 40058 Beginning at a point on the Larksville Borough-Jackson Township line thence in a southwesterly direction on an unnamed street to a point on the dividing line between Larksville Borough and Jackson Township Luzerne County a distance of about .07 of a mile

Plymouth Borough

Route 40058 Extending Route 40058 Beginning at a point on the Plymouth Borough-Plymouth Township line thence in a southerly direction on Davenport Street to an intersection with Route 4 at Davenport and Main Streets in the Borough of Plymouth Luzerne County a distance of about .59 of a mile

New Columbus Borough

Route 40077 Extending Route 40077 Beginning at a point on the New Columbus Borough-Huntington Township line thence in a southerly direction along the New Columbus Borough-Huntington Township line thence in a westerly direction to the Luzerne County-Columbia County line a distance of about .52 of a mile

Route 40078 Extending Route 40078 Beginning at a point on the New Columbus Borough-Huntington Township line thence in a westerly direction on Academy Street to an intersection with the continuation of Rural Route 40082 at Academy and Main Streets in the borough of New Columbus Luzerne County a distance of about 1.20 miles

Route 40082 Extending Route 40082 Beginning at a point on the New Columbus Borough-Huntington Township line thence in a southerly direction on Main Street to an intersection with the continuation of Rural Route 40078 at Main and Academy Streets in the borough of New Columbus Luzerne County a distance of about 1.02 miles

Yatesville Borough

Route 40044 Extending Route 40044 Beginning at a point on the Jenkins Township-Yatesville Borough line at the end of Legislative Route 40044 thence in a northwesterly direction to an intersection with Stout Street and Pittston Avenue in the borough of Yatesville Luzerne County a distance of about .62 of a mile

New Columbus Borough

Route 19067 Beginning at a point on the Columbia County-New Columbus Borough line at the end of Route 19067 thence in a northeasterly direction on Academy Street to an intersection with the continuation of Rural Routes 40078 and 40082 at Academy and Main Streets in the borough of New Columbus Luzerne County a distance of about 0.38 of a mile

Route 19080 Beginning at a point on the Columbia County-New Columbus Borough line at the end of Route 19080 thence in a northerly direction on Main Street to an intersection with the continuation of Rural Routes 19067 40078 and 40082 at Main and Academy Streets in the borough of New Columbus Luzerne County a distance of about 1.02 miles

Route 40077 Beginning at a point on the Huntingdon Township-New Columbus Borough line thence in a westerly direction to a point on the New Columbus Borough-Columbia County line at the end of Rural Route 19073 in the borough of New Columbus Luzerne County a distance of about 0.51 of a mile

Lycoming County

South Williamsport Borough

Route 41006 Extending Route 41006 Beginning at a point on the South Williamsport Borough-Armstrong Township line thence in a westerly direction to Allen Street thence in a southerly direction on Allen Street to Second Avenue thence in a westerly direction on Second Avenue to an intersection

with Route 289 at Market Street and Second Avenue in the borough of South Williamsport Lycoming County a distance of about .91 of a mile

Duboistown Borough

Route 41015 Extending Route 41015 Beginning at a point on the Duboistown Borough-Armstrong Township line thence in a northerly direction on Valley Street to an intersection with Route 331 at Brook and Valley Streets in the borough of Duboistown Lycoming County a distance of about .57 of a mile

Jersey Shore Borough

Route 41017 Extending Route 41017 Beginning at a point on the Jersey Shore Borough-Porter Township line thence in a northerly direction on South Main Street to an intersection with Routes 23 and 176 at Main and Allegheny Streets in the borough of Jersey Shore Lycoming County a distance of about .51 of a mile

Salladasburg Borough

Route 41026 Extending Route 41026 Beginning at a point on Route 353 at Main Street in Salladasburg Borough thence in an easterly direction on an unnamed street to the Salladasburg Borough-Mifflin Township line Lycoming County a distance of about .48 of a mile

Route 41027 Extending Route 41027 Beginning at a point on Route 353 at Main Street in Salladasburg Borough thence in a northeasterly direction on an unnamed street to the Salladasburg Borough-Mifflin Township line Lycoming County a distance of about .39 of a mile

Muncy Borough

Route 41062 Extending Route 41062 Beginning at a point on the Muncy Borough-Muncy Creek Township line thence in an easterly direction on Pepper Street to an intersection with Route 18 at Pepper and Main Streets in the borough of Muncy Lycoming County a distance of about .17 of a mile

Route 41063 Extending Route 41063 Beginning at a point on Route 18 at the intersection of Main and New Streets in Muncy Borough thence in an easterly direction on New Street to the Muncy Borough-Muncy Creek Township line Lycoming County a distance of about .23 of a mile

Picture Rocks Borough

Route 712 Extending Route 712 Beginning on Route 712 at Picture Rocks Borough line thence southeasterly to an intersection with Route 19 in the borough of Picture Rocks Lycoming County a distance of about .45 of a mile

McKean County

Kane Borough

Route 42003 Extending Route 42003 Beginning at a point on the Wetmore Township-Kane Borough line thence in a southwesterly direction on Kinzua Road to the intersection of Kinzua Road and Chase Street thence south on Chase Street to the intersection of Chase and Easton Streets thence in a southwesterly direction on Easton Street to a point on Route 95 at the intersection of Easton and Fraley Streets in the borough of Kane McKean County a distance of about .49 of a mile

Mount Jewett Borough

Route 42004 Extending Route 42004 Beginning at a point on Route 42004 at the Mount Jewett Borough-Hamlin Township line McKean County thence in a northerly direction on Campbelltown Road to an intersection with Route 95 at the intersection of Campbelltown Road and Main Street in Mount Jewett Borough McKean County a distance of about .47 of a mile

Route 42005 Extending Route 42005 Beginning at a point on the Hamlin Township-Mount Jewett Borough line thence over Kushequa Avenue to a point on Route 95 at the intersection of Kushequa Avenue and Main Street in the borough of Mount Jewett McKean County a distance of about .56 of a mile

Mercer County

Jamestown Borough

Route 20011 Extending Route 20011 Beginning at a point on the Jamestown Borough-South Shenango Township line being also the Crawford-Mercer County line thence in a southwesterly direction on Adamsville Road to Shenango Street thence southerly on Shenango Street to an intersection with Route 206 at Shenango and Liberty Streets in the borough of Jamestown Mercer County a distance of about .3 of a mile

West Middlesex Borough

Route 43002 Extending Route 43002 Beginning at a point on the West Middlesex Borough-Shenango Township line thence in a northeasterly direction on Bedford Road to an intersection with Route 238-Spur B at the Bedford and Hubbard Roads in the borough of West Middlesex Mercer County a distance of about .1 of a mile

Route 43007 Extending Route 43007 Beginning at a point on the West Middlesex Borough-Shenango Township line thence in a southwesterly direction on the Mercer Road to an intersection with Route 238 at the Mercer Road and Pulaski Street in the borough of West Middlesex Mercer County a distance of about .4 of a mile

Mercer Borough

Route 43004 Extending Route 43004 Beginning at a point on the Mercer Borough-East Lackawannock Township line thence in an easterly direction on Butler Street to an intersection with Route 80 at Butler and Shenango Streets in the borough of Mercer Mercer County a distance of about .2 of a mile

Route 43017 Extending Route 43017 Beginning at a point on the Mercer Borough-East Lackawannock Township line thence in a northerly direction on Pittsburgh Street to an intersection with Route 73 at Pittsburgh and Market Streets in the borough of Mercer Mercer County a distance of about .4 of a mile

Route 43027 Extending Route 43027 Beginning at a point on the Mercer Borough-Findley Township line thence in a westerly direction on East Market Street to an intersection with Route 73 at East Market Street and Wilson Avenue in the borough of Mercer Mercer County a distance of about .5 of a mile

Sharpsville Borough

Route 43008 Extending Route 43008 Beginning at a point on the Sharpsville Borough-Hickory Township line thence in a northerly direction on Mercer Avenue to an intersection with Route 238 at Mercer Avenue and Walnut Street in the borough of Sharpsville Mercer County a distance of about .7 of a mile

Clarksville Borough

Route 43009 Extending Route 43009 Beginning at a point on the Clarksville Borough-South Pymatuning Township line thence in a northwesterly direction on Cemetery Street to an intersection with Route 320 at Cemetery and Mercer Streets in the borough of Clarksville Mercer County a distance of about .03 of a mile

Grove City Borough

Route 43021 Extending Route 43021 Beginning at a point on the Grove City Borough-Pine Township line thence in a northwesterly and northerly direction on Liberty Street to an intersection with Route 73 at Liberty and Main Streets in the borough of Grove City Mercer County a distance of about .5 of a mile

Route 43024 Extending Route 43024 Beginning at a point on the Grove City Borough-Pine Township line thence in a northeasterly direction on South Center Street to an intersection with Route 73 at Center and Main Streets in the borough of Grove City Mercer County a distance of about .6 of a mile

Route 43025 Extending Route 43025 Beginning at a point on the Grove City Borough-Pine Township line thence in a southwesterly direction on North Street to an intersection with Route 312 at North and Broad Streets in the borough of Grove City Mercer County a distance of about .2 of a mile

Jackson Center Borough

Route 43028 Extending Route 43028 Beginning at a point on the Jackson Center Borough-Jackson Township line thence in a northwesterly direction on Bradley Road to Walnut Street thence northerly on Walnut Street to an intersection with Route 208 at Walnut Street and the Mercer-Franklin Road in the borough of Jackson Center Mercer County a distance of about .8 of a mile

Greenville Borough

Route 43037 Extending Route 43037 Beginning at a point on the Greenville Borough-West Salem Township line thence in an easterly direction on Orangeville Street to an intersection with Route 238 at Orangeville and Clarksville Streets in the borough of Greenville Mercer County a distance of about .1 of a mile

Route 43047 State-aid Application 265 Extending Route 43047 Beginning at a point on the Greenville Borough-Hempfield Township line thence in a westerly direction on East Avenue to Columbia Avenue thence southerly on Columbia Avenue to an intersection with Route 82 at Columbia Avenue and Mercer Street in the borough of Greenville Mercer County a distance of about .8 of a mile

Route 43065 State-aid Application 2255 Extending Route 43065 Beginning at a point on the Greenville Borough-Hempfield Township line thence in a southwesterly direction over State-aid Application 2255 on the Leech Road to the end of State-aid Application 2255 at North Main Street thence westerly and southwesterly on North Main Street to an intersection with the continuation of State-aid Application 265 (Traffic Route 57) at North Main and Main Streets in the borough of Greenville Mercer County a distance of about .5 of a mile

Fredonia Borough

Route 43042 Extending Route 43042 Beginning at a point on the Fredonia Borough-Fairview Township line thence in a general westerly direction on Mill Street to an intersection with the continuation of Rural Route 43044 at Mill and Water Streets in the borough of Fredonia Mercer County a distance of about .4 of a mile

Route 43044 Extending Route 43044 Beginning at a point on the Fredonia Borough-Fairview Township line thence in a southerly direction on Main Street to Mill Street thence in a general easterly direction on Mill Street to an intersection with the continuation of Rural Route 43042 at Mill and Water Streets in the borough of Fredonia Mercer County a distance of about .2 of a mile

Stoneboro Borough

Route 43043 Extending Route 43043 Beginning at a point on the Stoneboro Borough-Lake Township line at the intersection with Route 446 Spur thence in a southerly and southeasterly direction on Mine Street to Linden Street thence easterly on Linden Street to Lake Street thence southerly on Lake Street to an intersection with the continuations of Rural Route 43052 and Rural Route 43056 at Lake and Walnut Streets in the borough of Stoneboro Mercer County a distance of about 1.1 miles

Route 43052 Extending Route 43052 Beginning at a point on the Stoneboro Borough-Lake Township line thence in a general easterly direction on the Stoneboro-Fredonia Road to Mine Street thence northerly on Mine Street to Walnut Street thnce easterly on Walnut Street to an intersection with the continuations of Rural Route 43043 and Rural Route 43056 at Walnut and Lake Streets in the borough of Stoneboro Mercer County a distance of about 1.2 miles

Route 43056 Extending Route 43056 Beginning at a point on the Stoneboro Borough-Sandy Lake Township line thence in a westerly direction on Walnut Street to an intersection with the continuations of Rural Route 43052 and Rural Route 43043 at Walnut and Lake Streets in the borough of Stoneboro Mercer County a distance of about .3 of a mile

Sandy Lake Borough

Route 43055 Extending Route 43055 Beginning at a point on the Sandy Lake Borough-Sandy Lake Township line thence in a northwesterly direction on Main Street to an intersection with Route 312 at Main Street and the Grove City Road in the borough of Sandy Lake Mercer County a distance of about .2 of a mile

Route 43068 Extending Route 43068 Beginning at a point on the Sandy Lake Borough-Sandy Lake Township line thence in a southeasterly direction on the Sandy Creek Road to an intersection with Route 294 at Sandy Creek Road and Main Street in the borough of Sandy Lake Mercer County a distance of about .03 of a mile

Boroughs of Greenville and Jamestown

Route 43061 Extending Route 43061 Beginning at a point on the Greenville Borough-West Salem Township line thence in a southerly direction on North High Street to an intersection with Route 238 at North High and Main Streets in the borough of Greenville Mercer County a distance of about .6 of a mile . . . Beginning at a point on the Jamestown Borough-Green Township line thence in a northeasterly direction on the Greenville Road to an intersection with Route 206 at the Greenville Road and Gibson and Liberty Streets in the borough of Jamestown Mercer County a distance of about .1 of a mile

Sheakleyville Borough

Route 43064 Extending Route 43064 Beginning at a point on the Sheakleyville Borough-Sandy Creek Township line thence in an easterly direction on Greenville Street to an intersection with Route 213 at Greenville Street and the Mercer-Meadville Road in the borough of Sheakleyville Mercer County a distance of about .2 of a mile

Route 43067 Extending Route 43067 Beginning at a point on the Sandy Creek Township-Sheakleyville Borough line thence in a southeasterly direction along the Sheakleyville Borough line to an intersection with Route 213 in the borough of Sheakleyville Mercer County a distance of about .2 of a mile

Route 43071 Extending Route 43071 Beginning at a point on the Sreakleyville Borough-Sandy Creek Township line thence in a westerly direction on Church Street to an intersection with Route 213 at Church Street and the Mercer-Meadville Road in the borough of Sheakleyville Mercer County a distance of about .3 of a mile

New Lebanon Borough

Route 43070 Extending Route 43070 Beginning at a point on the New Lebanon Borough-Mill Creek Township line thence in an easterly direction on Franklin Street to an intersection with Route 294 and a continuation of Rural Route 43073 at Franklin and Mercer Streets in the borough of New Lebanon Mercer County a distance of about .4 of a mile

Route 43073 Extending Route 43073 Beginning at a point on the New Lebanon Borough-Mill Creek Township line thence in a westerly direction on Franklin Street to an intersection with Route 294 and continuation of Rural Route 43070 at Franklin and Mercer Streets in the borough of New Lebanon Mercer County a distance of about .4 of a mile

Route 43074 Extending Route 43074 Beginning at a point on the New Lebanon Borough-Mill Creek Township line thence in a southwesterly direction on the Cemetery Road to Venango Street thence southerly on Venango Street to Oak Street thence westerly on Oak Street to an intersection with Route 294 at Oak and Mercer Streets in the borough of New Lebanon Mercer County a distance of about .6 of a mile

Mifflin County

Burnham Borough

Traffic Route 496 Route 44001 Extending Route 44001 Beginning at a point on the Burnham Borough-Derry Township line thence in a northeasterly direction on the Valley Road to an intersection with State Highway Route 29 at Valley Road and Logan Level Boulevard in the borough of Burnham Mifflin County a distance of about .09 of a mile

Newton Hamilton Borough

Traffic Route 496 Route 44001 Extending Route 44001 Beginning at a point on the Newton Hamilton Borough-Wayne Township line thence in a southwesterly direction on Front Street joining State Highway Route 33 at Front Street in the borough of Newton Hamilton Mifflin County a distance of about .18 of a mile

Traffic Route 496 Route 44018 Extending Route 44018 Beginning at a point on the Newton Hamilton Borough-Wayne Township line thence in a northeasterly direction on Front Street to an intersection with State Highway Route 33 at Wayne and Front Streets in the borough of Newton Hamilton Mifflin County a distance of about .30 of a mile

Lewistown Borough

Traffic Route 246 Route 44007 Extending Route 44007 Beginning at a point on the Lewistown Borough-Derry Township line thence in a southwesterly direction on Green Avenue to an intersection with State Highway Route 32 at Main Street and Green Avenue in the borough of Lewistown Mifflin County a distance of about .39 of a mile

Traffic Route 266 Route 44013 Extending Route 44013 Beginning at a point on the Lewistown Borough-Granville Township line thence in a southeasterly direction on Ridge Avenue to an intersection at Ridge and Bratton Avenues thence in a southeasterly direction on Bratton Avenue to an intersection with State Highway Route 33 at the intersection of Juniata Fourth Streets Reservoir Lane and Bratton Avenue in the borough of Lewistown Mifflin County a distance of about .27 of a mile

Monroe County

Delaware Water Gap Borough

Route 45010 Extending Route 45010 Beginning at a point on the Delaware Water Gap Borough-Smithfield Township line thence in an easterly direction on Cherry Valley Street to an intersection with Route 166 at Main and Cherry Valley Streets in the borough of Delaware Water Gap Monroe County a distance of about .47 of a mile

Mount Pocono Borough

Route 45035 Extending Route 45035 Beginning at a point on the Mount Pocono Borough-Pocono Township Line thence in a northerly direction on Fairview Avenue to an intersection with Route 168 at Belmont Avenue and Fairview Avenue in the borough of Mount Pocona Monroe County a distance of about 1.25 miles

Montgomery County

Pottstown Borough

Route 46001 Extending Route 46001 Beginning at a point on the Pottstown Borough-West Pottsgrove Township line thence in a southerly direction on Manatawny Street to an intersection with the continuation of Rural Route 46002 at Manatawny and State Streets in the borough of Pottstown Montgomery County a distance of about .99 of a mile

Route 46002 Extending Route 46002 Beginning at a point on the Pottstown Borough-Upper Pottsgrove Township line thence in a southerly direction on State and Manatawny Streets to an intersection with Route 146 at Manatawny and High Streets in the borough of Pottstown Montgomery County a distance of about 1.24 miles

Route 46005 Extending Route 46005 Beginning at a point on the Pottstown Borough-Upper Pottsgrove Township line thence in a southwesterly direction on Keim Street to an intersection with Route 146 at High and Keim Streets in the borough of Pottstown Montgomery County a distance of about .65 of a mile

Application 2696 Beginning at a point on the Pottstown Borough line and Upper and Lower Pottsgrove Township line thence in a southwesterly direction on Charlotte Street to an intersection with Route 146 at Charlotte and High Streets in the borough of Pottstown Montgomery County a distance of about 1.18 miles

Green Lane Borough

Route 46012 Extending Route 46012 Beginning at a point on the Green Lane Borough-Upper Frederick Township line thence in a northeasterly direction on Mill Road to an intersection with Route 158 at Main Street and Mill Road in the borough of Green Lane Montgomery County a distance of about .20 of a mile

Route 46032 Extending Route 46032 Beginning at a point on Green Lane Borough-Marlborough Township line thence in a northeasterly direction crossing Route 198 to a second point on the boundary line of Green Lane Borough Montgomery County a distance of about .04 of a mile

Route 46155 Extending Route 46155 Beginning at a point on the Green Lane Borough-Marlborough Township line thence in a southwesterly direction on Lumber Street to an intersection with Route 158 at Main and Lumber Streets in the borough of Green Lane Montgomery County a distance of about .18 of a mile

Royersford Borough

Route 46014 Extending Route 46014 Beginning at a point on the Royersford Borough-Upper Providence Township line thence in a northwesterly direction on Second Avenue to an intersection with the continuation of Rural Route 46015 at Main Street and Second Avenue in the borough of Royersford Montgomery County a distance of about .49 of a mile

Route 46015 Extending Route 46015 Beginning at a point on the Royersford Borough-Limerick Township line thence in a southwestrly direction on Walnut Street in a northwesterly direction on Lewis Road and in a southwesterly direction on Main Street to a point at the middle of an intercounty bridge over the Schuylkill River the said point being also on the Montgomery-Chester County line through Montgomery County a distance of about 1.19 miles

Schwenksville Borough

Route 46017 Extending Route 46017 Beginning at a point on the Schwenksville Borough-Perkiomen Township line thence in an easterly direction to an intersection with Route 158 in the borough of Schwenksville Montgomery County a distance of about .29 of a mile

Route 46018 Extending Route 46018 Beginning at a point on the Schwenksville Borough-Lower Frederick Township line thence in an easterly direction crossing Route 158 to a second point on the boundary line of the borough of Schwenksville Montgomery County a distance of about .12 of a mile

Pennsburg Borough

Route 46035 Extending Route 46035 Beginning at a point on the Pennsburg Borough-Upper Hanover Township line thence in a southwesterly direction on Pottstown Avenue to an intersection with the continuation of State-aid Application 721 at Pottstown and Seminary Avenues in the borough of Pennsburg Montgomery County a distance of about .31 of a mile

Application 721 Beginning at a point on the Pennsburg Borough-Upper Hanover Township line thence in a northeasterly direction on Pottstown Avenue and in a northwesterly direction on Seminary Avenue to a second point on the boundary line of the borough of Pennsburg Montgomery County a distance of about .64 of a mile

Red Hill Borough

Route 46036 Extending Route 46036 Beginning at a point on the Red Hill Borough-Upper Hanover Township line thence in a southwesterly direction on Sixth Street to an intersection with Route 158 at Sixth and Main Streets in the borough of Red Hill Montgomery County a distance of about .04 of a mile

Souderton Borough

Route 46041 Extending Route 46041 Beginning at a point on the Souderton Borough-Franconia Township line thence in an easterly and northeasterly direction on West Street to an intersection with Route 270 at Main and West Streets in the borough of Souderton Montgomery County a distance of about .58 of a mile

Route 46048 Extending Route 46048 Beginning at a point on the Souderton Borough-Franconia Township line thence in a northwesterly direction to an intersection with the continuation of Rural Route 46049 at Washington Avenue and Broad Street in the borough of Souderton Montgomery County a distance of about .42 of a mile

Route 46049 Extending Route 46049 Beginning at a point on the Souderton Borough-Franconia Township line thence in a northeasterly direction on Broad Street and in a northwesterly direction on Main Street to an intersection with Route 270 at Main and Chestnut Streets in the borough of Souderton Montgomery County a distance of about .67 of a mile

West Telford Borough

Route 46042 Extending Route 46042 Beginning at a point on the West Telford Borough-Franconia Township line thence in a southeasterly direction on Fourth Street and in a northeasterly direction on Broad Street to an intersection with State-aid Applications 3771 and 4067 on the Montgomery-Bucks County line at Broad and Main Streets through the borough of West Telford Montgomery County a distance of about .52 of a mile

Hatfield Borough

Route 46048 Extending Route 46048 Beginning at a point on the Hatfield Borough-Hatfield Township line thence in a southeasterly direction on Penn Avenue in a southwesterly direction on Union Street in a southerly direction on Market Street and southwesterly direction on Broad Street to an intersection with Route 646 at Broad and Main Streets in the borough of Hatfield Montgomery County a distance of about .53 of a mile

Hatboro Borough

Route 46075 Extending Route 46075 Beginning at a point on the Hatboro Borough-Upper Moreland Township line thence in a southeasterly direction on Moreland Road to an intersection with Route 155 at Moreland and York Roads in the borough of Hatboro Montgomery County a distance of about .41 of a mile

Application 26 Beginning at a point on the Hatboro Borough-Upper Moreland Township line thence in a northwesterly direction on Byberry Road to an intersection with Route 155 at Byberry and York Roads in the borough of Hatboro Montgomery County a distance of about .45 of a mile

Route 463 Extending Route 463 Beginning on Route 463 at the Hatboro Borough line thence over Northampton Street to the intersection of Northampton Street and Montgomery Avenue thence on Montgomery Avenue to its intersection with Route 155 in the borough of Hatboro Montgomery County a distance of about .84 of a mile

Ambler Borough

Route 46078 Extending Route 46078 Beginning at a point on the Ambler Borough-Lower Gwynedd Township line thence in a southeasterly direction on Spring Garden Street and in a northeasterly direction on Tennis Avenue to an intersection with Route 15[illegible] at Tennis Avenue and the Bethlehem Pike in the borough of Ambler Montgomery County a distance of about .97 of a mile

Conshohocken Borough

Route 46103 Extending Route 46103 Beginning at a point on the Conshohocken Borough-Whitemarsh Township line thence in a westerly direction on Hector Street and in a southwesterly direction on Fayette Street to an intersection with the continuations of Rural Routes 46140 and 46107 at Fayette and New Elm Streets in the borough of Conshohocken Montgomery County a distance of about .76 of a mile

Route 46107 Extending Route 46107 Beginning at a point on the Conshohocken Borough-Plymouth Township line thence in a southeasterly direction on New Elm Street to an intersection with the continuations of Rural Routes 46140 and 46103 at New Elm and Fayette Streets in the borough of Conshohocken Montgomery County a distance of about .50 of a mile

Norristown Borough

Route 46104 Extending Route 46104 Beginning at a point on the Norristown Borough line and East Norriton Plymouth Township line thence in a northwesterly direction on Johnson Boulevard to an intersection with Route 178 at Johnson Boulevard and DeKalb Street in the Borough of Norristown Montgomery County a distance of about .54 of a mile

Route 46126 Extending Route 46126 Beginning at a point on the Norristown Borough-East Norriton Township line thence in a southeasterly direction through Norristown Borough and along said boundary line to an intersection with Route 178 at DeKalb Street in the borough of Norristown Montgomery County a distance of about .55 of a mile

Route 46133 Extending Route 46133 Beginning at a point on the Norristown Borough-West Norriton Township line thence in a southeasterly direction on Forrest Avenue to an intersection with Route 145 at Forest Avenue and Airy Street in the borough of Norristown Montgomery County a distance of about .24 of a mile

Bridgeport Borough

Route 46136 Extending Route 46136 Beginning at a point on the Bridgeport Borough-Upper Merion Township line thence in a southeasterly direction on Fourth Street to an intersection with Route 143 at Fourth and DeKalb Streets in the borough of Bridgeport Montgomery County a distance of about .29 of a mile

Route 46137 Extending Route 46137 Beginning at a point on the Bridgeport Borough-Upper Merion Township line thence in a northerly direction on Bird-in-Hand Road to an intersection with Route 143 at Bird-in-Hand Road and DeKalb Street in the borough of Bridgeport Montgomery County a distance of about .07 of a mile

West Conshohocken and Conshohocken Boroughs

Route 46138 Extending Route 46138 Beginning at a point on the West Conshohocken Borough-Upper Merion Township line thence in a southerly and southeasterly direction on River Road Crawford and Front Streets to a point at the intersection of Rural Route 46045 with the boundary line of the borough of Conshohocken Montgomery County a distance of about 1.24 miles

Route 46140 Extending Route 46140 Beginning at a point on the West Conshohocken Borough line and on the Upper and Lower Merion Township line thence in an easterly direction on Ford and Fayette Streets through West Conshohocken and Conshohocken Boroughs to an intersection with the continuations of Rural Routes 46107 and 46103 at Fayette and New Elm Streets in the borough of Conshohocken Montgomery County a distance of about 1.16 miles

Jenkintown Borough

Route 46157 Extending Route 46157 Beginning at a point on the Jenkintown Borough-Abington Township line thence in a northwesterly direction on Greenwood Avenue to an intersection with Route 131 at Greenwood Avenue and York Road in the borough of Jenkintown Montgomery County a distance of about .13 of a mile

Application 5463 Beginning at a point on the Jenkintown Borough-Abington Township line thence in a southeasterly direction on Walnut Street and West Avenue to an intersection with Route 151 at West Avenue and York Road in the borough of Jenkintown Montgomery County a distance of about .58 of a mile

North Wales Borough

Route 46158 Extending Route 46158 Beginning at a point on the North Wales Borough-Upper Gwynedd Township line thence in a southwesterly direction on Walnut Street through North Wales Borough to a point at the intersection of Rural Route 46082 with the boundary line of the borough of North Wales Montgomery County a distance of about 1 mile

Montour County

Danville Borough

Route 47005 Application 2352 Extending Route 47005 Beginning at a point on the Mahoning Township-Danville Borough line thence in a northwesterly direction on East Market Street and over Application 2352 to a point on Route 182 at the intersection of East Market and Mill Streets in the borough of Danville Montour County a distance of about 1.22 miles

Route 182 Extending Route 182 Beginning on Route 182 at the Danville Borough line thence northeasterly to an intersection with Routes 2 3 and 240 in the borough of Danville Mountour County a distance of about .50 of a mile

Northampton County

Glendon Borough

Traffic Route 142 Legislative Route 48010 Extending Route 48010 Beginning at a point on the West Easton-Glendon Borough line at the Lehigh River thence in a southwesterly direction on Glendon Avenue to the intersection of Legislative Route 48010 at the Glendon Borough-Williams Township line Northampton County a distance of about 1.39 miles

Traffic Route 142 Legislative Route 48013 Extending Route 48013 Beginning at a point on the Wilson Borough-West Easton Borough line thence in a northeasterly direction on the Glendon Road to an intersection with Traffic Route 142 at the West Easton-Glendon Borough line Northampton County a distance of about .19 of a mile

Freemansburg Borough

Traffic Route 175 Legislative Route 48011 Extending Route 48011 Beginning at a point on the Freemansburg Borough-Bethlehem Township line thence in a southerly direction on Main Street to Washington Street thence westerly on Washington Street to the Freemansburg Borough-Bethlehem City Line in the Borough of Freemansburg Northampton County a distance of about 1.3 miles

Wilson Borough

Traffic Route 142 Legislative Route 48013 Extending Route 48013 Beginning at a point on the Wilson Borough-Palmer Township line thence in a southerly direction on Twenty-fifth Street to an intersection with Legislative Route 48013 on Twenty-fifth Street at the Wilson Borough-Palmer Township ilne Northampton County a distance of about .72 of a mile

Traffic Route 142 Legislative Route 48013 Extending Route 48013 Beginning at a point on the Wilson Borough-Palmer Township line at the intersection of Legislative Route 48013 thence in a southeasterly direction on Twenty-fifth Street to an intersection with the Wilson-West Easton Borough line Northampton County a distance of about .19 of a mile

Stockertown Borough

Traffic Route 142 Legislative Route 48019 Extending Route 48019 Beginning at a point at the Palmer Township-Stockertown Borough line thence in a northerly direction over the Tatamy Road to the intersection of the continuation of Application 1019 at Bushkill and Center Streets in the borough of Stockertown Northampton County a distance of about .37 of a mile

Traffic Route 275 Legislative Route 48025 Extending Route 48025 Beginning at a point at the Palmer Township-Tatamy

Borough line thence in a westerly direction along the Bushkill Road to an intersection with the continuation fo Rural Route 48025 at the center line of the Bushkill Creek in the borough of Stockertown Northampton County a distance of about .66 of a mile

Application 1019 Beginning at a point on the Stockertown Borough-Palmer Township line thence in an easterly direction on Center Street to the Tatamy Road thence northeasterly on Tatamy Road to the intersection of Legislative Route 166 at Main Street and the Tatamy Road in the borough of Stockertown Northampton County a distance of about .7 of a mile

Tatamy Borough

Traffic Route 142 Legislative Route 48019 Extending Route 48019 Beginning at a point at the Palmer Township-Tatamy Borough line thence south along Tatamy Road to the southern boundary line at Tatamy Borough and Palmer Township line connecting with Traffic Route 142 Legislative Route 48019 Northampton County a distance of about .78 of a mile

Traffic Route 104 Legislative Route 48021 Extending Route 48021 Beginning at a point on the Forks Township-Tatamy Borough line thence in a northerly direction on Bushkill Street to an intersection with the continuation of Legislative Route 48025 at Bushkill Street and the Martins Creek Road in Tatamy Borough Northampton County a distance of about .4 of a mile

Nazareth Borough

Traffic Route 275 Legislative Route 48025 Extending Route 48025 Beginning at a point on the Nazareth Borough-Upper Nazareth Township line thence in a westerly direction on Walnut Street to an intersection with the continuation of Traffic Route 162 at Broad and Walnut Streets in the borough of Nazareth Northampton County a distance of about .48 of a mile

Traffic Route 162 Legislative Route 48043 Extending Route 48043 Beginning at a point on the Nazareth Borough-Upper Nazareth Township line thence in a southerly direction on Broad Street to an intersection with Legislative Route 175 at Broad and the Bath-Easton Road in the borough of Nazareth Northampton County a distance of about 1.15 miles

Application 915 Beginning at a point on the Nazareth Borough-Upper Nazareth Township line thence in a southerly direction on New Street thence westerly on Center Street to the continuance of Traffic Route 162 Legislative Route 48043 at Center and Broad Streets in the borough of Nazareth Northampton County a distance of about .50 of a mile

Pen Argyl Borough

Traffic Route 142 Legislative Route 48032 Extending Route 48032 Beginning at a point on the Pen Argyl Borough-Plainfield Township lines thence in a westerly direction on East Main Street to an intersection with Legislative Route 165 on East Main Street at Winona Park in the borough of Pen Argyl Northampton County a distance of about .25 of a mile

Traffic Route 142 Legislative Route 48038 Extending Route 48038 Beginning at a point on the Pen Argyl Borough-Plainfield Township line thence in an easterly direction on Main Street thence in a northerly direction on East Street to an intersection with Legislative Route 165 at Pennsylvania Avenue and East Street in the borough of Pen Argyl Northampton County a distance of about .34 of a mile

Traffic Route 315 Legislative Route 48033 Extending Route 48033 Beginning at a point on the Bangor Borough-Washington Township line west on Miller Street thence north on Center thence west on Messinger Street to the intersection of Legislative Route 165 at Messinger and South Main Streets in the borough of Bangor Northampton County a distance of about .51 of a mile

Traffic Route 132 Legislative Route 48035 Extending Route 48035 Beginning at a point on the Bangor Borough-Washington Township line north on First Street to the continuation of Traffic Route 315 Legislative Route 48036 at Messinger and First Streets in the borough of Bangor Northampton County a distance of about .25 of a mile

Traffic Route 132 Legislative Route 48035 Extending Route 48035 Beginning at a point at the Washington Township-Bangor Borough line thence in a southerly direction on Main Street to the intersection of Legislative Route 165 at Market and Main Streets in the borough of Bangor Northampton County a distance of about .82 of a mile

Traffic Route 315 Legislative Route 48036 Extending Route 48036 Beginning at a point on the Bangor Borough-Washington Township line thence in a northerly direction on Eighth Street easterly on Broadway to First Street thence southerly on First Street to Messinger Street thence east on Messinger Street to the intersection of Legislative Route 165 at Messinger and Main Streets in the borough of Bangor Northampton County a distance of about 1,27 miles

Roseto Borough

Traffic Route 132 Legislative Route 48035 Extending Route 48035 Beginning at a point at the Washington Township-Roseto Borough line thence in a southerly direction over an unnamed street across Columbus Street thence southeasterly to the Roseto Borough-Washington Township line tying in with Legislative Route 48035 Northampton County a distance of about .11 of a mile

Wind Gap Borough

Traffic Route 315 Legislative Route 48039 Extending Route 48039 Beginning at a point on the Wind Gap Borough-Plainfield Township line thence in a northwesterly direction on Tihrd Street to an intersection with Legislative Route 166 at Broadway and Third Streets in the borough of Wind Gap Northampton County a distance of about .35 of a mile

Bath Borough

Traffic Route 192 Legislative Route 48046 Extending Route 48046 Beginning at a point on the Bath Borough-East Allen Township line thence in a northerly direction on Walnut Street to an intersection with the continuation of Route 48063 at Main and Walnut Streets in the borough of Bath Northampton County a distance of about .32 of a mile

Traffic Route 225 Legislative Route 48063 Extending Route 48063 Beginning at a point on the Bath Borough-East Allen Township line thence in a northwesterly direction on Main Street to an intersection with Legislative Route 175 at Main and Chestnut Streets in the borough of Bath Northampton County a distance of about .69 of a mile

Application 3908 Traffic Route 192 Beginning at a point on the Bath Borough-East Allen Township line thence in a southerly direction on Chestnut Street to an intersection with Legislative Route 175 at Chestnut Street and Northampton Street in the borough of Bath Northampton County a distance of about .31 of a mile

Northampton Borough

Traffic Route 232 Legislative Route 48060 Extending Route 48060 Beginning at a point on the Northampton Borough-Allen Township line thence in a southeasterly direction on the Cherryville Road to an intersection with the continuation of Traffic Route 53 at Main and Twenty-fourth Streets in the borough of Northampton Northampton County a distance of about .61 of a mile

Traffic Route 275 Legislative Route 48061 Extending Route 48061 Beginning at a point on the Northampton Borough-Allen Township line thence in a southerly direction on the Kreidersville Road to an intersection with Legislative Route 175 at Twenty-first and Main Streets in the borough of Northampton Northampton County a distance of about .82 of a mile

Northumberland County

Mount Carmel Borough

Route 49017 Extending Route 49017 Beginning at a point on the Mount Carmel Borough-Mount Carmel Township line thence in an easterly direction on Third Street to Poplar Street thence in a northerly direction on Poplar Street to an intersection with Route 161 at Poplar Street and West Avenue in the borough of Mount Carmel Northumberland County a distance of about .40 of a mile

Route 49018 Extending Route 49018 Beginning a point on the Mount Carmel Borough-Mount Carmel Township line thence in a northeasterly direction on Merrian Road to Seventh and Oak Streets thence in a northerly direction on Oak Street to Fifth Street thence in an easterly direction on Fifth Street to an intersection with Route 161 at Fifth and Hickory Streets in the borough of Mount Carmel Northumberland County a distance of about .35 of a mile

Route 49073 Extending Route 49073 Beginning at a point on Route 161 at the intersection of Fifth and Chestnut Streets in the borough of Mount Carmel thence in a southerly direction on Chestnut Street to Seventh Street thence in an easterly direction on Seventh Street to Ashland Road and North

Turnpike Street thence in a southeasterly direction on Ashland Road to the Mount Carmel Borough-Mount Carmel Township line Northumberland County a distance of about .40 of a mile

Snydertown Borough

Route 49034 Extending Route 49034 Beginning at a point on the Snydertown Borough-Shamokin Township line thence in a northerly direction on Market Street to an intersection with Route 283 at Market and Sunbury Streets in the borough of Snydertown Northumberland County a distance of about 1.5 miles

Route 49074 Extending Route 49074 Beginning at a point on Route 283 at the intersection of Sunbury and Market Streets in the borough of Snydertown thence in a northerly direction on Market Street to the Snydertown Borough-Rush Township line Northumberland County a distance of about .15 of a mile

Riverside Borough

Route 49040 Extending Route 49040 Beginning at a point on the Riverside Borough-Gearhart Township line thence in a northeasterly direction on Snydertown road to Avenue G thence in a northerly direction on Avenue G to Sunbury Street thence in an easterly direction on Sunbury Street being the dividing line between Riverside Borough and Gearhart Township to Chestnut Street at the Riverside Borough-Gearhart Township line thence continuing in an easterly direction on Sunbury Street in Gearhart Township to Mill Street thence in a northeasterly direction on Mill Street to an intersection with Route 182 at Mill and Gearhart Streets in the township of Gearhart Northumberland County a distance of about .40 of a mile in Riverside Borough and .20 of a mile in Gearhart Township

Route 49043 Extending Route 49043 Beginning at a point on the Riverside Borough-Gearhart Township line thence in an easterly direction on Sunbury Street the dividing line between Riverside Borough on the north and Gearhart Township on the south to Torrence Road thence continuing in a southeasterly direction on Sunbury Street in Riverside Borough to an alley between F and G Avenues thence continuing in a southeasterly direction on Sunbury Street the dividing line between Riverside Borough on the south and Gearhart Township on the north to an intersection with the continuation of Rural Route 49040 at Sunbury Street and G Avenue on the dividing line between Riverside Borough and Gearhart Township Northumberland County a distance of about .35 of a mile half in the borough of Riverside and half in Gearhart Township and about .25 of a mile wholly in the borough of Riverside

Northumberland Borough

Route 49050 Extending Route 49050 Beginning at a point on Route 18 at the intersection of Duke and Eighth Streets in Northumberland Borough thence in a northeasterly direction on Eighth Street to the Northumberland Borough-Point Township line at the intersection of Eighth and Orange Streets in the borough of Northumberland Northumberland County a distance of about .30 of a mile

Route 49051 Extending Route 49051 Beginning at a point on Route 2 at the intersection of Front and Hanover Streets in the borough of Northumberland thence in a northwesterly direction on Hanover Street to Third Street thence in a northeasterly direction on Third Street to Prince Street thence in a northwesterly direction direction on Prince Street to Susquehanna Road thence in a northerly direction on Strawbridge Road to the Northumberland Borough-Point Township line Northumberland County a distance of about 1.1 miles

Milton Borough

Route 49055 Extending Route 49055 Beginning at a point on Route 259 at the intersection of Shakespeare Avenue and East Mahoning Street in the borough of Milton thence in a southeasterly direction on Shakespeare Avenue to the Milton Borough-West Chillisquaque Township line Northumberland County a distance of about .7 of a mile

Turbotville Borough

Route 49060 Extending Route 49060 Beginning at a point on the Turbotville Borough-Lewis Township line thence in a northwesterly direction on Paradise Street to an intersection with Route 240 at Paradise and Main Streets in the borough of Turbotville Northumberland County a distance of about .40 of a mile

Watsontown Borough

Route 49061 Extending Route 49061 Beginning at a point on Route 240 at the intersection of East Eighth and Main Streets in the borough of Watsontown thence in a northeasterly direction on East Eighth Street to Liberty Street thence in a northerly direction on Liberty Street to the Watsontown Borough-Delaware Township line Northumberland County a distance of about .6 of a mile

Shamokin Borough

Route 459 Extending Route 459 Beginning on Route 459 at the Shamokin Borough line thence in a northerly direction to an intersection with Route 161 in the borough of Shamokin Northumberland County a distance of about .97 of a mile

Perry County

Blain Borough

Traffic Route 286 Route 50001 Extending Route 50001 Beginning at a point on the Blain Borough-Jackson Township line thence in a northerly direction on Church Hill Road to an intersection with State Highway Route 122 at Church Hill road and Main Street in the borough of Blain Pefry County a distance of about .25 of a mile

Traffic Route 286 Route 50001 Extending Route 50001 Beginning at a point on the Blain Borough-Jackson Township line thence in a southwesterly direction on a public road to an intersection with State Highway Route 122 at Main Street and a public road in the borough of Blain Perry County a distance of about .29 of a mile

Liverpool Borough

Traffic Route 135 Route 50001 Extending Route 50001 Beginning at a point on the Liverpool Borough-Liverpool Township line thence in an easterly direction on the Perry Valley Road to an intersection with State Highway Route 195 at the Perry Valley Road and Front Street in the borough of Liverpool Perry County a distance of about .44 of a mile

Newport Borough

Traffic Route 105 Route 50002 Extending Route 50002 Beginning at a point on the Newport Borough-Oliver Township line thence easterly on the Cemetery Road to an intersection with North Sixth Street thence continuing in a southerly direction on North Sixth Street to an intersection with Market Street thence in an easterly direction on Market Street to an intersection with State Highway Route 31 and State Highway Route 305 at Market and Fourth Streets in the borough of Newport Perry County a distance of about .38 of a mile

Landisburg Borough

Traffic Route 233 Route 50005 Extending Route 50005 Beginning at a point on the Landisburg Borough-Tyrone Township line thence in a northerly direction on Carlisle Street to an intersection with State Highway Routes 191 and 457 at Main and Carlisle Streets in the borough of Landisburg Perry County a distance of about .11 of a mile

New Buffalo Borough

Traffic Route 146 Route 50015 Extending Route 50015 Beginning at a point on the New Buffalo Borough-Watts Township line thence in a southeasterly direction over a public road to an intersection with State Highway Route 195 at a public road and Mill Street in the borough of New Buffalo Perry County a distance of about .22 of a mile

Marysville Borough

Route 50003 Application 6570 Extending Route 50003 Beginning at a point on the Marysville Borough-Rye Township Line thence easterly on Valley Street to an intersection with State Highway Route 30 at Ann Maple Avenue and Valley Street in the Borough of Marysville Perry County a distance of about 0.76 miles

Pike County

Milford Borough

Route 51010 Extending Route 51010 Beginning at a point on the Milford Borough-Milford Township line thence in a southwesterly direction on Seventh Street to an intersection with Route 7 at Seventh and Harford Streets in the borough of Milford Pike County a distance of about .49 of a mile

Matamoras Borough

Route 51016 Extending Route 51016 Beginning at a point on the Matamoras Borough-Westfall Township line thence in a northeasterly direction on a road thence in a northerly

direction on a road thence in a northeasterly direction on Avenue C to an intersection with Route 549 at Avenue C and Delaware Drive in the borough of Matamoras Pike County a distance of about .71 of a mile

Potter County

Coudersport Borough

Route 52005 Extending Route 52005 Beginning at a point on Route 52005 on the Eulalia Township-Coudersport Borough line Potter County thence in a northwesterly northerly and easterly direction by borough streets to an intersection with Route 101 in Coudersport Borough Potter County a distance of about 1.16 miles

Route 52011 Extending Route 52011 Beginning at a point on the Eulalia Township-Coudersport Borough line thence in a southerly direction on Dingman Run Road to an intersection with Route 101 in the borough of Coudersport Potter County a distance of about .31 of a mile

Shinglehouse Borough

Route 52008 Extending Route 52008 Beginning at a point on Rural Route 52008 on the Sharon Township-Shinglehouse Borough line Potter County thence in a northerly and westerly direction on Sunnyside Road and Oswayo Street to an intersection with Route 236 at Oswayo and Academy Streets in Shinglehouse Borough Potter County a distance of about .67 of a mile

Route 52013 Extending Route 52013 Beginning at a point on the Sharon Township-Shinglehouse Borough line thence in a southerly direction on Morse Run Road and Low Street to a point on Route 236 at the intersection of Low and Cereas Streets in the borough of Shinglehouse Potter County a distance of about .98 of a mile

Route 52014 Extending Route 52014 Beginning at a point on the Sharon Township-Shinglehouse Borough line thence in a westerly and southerly direction on Honeoye Street and Press Avenue to a point on Route 236 at the intersection of Press Avenue and Academy Street in the borough of Shinglehouse Potter County a distance of about .67 of a mile

Galeton Borough

Route 52018 Extending Route 52018 Beginning at a point on Route 52018 at the Pike Township-Galeton Borough line Potter County thence in a northeasterly direction on West Street to a point on Route 102 at the intersection of West and Main Streets in Galeton Borough Potter County a distance of about .80 of a mile

Lewisville Borough

Route 52025 Extending Route 52025 Beginning at a point on Route 52025 at the Ulysses Township-Lewisville Borough line Potter County thence in a northeasterly direction on South Main Street to an intersection with Rural Route 52026 at the intersection of South Main Street and Lauck's Mills Road in Lewisville Borough Potter County a distance of about .35 of a mile

Route 52026 Extending Route 52026 Beginning at a point on Route 52026 at the Ulysses Township-Lewisville Borough line Potter County thence in a northwesterly direction on Lauck's Mills Road and South Main Street to an intersection with Route 103 at the intersection of North Street and Main Street in Lewisville Borough Potter County a distance of about 1.54 miles

Route 52029 Extending Route 52029 Beginning at a point on the Bingham Township-Lewisville Borough line thence in a southerly and westerly direction on West Bingham Road and North Street to an intersection with Route 103 in the borough of Lewisville Potter County a distance of about .91 of a mile

Schuylkill County

Gordon Borough

Route 53001 Extending Route 53001 Beginning at a point on the Gordon Borough-Butler Township line thence in a northerly and westerly direction over Mountain Road and Biddle Street to the corner of McKnight and Biddle Streets in Gordon Borough an intersection with Legislative Route 53060 in Gordon Borough Schuylkill County a distance of about .7 of a mile

Route 53060 Extending Route 53060 Beginning at a point on the Gordon Borough-Butler Township line thence in an easterly direction along Biddle Street to an intersection of Legislative Route 53001 at the corner of McKnight and Biddle Streets in Gordon Borough Schuylkill County a distance of about .87 of a mile

Pine Grove Borough

Route 53002 Extending Route 53002 Beginning at a point on the Pine Grove Borough-Pine Grove Township line thence in an easterly direction on Outwood Road to an intersection with Route 465 at Outwood Road and Tulpehocken Street in Pine Grove Borough Schuylkill County a distance of about .29 of a mile

Route 53003 Extending Route 53003 Beginning at a point on the Pine Grove Borough-Pine Grove Township line thence in a northwesterly direction on Wood Street to an intersection with Route 140 at Wood and Tulpehocken Streets in Pine Grove Borough Schuylkill County a distance of about .19 of a mile

Auburn Borough

Route 53003 Extending Route 53003 Beginning at a point on the Auburn Borough-South Manheim Township line thence in an easterly direction on Market Street to an intersection with Route 466 at Market and Front Streets in Auburn Borough Schuylkill County a distance of about .69 of a mile

Schuylkill Haven Borough

Route 53007 Extending Route 53007 Beginning at a point on the Schuylkill Haven Borough-South Manheim Township line thence in a northerly direction on Berne Street to an intersection with Route 140 at Berne and Columbia Streets in Schuylkill Haven Borough Schuylkill County a distance of about .59 of a mile

Route 53009 Extending Route 53009 Beginning at a point on the Schuylkill Haven Borough-North Manheim Township line thence in a westerly direction on Saint John Street to Columbia Street thence in a southerly direction on Columbia Street to an intersection with Route 140 at Columbia and Canal Streets in the borough of Schuylkill Haven Schuylkill County a distance of about .89 of a mile

Cressona Borough

Route 53008 Extending Route 53008 Beginning at a point on the Cressona Borough-North Manheim Township line thence in a southwardly direction on River Street to an intersection with Route 417 at Pottsville and River Streets in Cressona Borough Schuylkill County a distance of about .37 of a mile

Orwigsburg Borough

Route 53011 Extending Route 53011 Beginning at a point on the Orwigsburg Borough-West Brunswick Township line thence in a northerly direction on Liberty Street to an intersection with Route 141 at Market and Liberty Streets in Orwigsburg Borough Schuylkill County a distance of about .77 of a mile

Route 53012 Extending Route 53012 Beginning at a point on the Orwigsburg Borough-West Brunswick Township line thence in a southwesterly direction on Washington Street to an intersection with Route 141 at Washington and Market Streets in Orwigsburg Borough Schuylkill County a distance of about .70 of a mile

Route 53014 Extending Route 53014 Beginning at a point on the Orwigsburg Borough-West Brunswick Township line thence in a westerly direction on Mifflin Street to Columbia Street thence in a southwardly direction on Columbia Street to an intersection with Route 141 at Columbia and East Market Streets in the borough of Orwigsburg Schuylkill County a distance of about .54 of a mile

New Ringgold Borough

Route 53012 Extending Route 53012 Beginning at a point on the New Ringgold Borough-East Brunswick Township line thence in an easterly direction on Hughes Avenue to an intersection with Route 754 at Railroad Avenue and Hughes Avenue in New Ringgold Borough Schuylkill County a distance of about .23 of a mile

Route 53018 Extending Route 53018 Beginning at a point on the New Ringgold Borough-East Brunswick Township line thence in a westerly direction on Hughes Avenue to an intersection with Route 754 at Hughes Avenue and Railroad Street in New Ringgold Borough Schuylkill County a distance of about .60 of a mile

Middleport Borough

Route 53015 Extending Route 53015 Beginning at a point on the Middleport Borough-Blythe Township line thence in a northerly direction on Coal Street to an intersection with Route 162 at Main and Coal Streets in Middleport Borough Schuylkill County a distance of about .38 of a mile

Tamaqua Borough

Route 53017 Extending Route 53017 Beginning at a point on the Tamaqua Borough-Walker Township line thence in a northerly direction on Hunter Street to an intersection with Route 162 at Broad and Hunter Streets in Tamaqua Borough Schuylkill County a distance of about .56 of a mile

Tower City Borough

Route 53025 Extending Route 53025 Beginning at a point on the Tower City Borough-Porter Township line thence in a northerly direction on Twelfth Street to an intersection with Route 199 at Twelfth Street and Grand Avenue in Tower City Borough Schuylkill County a distance of about .11 of a mile

Saint Clair Borough

Route 53033 Extending Route 53033 Beginning at a point on the Saint Clair Borough-New Castle Township line thence in an easterly direction on Hancock Street to an intersection with Route 161 at Hancock and Second Streets in Saint Clair Borough Schuylkill County a distance of about .46 of a mile

Frackville Borough

Route 53035 Extending Route 53035 Beginning at a point on the Frackville Borough-West Mahanoy Township line thence in a westerly direction on Oak Street to intersect Route 161 at Oak Street and Lehigh Avenue in Frackville Borough Schuylkill County a distance of about .2 of a mile

Mahanoy City Borough

Route 53041 Extending Route 53041 Beginning at a point on the Mahanoy City Borough-Mahanoy Township line thence in a southerly direction on Eighth Street to intersect Route 290 at Eighth and Centre Streets in Mahanoy City Borough Schuylkill County a distance of about .18 of a mile

Route 53063 Extending Route 53063 Beginning at a point on the Mahanoy City Borough-Mahanoy Township line thence in a southerly direction along Main Street to an intersection with Route 290 at Main and Centre Streets in Mahanoy City Borough Schuylkill County a distance of about .2 of a mile

Minersville Borough

Route 53043 Extending Route 53043 Beginning at a point on the Minersville Borough-Norwegian Township line thence in a southwesterly direction on Sunbury Street to an intersection with Route 199 at Sunbury and West Wood Streets in Minersville Borough Schuylkill County a distance of about .30 of a mile

Route 53056 Extending Route 53056 Beginning at a point on the Minersville Borough-Cass Township line thence in a southeasterly direction on Sunbury Street to an intersection with Route 199 at Third and Sunbury Streets in Minersville Borough Schuylkill County a distance of about .50 of a mile

Ringtown Borough

Route 53067 Extending Route 53067 Beginning at a point on Brandonville Road on the dividing line between the Borough of Ringtown and Union Township thence over Brandonville Road to the intersection of Brandonville Road and Main Street thence over Main Street to the intersection of Main Street and Shenandoah Road in Ringtown Borough Schuylkill County a distance of about 1.27 miles

Route 53068 Extending Route 53068 Beginning at a point on the Ringtown Borough-Union Township line thence in a southerly direction on Centre Street to an intersection with Application 844 at Centre and Main Streets in Ringtown Borough Schuylkill County a distance of about .16 of a mile

Route 755 Extending Route 755 Beginning on Route 755 at the Ringtown Borough line thence in a general northeasterly direction to an intersection with State-aid Application 844 at Station 7+25 in Ringtown Borough Schuylkill County a distance of about .36 of a mile

Orwigsburg Borough

Route 53010 Extending Route 53010 Beginning at a point on the Orwigsburg Borough-West Brunswick Township line thence in a southerly direction on Lincoln Avenue to an intersection with Route 141 at Lincoln Avenue and Market Street in the Borough of Orwigsburg Schuylkill County a distance of about 0.45 of a mile

Ashland Borough

Route 19018 Extending Route 19018 Beginning at a point on the Columbia-Schuylkill County line being also the north line of Ashland Borough at a point where Rural Route 19018 intersects said line thence southeasterly over Nineteenth and Center Streets to intersect State Highway Route 161 at Catawissa Road in Ashland Borough Schuylkill County a distance of about .9 of a mile

Mechanicsville Borough

Route 621 Extending Route 621 Beginning on the Port Carbon-Mechanicsville Borough line thence in a westerly direction over Pottsville Streets to the Mechanicsville Borough-Pottsville City line in the Borough of Mechanicsville Schuylkill County a distance of about .90 of a mile

Port Carbon Borough

Route 621 Extending Route 621 Beginning on Route 621 in the borough of Port Carbon thence in a westerly direction over Second Pike and Pottsville Streets to the Port Carbon-Mechanicsville Borough line in the borough of Port Carbon Schuylkill County a distance of about .70 of a mile

Snyder County

Freeburg Borough

Route 54017 Extending Route 54017 Beginning at a point on the Freeburg Borough-Washington Township line thence in a northwesterly direction on South Street to an intersection with Route 194 at South and Market Streets in the borough of Freeburg Snyder County a distance of about .20 of a mile

Route 54040 Extending Route 54040 Beginning at a point on Route 194 at the intersection of Market and Water Streets in the borough of Freeburg thence in a northwesterly direction on Water Street to the Freeburg Borough-Washington Township line Snyder County a distance of about .20 of a mile

Beavertown Borough

Route 54030 Extending Route 54030 Beginning at a point on Route 28 at the intersection of Market and Sassafras Streets in Beavertown Borough thence in a northerly direction on Sassafras Street to the Beavertown Borough-Beaver Township line Snyder County a distance of about .25 of a mile

Somerset County

Addison Borough

Route 55001 Extending Route 55001 Beginning at a point on the Addison Borough-Addison Township line thence in a northerly direction to an intersection with Route 50 in the borough of Addison Somerset County a distance of about .36 of a mile

Salisbury Borough

Route 55002 Extending Route 55002 Beginning at a point on the Salisbury Borough-Elk Lick Township line thence in a westerly direction on Ord Street to an intersection with Route 51 at Ord and Grant Streets in the borough of Salisbury Somerset County a distance of about .43 of a mile

Confluence Borough

Route 55018 Extending Route 55018 Beginning at a point on the Confluence Borough-Lower Turkeyfoot Township line thence in a southerly direction on Hubert Street to Logan Street thence in an easterly direction on Longan Street to an intersection with Route 50 in the borough of Confluence Somerst County a distance of about 1.07 miles

Ursina Borough

Route 55021 Extending Route 55021 Beginning at a point on the Ursina Borough-Lower Turkeyfoot Township line thence in a southerly direction to an intersection with Route 50 in the borough of Ursina Somerset County a distance of about .22 of a mile

Rockwood Borough

Route 55022 Extending Route 55022 Beginning at a point on the Rockwood Borough-Black Township line thence in a northerly direction on Bridge Street to an intersection with the intersection of Route 50-A and Route 547 at Bridge and Main Streets in the borough of Rockwood Somerset County a distance of about .13 of a mile

Route 55034 Extending Route 55034 Beginning at a point on the Rockwood Borough-Milford Township line thence in an easterly direction on Main Street to an intersection with the intersection of Route 50-A and Route 547 at Main and Bridge Streets in the borough of Rockwood Somerset County a distance of about .33 of a mile

Application 280 Beginning at a point on the Rockwood Borough-Milford Township line thence in a southwesterly direction on an unnamed borough street to an intersection with Route 547 at Main Street in the borough of Rockwood Somerset County a distance of about .05 of a mile

Meyersdale Borough

Route 55023 Extending Route 55023 Beginning at a point on the Meyersdale Borough-Summit Township line thence in a southwesterly direction on Main Street to an intersection with the continuation of State-aid Application 281 at Main and Cherry Streets in the borough of Meyersdale Somerset County a distance of about .23 of a mile

Application 281 Beginning at a point on the Meyersdale Borough-Summit Township line thence in a westerly direction on Pine Street (Sand Patch Road) to Cherry Street thence in a northerly direction on Cherry Street to Main Street thence in a westerly direction on Main Street to an intersection with Route 51 at Main and Grant Streets in the borough of Meyersdale Somerset County a distance of about .59 of a mile

Application 727 Beginning at a point on the Meyersdale Borough-Summit Township line (Casselman River) thence in an easterly direction on Broadway Street to an intersection with Route 51 at Broadway and Grant Streets in the borough of Meyersdale Somerset County a distance of about .11 of a mile

Garrett Borough

Route 55026 Extending Route 55026 Beginning at a point on the Garrett Borough-Summit Township line thence in a northeasterly direction on Berlin Street to Jefferson Street thence in a northwesterly direction on Jefferson Street to Church Street thence in a northeasterly direction on Church Street to an intersection with Route 547 at Church and Jackson Streets in the borough of Garrett Somerset County a distance of about .62 of a mile

Route 55031 Extending Route 55031 Beginning at a point on the Garrett Borough-Summit Township line thence in a southerly direction on the Somerset Road to an intersection with Route 547 near Polk Alley in the borough of Garrett Somerset County a distance of about .30 of a mile

Casselman Borough

Route 55033 Extending Route 55033 Beginning at a point on the Casselman Borough-Upper Turkeyfoot Township line thence in a northeasterly direction on an unnamed borough street which lies adjacent to the northern borough line to an intersection with the continuation of Rural Route 55034 in the borough of Casselman Somerset County a distance of about .38 of a mile

Route 55034 Extending Route 55034 Beginning at a point on the Casselman Borough-Upper Turkeyfoot Township line thence in a southerly direction on an unnamed borough street to an intersection with the continuation of Rural Route 55033 in the borough of Casselman Somerset County a distance of about .0063 of a mile (33 feet)

Berlin Borough

Route 55039 Extending Route 55039 Beginning at a point on the Berlin Borough-Brothers Valley Township line thence in a westerly direction on Main Street to an intersection with Route 51 at Main and Broadway Streets in the borough of Berlin Somerset County a distance of about 1.13 miles

Route 55045 Extending Route 55045 Beginning at a point on the Berlin Borough-Brothers Valley Township line thence in a southwesterly direction on an unnamed borough street to an intersection with the continuation of Rural Route 55039 at Main Street in the borough of Berlin Somerset County a distance of about .04 of a mile

Route 55046 Extending Route 55046 Beginning at a point on the Berlin Borough-Brothers Valley Township line thence in a southerly direction on Diamond Street to an intersection with the continuation of Rural Route 55039 at Diamond and Main Streets in the borough of Berlin Somerset County a distance of about .46 of a mile

Somerset Borough

Route 55043 Extending Route 55043 Beginning at a point on the Somerset Borough-Somerset Township line thence in a northerly direction on South Edgewood Avenue to an intersection with Route 50 at South Edgewood Avenue and West Patriot Street in the borough of Somerset Somerset County a distance of about .94 of a mile

Route 55067 Extending Route 55067 Beginning at a point on the Somerset Borough-Somerset Township line thence in a southeasterly direction on North Rosina Street to North Edgewood Avenue thence in a southerly direction on North Edgewood Avenue to an intersection with Route 186 at Edgewood Avenue and Main Street in the borough of Somerset Somerset County a distance of about .54 of a mile

Application 1616 Beginning at a point on the Somerset Borough-Somerset Township line thence in a northeasterly direction on the New Centerville Road (State-aid Application 1616) to an intersection with the continuation of Rural Route 55043 at South Edgewood Avenue in the borough of Somerset Somerset County a distance of about .33 of a mile

New Centerville Borough

Route 55049 Extending Route 55049 Beginning at a point on the New Centerville Borough-Milford Township line thence in a southeasterly direction to an intersection with Route 50 at the intersection of Route 50 and Route 50-A in the borough of New Centerville Somerset County a distance of about .12 of a mile

New Baltimore Borough

Route 55051 Extending Route 55051 Beginning at a point on the New Baltimore Borough-Allegheny Township line thence in a southeasterly direction on Washington Street to an intersection with Rural Route 55055 at the eastern borough line in the borough of New Baltimore Somerset County a distance of about 1.06 miles

Shanksville Borough

Route 55053 Extending Route 55053 Beginning at a point on the Shanksville Borough-Stoney Creek Township line thence in a northwesterly direction on Berlin Road to an intersection with Route 548 in the borough of Shanksville Somerset County a distance of about .13 of a mile

Route 55058 Extending Route 55058 Beginning at a point on the Shanksville Borough-Stoney Creek Township line thence in a southeasterly direction on Saint John Street to an intersection with Route 548 at Saint John and Bridge Streets in the borough of Shanksville Somerset County a distance of about .10 of a mile

Route 55063 Extending Route 55063 Beginning at a point on the Shanksville Borough-Stoney Creek Township line thence in a southerly direction on Wheeler Street to North Street thence in a northwesterly direction on North Street to Bridge Street thence in a southerly direction on Bridge Street to an intersection with Route 456 at Bridge and Main Streets in the borough of Shanksville Somerset County a distance of about .13 of a mile

Route 55068 Extending Route 55068 Beginning at a point on the Shanksville-Borough Stoney Creek Township line thence in a southerly direction on Stoyestown Road to North Street thence in a southeasterly direction on North Street to an intersection with the continuation of Rural Route 55063 at North and Bridge Streets in the borough of Shanksville Somerset County a distance of about .30 of a mile

Stoyestown Borough

Route 55077 Extending Route 55077 Beginning at a point on the Stoyestown Borough-Quemahoning Township line thence in a northeasterly direction to an intersection with Route 119 in the borough of Stoyestown Somerset County a distance of about .13 of a mile

Central City Borough

Route 55079 Extending Route 55079 Beginning at a point on the Central City Borough-Shade Township line thence in a westerly direction on Lambert Street to an intersection with Route 456 at the westermort borough line in the borough of Central City Somerset County a distance of about .51 of a mile

Hooversville Borough

Route 55083 Extending Route 55083 Beginning at a point on the Hooversville Borough-Quemahoning Township line thence in an easterly direction on Water Street to Main Street thence in a northeasterly direction on Main Street to Bridge Street thence in a southeasterly direction on Bridge Street to Charles Street thence in a southeasterly direction on Charles Street to an intersection with Route 546 in the borough of Hooversville Somerset County a distance of about .84 of a mile

Route 55091 Extending Route 55091 Beginning at a point on the Hooversville Borough-Shade Township line thence in a westerly direction on Charles Street to an intersection with Route 546 in the borough of Hooversville Somerset County a distance of about .19 of a mile

Route 55089 Extending Route 55089 Beginning at a point on the Boswell Borough-Jenner Township line thence in a

northwesterly direction on Main Street to Atkinson Place thence in a southwesterly direction on Atkinson Place to an intersection with Route 52 at Atkinson Place and Seventh Alley in the borough of Boswell Somerset County a distance of about .84 of a mile

Route 55090 Extending Route 55090 Beginning at a point on the Boswell Borough-Jenner Township line thence in a northwesterly direction on Center Street to Olive Avenue thence in a southwesterly direction on Olive Avenue to an intersection with the continuation of Rural Route 55089 at Olive Avenue and Main Street in the borough of Boswell Somerset County a distance of about .15 of a mile

Somerfield Borough

Route 55108 Extending Route 55108 Beginning at a point on the Somerfield Borough-Addison Township line thence in a southerly direction to an intersection with Route 50 in the borough of Somerfield Somerset County a distance of about .10 of a mile

Windber Borough

Application 739 Beginning at a point on the Windber Borough-Paint Township line thence in a northerly direction on Hillside Avenue (State-aid Application 758) to Twenty-first Street thence in a northeasterly direction on twenty-first Street (State-aid Application 758) to an intersection with Route 222 at Twenty-first Street and Graham Avenue in the borough of Windber Somerset County a distance of about .82 of a mile

Application 7298 Beginning at a point on the Windber Borough (Somerset County) Cambria County line at the intersection with State-aid Application 7010 (Cambria County) thence in a southwesterly direction on Ninth Street (State-aid Application 7298) to an intersection with Route 222 at Ninth Street and Graham Avenue in the borough of Windber Somerset County a distance of about .69 of a mile

Paint Borough

Application 825 Beginning at a point on the Paint Borough-Paint Township line thence in a northeasterly direction on Main Street (State-aid Application 825) to an intersection with Route 222 at Main and Bedford Streets in the borough of Paint Somerset County a distance of about .76 of a mile

Sullivan County

Forksville Borough

Route 56007 Extending Route 56007 Beginning at a point on the Forksville Borough-Forks Township line thence in a northeasterly direction to Main Street thence in a southeasterly direction on Main Street to Bridge Street thence in a northeasterly direction on Bridge Street to an intersection with Route 291 at Bridge and Church Streets in the borough of Forksville Sullivan County a distance of about 1.01 miles

Dushore Borough

Route 56023 Extending Route 56023 Beginning at a point on the Dushore Borough-Cherry Township line thence in a southeasterly direction on Overton Road to Main Street thence in an easterly direction on Main Street to an intersection with Route 17 at Main and German Streets in the borough of Dushore Sullivan County a distance of about .54 of a mile

Route 56025 Extending Route 56025 Beginning at a point on Route 217 at the intersection of Main and Railroad Streets in the borough of Dushore thence in a northwesterly direction on Railroad Street to Marsh Road thence in a northerly direction on Marsh Road to the Dushore Borough-Cherry Township line Sullivan County a distance of about .54 of a mile

Susquehanna Township

Little Meadows Borough

Route 08101 Extending Route 08101 Beginning at a point on the Little Meadows Borough-Bradford County line thence in a northeasterly direction on the Warren Center Road to an intersection with Route 468 at Warren Center Road and Main Street in the borough of Little Meadows Susquehanna County a distance of about .84 of a mile

Hopbottom Borough

Route 57018 Extending Route 57018 Beginning at a point on the Hopbottom Borough-Lathrop Township line thence in a northerly direction on Greenwood Street to an intersection with Route 9 Spur in the borough of Hopbottom Susquehanna County a distance of about .48 of a mile

Route 57019 Extending Route 57019 Beginning at a point on the Hopbottom Borough-Lathrop Township line thence in a northeasterly direction on Forest Street to an intersection with Route 9 Spur in the borough of Hopbottom Susquehanna County a distance of about .38 of a mile

Route 57033 Extending Route 57033 Beginning at a point on the Hopbottom Borough-Lenox Township line thence in a southwesterly direction on High Street to an intersection with Route 9 in the borough of Hopbottom Susquehanna County a distance of about .19 of a mile

Route 57034 Extending Route 57034 Beginning at a point on the Hopbottom Borough-Lathrop Township line thence in a northeasterly direction on Center Street to an intersection with Route 9 in the borough of Hopbottom Susquehanna County a distance of about .25 of a mile

Montrose Borough

Route 57024 Extending Route 57024 Beginning at a point on the Montrose Borough-Bridgewater Township line thence in a southwesterly direction on Lake Avenue thence in a northwesterly direction on Maple Street thence in a southwesterly direction on Public Avenue to an intersection with Route 9 at Public Avenue and Church Street in the borough of Montrose Susquehanna County a distance of about .93 of a mile

Route 57025 Extending Route 57025 Beginning at a point on the Montrose Borough-Bridgewater Township line thence in a southeasterly direction on Bank Street thence in a northwesterly direction on Bank Street to an intersection with Route 9 in the borough of Montrose Susquehanna County a distance of about .56 of a mile

Route 57078 Extending Route 57078 Beginning at a point on the Montrose Borough-Bridgewater Township line thence in a southeasterly direction on Owego Street to an intersection with Route 14 at Owego and Main Streets in the borough of Montrose Susquehanna County a distance of about .57 of a mile

Uniondale Borough

Route 57041 Extending Route 57041 Beginning at a point on the Uniondale Borough-Herrick Township line thence in an easterly direction on Lyon Street to an intersection with the continuation of Rural Route 57091 at Lyon and North Main Streets in the borough of Uniondale Susquehanna County a distance of about .27 of a mile

Route 57042 Extending Route 57042 Beginning at a point on the Uniondale Borough-Clifford Township line thence in a northerly direction on South Main Street to an intersection with the continuation of Rural Route 57041 at South Main and Lyon Streets in the borough of Uniondale Susquehanna County a distance of about .93 of a mile

Route 57091 Extending Route 57091 Beginning at a point on the Uniondale Borough-Herrick Township line thence in a southerly direction on North Main Street to an intersection with the continuation of Rural Route 57041 at North Main and Lyon Streets in the borough of Uniondale Susquehanna County a distance of about .71 of a mile

Lanesboro Borough

Route 57058 Extending Route 57058 Beginning at a point on the Lanesboro Borough-Harmony Township line thence in a southwesterly direction on Gulf Street thence in a southwesterly direction on Summit Road to an intersection with the continuation of Rural Route 57059 at Summit Road and River Road in the borough of Lanesboro Susquehanna County a distance of about .90 of a mile

Route 57059 Extending Route 57059 Beginning at a point on the Lanesboro Borough-Harmony Township line thence in a southerly direction on River Road to an intersection with Route 296 at River Road and Main Street in the borough of Lanesboro Susquehanna County a distance of about 1.10 miles

Hallstead Borough

Route 57063 Extending Route 57063 Beginning at a point on the Hallstead Borough-Great Bend Township line thence in a westerly direction on River Road to an intersection with Route 10 at River Road and Main Street in the borough of Hallstead Susquehanna County a distance of about .03 of a mile

Route 57068 Extending Route 57068 Beginning at a point on the Hallstead Borough-Great Bend Township line thence in a northeasterly direction on Depot Street to an intersection with Route 710 at Depot and Merrel Streets in the borough of

Hallstead Susquehanna County a distance of about .31 of a mile

Oakland Borough

Route 57064 Extending Route 57064 Beginning at a point on the Oakland Borough-Oakland Township line thence in a southeasterly direction on Westphal Avenue to an intersection with Route 10 at Westphal Avenue and River Street in the borough of Oakland Susquehanna County a distance of about .50 of a mile

Great Bend Borough

Route 57067 Extending Route 57067 Beginning at a point on the Great Bend Borough-Great Bend Township line thence in a southwesterly direction on Florence Street to an intersection with Route 227 at Florence and Main Streets in the borough of Great Bend Susquehanna County a distance of about .17 of a mile

Friendsville Borough

Route 57082 Extending Route 57082 Beginning at a point on the Friendsville Borough-Middletown Township line thence in a northwesterly direction on Wolf Road to an intersection with a county road in the borough of Friendsville Susquehanna County a distance of about .36 of a mile

Route 57082 Extending Route 57082 Beginning at a point on the Friendsville Borough-Choconut Township line thence in a southwesterly direction on Wood Street to an intersection with a county road in the borough of Friendsville Susquehanna County a distance of about .88 of a mile

Forest City Borough

Route 35040 Beginning at a point on the Forest City Borough-Lackawanna County line thence in a northeasterly direction on a road thence in a northerly direction on Hudson Street to an intersection with Route 296 at Hudson and Dundaff Streets in the borough of Forest City Susquehanna County a distance of about 0.61 miles

Susquehanna Borough

Route 57063 Extending Route 57063 Beginning at a point on the Susquehanna Borough-Oakland Township line thence in an easterly direction on East Main Street thence in an easterly direction on Main Street to an intersection with Route 227 at Main and Franklin Streets in the borough of Susquehanna Susquehanna County a distance of about 0.87 of a mile

Tioga County

Wellsboro Borough

Route 58016 Extending Route 58016 Beginning at a point on the Delmar Township-Wellsboro Borough line thence along the township-borough line in a northerly direction on Pearl Street approximately .4 of a mile thence in a northerly direction on Pearl Street within the borough of Wellsboro approximately .5 of a mile thence in a northeasterly direction on Pearl Street to the intersection of Pearl and King Streets thence in a northerly direction on King Street to an intersection with Route 21-Spur at King and Main Streets in the borough of Wellsboro Tioga County a total distance of approximately 1.5 miles

Route 58042 Extending Route 58042 Beginning at a point on Route 22 at the intersection of Main and Tioga Streets in the borough of Wellsboro thence in an easterly direction on Charleston Street to the continuation of Route 58042 at the Wellsboro Borough-Charleston Township line Tioga County County a distance of about .92 of a mile

Liberty Borough

Route 58031 Extending Route 58031 Beginning at a point on the Liberty Borough-Liberty Township line thence in an easterly direction on Blacks Mills Road to an intersection with Route 21 at Blacks Mills Road and Water Street in the borough of Liberty Tioga County a distance of about .23 of a mile

Route 58032 Extending Route 58032 Beginning at a point on the Liberty Borough-Liberty Township line thence in an easterly direction on High Street to an intersection with Route 21 at Water and High Streets in the borough of Liberty Tioga County a distance of about .43 of a mile

Route 58053 Extending Route 58053 Beginning at a point on the Liberty Borough-Liberty Township line thence in a southwesterly direction on the East Point road thence in a westerly direction by the old mill to an intersection wtih Water Street on Route 21 in Liberty Borough Tioga County a distance of approximately .15 of a mile

Route 58054 Extending Route 58054 Beginning at a point on the Liberty Borough-Liberty Township line thence in a northwesterly direction on Main Street to an intersection with Route 21 at Water Street in the borough of Liberty Tioga County a distance of approximately .41 of a mile

Mansfield Borough

Route 58045 Extending Route 58045 Beginning at a point on the Mansfield Borough-Richmond Township line thence in a northeasterly direction on Wellsboro Street to an intersection with Route 196 at South Main and Wellsboro Streets in the borough of Mansfield Tioga County a distance of about .85 of a mile

Route 58063 Extending Route 58063 Beginning at a point on Route 196 at the intersection of South Main and Elmira Streets in the borough of Mansfield thence in a northeasterly direction on Elmira Street to the continuation of Route 58063 at the Mansfield Borough-Richmond Township line Tioga County a distance of about .62 of a mile

Route 58066 Extending Route 58066 Beginning at a point on Route 196 at the intersection of North Main and Decker Streets in the borough of Mansfield thence in a northeasterly direction on Decker Street to the continuation of Route 58066 at the Mansfield Borough-Richmond Township line Tioga County a distance of about .48 of a mile

Lawrenceville Borough

Route 58052 Extending Route 58052 Beginning at a point on the Lawrenceville Borough-Lawrence Township line thence in a northeasterly direction to the New York State line in the borough of Lawrenceville Tioga County a distance of about .65 of a mile

Roseville Borough

Route 58067 Extending Route 58067 Beginning at a point on the Roseville Borough-Rutland Township line thence in a northerly direction on Elmira Street to an intersection with Route 308 at Elmira and Main Streets in Roseville Borough thence in a northerly direction on Elmira Street to the intersection with the continuation of Route 58067 at the Roseville Borough-Rutland Township line in the borough of Roseville Tioga County a distance of about 1 mile

Union County

Hartleton Borough

Route 59001 Extending Route 59001 Beginning at a point on the Hartleton Borough-Hartley Township line thence in a northeasterly direction along the dividing line between Hartleton Borough and Hartley Township thence in a northeasterly direction through Hartleton Borough to Hazel Street thence in a northerly direction on Hazel Street to an intersection with Route 27 at Main and Hazel Streets in the borough of Hatleton Union County a distance of about .45 of a mile

Route 59002 Extending Route 59002 Beginning at a point on the Hartleton Borough-Hartley Township line thence in a northeasterly direction on a line between Hartley Township and Hartleton Borough to the Lewis Township line thence along line between Lewis Township and Hatleton Borough to intersection with Route 59006 Union County a distance of about .6 of a mile

Route 59006 Extending Route 59006 Beginning at a point on the Hartleton Borough-Lewis Township line thence in a northwesterly direction to an intersection with Route 27 at Main Street in the borough of Hartleton Union County a distance of about .45 of a mile

Route 59008 Extending Route 59008 Beginning at a point on Route 27 at the intersection of Main Street and an unnamed street thence in a northerly direction past the Hartleton Emergency Landing Field to the Hartleton Borough-Hartley Township line Union County a distance of about .39 of a mile

Mifflinburg Borough

Route 59008 Extending Route 59008 Beginning at a point on the Mifflinburg Borough-West Buffalo Township line thence in an easterly direction along the line between Mifflinburg Borough and West Buffalo Township to Eighth Street thence in a southerly direction on Eighth Street to an intersection with Route 27 at Chestnut and Eighth Streets in the borough of Mifflinburg Union County a distance of about 1.4 miles

Route 59012 Extending Route 59012 Beginning at a point on Route 26 at the intersection of Fourth and Maple Streets in the borough of Mifflinburg thence in an easterly direction

on Maple Street to the Mifflinburg Borough-West Buffalo Township line Union County a distance of about .51 of a mile

Route 59017 Extending Route 59017 Beginning at a point on Route 26 at the intersection of Chestnut and Buffalo Streets in the borough of Mifflinburg thence in a northerly direction on Buffalo Street to Mifflinburg Borough-West Buffalo Township line Union County a distance of about .58 of a mile

New Berlin Borough

Route 59014 Extending Route 59014 Beginning at a point on Route 27 at the intersection of Market and Vine Streets in the borough of New Berlin thence in a northerly direction on Vine Street to the New Berlin Borough-Limestone Township line Union County a distance of about .64 of a mile

Lewisburg Borough

Route 59024 Extending Route 59024 Beginning at a point on Route 628 at the intersection of Third and Saint Anthony Streets in the borough of Lewisburg thence in a northeasterly direction on Saint Anthony Street to the Lewisburg Borough-Kelly Township line Union County a distance of about .28 of a mile

Venango County

Clintonville Borough

Route 60005 Extending Route 60005 Beginning at a point on the Clintonville Borough-Clinton Township line thence in a northerly direction on Main Street to an intersection with Route 218 at Main and Mercer Streets in the borough of Clintonville Venango County a distance of about .4 of a mile

Emlenton Borough

Route 60013 Extending Route 60013 Beginning at a point on the Emlenton Borough-Richland Township line thence in a general southerly direction on Shippen Avenue to Fifth Street thence on Fifth Street to an intersection with Route 75 at Fifth and Main Streets in the borough of Emlenton Venango County a distance of about .8 of a mile

Utica Borough

Route 60019 Extending Route 60019 Beginning at a point on the Utica Borough-French Creek Township line thence in a northeasterly direction on Second Street to Grant Street thence on Grant Street to Third Street thence on Third Street to Railroad Street thence on Railroad Street to the south end of Route 582 in the borough of Utica Venango County a distance of about 1.4 miles

Cooperstown Borough

Route 60038 Extending Route 60038 Beginning at a point on the Cooperstown Borough-Jackson Township line thence in a southeasterly direction on Main Street to an intersection with Route 90 at Main and Academy Streets in the borough of Cooperstown Venango County a distance of about .3 of a mile

Route 60039 Extending Route 60039 Beginning at a point on the Cooperstown Borough-Jackson Township line thence in a westerly direction on Factory Street to an intersection with Route 90 at Factory and Main Streets in the borough of Cooperstown Venango County a distance of about .2 of a mile

Rouseville Borough

Route 60047 Extending Route 60047 Beginning at a point on the Rouseville Borough-Cornplanter Township line thence in a southwesterly direction on Cherry Run Street to an intersection with Route 205 at Cherry Run and Main Streets in the borough of Rouseville Venango County a distance of about .8 of a mile

Pleasantville Borough

Route 60051 Extending Route 60051 Beginning at a point on the Pleasantville Borough-Oil Creek Township line thence in a northwesterly direction on State Street to an intersection with Route 89 at State and Main Streets in the borough of Pleasantville Venango County a distance of about .6 of a mile

Route 511 Extending Route 511 Beginning on Route 511 at the Pleasantville Borough line thence over the Neiltown Road to Third Street thence over Third Street to an intersection with State Highway Route 89 at Third and Main Streets in the borough of Pleasantville Venango County a distance of about .76 of a mile

Warren County

Tidioute Borough

Route 61001 Extending Route 61001 Beginning at a point on the Tidioute Borough-Triumph Township line thence in an easterly direction on State-aid Application 973 on West Main Street to an intersection with Route 452 at West Main and Depot Streets in the borough of Tidioute Warren County a distance of about .5 of a mile

Route 61011 Extending Route 61011 Beginning at a point on the Tidioute Borough-Deerfield Township line thence in a southerly direction on McGuire Street to an intersection with continuation of Rural Route 61012 at McGuire and Main Streets in the borough of Tidioute Warren County a distance of about .5 of a mile

Route 61012 Extending Route 61012 Beginning at a point on the Tidioute Borough-Deerfield Township line thence in a westerly direction on State-aid Application 974 on East Main Street to an intersection with Route 452 at East Main and Tidioute Streets in the borough of Tidioute Warren County a distance of about 1.4 miles

Bear Lake Borough

Route 61017 Extending Route 61017 Beginning at a point on the Bear Lake Borough-Columbus Township line thence in an easterly direction on Main Street to Center Street thence south on Center Street to an intersection with State-aid Application 1833 and an extension of Route 61018 at Center and Greely Streets in the borough of Bear Lake Warren County a distance of about .5 of a mile

Route 61018 Extending Route 61018 Beginning at a point on the Bear Lake Borough-Freehold Township line thence in a northerly direction on Goseon Street to beginning of State-aid Application 1833 and continuing over said State-aid Application on Goseon Street to Greely Street thence east on Greely Street to an intersection with an extension of Route 61017 at Greely and Center Streets in the borough of Bear Lake Warren County a distance of about .5 of a mile

Application 1788 Extending a continuation of Rural Route 61020 Beginning at a point on the Bear Lake Borough-Freehold Township line and extending in a westerly direction over State-aid Application 1833 on Main Street to Greely Street thence on Greely Street to an intersection with extension of Routes 61017 and 61018 at Greely and Center Streets in the borough of Bear Lake Warren County a distance of about .6 of a mile

Sugar Grove Borough

Route 61021 Extending Route 61021 Beginning at a point on the Sugar Grove Borough-Sugar Grove Township line thence in a northeasterly direction on Main Street to an intersection with Route 279 at Main and Mechanic Streets in the borough of Sugar Grove Warren County a distance of about .5 of a mile

Route 61027 Extending Route 61027 Beginning at a point on the Sugar Grove Borough-Sugar Grove Township line thence in a westerly direction on Race Street to an intersection with State-aid Application 1761 at Race Main and Jamestown Streets thence on Main Street over State-aid Application 1761 to an intersection with Route 279 at Main and Forest Streets in the borough of Sugar Grove Warren County a distance of about .8 of a mile

Warren Borough

Route 61034 Extending Route 61034 Beginning at a point on the Warren Borough-Glade Township line thence in a southerly direction on Conewango Avenue to an intersection with Route 95 at Conewango and Pennsylvania Avenues in the borough of Warren Warren County a distance of about 1.5 miles

Route 61035 Extending Route 61035 Beginning at a point on the Warren Borough-Glade Township line thence in a southwesterly direction on Fifth Avenue to an intersection with the continuation of Rural Route 61034 at Fifth and Conewango Avenues in the borough of Warren Warren County a distance of about .4 of a mile

Route 61036 Extending Route 61036 Beginning at a point on the Warren Borough-Glade Township line thence in a westerly direction on Jackson Avenue to an intersection with the continuation of Rural Route 61034 at Jackson and Conewango Avenues in the borough of Warren Warren County a distance of about .5 of a mile

Route 61037 Extending Route 61037 Beginning at a point on the Warren Borough-Glade Township line thence in a southerly direction on Park Avenue to Locust Street thence on Locust Street to an intersection with Route 95 at Locust Street and Pennsylvania Avenue in the borough of Warren Warren County, a distance of about .6 of a mile

Application 4104 Extending a continuation of Rural Route 61030 Beginning at a point on the Warren Borough-Pleasant

Township line and extending in a northerly direction on Crescent Park Street to Hickory Street thence on Hickory Street Bridge across Allegheny River to an intersection with Route 88 at Hickory Street and Pennsylvania Avenue in the borough of Warren Warren County a distance of about .5 of a mile

Youngsville Borough

Application 4014 Extending a continuation of Rural Route 61024 Beginning at a point on the Youngsville Borough-Brokenstraw Township line and extending in a southerly direction on North Main Street to an intersection with Route 88 at North Main and East and West Main Streets in the borough of Youngsville Warren County a distance of about .7 of a mile

Washington County

Deemston Borough

Route 62018 Extending Route 62018 Beginning at a point on the Deemston Borough-East Bethlehem Township line thence in a northerly direction on a borough street to a point on the Deemston Borough-Beallsville Borough line thence in a northerly direction on State-aid Application 491 to an intersection with Route 113 in the borough of Beallsville Washington County a distance of about 4.87 miles (Deemston Borough 3.83 miles Beallsville Borough 1.04 miles)

Route 62129 Extending Route 62129 Beginning at a point on the Deemston Borough-East Bethlehem Township line thence in a northwesterly direction to an intersection with the continuation of Rural Route 62018 in the borough of Deemston Washington County a distance of about 1.31 miles

West Middletown Borough

Route 62022 Extending Route 62022 Beginning at a point on the West Middletown Borough-Hopewell Township line thence in a westerly direction to an intersection with Route 242 in the borough of West Middletown Washington County a distance of about .33 of a mile

Charleroi Borough

Route 62048 Extending Route 62048 Beginning at a point on the Charleroi Borough-Fallowfield Township line thence in an easterly direction on Fifth Street to an intersection with Route 247 at Fifth Street and McKean Avenue in the borough of Charleroi Washington County a distance of about .54 of a mile

Bentleyville Borough

Route 62052 Extending Route 62052 Beginning at a point on the Bentleyville Borough-Somerset Township line thence in a southerly direction on Pittsburgh Street to an intersection with Route 118 in the borough of Bentleyville Washington County a distance of about .66 of a mile

Route 62058 Extending Route 62058 Beginning at a point on the Bentleyville Borough-Somerset Township line thence in a southeasterly direction on Lincoln Avenue to an intersection with Route 118 in the borough of Bentleyville Washington County a distance of about 1.13 miles

Route 62093 Traffic Route 103 Extending Route 62093 Beginning at a point on the Bentleyville Borough-West Pike Run Township line thence in a northwesterly direction on Washington Street to an intersection with Route 118 in the borough of BentleyvilleWashington County a distance of about 1.45 miles

Houston Borough

Route 62090 Extending Route 62090 Beginning at a point on the Houston Borough-North Strabane Township line thence in a northwesterly direction on Main Street to an intersection with Rural Route 62090 at a point on the Houston Borough-Chartiers Township line in the borough of Houston Washington County a distance of about .53 of a mile

Twilight and Speers Boroughs

Route 62097 Extending Route 62097 Beginning at a point on the Twilight Borough-Fallowfield Township line thence in a northeasterly direction on a borough road thence in a northerly direction on a county-aid borough road to a point on the Twilight Borough-Speers Borough line thence in a northeasterly direction through Speers Borough on a county-aid borough road to an intersection with Route 268 in the boroughs of Twilight and Speers Washington County a distance of about 2.15 miles (Twilight Borough 1.57 miles Speers Borough .58 of a mile)

Burgettstown Borough

Route 62122 Extending Route 62122 Beginning at a point on the Burgettstown Borough-Smith Township line thence in an easterly direction on Dinsmore Avenue to an intersection with Route 115 at Dinsmore and Main Streets in the borough of Burgettstown Washington County a distance of about .31 of a mile

Route 62093 Traffic Route 270 Extending Route 62093 Beginning at a point on the Bentleyville Borough-West Pike Run Township line thence in a northerly direction to an intersection with the continuation of Rural Route 62093 (Traffic Route 103) at Washington Street in the borough of Bentleyville Washington County a distance of about .42 of a mile

Ellsworth Borough

Route 62054 Extending Route 62054 Beginning at a point on the Ellsworth Borough-Somerset Township line thence in an easterly direction to an intersection with Route 118 in the borough of Ellsworth Washington County a distance of about .65 of a mile

Bealsville Borough

Route 62074 Extending Route 62074 Beginning at a point on the Bealsville Borough-West Pike Run Township line thence in a southerly direction on State-aid Application 491 to an intersection with Route 113 in the borough of Bealsville Washington County a distance of .45 of a mile

Centerville Borough

Route 62076 Extending Route 62076 Begining at a point on the Centerville Borough-West Pike Run Township line thence in a southwesterly direction to an intersection with Route 113 in the borough of Centerville Washington County a distance of about .75 of a mile

Marianna Borough

Route 62140 Extending Route 62140 Beginning at a point on the Marianna Borough-West Bethlehem Township line thence in a northerly direction on Beeson Avenue to an intersection with county road at Beeson Avenue and Second Street in the borough of Marianna Washington County a distance of about .82 of a mile

Wayne County

Hawley Borough

Route 63022 Extending Route 63022 Beginning at a point on the Hawley Borough-Palmyra Township line thence in an easterly direction on River Street to an intersection with Route 7 at River and Main Streets in the borough of Hawley Wayne County a distance of about .24 of a mile

Honesdale Borough

Route 63029 Extending Route 63029 Begining at a point on the Honesdale Borough-Dyberry Township line thence in a southerly direction along road to Cliff Street thence in a southerly direction on Cliff Street to an intersection with Route 7 at Cliff and Fourth Streets in the borough of Honesdale Wayne County a distance of about 2.14 miles

Starrucca Borough

Route 63057 Extending Route 63057 Beginning at a point on the Starrucca Borough-Preston Township line thence in a northerly direction along a road thence in a westerly direction along a road to an intersection with Route 296 in the borough of Starrucca Wayne County a distance of about 2.58 mile

Route 63058 Extending Route 63058 Beginning at a point on the Starrucca Borough-Scott Township line thence in a southerly direction along Maple Grove Road to an intersection with Route 365 in the borough of Starrucca Wayne County a distance of about 1.97 miles

Westmoreland County

Oklahoma Borough

Route 64012 Extending Route 64012 Beginning at a point on the Oklahoma Borough-Washington Township line thence in an easterly and northeasterly direction on a borough street to an intersection with the Apollo Road thence in a southeasterly direction on the Apollo Road to an intersection with Route 69 in the borough of Oklahoma Westmoreland County a distance of about 1.06 miles

Penn Borough

Route 64026 Extending Route 64026 Beginning at a point on the Penn Borough-Penn Township line thence in an easterly direction on Emma Street to an intersection with

Harrison Street thence in a southerly direction on Harrison Street to an intersection with Application 5561 or Coal Street thence in an easterly direction on Application 5561 to an intersection with the continuation of Rural Route 64096 or Youghiogheny Street in the borough of Penn Westmoreland County a distance of about .53 of a mile

Route 64096 Extending Route 64096 Beginning at a point on the Penn Borough-Hempfield Township line thence in a northerly direction on Youghiogheny Street to an intersection with Application 5561 or Coal Street of the continuation of Rural Route 64026 in the borough of Penn Westmoreland County a distance of about .05 of a mile

New Alexandria Borough

Route 64039 Extending Route 64039 Beginning at a point on the New Alexandria Borough-Derry Township line thence in a southerly direction on a borough street to an intersection with Route 68 or Main Street in the borough of New Alexandria Westmoreland County a distance of about .15 of a mile

Route 64039 Extending Route 64039 Beginning at a point on the New Alexandria Borough-Derry Township line thence in a northwesterly direction on Derry Road to an intersection with Route 68 or Main Street and the continuation of Rural Route 64039 in the borough of New Alexandria Westmoreland County a distance of about .90 of a mile

Route 480 Extending Route 480 Beginning on Route 480 at the New Alexandria Borough line thence in a northerly direction over Moore Street to an intersection with State Highway Route 68 in the borough of New Alexandria Westmoreland County a distance of about .57 of a mile

Mount Pleasant Borough

Route 64042 Extending Route 64042 Beginning at a point on the Mount Pleasant Borough-Mount Pleasant Township line thence in a northerly direction on Bridgeport Street to an intersection with Route 186 or Main Street in the borough of Mount Pleasant Westmoreland County a distance of about .27 of a mile

Route 64126 Extending Route 64126 Beginning at a point on the Mount Pleasant Borough-East Huntingdon Township line thence in a northerly direction on Eagle Street to an intersection with Church Street thence in a northeasterly direction on Church Street to an intersection with Route 186 or Main Street in the borough of Mount Pleasant Westmoreland County a distance of about .53 of a mile

Route 64128 Extending Route 64128 Beginning at a point on the Mount Pleasant Borough-East Huntingdon Township line thence in a northeasterly direction on Moorewood Street to an intersection with Route 186 or Main Street in the borough of Mount Pleasant Westmoreland County a distance of about .23 of a mile

Route 64199 Extending Route 64199 Beginning at a point on the Mount Pleasant Borough-Mount Pleasant Township line thence in a southerly direction on Church Street to an intersection with Route 186 or Main Street in the borough of Mount Pleasant Westmoreland County a distance of about .55 of a mile

Application 248 Traffic Route 438 Beginning at a point on the Mount Pleasant Borough-Mount Pleasant Township line thence in a southwesterly direction on Diamond Street to an intersection with Route 186 or Main Street in the borough of Mount Pleasant Westmoreland County a distance of about .17 of a mile

Export Borough

Route 64044 Extending Route 64044 Beginning at a point on the Export Borough-Franklin Township line thence in a southwesterly direction on Saltsburg Street to an intersection with Route 187 in the borough of Export Westmoreland County a distance of about .31 of a mile

Youngstown Borough

Route 64047 Extending Route 64047 Beginning at a point on the Youngstown Borough-Unity Township line thence in a southerly direction on Latrobe Street to an intersection with old Route 119 or Main Street in the borough of Youngstown Westmoreland County a distance of about .11 of a mile

Route 64130 Extending Route 64130 Beginning at a point on the Youngstown Borough-Unity Township line thence in a northerly direction on Latrobe Street to an intersection with old Route 119 or Main Street in the borough of Youngstown Westmoreland County a distance of about .09 of a mile

Jeannette Borough

Route 64048 Extending Route 64048 Beginning at a point on the Jeannette Borough-Hempfield Township line thence in a northwesterly direction on Agnew Road to an intersection with Lewis Avenue thence in a northeasterly direction on Lewis Avenue to an intersection with Chambers Avenue thence in a westerly direction on Chambers Avenue to an intersection with Cuyler Avenue and the continuation of Rural Route 64216 in the borough of Jeannette Westmoreland County a distance of about .72 of a mile

Route 64081 Extending Route 64081 Beginning at a point on the Jeannette Borough-Penn Township line thence in a westerly direction on Ferree Avenue to an intersection with Third Street thence in a southwesterly direction on Third Street to an intersection with Route 639 or Harrison Avenue in the borough of Jeannette Westmoreland County a distance of about .62 of a mile

Route 64085 Extending Route 64085 Beginning at a point on the Jeannette Borough-Penn Township line thence in a southerly direction on Claridge Road to an intersection with Fourth Street thence in a southwesterly direction on Fourth Street to an intersection with Route 639 or Harrison Avenue in the borough of Jeannette Westmoreland County a distance of about .45 of a mile

Route 64095 Extending Route 64095 Beginning at a point on the Jeannette Borough-Hempfield Township line thence in a northeasterly direction on Brown Avenue extension to an intersection with Route 639 or Harrison Avenue in the borough of Jeannette Westmoreland County a distance of about .11 of a mile

Route 64216 Extending Route 64216 Beginning at a point on the Jeannette Borough-Hempfield Township line thence in a southeasterly direction on Walnut Street to an intersection with Lowry Avenue thence in a northeasterly direction on Lowry Avenue to an intersection with Division Avenue thence in a westerly direction on Division Avenue to an intersection with Fourth Street thence in a northeasterly direction on Fourth Street to an intersection with Chambers Avenue thence in a southeasterly direction on Chambers Avenue to an intersection with Cuyler Avenue thence in an easterly direction on Cuyler Avenue to an intersection with Second Street thence in a northeasterly direction on Second Street to an intersection with Third Street thence in a northeasterly direction on Third Street to an intersection with Route 639 in the borough of Jeannette Westmoreland County a distance of about 1.78 miles

Derry Borough

Route 64071 Extending Route 64071 Beginning at a point on the Derry Borough-Derry Township line thence in a northwesterly direction on Chestnut Street to an intersection with First Avenue thence in a northeasterly direction on First Avenue to the end of an overhead bridge thence in a northwesterly direction on the overhead bridge to an intersection with Second Street thence ni a southwesterly direction on Second Street to an intersection with Chestnut Street thence in a northwesterly direction on Chestnut Street to an intersection with State Highway Route 975 on the Derry Borough-Derry Township line in the borough of Derry Westmoreland County a distance of about .65 of a mile

Scottdale Borough

Route 64083 Extending Route 64083 Beginning at a point on the Scottdale Borough-East Huntingdon Township line thence in a northeasterly direction on Broadway Avenue to an intersection with Route 117 in the borough of Scottdale Westmoreland County a distance of about .47 of a mile

Route 64126 Extending Route 64126 Beginning at a point on the Scottdale Borough-East Huntingdon Township line thence in a westerly direction on the Mount Pleasant-Scottdale Road to an intersection with Route 117 or Broadway Avenue in the borough of Scottdale Westmoreland County a distance of about .72 of a mile

Adamsburg Borough

Route 64096 Extending Route 64096 Beginning at a point on the Adamsburg Borough-Hempfield Township line thence in a southerly direction on Manor Road to an intersection with Route 120 or Main Street in the borough of Adamsburg Westmoreland County a distance of about .02 of a mile

Route 64103 Extending Route 64103 Beginning at a point on the Adamsburg Borough-Hempfield Township line thence

in an easterly direction on Brown's Ferry Road to an intersection with Route 120 or Main Street in the borough of Adamsburg Westmoreland County a distance of about .07 of a mile

Arona Borough

Route 64105 Extending Route 64105 Beginning at a point on the Arona Borough-Hempfield Township line thence in a southerly direction on Clay Pike to an intersection with Route 118 in the borough of Arona Westmoreland County a distance of about .36 of a mile

Route 64110 Extending Route 64110 Beginning at a point on the Arona Borough-Hempfield Township line thence in a northwesterly direction on Clay Pike to and across Little Sewickley Creek near Target Post Office to an intersection with Route 118 in the borough of Arona Westmoreland County a distance of about .93 of a mile

Madison Borough

Route 64106 Extending Route 64106 Beginning at a point on the Madison Borough-Hempfield Township line thence in an easterly direction on an unnamed borough street to an intersection with Route 118 or the Old Mount Pleasant and Pittsburgh Pike in the borough of Madison Westmoreland County a distance of about .19 of a mile

Route 64108 Extending Route 64108 Beginning at a point on the Madison Borough-Hampfield Township line thence in a southwesterly direction on the Middletown-West Newton Road to an intersection with Route 118 in the borough of Madison Westmoreland County a distance of about .25 of a mile

Route 64117 Extending Route 64117 Beginning at a point on the Madison Borough-Hempfield Township line thence in a northerly direction on the Old Mount Pleasant and Pittsburgh Pike to an intersection with Route 118 in the borough of Madison Westmoreland County a distance of about .66 of a mile

Route 64180 Extending Route 64180 Beginning at a point on the Madison Borough-Sewickley Township line thence in a northeasterly direction on Mathias Road to an intersection with the continuation of Rural Route 64117 in the borough of Madison Westmoreland County a distance of about .10 of a mile

Youngwood Borough

Route 64112 Extending Route 64112 Beginning at a point on the Youngwood Borough-Hempfield Township line thence in an easterly direction on Depot Street to an intersection with Route 117 or Fourth Street in the borough of Youngwood Westmoreland County a distance of about .28 of a mile

Route 64130 Extending Route 64130 Begining at a point on the Youngwood Borough-Hempfield Township line thence in a westerly direction on Depot Street to an intersection with Route 117 or Fourth Street in the borough of Youngwood Westmoreland County a distance of about ,23 of a mile

West Newton Borough

Route 64114 Extending Route 64114 Beginning at a point on the West Newton Borough-South Huntingdon Township line thence in a southerly direction on North Second Street to an intersection with Route 118 or Main Street in the borough of West Newton Westmoreland County a distance of about .63 of a mile

Smithton Borough

Route 64122 Extending Route 64122 Beginning at a point on the Smithton Borough-South Huntingdon Township line thence in a northeasterly direction on Second Street to an intersection with the continuation of Rural Route 64144 or Peer Street in the borough of Smithton Westmoreland County a distance of about .20 of a mile

Route 64144 Extending Route 64144 Beginning at a point on the Smithton Borough-South Huntingdon Township line thence in a southerly direction on Peer Street to an intersection with the continuation of Rural Route 64122 in the Borough of Smithton Westmoreland County a distance of about .15 of a mile

South Greensburg Borough

Route 64127 Extending Route 64127 Beginning at a point on the South Greensburg Borough-Hempfield Township line thence in an easterly direction on Old Mount Pleasant Road to an intersection with the continuation of Rural Route 64138 in the borough of South Greensburg Westmoreland County a distance of about .26 of a mile

Route 64138 Extending Route 64138 Beginning at a point on the South Greensburg Borough-Hempfield Township line thence in a northwesterly direction on Reamer Avenue Extension to an intersection with Reamer Avenue thence continuing in a northwesterly direction to an intersection with Broad Street thence in a southwesterly direction to an intersection with Route 117 Spur in the borough of South Greensburg Westmoreland County a distance of about .48 of a mile

Latrobe Borough

Route 64152 Extending Route 64152 Beginning at a point on the Latrobe Borough-Unity Township line thence in a southeasterly direction on Unity Street to an intersection with Loyal Street in the borough of Latrobe Westmoreland County a distance of about .06 of a mile

West Leechburg Borough

Route 64196 Extending Route 64196 Beginning at a point on the West Leechburg Borough-Allegheny Township line thence in an easterly direction on an unnamed borough street to an intersection with County-aid Application 7320 thence in an easterly direction on County-aid Application 7320 to an intersection with Route 69 in the borough of West Leechburg Westmoreland County a distance of about .68 of a mile

Livermore Borough

Route 64057 Extending Route 64057 Beginning at a point on the Derry Township-Livermore Borough line near the overhead bridge over the Conemaugh branch of the Pennsylvania Railroad thence in an easterly direction over Main Street to an intersection with Main and Canal Streets thence in a northerly direction on Canal Street to an intersection with Canal and Bridge Streets thence in an easterly direction on Bridge Street to a point on the western end of the bridge across the Conemaugh River in the borough of Livermore Westmoreland County a distance of about .4 of a mile

Irwin Borough

Route 64209 Extending Route 64209 Beginning at a point on the Irwin Borough-North Huntingdon Township line thence in a southerly direction on Main Street to an intersection with Route 639 in the borough of Irwin Westmoreland County a distance of about .07 of a mile

North Irwin Borough

Route 64095 Extending Route 64095 Beginning at a point on the North Irwin Borough-North Huntingdon Township line thence in a northerly direction on Paintertown Road to an intersection with Rural Route 64093 on the dividing line between North Irwin Borough and North Huntingdon Township in North Irwin Borough Westmoreland County a distance of about .18 of a mile

New Kensington Borough

Route 737 Extending Route 737 Beginning on Route 737 at the New Kensington Borough line thence over Freeport Avenue to Seventh Street thence over Seventh Street to Fourth Avenue thence over Fourth Avenue to its intersection with State Highway Route 188 in the borough of New Kensington Westmoreland County a distance of about 1.07 miles

Wyoming County

Factoryville Borough

Route 65015 Extending Route 65015 Beginning at a point on the Factoryville Borough-Clinton Township line thence in a northerly direction on Mill Street to an intersection with Application 531 at Mill and Main Streets in the borough of Factoryville Wyoming County a distance of about 1.23 miles

Route 65018 Extending Route 65018 Beginning at a point on the Factoryville Borough-Clinton Township line thence in an easterly direction on Tunkhannock Road to an intersection with Application 531 at Tunkhannock Road and Main Street in the borough of Factoryville Wyoming County a distance of about .17 of a mile

Route 65050 Extending Route 65050 Beginning at a point on the Factoryville Borough-Clinton Township line thence in a southwesterly direction on Maple Street to an intersection with Route 9 in the borough of Factoryville Wyoming County a distance of about .79 of a mile

Nicholson Borough

Route 65025 Extending Route 65025 Beginning at a point on the Nicholson Borough-Nicholson Township line thence in a southwesterly direction on Hopbottom Road thence in a southerly direction on Main Street to an intersection with Route 9 in the borough of Nicholson Wyoming County a distance of about .64 of a mile

Route 65026 Extending Route 65026 Beginning at a point on the Nicholson Borough-Nicholson Township line thence in a

southeasterly direction on State Street to an intersection with Route 9 in the borough of Nicholson Wyoming County a distance of about .81 of a mile

Meshoppen Borough

Route 65039 Extending Route 65039 Beginning at a point on the Meshoppen Borough-Meshopany Township line thence in an easterly direction on Rattlesnake Hill Road to an intersection with Route 316 at Rattlesnake Hill Road and Main Street in the borough of Meshoppen Wyoming County a distance of about .35 of a mile

Route 65039 Extending Route 65039 Beginning at a point on the Meshoppen Borough-Meshopany Township line thence in a northerly direction on River Road thence in a northerly direction on Sterling Street to an intersection with Route 241 at Sterling and Main Streets in the borough of Meshoppen Wyoming County a distance of about .38 of a mile

Route 65052 Extending Route 65052 Beginning at a point on the Meshoppen Borough-Meshoppen Township line thence in a southerly direction on Auburn Street to an intersection with Route 316 at Auburn and Main Streets in the borough of Meshoppen Wyoming County a distance of about .47 of a mile

Lacyville Borough

Route 65041 Extending Route 65041 Beginning at a point on the Laceyville Borough-Braintrim Township line thence in a northeasterly direction on Lacey Street to an intersection with Route 241 at Lacey and Main Streets in the borough of Laceyville Wyoming County a distance of about .18 of a mile

Route 65041 Extending Route 65041 Beginning at a point on the Laceyville Borough-Windham Township line thence in a northwesterly direction on Church Street to an intersection with Route 241 at Church and Main Streets in the borough of Laceyville Wyoming County a distance of about .36 of a mile

York County

Route 66001 Extending Route 66001 Beginning at a point on the Dillsburg Borough-Carroll Township line thence in an easterly direction on East Harrisburg Street to an intersection with Route 123 at East Harrisburg and Second Streets in the borough of Dillsburg York County a distance of about .15 of a mile

Route 66006 Extending Route 66006 Beginning at a point on the Dillsburg Borough-Carroll Township line thence in a northwesterly direction on Old York Road and Chestnut Street to an intersection with Route 123 at Chestnut Street and Harrisburg Road in the borough of Dillsburg York County a distance of about .48 of a mile

Route 66024 Extending Route 66024 Beginning at a point on the Dillsburg Borough-Carroll Township line thence in a westerly direction on the Grove Road to an intersection with Route 123 at the Grove Road and Harrisburg Road in the borough of Dillsburg York County a distance of about .24 of a mile

Dover Borough

Route 66002 Extending Route 66002 Beginning at a point on the Dover Borough-Dover Township line thence in a northeasterly direction on the Canal Road to an intersection with Route 124 at York and Canal Roads in the borough of Dover York County a distance of about .28 of a mile

Route 66002 Extending Route 66002 Beginning at a point on the Dover Borough-Dover Township line thence in a southwesterly direction on Canal Road to an intersection with Route 124 at Canal and York Roads in the borough of Dover York County a distance of about .35 of a mile

Manchester Borough

Route 66002 Extending Route 66002 Beginning at a point on the Manchester Borough-East Manchester Township line thence in a northeasterly direction on York Street to an intersection with Route 250 at York and Main Streets in the borough of Manchester York County a distance of about .40 of a mile

Goldsboro Borough

Route 66003 Extending Route 66003 Beginning at a point on the Goldsboro Borough-Newberry Township line thence in an easterly direction on Willow Garden Road to an intersection with the continuation of Rural Route 66003 at Willow Garden Road and West Broadway in the borough of Goldsboro York county a distance of about .01 of a mile

Route 66003 Extending Route 66003 Beginning at a point on the Goldsboro Borough-Newberry Township line thence in a southeasterly and easterly direction on West Broadway to an intersection with Route 499 at West Broadway and York Street in the borough of Goldsboro York County a distance of about .48 of a mile

Dallastown Borough

Route 66004 Extending Route 66004 Beginning at a point on the Dallastown Borough-York Township line thence in a northeasterly direction on South Pleasant Avenue to an intersection with Route 216 at South Pleasant Avenue and Main Street in the borough of Dallastown York County a distance of about .53 of a mile

Route 66054 Extending Route 66054 Beginning at a point on the Dallastown Borough-York Township line thence in a northwesterly direction on Duke Street to an intersection with Route 333 at Duke and Main Streets in the borough of Dallastown York County a distance of about .21 of a mile

Winterstown Borough

Route 66004 Extending Route 66004 Beginning at a point on the Winterstown Borough-North Hopewell Township line thence in a southeasterly direction on Graydon Road to an intersection with Route 333 at Graydon Road and Old Baltimore Road in the borough of Winterstown York County a distance of about .86 of a mile

Route 66004 Extending Route 66004 Beginning at a point on the Winterstown Borough-North Hopewell Township line thence in a northeasterly direction over the road from Mount Oliver Church to an intersection with the continuation of Rural Route 66004 on said road and the Graydon Road in the borough of Winterstown York County a distance of about .67 of a mile

Route 66055 Extending Route 66055 Beginning at a point on the Winterstown Borough-North Hopewell Township line thence in a southwesterly direction on Felton Road to an intersection with Route 333 at Felton Road and Old Baltimore Road in the borough of Winterstown York County a distance of about .88 of a mile

Yorkana Borough

Route 66004 Extending Route 66004 Beginning at a point on the Yorkana Borough-Lower Windsor Township line thence in a southwesterly direction on Application 5150 at Main Street to the intersection of Main and Prospect Streets in the borough of Yorkana York County a distance of about .39 of a mile

Application 5150 Beginning at a point on the Yorkana Borough-Lower Windsor Township line thence in a northeasterly direction on Application 5150 at Main Street to the intersection with the continuation of Route 66004 at Main and Prospect Streets in the borough of Yorkana York County a distance of about .48 of a mile

Hanover Borough

Route 66007 Extending Route 66007 Beginning at a point on the Hanover Borough-Penn Township line thence in a southwesterly direction on the Back Road to an intersection with Route 190 at the Back Road and Broadway in the borough of Hanover York County a distance of about .15 of a mile

Jefferson Borough

Route 66009 Extending Route 66009 Beginning at a point on the Jefferson Borough-Codorus Township line thence in a northeasterly direction on Hanover Street to an intersection with Application 2003 at Hanover York Seven Valleys and Baltimore Streets in the borough of Jefferson York County a distance of about .31 of a mile

Route 66083 Extending Route 66083 Beginning at a point on Jefferson Borough-Codorus Township line thence in a southwesterly direction on Seven Valleys Street to an intersection with Application 2003 at Seven Valleys Baltimore Hanover and York Streets in the borough of Jefferson York County a distance of about .44 of a mile

Loganville Borough

Route 66010 Extending Route 66010 Beginning at a point on the Loganville Borough-Springfield Township line thence in a northwesterly direction on Valley Street to an intersection with Route 127 at Valley and Main Streets in the borough of Loganville York County a distance of about .12 of a mile

Route 66049 Extending Route 66049 Beginning at a point on the Loganville Borough-Springfield Township line thence in an easterly direction on Valley Street to an intersection with Route 127 at Valley and Main Streets in the borough of Loganville York County a distance of about .42 of a mile

Shrewsbury Borough

Route 66011 Extending Route 66011 Beginning at a point on the Shrewsbury Borough-Shrewsbury Township line thence in a westerly direction on Forest Street to an intersection with Route 127 at Forest and Main Streets in the borough of Shrewsbury York County a distance of about .12 of a mile

Stewartstown Borough

Route 66011 Extending Route 66011 Beginning at a point on Stewartstown Borough-Hopewell Township line thence in a southeasterly direction on Mill Street and Pennsylvania Avenue to an intersection with Route 333 at Pennsylvania Avenue and Main Street in the borough of Stewartstown York County a distance of about .48 of a mile

Route 66011 Extending Route 66011 Beginning at a point on Stewartstown Borough-Hopewell Township line thence in a westerly direction on College Avenue to an intersection with Route 333 at College Avenue and Main Street in the borough of Stewartstown York County a distance of about .09 of a mile

East Prospect Borough

Route 66012 Extending Route 66012 Beginning at a point on the East Prospect Borough-Lower Windsor Township line thence in a southeasterly direction on North Main Street to an intersection with Route 332 at Main and Maple Streets in the borough of East Prospect York County a distance of about .34 of a mile

Red Lion Borough

Route 66014 Extending Route 66014 Beginning at a point on the Red Lion Borough-Windsor Township line thence in a westerly direction on Spring Vale Road to an intersection with Application 3941 at Spring Vale Road and South Main Street in the borough of Red Lion York County a distance of about .04 of a mile

Route 66101 Extending Route 66101 Beginning at a point on the Red Lion Borough-Windsor Township line thence in a southerly direction on East Prospect Road and North Main Street to an intersection with Application 402 at North Main and High Streets in the borough of Red Lion York County a distance of about .41 of a mile

Route 66101 Extending Route 66101 Beginning at a point on the Red Lion Borough-Windsor-York Township line thence in a southeasterly direction on North Main Street to an intersection with the continuation of Rural Route 66101 at North Main Street and East Prospect Road in the borough of Red Lion York County a distance of about .15 of a mile

Application 402 Beginning at a point on the Red Lion Borough-Windsor Township line thence in a southerly direction on East High and North Main Streets to an intersection with Route 333 at Main Street and Broadway in the borough of Red Lion York County a distance of about .40 of a mile

Hallam Borough

Route 66017 Extending Roue 66017 Beginning at a point on the Hallam Borough-Hallam Township line thence in a northerly direction on Broad Street to an intersection with Route 128 at Broad and Main Streets in the borough of Hallam York County a distance of about .43 of a mile

Route 66018 Extending Route 66018 Beginning at a point on the Hallam Borough-Hallam Township line thence in a southwesterly direction on Accomac Road to an intersection with Route 128 at Accomac Road and Main Street in the borough of Hallam York County a distance of about .04 of a mile

Windsor Borough

Route 66020 Extending Route 66020 Begining at a point on the Windsor Borough-Windsor Township line thence in a southerly direction on North Penn Street to an intersection with Application 401 at North Penn and Main Streets in the borough of Windsor York County a distance of about .26 of a mile

Lewisberry Borough

Route 66030 Extending Route 66030 Beginning at a point on the Lewisberry Borough-Newberry Township line thence in a southwesterly direction on Market Street to an intersection with Route 250 at Market and Front Streets in the borough of Lewisberry York County a distance of about .36 of a mile

Jacobus Borough

Route 66048 Extending Route 66048 Beginning at a point on the Jacobus Borough-Springfield Township line thence in a northeasterly direction on Gladfelter Station Road to an intersection with Route 127 at Gladfelter Station Road and Main Street in the borough of Jacobus York County a distance of about .43 of a mile

Route 66097 Extending Route 66097 Beginning at a point on the Jacobus Borough-Springfield Township line thence in a southwesterly direction on Church Street to an intersection with Route 127 at Church and Main Streets in the borough of Jacobus York County a distance of about .45 of a mile

Route 66115 Extending Route 66115 Beginning at a point on the Jacobus Borough-Springfield Township line thence in a southeasterly direction on Water Street to an intersection with Route 127 at Water and Main Streets in the borough of Jacobus York County a distance of about .35 of a mile

New Salem Borough

Route 66050 Extending Route 66050 Beginning at a point on the New Salem Borough-North Codorus Township line thence in a southerly direction on a borough street to an intersection with Route 492 at said street and Main Street in the borough of New Salem York County a distance of about .05 of a mile

Route 66051 Extending Route 66051 Beginning at a point on the New Salem Borough-North Codorus Township line thence in a southwesterly direction on Brillhard Road to an intersection with Route 492 at Brillhard Road and Main Street in the borough of New Salem York County a distance of about .24 of a mile

Felton Borough

Route 66055 Extending Route 66055 Beginning at a point on the Felton Borough-North Hopewell Township line thence in an easterly direction on Main Street to an intersection with the continuation of Application 3941 at Main Street and Red Lion Avenue in the borough of Felton York County a distance of about .14 of a mile

Route 66100 Extending Route 66100 Beginning at a point on the Felton Borough-North Hopewell Township line thence in a northerly direction on Red Lion Avenue extended to an intersection with the continuation of Rural Route 66055 at Red Lion Avenue extended and Main Street in the borough of Felton York County a distance of about .19 of a mile

Route 66116 Extending Route 66116 Beginning at a point on the Felton Borough-Chanceford Township line thence in a southwesterly direction on Main Street to an intersection with the continuation of Application 3941 at Main Street and Red Lion Avenue in the borough of Felton York County a distance of about 1.32 miles

Application 3941 Beginning at a point on Felton Borough-Windsor Township line thence in a southerly direction on Red Lion Avenue to an intersection with the continuation of Rural Route 66055 and Rural Route 66116 at Red Lion Avenue and Main Street in the borough of Felton York County a distance of about .17 of a mile

Cross Roads Borough

Route 66057 Extending Route 66057 Beginning at a point on Cross Roads Borough-East Hopewell Township line thence in a westerly direction on Church Street to an intersection with the continuation of Rural Route 66100 at Church Main and Laurel Streets in the borough of Cross Roads York County a distance of about .73 of a mile

Route 66057 Extending Route 66057 Beginning at a point on the Cross Roads Borough-East Hopewell Township line thence in a southwesterly direction on Main Street to an intersection with the continuation of Rural Route 66100 at Main Church and Laurel Streets in the borough of Cross Roads York County a distance of about 1.31 miles

Route 66100 Extending Route 66100 Beginning at a point on the Cross Roads Borough-North Hopewell Township line thence in an easterly direction on Church Street to an intersection with the continuation of Application 3940 and Rural Route 66100 at Church Main and Laurel Streets in the borough of Cross Roads York County a distance of about .29 of a mile

Route 66100 Extending Route 66100 Beginning at a point on the Cross Roads Borough-East Hopewell Township line thence in a southwesterly direction on Laurel Street to an intersection with the continuation of Rural Route 66100 and Rural Route 66057 at Laurel Church and Main Streets in the bor-

ough of Cross Roads York County a distance of about .92 of a mile

Application 3940 Beginning at a point on Cross Roads Borough-East Hopewell Township line thence in a northeasterly direction on Main Street to an intersection with the continuation of Rural Routes 66100 and 66057 at Main Church and Laurel Streets in the borough of Cross Roads York County a distance of about .82 of a mile

Fawn Grove Borough

Route 66063 Extending Route 66063 Beginning at a point on the Fawn Grove Borough-Fawn Township line thence in a southerly direction on Market Street to an intersection with Application 550 at Market and Main Streets in the borough of Fawn Grove York County a distance of about .67 of a mile

Route 66067 Extending Route 66067 Beginning at a point on the Fawn Grove Borough-Fawn Township line thence in a westerly direction over a portion of Application 550 on Main Street to an intersection with the continuation of Route 66063 at Main and Market Streets in the borough of Fawn Grove York County a distance of about .56 of a mile.

New Freedom Borough

Route 66073 Extending Route 66073 Beginning at a point on the New Freedom Borough-Shrewsbury Township line thence in a southwesterly direction on Shrewsbury Avenue to an intersection with Application 2002 at Shrewsbury Avenue and Main Street in the borough of New Freedom York County a distance of about .87 of a mile

Route 66073 Extending Route 66073 Beginning at a point on the New Freedom Borough-Shrewsbury Township line thence in an easterly direction on Main Street extended and Main Street thence over a portion of State-aid Applications 4929 and 2002 to an intersection with the extension of Route 66073 at the intersection of Main Street and Shrewsbury Avenue in the borough of New Freedom York County a distance of about .44 of a mile

Seven Valleys Borough

Route 66083 Extending Route 66083 Beginning at a point on the Seven Valleys Borough-Springfield Township line thence in a northwesterly direction on Main Street to an intersection with the macadam pavement on Route 715 Spur at Main and Maple Streets in the borough of Seven Valleys York County a distance of about .47 of a mile

Route 66096 Extending Route 66096 Beginning at a point on the Seven Valleys Borough-Springfield Township line thence in a southwesterly direction on Church Street to an intersection with Route 715 Spur at Church and Main Streets in the borough of Seven Valleys York County a distance of about 1.14 miles

West York Borough

Route 68099 Extending Route 68099 Beginning at a point on the West York Borough-West Manchester Township line thence in a southerly direction on Highland Avenue to an intersection with Route 126 at Highland Avenue and West Market Street in the borough of West York York County a distance of about .32 of a mile

Route 66050 Extending Route 66050 Beginning at a point on the West Manchester Township-West York Borough line thence in a northerly direction over Hoke Avenue to King Street thence in a westerly direction over King Street to Highland Avenue thence in a northerly direction over Highland Avenue to the intersection of Route 126 at West Market Street in West York Borough York County a distance of about .50 of a mile

Railroad and Shrewsbury Boroughs

Route 66105 Extending Route 66105 Beginning at a point on the Shrewsbury Township-Railroad Borough line thence in a southeasterly direction on Glen Rock Road to an intersection with County-aid Application 4981 thence over said application on the Shrewsbury Turnpike to a point on the Railroad Borough-Shrewsbury Township line a distance of about 1.24 miles in Railroad Borough beginning again at a point on the Shrewsbury Township-Shrewsbury Borough line thence over County-aid Application 4980 a distance of about .39 of a mile in Shrewsbury Borough to an intersection with Legislative Route 127 in the Boroughs of Railroad and Shrewsbury York County a distance of about 1.63 miles

Delta Borough

Application 342 Beginning at a point on the Delta Borough-Peach Bottom Township line thence in an easterly direction on Application 2330 at Ridge Avenue to an intersection with Route 216 at Ridge Avenue and Main Street in the Borough of Delta York County a distance of about ,12 of a mile

Application 342 Beginning at a point on the Delta Borough-Peach Bottom Township line thence in a westerly direction on Application 2330 at Main Street to an intersection with Route 216 at Main and Board Strets in the borough of Delta York County a distance of about .13 of a mile

Franklintown Borough

Route 66023 Extending Route 66023 Beginning at a point on the Franklintown Borough-Franklin Township line thence in a easterly dlirection on Main Street to an intersection with Route 374 at Main and Baltimore Streets in the Borough of Franklintown York County a distance of about .30 of a mile

Yoe Borough

Route 66045 Extending Route 66045 Beginning at a point on the Yoe Borough-York Township line thence in a southeasterly direction on North George Street to an intersection with Application 27096 at North George and Main Streets in the Borough of Yoe York County a distance of about 0.28 of a mile

Yoe and Dallastown Boroughs

Route 66004 Extending Route 66004 Beginning at a point on the Yoe Borough-York Township line thence in a southwesterly and southerly direction over Application 2796 on Main Street to Yoe Borough-Dallastown Borough line thence in a southerly direction over Application 2794 on Lombard Street to the intersection with Route 216 at Lombard and Main Streets in Dallastown Borough in Yoe and Dallastown Boroughs York County a distance of about 0.94 of a mile

Section 3 The cost and expense of the maintenance construction and improvement of the highways herein described shall be paid out of any moneys appropriated to the Department of Highways for the maintenance construction or improvement of State highways

Section 4 This Act shall become effective upon its approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 722 (House Bill No. 94), entitled:

An Act to amend section three hundred and eighty-six of the act approved the fourteenth day of July, one thousand nine hundred and seventeen (P. L. 840), entitled "An act concerning townships, and revising, amending, ad consolidating the law relating thereto," as amended; by adding thereto paragraph eleven, authorizing townships to contract with other municipalities for fire protection.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 761, as follows:

An Act to amend section seven hundred and twenty-two of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribing fees prescribing and limiting the powers of local authorities to deal with the subject matter of this

act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended exempting Young Men's Christian Associations and Young Women's Christian Associations from payment of fees for certificate of title or registration of motor vehicles trailers and semi-trailers owned and used by them

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven hundred and twenty-two of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" which was amended by section two of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws seven hundred fifty-one) is hereby further amended to read as follows

Section 722 Exemption from Fees

(a) No fee shall be charged for a certificate of title or registration of motor vehicles trailers and semi-trailers owned and used by (a) the Federal Government (b) any State other than Pennsylvania which issues titles or registrations to this Commonwealth without charge (c) the Commonwealth of Pennsylvania (d) any city borough incorporated town township county poor or school district of this Commonwealth (e) any duly authorized volunteer fire force hospital humane society or anti-cruelty society in this Commonwealth (f) by the American Red Cross (g) by churches (h) Girl Scouts of America (i) Boy Scouts of America (j) Salvation Army (k) Young Men's Christian Associations and Young Women's Christian Associations [(k)] (l) mine or industrial ambulances [(l)] (m) ambassadors ministers consular representatives and other diplomatic representatives who are entitled to exemption under the terms of a treaty but all such vehicles except those owned and used by the Federal Government shall be titled and registered and shall display registration plates as is now provided for privately owned motor vehicles trailers and semi-trailers

(b) No fee shall be required when a certificate of title or assigned certificate of title is returned to the department for cancellation

(c) No fee shall be charged for replacement or substitution of registration card registration plates operator's license card learner's permit card or certificate of title when satisfactory proof is furnished the secretary of loss of same in the mails

(d) No fee shall be charged for certified copies or certified photostatic copies of any department record furnished to Federal State county or municipal authorities

(e) No fee shall be charged for special hauling permits issued to the Commonwealth of Pennsylvania any city borough incorporated town township county poor or school district of this Commonwealth

(f) No fee shall be charged for transfer of registration for the succeeding year when such transfer has been received and completed by the department prior to January first of such succeeding year

(g) No fee shall be charged for a certificate of junk issued to any person

(h) No fee shall be charged a manufacturer jobber or dealer for a certificate of title to a new motor vehicle when assignment of certificate of title accompanies the application for certificate of title

And said bill having been read at length the second time and agreed to,

Ordered, To be transferred for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 763, as follows:

An Act to amend sections one and four of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred four) entitled "An act authorizing the Secretary of Highways with the approval of the Governor to establish the width and lines of State highways for future construction where it appears uneconomical to widen existing highways providing for acknowledgment by the Secretary of Highways and recording of plans therefor in the proper county and providing further that no allowance shall be made for buildings or improvements erected or made within the limits of any such highway and providing for the payment of damages" by providing for the maintenance of the existing highway

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections one and four of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred four) entitled "An act authorizing the Secretary of Highways with the approval of the Governor to establish the width and lines of State highways for future construction where it appears uneconomical to widen existing highways providing for acknowledgment by the Secretary of Highways and recording of plans therefor in the proper county and providing further that no allowance shall be made for buildings or improvements erected or made within the limits of any such highway and providing for the payment of damages" are hereby amended to read as follows

Whereas Due to increasing traffic conditions on the several State highways of the Commonwealth it will be necessary to construct a greater width of roadway than at present existing and in order to so construct said roadway it will be necessary to increase the present legal width of right-of-way and

Whereas Due to future developments it will be uneconomical to condemn additional right-of-way on the present location of the highway and

Whereas Present conditions do not warrant the abandonment as a State highway route of such existing sections of State highways

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Secretary of Highways with the approval of the Governor may designate the future location and width of [[]the[]] [any] proposed [parallel] highway and continue to maintain the present highway [[]until such time[]] as [long as] the amount of traffic warrants [[]the construction of the new highway designated[]] [such maintenance] and until such new highway has been completed and opened to traffic

Section 4 Any damages sustained by the taking of private property under the provisions of this act for the construction of such parallel highway shall be ascertained and paid in the same manner as provided by existing laws for the payment of damages due to a change of width or of existing lines and locations of State highways

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 767, as follows:

An Act to add section seven hundred thirty-seven to the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing two or more counties jointly with the consent of the Department of Highways to levy and collect tolls on certain toll bridges acquired and rebuilt by such counties for the purpose of paying off the indebtedness incurred or reimbursing such counties for moneys expended in the acquisition rebuilding and maintenance of such toll bridges

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended by adding thereto the following new section to read as follows

Section 737 Collection of Tolls on Toll Bridges Acquired and Rebuilt by Two or More Counties Whenever any two or more counties shall have heretofore jointly acquired any toll bridge and shall heretofore have rebuilt the same if the cost of such acquisition and rebuilding shall have been paid by any such counties in cash or by the issue of bonds the county commissioners of the several counties so joining may with the consent of the Department of Highways if the total cost of acquiring and rebuilding such bridge was in excess of seventy-five thousand dollars provide for supervise and collect such tolls for the use of such bridge as may be necessary to pay the interest on said bonds and to create a sinking fund for the payment and redemption of the same within thirty years of the issue thereof or if the cost of acquisition and rebuilding was paid for in cash such tolls as may be sufficient to reimburse the counties for the amount of county moneys expended in acquiring and rebuilding such bridge with legal interest thereon Any tolls so provided for may also include the cost of collecting such tolls and the maintenance of the bridge during the period tolls are collected for the use of such bridge

The tolls so collected shall be distributed between the several counties in proportion to the amount paid by each county toward such acquisition and rebuilding In no case shall any tolls be collected after the redemption of all bonds issued or after the counties have been fully reimbursed for the cost of such acquisition and rebuilding

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 773, as follows:

An Act to repeal section thirteen of the act approved the twenty-fifth day of March one thousand eight hundred and forty-two (Pamphlet Laws one hundred ninety-two) entitled "An Act to appoint commissioners to re-survey and mark that portion of the county line which divides the township of Bristol in the county of Philadelphia from the township of Cheltenham in the county of Montgomery and for other purposes"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by th authority of the same That section thirteen of the act aprroved the twenty-fifth day of March one thousand eight hundred and forty-two (Pamphlet Laws one hundred ninety-two) entitled "An act to appoint commissioners to re-survey and mark that portion of the county line which divides the township of Bristol in the county of Philadelphia from the township of Cheltenham in the county of Montgomery and for other purposes" be and the same is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE MESSAGE

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL NO. 648

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, March 29, 1933.

Resolved (if the Senate concur), That House Bill No. 648, entitled:

An Act relating to the annexation of townships of the first class or parts thereof to boroughs, and requiring the consent of the electors of the entire township to such annexation to be ascertained at an election.

Be recalled from the Governor for further consideration.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT FROM COMMITTEE

Mr. PETHICK, Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PETHICK, from the Committee on Military Affairs, reported as committed, Senate Bill No. 843, entitled:

A Supplement to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (Pamphlet Laws eight hundred sixty-nine), entitled "An act providing for the organization, government, discipline, maintenance and regulation of the armed land forces of this Commonwealth," as amended, authorizing any officer of the National Guard, with the approval of the Governor, as Commander-in-Chief thereof, to continue to hold his position for a certain time after he reaches the age of retirement.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess until 4.30 this afternoon.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

MEMORIAL SERVICES ON THE DEATH OF HONORABLE AUGUSTUS F. DAIX, Jr., LATE SENATOR FROM THE SEVENTH DISTRICT

The Senate met at two-thirty o'clock P. M.

The PRESIDENT PRO TEMPORE (Mr. James S. Boyd) in the Chair.

The PRESIDENT. This being the time fixed by resolution for holding memorial services on the death of Honorable Augustus F. Daix, Jr., late Senator from the Seventh District, the Senate will be in order and will be opened with prayer by the Chaplain.

PRAYER

The Chaplain, Rev. George P. Donehoo, offered the following prayer:

Almighty Father, Thou are the Author of all light and of all life, and we come to Thee today beseeching Thee to bless those who gather here to keep alive the memory of one of the members of this Senate. Grant that we may hallow the memories of those with whom we have known who have passed from this life of activity into another life of far greater activity. Bless those who today mourn the loss of a dear one. Grant that they may have the power and the sympathy and the love of the Father who pities His children. Grant that they may have His sympathetic presence when they think of the dear one who has departed. Abide with us and bless us in this service. We ask in Christ's name. Amen.

Mr. SHAPIRO offered the following resolution, which was twice read:

In the Senate, March 29, 1933.

Whereas, It was the will of Divine Providence to end on May 5, 1932, the distinguished career of Augustus F. Daix, Jr., for twenty years a member of the Senate of Pennsylvania from the Seventh District, and

Whereas, Senator Daix had lived a long, useful business and professional life in Philadelphia, winning the respect, admiration and confidence of his neighbors and friends to an unusual degree, having been honored by them with many positions of responsibility and trust, which were city wide, and

Whereas, During his long service in this body, Senator Daix devoted himself conscientiously and energetically to his duties to the Senate, the Commonwealth and the people of his District, displaying splendid ability and those attributes of leadership which eventually caused his associates to select him as the President Pro Tempore, therefore be it

Resolved, That the Senate of Pennsylvania places itself on record as testifying to the integrity, unimpeachable character, modesty and devotion to duty of the departed Senator and that a copy of these resolutions properly engrossed be sent to the bereaved family.

HARRY SHAPIRO, Chairman.
SAMUEL W. SALUS.
FRANK L. FAY.
WILLIAM D. MANSFIELD.
WARREN R. ROBERTS.

On the question,

Will the Senate agree to the resolution?

Mr. SHAPIRO. Mr. President, if you were to turn to the manual published by the Commonwealth of Pennsylvania, for 1931, you would read on Page 1120 that Augustus F. Daix, Jr., was born in Philadelphia on October 3rd, 1868; practiced law after he was admitted to the Bar in 1893; occupied a seat in the Senate consecutively from 1812 to 1932, serving as its President Pro Tempore in 1931. If the usual custom is followed, the next issues of this manual will make no mention of him because he died on the 5th day of May, 1932.

Neither the brevity of this sketch nor its absence from the subsequent manuals will limit our knowledge of his activities nor erase them from our memory. Words and space rarely describe or measure the man, but the extent and persistence of his influence are the more accurate measure of his greatness.

For over twenyt-five years Senator Daix was in public life. A leader in his community, he was, nevertheless, the servant of his people; their problems were his and his were subordinated to theirs.

On six consecutive occasions his constitutents elected him to this Senate, and just prior to his death he was nominated for a seventh term. His successive reelection to this honored body was more than a mere compliment, it was their evidence of appreciation for his devotion to the interests of his constituents.

Mr. President, you and many of the members of this Senate saw an example of that devotion in the November special session of the General Assembly. Clear in mind, but worn out in body by the ravages of disease, he literally dragged himself to these sessions that he might contribute, what he must have known to be, his last ounce of strength in the interest of his constituents—his City and his State. It was a remarkable exhibition of devotion and courage.

I first met Senator Daix shortly after I entered politics in 1916. At that time I found myself in the faction opposing Senator Daix. Out of that encounter there grew a friendship and an affection that was only interrupted by his death. In the many political problems during the years of our association his judgment was dependable; he never jumped at conclusions. My best heated arguments dissolved into vapor under his cold reason, born of mature and deliberate judgment,. He had a mildness of manner and softness of voice which was deceiving to the uninitiate, for he could be firm and vigorous when necessary. We fought many hard battles together, and though Senator Daix fought hard, the wounds of battle with him were always superficial and treated with "a mild and healing sympathy that stole away their sadness ere the wounded was aware."

Unmoved by mob hysteria and understanding the humbug of false prophets; he stood his ground against disappointed office seekers, sometimes euphoniously called reformers, and remained loyal to friend and principle.

In factional disputes, promises of reward to desert his cause merely served to strengthen his allegience. He always said that there was no compensation for the loss of self respect and that friendship was not for sale.

A follower and friend of the late Senate Penrose, he never left the ranks of his political associates, sharing their fortunes and misfortunes; earning an enviable reputation for loyalty and integrity.

Most of his active life was spent in a district which could not boast of the rarified atmospheres of the wealthy, and so be ever lent a listening ear and extended a generous hand to his constituents. His name was a by word for kindness and charity. As he was to his family, so he was to all with whom he came in contact.

In the halls of this Senate his chief interest was in legislation, looking to the betterment of the condition of his constituent and his fellow-man. His respect for the seat he occupied in this Senate serves to make me ever conscious of the privilege I enjoy in succeeding him and the burden of that responsibility will always be with me. I owe him much for the influence he exerted over me and I am not alone in that obligation. Hundreds who knew and loved him feel with me and make due acknowledgment.

It is not to be wondered at, that his death brought sadness to many homes and countless numbers to his bier. His was a full and an active life. The world is better for his having lived in it, and in leaving it he has left with us an heritage which enables us to truly say, "Oh death, where is thy sting?"

Mr. SALUS. Mr. President and members of the Senate, I did not go to the trouble of preparing any statement as to my feelings and respect for the late Senator Daix. I do not believe it would be necessary for any man to prepare any speech or statement regarding the Senator. I think the greatest compliment that could be paid to him, particularly among his neighbors and friends, would be to say that Gust Daix was Gust Daix, and that would cover a multitude of wonderful accomplishments of the late Senator. He was a

man who never sought the limelight. He was a man who avoided as much as posible all publicity. He lived his life in a plan, simple, unostentatious way, and the foundation of that life, I believe, was based on the words, "Love thy neighbor," and he loved his neighbor, and everybody in that district knew that his neighbor loved him.

Many of us in political life have grown to positions of honor, and many of us in the attaining of these positions of honor have been under obligations to some extent to the political organizations with which we were affiliated; and those political organizations were of vast worth and value to us in order that we might succeed in getting into these positions of honor. With Gust Daix it was otherwise. With him it was a case of where the organization needed Gust Daix, Gust Daix's neighbors were for him a hundred per cent., whether the organizations were with him or not. He was truly a representative of the people in the locality where he lived. He looked for no notoriety. He looked for no reward except the satisfaction of knowing that as each day ended he had done a good day's work, and possibly been of some service to some poor unfortunate.

His family life—we would hardly be doing him justice by talking about it, because it was so perfect that there are no words in the English language that can thoroughly express that home life. It was the typically perfect, one hundred per cent. American home life, and the life which every self-respecting citizen might well take as an example.

He was a practicing lawyer, and, in accord with the life that he lived, his practice was mainly in the Orphan's Court, and I do not believe that that practice came to him by any effort on his part. It just came to him because of the fact that his friends and neighbors knew of his kindly disposition toward all mankind; and in the hours of bereavement in the locality where he was known, I am firmly of the opinion, that immediately after the minister left the home of the bereaved family, the next thought was to find Senator Daix. And his whole life as a lawyer was spent taking care of widows and orphans, and in that work it was the work of the heart and not work that had any mercenary thought in it.

Taken all in all he was a credit not only to the community in which he lived, but a credit to the city of Philadelphia and an honor to the State of Pennsylvania. He became the President Pro Tempore of this Senate in one of the most viciously fought contests almost in the history of the State of Pennsylvania. He was elected by a majority, if I recall it correctly, of one vote. The political factions were equally divided, and the balance—the majority came to Gust Daix from men who were politically aligned against Senator Daix, but they could not—could not under any condition, even though they were politically aligned otherwise, vote against this particular Senator because of the fact that they knew him, knew he deserved the honor he sought for more than any other honor; and I know of men who broke political alliances, the result of which cost their subsequent defeat at the polls, for no other reason than to pay Senator Daix that honor which they thought belonged to him, and that he had earned by long and continuous effort on behalf of his fellowmen.

And I know that when he reached the great beyond, on his entrance there must have been said, "Well done, good and faithful servant, well done."

Mr. MANSFIELD. Mr. President and members of the Senate, I want to acknowledge the compliment implied in the invitation given to me to take a part in the Memorial Service to the late Augustus F. Daix, Jr., of Philadelphia. During my ten years of service in this body I have had the privilege and pleasure of making friends and associates none of whom ever made a more indelible impression on my memory than that of the man, the Senator for whom this Memorial Service is being held today.

From my first days as a member of the Senate Senator Daix and I were close friends. I admired him for his honesty, his frankness, his courtesy and his gentlemanly conduct under any and every condition. He served as chairman of the most important committees of this body, and whether he was for or against a Senator's piece of legislation made no difference in his courtesy and gentlemanly conduct. He was frank, and at all times stood by his friends; and his greatest thought was to serve well the people who had sent him here, and he did that.

He was a credit to the Commonwealth of Pennsylvania, to the City of Philadelphia and to this body; and I am sure that every member of this Senate who came into contact with him during his twenty years of service felt that this Senate and this Commonwealth were better by reason of the life of Augustus F. Daix, Jr.

I, perhaps, had an opportunity to study him from a different angle than that from which any other person in Pennsylvania could study him. That was brought about by reason of the fact that I was his opponent, in the memorable fight for the position of President pro tempore of the Senate; and in spite of the fact that both Senator Daix's friends and mine were at one another's throats during that fight Senator Daix and I kept in close touch with one another, and we went through that battle and ended it, I believe, just as close friends as we had been before it started. That is evidenced by the fact that I took pleasure in seconding the motion to make his election unanimous, and that he very shortly afterward made the public statement that he hoped he would have the pleasure of nominating me for President pro tempore at the next session of the General Assembly.

I am sure we all of us appreciate that noble character, and that we all miss him, as he is missed in Philadelphia. The kindliness and courtesy and gentlemanly conduct that he showed while a member of this body will never be forgotten by those who came in contact with him.

Mr. ROBERTS. Mr. President, this is a sad occasion. I shall say but a few words.

If I had the gift of language to speak in flowery eloquence on the life of the late Senator Augustus F. Daix, Jr., all I might say would be a deserved tribute. But to my mind, this memorial to our esteemed colleague, should be in keeping with the simplicity of his character.

Devoid of pomp and show, his life was exemplified in deeds rather than words. Quiet and unobstrusive, yet ever alert to the duties of his high office, he moved in and out of this Chamber in the even tenor of his way, with malice toward none and charity to all.

Though frail in body, he was strong in intellect. Meek in manner, he was resolute in purpose. To some he may have appeared timid, but his heart was full of human sympathy.

The highest testimonial to his busy and useful life, is the esteem in which he was held by his own home people. For more than twenty years, he was regularly returned to represent them in this, the highest legislative body of our Commonwealth. Their confidence was not misplaced.

Senator Daix was a wise counselor, a shrewd business man and a diligent lawmaker and despite his manifold duties he never failed his clients, his constituents or his associates.

And with it all, he still found time to devote to those whom he loved best,—his family.

God bless his memory, and may I conclude with a few lines that I think most beautifully reveals the life of Senator Daix.

Men are of two kinds and he
Was of the kind I'd like to be.
Some preach their virtues, and a few
Express their lives by what they do.
That sort was he. No flowery phrase
Or gibly spoken words of praise
Won friends for him. He wasn't cheap
Or shallow, but his course ran deep,
And it was pure. You know the kind.
Not many in a life you find
Whose deeds outrun their words so far
That more than what they seem they are.

And the question recurring,

Will the Senate agree to the resolution?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Frazier,	Norton,	Shapiro,
Aron,	Gelder,	Owlett,	Snyder,
Batchelor,	Graff,	Parkinson,	Sones,
Baumer,	Harris,	Pethick,	Sordoni,
Bell,	Harvey,	Pierson,	Staudenmeier,
Bennett,	Homsher,	Prince,	Thompson,
Brandt,	Howell,	Quigley,	Trainer,
Buckman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenhelm,
Ealy,	Mansfield,	Salus,	Boyd,
Einstein,	McClure,	Scott,	Pres. Pro. Tem.
Fay,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

ADJOURNMENT

Mr. SCOTT. Mr. President, I move that the memorial session do now adjourn.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

MEMORIAL SERVICES ON THE DEATH OF HONORABLE FRED M. SPROUT, LATE SENATOR FROM THE TWENTY-FOURTH DISTRICT

The Senate met at three-thirty o'clock P. M.

The PRESIDENT PRO TEMPORE (Mr. James S. Boyd) in the Chair.

The PRESIDENT. This being the time fixed by resolution for holding memorial services on the death of Honorable Fred M. Sprout, late Senator from the Twenty-Fourth District, the Senate will be in order and will be opened with prayer by the Chaplain.

PRAYER

The Chaplain, Rev. George P. Donehoo, offered the following prayer:

Our Heavenly Father, we thank Thee that in the midst of all the struggles and confusion of life we can pause now and then to think of those who have been with us here but who have departed. Grant that we may, in such Memorial Services, keep before our minds, and in loving remembrance, those whose faces and forms we miss here at these desks today; and as we go on in life may we more and more realize that service and work must be done while it is day, for the night cometh when no man can work.

Be today with those who are in sorrow because of the loss of this our fellow member of the Senate, that their hearts may be comforted by Thy gift of comfort and consolation; and may the sunshine of God's presence illumine the hours of darkness as they come to us in this life, even as God's sunshine illumines the hills and valleys about us today.

We ask these blessings, and every other blessing, upon those for whom we should pray today, in Christ's name. Amen.

Mr. SONES offered the following resolution, which was twice read:

In the Senate, March 29, 1933.

Whereas, On August 8, 1932, Fred M. Sprout, member of the Senate of Pennsylvania from the Twenty-fourth District, was suddenly called from our midst, and

Whereas, During his active business career in Lycoming County, he had gained prominence as a manufacturer, banker and leader in other industrial pursuits and had so won the confidence of the residents of his community that they had honored him with public office before their selection of him for membership in the Senate, and

Whereas, Senator Sprout endeared himself to his associates by his modesty, common sense and sincere effort to promote the best interests of the people of his District, the Senate and the State of Pennsylvania, therefore be it

Resolved, That the members of the Senate make proper record of the achievements of Senator Sprout as a member of this body and that in submitting this resolution, duly engrossed, they extend their heartfelt sympathy to his bereaved relatives.

CHARLES W. SONES, Chairman,
LEROY E. CHAPMAN,
HARRY J. BELL,
RICHARD S. QUIGLEY,
HENRY L. SNYDER.

On the question,

Will the Senate agree to the resolution?

Mr. SONES. Mr. President and members of the Senate, it is sad, indeed, that this body has convened to memorialize the Senator from Lycoming, the late Fred M. Sprout.

He was elected to the Senate in November, 1930, and passed away in August, 1932, representing the Twenty-Fourth Senatorial District less than two years, hardly long enough to become acquainted with his colleagues and members of the House of Representatives. It was my privilege to serve this district for twenty years preceding him, and at the election of 1932, I was elected to complete his term of four years. A strange coincidence, I was his predecessor as well as successor; Senator Sprout was my predecessor as well as my successor; something that has rarely, if ever, occurred in the Senate.

Senator Sprout was born and raised in Muncy, a member of one of the old poineer families of Lycoming County. For a number of years he was the efficient business manager of one of the largest manufacturing concerns in his home town. His wide experience and business ability made him an outstanding figure in both business and civic enterprises. He was always on the lookout for anything that would be of benefit to the people and town over which he assumed leadership. He was a natural born leader owing to his courage and convictions which he carried out.

For a number of years Senator Sprout served as a member of the Board of Trustees of the Danville State Hospital and was made Chairman of the Building Committee of that institution. He was an active member of the Masonic Bodies in the Valley of Williamsport, a member of the Board of Trustees, and through efforts put forth, he was awarded the last and highest honor in Free-Masonery, that of the coveted Thirty-Third degree.

Senator Sprout was esentially a family man, a loyal husband and kind father, possessing fine morale, a consistent

member of the Baptist church as his family before him. The Senate has lost a valued member, his home town a good citizen. He was courteaus to all, and with his pleasing manner and personality, made hosts of friends. Faithful to his duties in the Senate, knowing his malady was incurable, yet he stood by his post and was in attendance at all sessions although at times almost physically unable.

Those who honored his passing and were present at the last sad rites, included the Governor of the Commonwealth, others high in authority, members of the Senate, also a number from the House of Representatives, Judges of the Court, business and professional men and people from all walks in life.

Truly, "Death loves a shining mark."

Mr. BELL. Mr. President and members of the Senate: It is eminently fitting and proper that this honorable body should suspend its labors for a short time to pay a tribute of respect to the memory of two of its distinguished members who have passed from the scenes of earth into the realm of that undiscoverd country from whose borders no travelers ever returns.

It is manifestly difficult to estimate the true worth of any man upon so short an acquaintance as Senator Sprout enjoyed with the members of this Senate body. And yet every man possesses some characteristics of personality that stamp themselves indelibly upon the memory of those whom we meet, even casually, that time cannot efface. This is but another way of saying that first impressions are lasting and usually accurate.

Perhaps the characteristic by which Senator Sprout will best be remembered by the members of this Senate who had most contact with him was his modesty and gentleness of manner. No higher compliment can be expressed of one who enjoyed the confidence of the people among whom he lived and who knew him best. Modesty and gentleness are virtues that are rooted deep in Christian training and Christian environment. Such a man is undisturbed by the shifting changes and clutter of daily experience.

Faith and assurance and confidence are always seen in the background of such a character.

That he was a man of integrity and honor is manifest in the trust and confidence reposed in him by those who saw him daily, in entrusting many of their financial and civic affairs to his judgment and guidance. That he was a man of sincerity and truthfulness is known by the fact that he was a loyal and consistent member of the religious body of his choice and a leader in its temporal affairs. That he was a man of probity and worth was demonstrated by a great and honorable fraternal organization, conferring upon him its highest grade on August 8, 1932, as he was preparing to return to his active legislative duties in this chamber the dread messenger summoned him silently, swiftly, suddenly, on a perfect summer afternoon a few days later his mortal remains was followed by sorrowing family and friends to the silent city of the dead in his native city and returned to the earth from which it came. The physical form of Senator Sprout will never again be seen in this chamber, but the influence he has left behind him, the memory of the real man that he was shall continue here even after we who are here today have forever gone from this place.

The PRESIDENT. The Senator from Warren County, Doctor Chapman, was called home by the death of his father, so that he can not take his part in this memorial service. Therefore the remarks that he would have delivered have been written by him, and will be read by Mr. McKirdy, the Chief Clerk of the Senate.

The address was read as follows:

Mr. President, it has been both an honor and a pleasure to have intimately known Senator Fred M. Sprout, to have received the inspiration of a great man. His venerable experience imparted with youth's courage and strength, overshadows former acquaintances, and trifles former knowings. His seasoned Christian characteristics, his spotless reputation, his pleasing voice and warm handshakes have wrought an indelible impression and influence upon me which will successfully defy the ravages of time.

There was nothing flashy nor spectacular about Senator Sprout, but there was a great dependability of character. He cared much for the most good to the greatest number, rather than for the legal technicalities of the constitutionality, the legality, or the validity of a proposed measure, leaving these questions for the lawyers to argue. He was well acquainted with the demands of the people and public affairs. He feared no antagonist, and had the courage of his convictions. Wearied in the midst with the toils of the Session, he laid down his burdens and fell into a dreamless sleep that knows no earthly awakening. Senator Sprout still lives in the hearts of those he left behind. He is not dead but speaketh: For him to live Christ, to die was endless gain. Senator Sprout visualized life not as the Shakespearean ideal of life "Life is a walking shadow, a poor player, who frets and struts its hour upon the stage, then is seen no more. It is a tale told by an idiot, full of sound and fury signifying nothing." Not the Fate of Life as told by the Agnostic orator "Life is a narrow veil between the cold and barren peaks of two eternities. We stand in vain and look beyond the heights, we cry aloud and the only answer is the echo of our wailing cry." But Senator Sprout believed in the sublime certainty "For he knew that if this earthly house of ours is destroyed, we had a building not made with hands, but built by God, eternal in the heavens."

Not the teachings of a Confucious, a Mohammed, nor a Buddha, but Senator Sprout believed in the teachings of the Christ.

In the death of our colleagues we are reminded of the uncertainty of Life and the certainty of Death and could Senator Sprout have penetrated the misty clouds that enveloped him during the last session, he would have discovered that he was spending the twilight of his earthly existence and death's able curtain was then draping him in her gentle robes.

In the death of Senator Sprout we are fittingly reminded from Grey's Elegy:

The applause of listening senates to command
The threat of pain and ruin to despise
To scatter plenty throughout a smiling land
And read their history in a nation's eyes.

The boast of heraldry, the pomp of power,
And all that beauty, all that wealth e'er gave.
Await alike th' inevitable hour,
The paths of glory lead but to the grave

We live in deeds, not years, in thought, not breaths.
In feelings, not in figures on a dial,
We should count time by heart throbs,
He most lives,
Who thinks most, feels the noblest, acts the best.

I cannot say, and I will not say,
That he is dead.—He is just away!

With a cheery smile, and a wave of the hand,
He has wandered into an unknown land.

And left us dreaming how very fair
It needs must be, since he lingers there.

And you—oh, you, who the wildest yearn
For the old-time step and the glad return—

Think of him faring on, as dear
In the love of There as the love of Here.

Think of him still the same, I say;
He is not dead—he is just away!

There is no death,
The stars go down, to rise upon some fairer shore.

What is death? "I am standing on the seashore. A ship at my side spreads her white sails to the morning breeze and starts for the blue ocean. She is an object of beauty, and I stand and watch her until at length she hangs like a speck of white cloud just where the sun and sky come to mingle together. Then some one at my side says 'There she's gone.' Gone where? Gone from my sight, that is all. She is just as large in mast and hull and spar, as when she left my side and just as able to bear her load of living freight to the place of her destination. Her diminished size is in me, not in her. And just at the moment some one at my side says 'There she's gone' there are other eyes that are watching her coming. And other voices ready to take up the glad shout: 'There she comes.' And that is dying."

In these lines we have a true expression of the real significance of death. It is but a change. It is the metamorphosis of man, the bursting of the chrysalis, the dawn of an eternal life. We all know that when that summons comes for us to take that wonderful journey from which no mortal ever turns back, that in that mysterious somewhere, those who have gone before will welcome us into that beautiful haven where faults are always written in sands, and virtues on tablets of love and memory. "Why fear death? It is the most beautiful adventure in life," Victor Hugo said, "I know my soul is immortal because I believe it is so." We cannot fathom the divinity that creates life, nor can we peep into eternity into which it goes. We are but the leaves on the tree of life that bud, that blossom, during a season, then with the advent of autumn, then the frost and we drop from the parent stem, the body withers and decays and the Soul passes into Eternity.

Christ said: "For whosoever will save his life shall loose it, and whosoever shall lose his life for my sake shall find it."

We all cherish the fond memory of Senator Sprout.

Mr. SNYDER. Mr. President, I appreciate the honor of having been granted a part, however brief it may be, in this memorial program. It has been the task of the committee in charge of these services to make a lasting record of our sincere regard for our colleague who has passed on. On this occasion party lines mean nothing. Differences of opinion disappear. In the midst of our innumerable problems and these tempestuous days it is well that we should pause. We do so for reasons justifiable beyond question. It is both our duty and our privilege to pay tribute to one who stood in the service of this Commonwealth with us. That service has now been terminated by the hand of the Almighty. Until its termination, those of us who were privileged to be associated with the Hon. Fred M. Sprout in the work of the Senate readily came to appreciate his service. There was about him a quiet sincerity which did not escape attention. Ever unassuming, he often withdrew from opportunities which could have brought him much personal advantage. His honesty of purpose can never be questioned. Though new in the Senate, he represented in a striking degree, the old school of those who went about their way quietly without blare of trumpet. With him—it may always truly be said—there was but the guilding purpose to serve his constituency fairly and to the best of his ability. As was always apparent, there was in his heart a deep appreciation of the confidence reposed in him. The responsibilities of the high office to which the electorate of the twenty-fourth Senatorial District had elevated him were cheerfully assumed. In his devotion to duty we find ample proof to warrant the belief that his friends and neighbors at home will ever revere his memory and will long remember the warmth and sincerity of his friendship.

How well it may be said that his life among his people inspired their confidence! Those of us whose associations with him were limited to the sessions of the Legislature can well understand the sources of the support so willingly and graciously given him. In his private business enterprises there was no wavering from the principle of honesty and fair dealing. During the great conflict among the nations there was a ready response. When the need arose for someone to serve as a municipal officer without renumeration our colleague accepted the task. Much of his time and energy were given to the caring for the unfortunate and the institutions protecting them. There was in his life a blending of virtues which, on the one hand, made the unfortunate his charge and, on the other, permitted him to establish a successful business career.

Achievements such as these—or should we rather say—services thus rendered gave Senator Sprout a high position among those who have been devoted to Pennsylvania and her people. We may therefore in his passing—however sorrowful it may be—find lasting satisfaction in the knowledge that the Senate was honored and benefited by his presence and his work. Pausing as we have done to recall the virtues of one whom we could respect and admire there comes the stern realization against that no one is exempt from the termination of the opportunities before us. Human legislation, at its best, is faulty. To us as well as to those who have gone before has been given but the possibility of following the paths of duty as they may be understood. In this hour of commeration our understanding of the problems before us is made clearer: our willingness to be of service is made greater; our tasks are made lighter and our appreciation of the warmth of friendly hand clasps is made deeper. All this has come to pass because in the life of our departed friend we again observed the real value of unheralded devotion to duty.

And the question recurring,

Will the Senate agree to the resolution?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Frazier,	Norton,	Shapiro,
Aron,	Gelder,	Owlett,	Snyder,
Batchelor,	Graff,	Parkinson,	Sones,
Baumer,	Harris,	Pethick,	Sordoni,
Bell,	Harvey,	Pierson,	Staudenmeier,
Bennett,	Homsher,	Prince,	Thompson,
Brandt,	Howell,	Quigley,	Trainer,
Buckman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,	Salus,	Boyd,
Einstein,	McClure,	Scott,	Pres. Pro. Tem.
Fay,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

ADJOURNMENT

Mr. SCOTT. Mr. President, I move that the memorial session do now adjourn.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

BILL SIGNED

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 948, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue to meet interest and Sinking Fund requirements on the State debt.

House Bill No. 949, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

House Bill No. 1590, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief and work relief.

House Bill No. 218, entitled:

An Act to amend section twelve of the act, approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149), entitled "Liquid Fuels Tax Law" by preventing suspension of permits without hearings and providing for appeals in case of suspension or revocation of permits.

House Bill No. 851, entitled:

An Act lapsing all unobligated balances of appropriations for township reward heretofore made from the Motor License Fund.

Whereupon,

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the presence of the Senate signed the same.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representativs as follows:

House Bill No. 608 (Senate Bill No. 844), entitled:

Au Act to amend clause fifty-three of section one thousand two hundred and two of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled, "An act concerning boroughs and revising, amending and consolidating the law relating to boroughs," as amended, authorizing boroughs to refuse contracts to bidders not domiciled in the United States.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 775 (Senate Bill No. 845), entitled:

An Act to amend section five of the act approved the fourteenth day of May, one thousand nine hundred and twenty-five (P. L. 730), entitled "Soft Drink Law," as amended, by permitting the use of dextrose in such beverages.

Which was committed to the Committee on Public Health and Sanitation.

House Bill No. 1075 (Senate Bill No. 846), entitled:

An Act to amend section seven hundred and eighteen of the act, approved the twenty-fourth day of May, one thousand nine hundred and twenty-three (P. L. 359), entitled "Game Law," as amended, by permitting the training of dogs on Sunday, and providing further for field meets.

Which was committed to the Committee on Game and Fisheries.

House Bill No. 1500 (Senate Bill No. 847), entitled:

An Act for the development and use of unredeemed seated and unseated lands purchased by county commissioners at tax sales; providing for the holding and permanent retention of such lands by the county for forest or recreational uses beneficial to the local community, or for their transfer to the State under suitable restrictions for similar uses subject to certain annual charges, providing for the use of revenues derived from such lands; providing a procedure for the discharge of liens of record against such lands by sale after notice to owners and lien creditors; providing for the sale by the counties of such lands as are retained by the county; providing for the appointment by local State forest advisory councils and conferring powers upon the Department of Forests and Waters and the Board of Game Commissioners with respect to the acquisition and exchange of such lands, their proper organization and development, and the acceptance of gifts of lands.

Which was committed to the Committee on Forestry.

HOUSE CONCURS IN SENATE BILL No. 51

He also returned to the Senate, Senate Bill No. 51, entitled:

An Act to amend the act, approved the twenty-second day April, one thousand nine hundred and nine (P. L. 122), entitled "An act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired, and to validate the conveyances and other instruments of said corporations," as amended; extending said validating provisions to January first, one thousand nine hundred and thirty-three.

with the information that the House has passed the same without amendment.

HOUSE MESSAGES

AMENDMENT TO HOUSE BILL No. 38 RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 38, entitled:

An Act to amend section one of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred forty-seven) entitled "An act placing upon the Commonwealth the responsibility for the construction and maintenance of certain bridges on State highway routes or continuations of State highway routes in boroughs incorporated towns cities of the third class and townships under certain conditions and restrictions and appropriating money in the motor license fund for such puorposes providing for a limitation of the Commonwealth's liability for reconstruction and maintenance in certain cases under orders of court or the Public Service Commission providing for the Commonwealth to succeed to the rights of the county under certain existing agreements or contracts authorizing the department to issue licenses to public service companies for occupancy of such bridges in accordance with existing laws subject to certain conditions providing for the crediting of certain moneys to the motor license fund and providing for the return to the county or disposal of said bridges in certain cases and repealing certain acts with reference to county bridges" placing on the Commonwealth the

responsibility for the construction and maintenance of additional county bridges and eliminating the provisions which places upon the counties fifty per centum of the cost of construction and maintenance of certain bridges

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Title, page 2, lines 8, 9, and 10, strike out the words "placing on the Commonwealth the responsibility for the construction and maintenance of additional county bridges and."

On the question,

Will the Senate concur in the amendment?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Clark,	Hunsicker,	Quigley,	Trainer,
Coyne,	Krause,	Reed,	Williamson,
Ealy,	Lanius,	Rice,	Woodward,
			Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RELATIVE TO NUMBERING ROOMS IN CAPITOL BUILDING

In the House of Representatives, March 27, 1933.

He also presented extract from the Journal of the House of Representatives which was twice read as follows, and referred to the Committee on Appropriations:

Whereas Members of the Legislature and visitors are frequently unable to find rooms in the Capitol Building because no numbering system has ever been adopted which in any manner indicates the floor on which or portion of the building in which a room is located therefore be it

Resolved (if the Senate concur) That the Department of Property and Supplies be requested to entirely re-number the rooms in the State Capitol Building so that the floor and location thereon of any room may readily be determined from the room number

Resolved That the first figure assigned to each room indicate the floor on which a room is located except in the case of "E" floor where the letter "E" shall precede the first number and that after each number shall be used a letter to indicate whether the room may be reached from the North Center or South portion of the building such letters to be N C or S

BILL SIGNED

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bill had passed both Houses of the General Assembly and the same being correct, the title was publicly read as follows:

Senate Bill No. 51, entitled:

An Act to amend the act, approved the twenty-second day of April, one thousand nine hundred and nine (P. L. 122), entitled "An act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired, and to validate the conveyances and other instruments of said corporations," as amended; extending said validating provisions to January first, one thousand nine hundred and thirty-three.

Whereupon,

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the presence of the Senate signed the same.

REPORT FROM COMMITTEE

Mr. PARKINSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears one.

Mr. PARKINSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 20, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons:

Mrs. Catharine Austin Campion, of Scranton, Lackawanna County, as Alderman of the 12th ward of the City of Scranton, Lackawanna County, vice her husband, William F. Campion, deceased, until the first Monday in January, 1934.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 29, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

George L. Vogeley, Pittsburgh.

BEAVER COUNTY

Carl R. Douds, Rochester.

DAUPHIN COUNTY

P. W. Feterhoff, Harrisburg.
Homer L. Kreider, Harrisburg.

DELAWARE COUNTY

Mrs. Elizabeth M. Burns, Chester.

ERIE COUNTY

Alban W. Curtze, Erie.

INDIANA COUNTY

Joseph P. Dalessio, Beyer.

LANCASTER COUNTY

Roy G. Hubley, Columbia.

MONTGOMERY COUNTY

Chas. H. Peacock, Jr., Wynnewood.

PHILADELPHIA COUNTY

James C. Davie, Philadelphia.

Walter S. Hartley, Philadelphia.
Miss Mary F. Lyons, Philadelphia.

WESTMORELAND COUNTY

Thomas H. Mensch, Greensburg.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 29, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

PHILADELPHIA COUNTY

R. Lee Kass, Philadelphia, April 8, 1933.
Miss Katherine D. McDowell, Philadelphia, April 22, 1933.

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. HOWELL,

That Rule 38, which requires reports of committees on nominations made by the Governor to lie on the table one day, be dispensed with, and the Senate do now resolve itself into Executive Session for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. HOWELL,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Einstein.			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. ARON. Mr. President, I move that the Executive Session do now rise.

Mr. BELL. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEES

Mr. BELL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BELL, from the Committee on Education, reported as committed, Senate Bill No. 68, entitled:

An Act increasing the discretionary powers of boards of school directors in school districts of the second class with reference to the assessment, levy and collection of taxes.

Mr. KRAUSE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KRAUSE, from the Committee on Education, reported as committed, Senate Bill No. 659, entitled:

An Act to amend section two hundred twenty-six of an act approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws, three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by prescribing the conditions upon which school directors may be employed by their respective school districts during the term for which they are elected or appointed.

Also from the Committee on Education, reported as committed, Senate Bill No. 454, entitled:

An Act authorizing school districts to issue and sell bonds for certain purposes and for a certain period of time; providing for a trust fund and a sinking fund for the payment thereof; and defining the duties of the officers and members of the school board in relation to said funds, and fixing a penalty for the violation thereof.

Mr. ARON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARON, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 834, entitled:

An Act empowering cities, boroughs, incorporated towns and townships to charge and collect annual rentals for the use of certain sewers, sewage systems and treatment works, including charges for operation, inspection, maintenance, repair, depreciation and the amortization of indebtedness and interest thereon.

Mr. SALUS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS, from the Committee on Judiciary General, reported as amended, Senate Bill No. 413, entitled:

An Act to amend an act approved the twenty-sixth day of July, one thousand nine hundred thirteen (Pamphlet Laws, one thousand three hundred seventy-four), entitled "An act defining public service companies; and providing for their regulation by prescribing and defining their powers, and regulating their incorporation, and, to a lmited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corprations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Common-

wealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers, counsel, and employes; prescribing and regulating the practice and procedure before such commisison, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandaums, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Serivce Commission to enforce the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven ,entitled 'An act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act appoved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the ePnnsylvania State Railroad Commission and sections one and two of the act. approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals'; and an act, entitled 'To provide the maximum car service charges, including car storage charges that railroad companies and corporations, or associations, may charge and collect on each car loading and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act" regulating the issuance of securities by public service companies; by giving the commission authority to suspend proposed changes in rates and making provision for reparations in connection therewith; by requiring public service companies to carry proper and reasonable depreciation accounts; by giving the commission jurisdiction over the holders of the voting capital stock of public service companies; by giving the commission jurisdiction over transactions and contracts between holding companies and affiliated interests and public service companies defining holding companies; affiliated interests and parties in interest to such contract by regulating the business of manufacture sale or lease of appliances and equipment by public service companies by giving the Commission jurisdiction to prescribe minimum rates by striking out the provisions relating to Certificates of Notification and certficates of valuation, and by imposing penalties.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MANSFIELD, from the Committee on New Counties and County Seats, reported as committed, Senate Bill No 746, entitled:

An Act to amend section two hundred and four of the act. approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revisiing, amending and consolidating the laws relating thereto," by providing that the coroner shall act in case the sheriff resigns.

Also from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 764, entitled:

An Act to amend section one of the act approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred and twenty-eight), entitled "An act authorizing the Secretary of Highways with the approval of the Governor to establish construct and maintain roads parallel to existing State highways in order to relieve traffic congestion providing certain conditions and restrictions for the assessment and payment of damages for property taken thereby and providing that such highway when constructed shall become a part of the system of State highways of the Commonwealth" by providing that roads taken over as parallel highways may intersect or cross over the highway to which they are parallel.

Mr. OWLETT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. OWLETT, from the Committee on Education, reported as committed, Senate Bill No. 771, entitled:

An Act to amend section twenty-one of the act, approved the seventh day of June, one thousand nine hundred and fifteen (P. L. 900), entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of berths and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics, as required to be established by the State Department of Health; and, in order to secure prompt and faithful registration of births, marriages, deaths, and diseases, of practitioners of medicine and surgery, of midwives, nurses, and undertakers, and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages, and diseases throughout the State, as provided in section ten of an act, entitled 'An act creating the Department of Health and defining its powers and duties,' approved the twenty-seventh day of April, nineteen hundred and five, and providing penalties for violations of this act," as amended, by providing for special certificates of the birth of adopted persons; and requiring school authorities to accept such certificates for certain purposes.

Mr. QUIGLEY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. QUIGLEY, from the Committee on Education, reported as amended, Senate Bill No. 673 (House Bill No. 1253), entitled:

An Act to amend article twenty of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecing such revenue and repealing all laws general special or local or any parts thereof that or may be inconsistent therewith" as amended by prescribing the powers and duties of the boards of trustees of State teachers colleges and the Cheyney Training School for Teachers repealing inconsistent legislation and making an appropriation.

Also from the Committee on Education, reported as committed Senate Bill No. 700, entitled:

An Act to amend section three hundred and twenty-five of the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith"; by providing for the security to be given by depositories of school funds.

BILLS INTRODUCED

Mr. SALUS (for Mr. Buckman). Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS read in his place and presented to the Chair Senate Bill No. 848, entitled:

A Supplement to the act approved the eighth day of May, one thousand nine hundred and nineteen (P. L. 148), entitled "An act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New Jersey of certain toll bridges over the Delaware River," and its amendments, authorizing the commission created under said act to borrow money from the Reconstruction Finance Corporation for the purpose of constructing toll bridges, to charge tolls thereon, and to repay loans from tolls collected.

Which was committed to the Committee on Finance.

Mr. GRAFF. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GRAFF read in his place and presented to the Chair, Senate Bill No. 849, entitled:

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations, and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Butler.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair, Senate Bill No. 850, entitled:

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," establishing an additional route in the County of Butler.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair, Senate Bill No. 851, entitled:

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Butler.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chairs, Senate Bill No. 852, entitled:

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Butler.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 853, entitled.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Butler.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 854, entitled:

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Butler.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 855, entitled:

An Act to amend section three hundred and sixty-four of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing the county auditors in counties of the sixth class to publish their annual report in pamphlet form.

Which was committed to the Committee on New Counties and County Seats.

Mr. OWLETT. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. OWLETT read in his place and presented to the Chair Senate Bill No. 856, entitled:

An Act authorizing cities of the third class to provide, by ordinance, for the payment for public work or improvements heretofore made for or furnished to the city, where no legal or valid contract was entered into as required by law.

Which was committed to the Committee on Municipal Affairs.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows and referred to the Committee on Executive Nominations.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 29, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

NORTHAMPTON COUNTY

John Peters, Bethlehem, April 2, 1933.

SCHUYLKILL COUNTY

Wm. H. Woodwell, Tamaqua, April 22, 1933.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 29, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Edna L. Chamboredon, Cuddy.

LUZERNE COUNTY

Miss Gertrude H. Lenahan, Wilkes-Barre.

WESTMORELAND COUNTY

Miss Henrietta S. Wilmes, Jeannette.

GIFFORD PINCHOT.

MOTION TO READ BILLS THE FIRST TIME

Mr. SCOTT. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 68, entitled:

An Act increasing the discretionary powers of boards of school directors in school districts of the second class with reference to the assessment, levy and collection of taxes.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 391, entitled:

An Act to amend sections six hundred and fifteen, six hundred and sixteen and six hundred and twenty of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as amended, limiting the circumstances under which an operator's license or learner's permit may be suspended; providing that an appeal from such action by the secretary shall act as a supersedeas; and modifying the penalties for violations of license provisions.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 454, entitled:

An Act authorizing school districts to issue and sell bonds for certain purposes and for a certain period of time; providing for a trust fund and a sinking fund for the payment thereof; and defining the duties of the officers and members of the school board in relation to said funds, and fixing a penalty for the violation thereof.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 525 (House Bill No. 206), entitled:

An Act requiring the Board of County Commissioners of counties of the second class on approval of the president judge of the court of common pleas of said counties to fix the compensation of fire marshals and to require the Board of County Commissioners of counties of the second class subject to the approval of the common pleas court to provide for the retirement of such fire marshals on annual pensions after twenty years of service, such compensation and pension to be payable by the county.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 537, entitled:

An Act to amend section one of the act, approved the twenty-fifth day of June, one thousand eight hundred and ninety-five (P. L. 310), entitled "A further supplement to 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four," by providing that all corporations organized not for profit, shall have authority to issue capital stock to an amount not exceeding five hundred thousand dollars.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 659, enttiled:

An Act to amend section two hundred twenty-six of an act approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws, three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by prescribing the conditions upon which school directors may be employed by their respective school districts during the term for which they are elected or appointed.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 671, entitled:

An Act to amend sections three hundred twelve, three hundred thirteen, three hundred fourteen, three hundred seventeen, three hundred eighteen, three hundred nineteen, three hundred twenty, three hundred twenty-one, three hundred twenty-two, three hundred twenty-three, three hundred twenty-four, three hundred twenty-five and three hundred twenty-six, of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by changing the amount of contributions to the retirement fund, the retirement age, the length of service necessary to entitle members to retirement allowance, upon being totally disabled, and increasing the number of members of the retirement board, and authorizing counties of the second class to make appropriations to an employes retirement fund.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 673 (House Bill No. 1253), entitled:

An Act to amend article twenty of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local or any parts thereof, that are or may be inconsistent therewith," as amended, by prescribing the powers and duties of the boards of trustees of State teachers colleges and the Cheyney Training School for Teachers; repealing inconsistent legislation, and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 700, entitled:

An Act to amend section three hundred and twenty-five of the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith"; by providing for the security to be given by depositories of school funds.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consid... of Senate Bill No. 732, entitled:

An Act to further amend Section two of an act, approved the twenty-ninth day of March, eighteen hundred and ninety-nine (Pamphlet Laws, twenty-one), entitled "An act to establish a board for the examination of accountants, to provide for the granting of certificates to accountants, and to provide a punishment for the violation of this act," as amended, by providing for the certification of accountants in certain cases without examination.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 746, entitled:

An Act to amend section two hundred and four of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the scond, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidtaing the laws relating thereto," by providing that the coroner shall act in case the sheriff resigns.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 764, entitled:

An Act to amend section one of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred and twenty-eight), entitled "An act authorizing the Secretary of Highways with the approval of the Governor to establish construct and maintian roads parallel to existing State highways in order to relieve traffic congestion providing certain conditions and restrictions for the assessment and payment of damages for property taken thereby and providing that such highway when constructed shall become a part of the system of State highways of the Commonwealth" by providing that roads taken over as parallel highways may intersect or cross over the highway to which they are parallel.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 771, entitled:

An Act to amend section twenty-one of the act, approved the seventh day of June, one thousand nine hundred and fifteen (P. L. 900), entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of births and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics, as required to be established by the State Department of Health; and, in order to secure prompt and faithful registration of births, marriages, deaths and diseases, of practitioners of medicine and surgery, of midwives, nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages

and diseases throughout the State, as provided in section ten of an act, entitled 'An act creating the Department of Health and defining its powers and duties,' approved the twenty-seventh day of April, nineteen hundred and five, and providing penalties for violations of this act," as amended, by providfor special certificates of the birth of adopted persons; and requiring school authorities to accept such certificates for certain purposes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 834, entitled:

An Act empowering cities, boroughs, incorporated towns and townships to charge and collect annual rentals for the use of certain sewers, sewage systems and treatment works, including charges for operation, inspection, maintenance, repair, depreciation and the amortization of indebtedness and interest.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 843, entitled:

A Supplement to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (Pamphlet Laws, eight hundred sixty-nine), entitled "An act providing for the organization, government, discipline, maintenance and regulation of the armed land forces of this Commonwealth," as amended, authorizing any officer of the National Guard, with the approval of the Governor, as Commander-in-Chief thereof, to continue to hold his position for a certain time after he reaches the age of retirement.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. SCOTT. Mr. President, I move that the Senate do now adjourn.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4.55 P. M. until 9 o'clock Monday evening, April 3, 1933.

HOUSE OF REPRESENTATIVES

WEDNESDAY, March 29, 1933.

The House met at 11.00 o'clock A. M.
The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Chaplain, Rev. George F. Conner, offered the following prayer:

Our Father God, we accept with profound thanks Thy gift of another day. In the words of Thy servant David, of old, we pray, "Lead me, O Lord, in Thy righteousness because of mine enemies; make Thy way straight before my face," then shall Thy promise be fulfilled in us, "And he shall be like a tree planted by rivers of water, that bringeth forth his fruit in his season; his leaf shall not wither, and whatsoever he doeth shall prosper." Crown with success the labors of the members of the House. Spare them from bitterness or vindictiveness when they fail, and from conceitedness and arrogance when they succeed.

For the glory of Thy great name. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. Negley, the further reading was dispensed with and the Journal approved.

COMMUNICATIONS AND PETITIONS

The SPEAKER laid before the House the following communications and petitions which were read by the Clerk.

URGING RESTORATION OF LOCAL GOVERNMENT OF SCHOOL DISTRICTS AND INCREASED APPROPRIATIONS

School Directors of Salem Township, Westmoreland County.

Referred to the Committee on Education.

URGING PASSAGE OF HOUSE BILL NO. 92

Citizens of Pennsylvania.

Referred to Committee on Law and Order.

URGING APPROPRIATION FOR UNEMPLOYMENT RELIEF

The Lighthouse Clubs, Philadelphia, Pa.

Referred to Committee on Unemployment Relief.

PROTESTING REDUCTION OF APPROPRIATION TO SCHOOL DISTRICTS

Walker Township School District.

Referred to Committee on Education.

REPORTS FROM COMMITTEES

Mr. RICE, from the Committee on Insurance, reported as amended, House Bill No. 1897, entitled:

An Act to further amend section twenty-four of the act approved the first day of June, Anno Domini one thousand eight hundred and eighty-nine (Pamphlet Laws, four hundred twenty), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by further defining deductions in case of reinsurance.

Mr. WOODSIDE, from the Committee on Counties, reported as committed, House Bill No. 1125, entitled:

An Act fixing the compensation and mileage of jury commissioners in counties of the sixth class.

Mr. WALTER S. LOVETT, from the Committee on Insurance, reported as amended, House Bill No. 1898, entitled:

An Act to further amend section seven hundred fourteen of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, three hundred forty-three), entitled, "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts, and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers

collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivision, every person, association and corporation, required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State to pay such depository and every debtor or creditor of the Commonwealth," by further defining deductions in case of reinsurance.

Mr. BALDI, from the Committee on Appropriations, reported as committed, House Bill No. 1412, entitled:

An Act making an appropriation to the committee created to investigate the affairs of the special poor districts of Philadelphia, and to make report thereon.

Mr. HARRIS, from the Committee on Cities, reported as committed, House Bill No. 1375, entitled:

An Act to amend section four thousand four hundred and five, and four thousand four hundred and seven of the act approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto"; by allowing ex-service men certain markings in civil service examinations.

Mr. YOURISHIN, from the Committee on Insurance, reported as amended, House Bill No. 1899, entitled:

An Act to further amend section three hundred twenty-one of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, six hundred eighty-two), entitled "An act relating to insurance, amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further defining deductions in case of reinsurance.

Mr. DUNMIRE, from the Committee on Counties, reported as amended, House Bill No. 1805, entitled:

An Act providing that the county commissioners of counties of the second class shall create a county department of welfare; defining the powers and duties of said department; providing for an advisory board and supervisory committees for institutions; providing for the taking over by the county of certain municipal functions and property, for the adjustment of indebtedness, and for the levy of taxes and incurring of indebtedness; abolishing the office of director of the poor; and providing for the transfer of certain functions to said department with the consent of the court.

Mr. HEFFNER, from the Committee on Agriculture, reported as committed, House Bill No. 1714, entitled:

An Act authorizing the Department of Agriculture to establish and promulgate standards of quality, condition and fill of containers of canned food, and standards of containers or receptacles therefor, and for the marking, branding and labeling thereof; and providing penalties.

Mr. HEFFERNAN, from the Committee on Appropriations, reported as committed, House Bill No. 1891, entitled:

An Act making an appropriation to the Department of Property and Supplies to erect steps from the Soldiers and Sailors Memorial Bridge to Baum and Linden streets.

Mr. SHUGARTS, from the Committee on Counties, reported as committed, House Bill No. 1124, entitled:

An Act to amend section two hundred and ninety-five of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by limiting the compensation of the clerk to the jury commissioners in counties of the sixth class.

Mr. RECTENWALD, from the Committee on Counties, reported as committed, House Bill No. 1040, entitled:

An Act to amend section one of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled, "An act to provide revenue with counties, for citiy and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," as amended, by exempting certain non-interest or non-dividend paying loans and stocks from payment of tax.

Mr. McELWEE, from the Committee on State Government, reported as committed, House Bill No. 1808, entitled:

An Act to amend section one thousand eight hundred and six of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the adminstrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers; providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," defining the powers of persons appointed to police State parks.

Mr. GRIFFITH, from the Committee on Counties, reported as amended, House Bill No. 1383, entitled:

An Act to amend the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes, and revising, amending and consolidating the laws relating thereto"; by providing for depositories of county funds in counties of the third class.

Mr. JOHN J. PERRY, from the Committee on Counties, reported as committed, House Bill No. 1278, entitled:

An Act to amend section four hundred and twenty-six of the act approved the second day of May, one thousanad nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto"; as amended, providing for the graves of service men, foundations for headstones furnished by the United States Government, and proper lettering on family monuments placed in lots containing the bodies of service men.

Mr. WADE, from the Committee on Insurance, reported as committed, House Bill No. 660, entitled:

An Act to amend clause (b), section four hundred and fifteen, article four of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising and

consolidating the law; providing for the incorporation of insurance companies, and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies, associations and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," as amended, further defining group life insurance.

Mr. CONNER, from the Committee on Appropriations, reported as committed, House Bill No. 1821, entitled:

An Act making an appropriation to the Department of the Auditor General to defray the expenses of the committee to investigate and study charges made against the Public Service Commission, appointed pursuant to resolution number ten of the House of Representatives, adopted on the seventeenth day of February, one thousand nine hundred and thirty-one.

Mr. McGINNIS, from the Committee on Cities, reported as amended, House Bill No. 1077, entitled:

An Act to amend sections four thousand three hundred one, four thousand three hundred two, four thousand three hundred four, four thousand three hundred six, and four thousand three hundred seven, of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," providing that where there is an association or organization heretofore or hereafter chartered for the purpose of administering the police pension fund, such fund shall be placed under the direction and control thereof; and making certain changes in the police pension system.

Mr. FLINCHBAUGH, from the Committee on Counties, reported as committed, House Bill No. 1511, entitled:

An Act to amend section four hundred and twenty-six of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto;" as amended, by defining the term "service man or woman."

Mr. POWERS, from the Committee on Cities, reported as committed, House Bill No. 1831, entitled:

An Act authorizing and empowering cities of the second class of this Commonwealth to make application to the Board of Viewers for a report as to probable damages in an improvement or improvements contemplated to be made by such cities and authorizing and empowering the viewers to make a report thereon.

Mr. WAGNER, from the Committee on Cities, reported as committed, House Bill No. 1368, entitled:

An Act to amend section one thousand nine hundred and seven of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by making city liable for payment of compensation to person injured while employed under a contract executed in violation of provisions of this act.

Mr. LANE, from the Committee on Counties, reported as committed, House Bill No. 1020, entitled:

An Act to further amend section one of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (Pamphlet Laws, five hundred and seven), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes."

Mr. JOHN E. BROWN, from the Committee on State Government, reported as committed, House Bill No. 324, entitled:

An Act to further amend section one of the act approved the thirteenth day of June, one thousand eight hundred and eighty-three (Pamphlet Laws, one hundred eighteen), entitled "An act ceding concurrent jurisdiction of this State over certain lands owned or hereafter acquired by the United States," by providing that certain descriptions and plans heretofore required to be filed with the Secretary of the Commonwealth shall hereafter be filed in the Department of Internal Affairs, and requiring the transfer to the Department of the Internal Affairs of such descriptions and plans now filed with the Secretary of the Commonwealth.

Mr. CHERVENAK, from the Committee on State Government, reported as committed, House Bill No. 504, entitled:

An Act to amend paragraph (b) of section four hundred forty-eight of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal School, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor, Lieutenant Governor and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined"; as amended, by providing for the place where Veterans' Commission records shall be filed and the place where its office shall be established; providing for the employment of veterans by said commission.

Mr. McCREARY, from the Committee on Counties, reported as committed, House Bill No. 979, entitled:

An Act to amend section five of the act approved the twenty-ninth day of June, one thousand nine hundred and twenty-three (P. L. 944), entitled "An act relating to salaries, compensation, bonds, offices, and supplies of certain county officers, their deputies and clerks, in counties of the sixth class"; providing that county officers shall be members of the salary board when matters affecting their offices are under consideration.

Mr. SNYDER, from the Committee on Counties, reported as committed, House Bill No. 909, entitled:

An Act to amend section nine hundred thirty-one of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto;" providing for vacation of county roads in boroughs.

Mr. HOOPES, from the Committee on Cities, reported as committed, House Bill No. 1539, entitled:

An Act to amend section sixteen of the act, approved the twenty-third day of May, one thousand nine hundred and seven (P. L. 206), entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania; making violations of its provisions to be misdemeanors, and providing penalties for violations thereof," regulating the promotion of patrolmen.

Mr. WEIDEMANN from the Committee on Counties, reported as committed, House Bill No. 903, entitled:

An Act to amend section four hundred and twenty-three of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by requiring application for payment of allowance for burial of widows of certain soldiers, sailors or marines to be made within one year.

Mr. JOSEPH R. LYNCH, from the Committee on Appropriations, reported as committed, House Bill No. 846, entitled:

An Act to appropriate money in the Motor License Fund to the Department of Highways for the purpose of paying commissary supplies heretofore furnished said Department.

Mr. CAREY, from the Committee on Cities, re-reported as amended, House Bill No. 703, entitled:

An Act requiring the corporate authorities of any first, second, second-A, and third class cities of the Commonwealth having a paid or part paid fire department, fire alarm operators and fire box inspectors to ascertain the will of the electors of such cities as to the salary or compensation to be paid to firemen, fire alarm operators and fire box inspectors and their hours and working conditions; providing an election to ascertain the will of the electors and the manner and method whereby such election may be held; providing the form and manner in which the question shall be submitted to the vote of the people of such cities; and the effect of such vote.

Mr. SCHROCK, from the Committee on Agriculture, re-reported as amended, House Bill No. 1106, entitled:

An Act to provide for the incorporation and regulation of cooperative agricultural credit associations having capital stock; and defining the limitations, powers and duties of such associations.

Mr. RECTENWALD, from the Committee on Cities, re-reported as amended, House Bill No. 1107, entitled:

An Act creating and establishing a fund for the care, maintenance and relief of the aged, retired and disabled employes of the Bureau of Fire in cities of the second class; creating a board for the management thereof; providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds, and providing for the transfer and payment of all moneys and securities in existing funds in similar boards, superceded by the fund and board herein created.

Mr. McBRIDE, from the Committee on Boroughs and Townships, re-reported as amended, House Bill No. 1128, entitled:

An Act to amend the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs; and revising, amending and consolidating the law relating to boroughs," as amended, by authorizing council to designate a depository for borough funds, and setting forth the effect thereof to secure indemnity bonds, and insurance policies and to invest borough funds; permitting the payment of bond premiums for borough officials; redefining requirements for contracts for work or purchase; altering the requirement for the levying of taxes; defining the effect of non-notice of tax levies; increasing the expense allowance of tax collectors; fixing the status of land acquired by the borough, and providing for the disposition thereof under certain circumstances; limiting the requirements of assessment ordinances in sewer construction proceedings; permitting the acquisition of land for park purposes in adjacent boroughs; and authorizing condemnation proceedings to secure land for airports.

Mr. WALTER S. LOVETT, from the Committee on Boroughs and Townships, reported as amended, House Bill No. 786, (Senate Bill No. 49), entitled:

An Act to amend sections one hundred and eighty-three and three hundred and sixty-six of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred forty), entitled "An act concerning townships and revising amending and consolidating the law relating thereto" providing for the appointment of the county treasurer as tax collector in certain cases and for the filling of vacancies where a tax collector fails to give bond.

Mr. CRAMER, from the Committee on Counties, reported as committed House Bill No. 1444 (Senate Bill No. 47), entitled:

An Act to amend section one hundred and forty-three of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto"; changing the condition of the county treasurer's bond.

Mr. O'NEILL, from the Committee on Insurance, reported as committed, House Bill No. 1442 (Senate Bill No. 37), entitled:

An Act to amend section two of the act, approved the twenty-eighth day of June, one thousand eight hundred and ninety-five (P. L. 408), entitled "A supplement to the twenty-fourth section of an act, entitled 'An act to provide revenue by taxation, approved the seventh day of June, one thousand eight hundred and seventy-nine,' approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section, by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign insurance companies to the treasurers of the several cities and boroughs within this Commonwealth," as amended; providing for additional payments to relief fund associations of fire departments and fire companies of cities, boroughs and townships which afford fire protection to adjoining boroughs and townships; providing that the burgess of boroughs and secretaries of boards of supervisors shall certify that such fire protection is afforded.

Mr. GRIFFITH, from the Committee on Boroughs and Townships, re-reported as committed, House Bill No. 1315 (Senate Bill No. 65), entitled:

An Act concerning townships of the second class; and amending, revising, consolidating and changing the law relating thereto.

RESOLUTIONS

PRINTING ADDITIONAL COPIES OF HOUSE BILLS Nos. 2096 AND 2097

Mr. McCLURE offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, March 29, 1933.

Resolved, That the Chief Clerk of the House of Representatives is directed to have printed five thousand (5,000) additional copies each of House Bills numbers 2096 and 2097. Said copies shall be for the use of members of the Legislature and others interested, and shall be distributed under the direction of the Chief Clerk of the House of Representatives.

RESOLUTION No. 59

Mr. MUMFORD. Mr. Speaker, I desire to call up at this time Resolution No. 59, Printer's No. 312.

The resolution was read by the Clerk as follows:

In the House of Representatives, March 27, 1933.

Whereas Members of the Legislature and visitors are frequently unable to find rooms in the Capitol Building because no numbering system has ever been adopted which in any manner indicates the floor on which or portion of the building in which a room is located therefore be it

Resolved (if the Senate concur) That the Department of Property and Supplies be requested to entirely re-number the rooms in the State Capitol Building so that the floor and location thereon of any room may readily be determined from the room number

Resolved That the first figure assigned to each room indicate the floor on which a room is located except in the case of "E" floor where the letter "E" shall precede the first number and that after each number shall be used a letter to indicate whether the room may be reached from the North Center or South portion of the building such letters to be N C or S

On the question,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1414, entitled:

An Act to amend section one of the act approved the twenty-fourth day of April, one thousand nine hundred and twenty-nine (P. L. 563), entitled, "An act regulating the operation of certain boats upon lakes wholly within the Commonwealth, by requiring the use of lights on all boats at certain hours"; eliminating the provision requiring boats and floats at rest to have lights thereon.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1476, entitled:

An Act providing for the deferring of sentences in certain cases pending the mental examination of defendants; authorizing trial judges and the Department of Welfare to require psychiatrists employed by county and state mental hospitals to examine certain such defendants without additional compensation except expenses payable by counties; providing for the commitment of defendants to certain institutions where the reports show the same to be advisable; and providing for the payment by individuals, counties, or the Commonwealth of the cost of admission, care and discharge of such defendants.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1933, entitled:

An Act to amend section two of an act approved the twenty-first day of April, one thousand nine hundred twenty-seven (Pamphlet Laws, three hundred twenty-seven), entitled "An act relating to the extradition of persons charged with crime and to make uniform the law with reference thereto," by giving the Governor of this State authority to deliver up certain imprisoned persons, for the purpose of trial for murder in the demanding state, and providing for their return in case of acquittal.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1026, entitled:

An Act to provide for contribution among tortfeasors.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1800, entitled:

An Act providing for the control and eradication of white pine blister rust; providing for the destruction of trees, plants and bushes infected with the white pine blister rust; authorizing the Department of Forests and Waters to remove, appraise and pay for healthy host plants necessarily destroyed; declaring certain plants and bushes to be a public nuisance; authorizing the Department of Forests and Waters to set aside fruiting currant and gooseberry and white pine growing districts as control areas; authorizing the collection of the expense of destroying the plants from owners failing to destory; and providing penalties for its violation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1565, entitled:

An Act to amend that portion of section one relating to Lehigh County of the act, approved the tenth day of May, one thousand nine hundred and twenty-one (P. L. 455), entitled "An act to fix the number of representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution," rearranging the legislative districts in Lehigh County.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1025, entitled:

An Act giving courts of common pleas jurisdiction of actions for injuries to, or breaches of contracts or covenants relative to, lands situate without the Commonwealth, or estates or interests in such lands.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1810, entitled:

An Act to repeal the act approved the twelfth day of June, one thousand nine hundred and seven (Pamphlet Laws, five hundred and twenty-seven), entitled "An act establishing precautionary regulations to prevent forest fires on lands in which oil wells and gas wells are situated, and diminish danger therefrom; making certain violations thereof misdemeanors and prescribing punishment for the same, and in other cases affixing penalties and declaring liabilities for damages."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1806, entitled:

An act to eliminate reckless and irresponsible drivers from the public highways and to protect the safety of users of the public highways by providing in certain cases for the suspension and revocation of operator's licenses and privileges (whether resident or non-resident) and for the establishment of ability to respond in damages for injury to property and persons including injuries resulting in death caused by the use or operation of motor vehicles (including unlicensed operators and unregistered motor vehicles) conferring powers and imposing duties upon the Department of Revenue the Insurance Commissioner insurance carriers and clerks of the courts requiring certain provisions in motor vehicle liability insurance policies and providing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1635, entitled:

An Act to amend section eleven of the act approved the eleventh day of May, one thousand nine hundred and twenty-five (P. L. 561), entitled, "An act to provide for the selection of jurors to serve in the several courts, criminal and civil, of counties of the second class, and defining the qualifications of such jurors; providing for the organization of a commission to the selection of jurors in such counties, and prescribing its powers and duties, and authorizing it to investigate as to the qualifications of prospective jurors; imposing the expense of maintaining and operating said commission upon said counties, and requiring the county commissioners to provide suitable quarters, equipment, and supplies; authorizing the employment of the necessary clerks and other employes, and providing for a salary board composed of the commission, the county commissioners, and the controller of said counties, to fix the number and compensation of such employes; requiring county officers and boards to furnish information to said commission concerning taxables resident in said county as to their eligibility for jury service; repealing inconsistent legislation; and prescribing punishment for the violation hereof," by changing the method of giving notice to persons selected as jurors.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1415, entitled:

An Act imposing penalties for improper use of food orders issued by or under the authority of the State Emergency Relief Board, or any poor board or other relief agency and improper furnishing of money, food and other merchandise thereon.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 860, entitled:

An Act conferring jurisdiction on the Municipal Court of Philadelphia with respect to civil proceedings arising in magistrates' courts providing for the filing of transcripts of judgments entered by magistrates in said court and validating proceedings heretofore filed in said court.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1872, entitled:

An Act to amend that portion of section one relating to Luzerne County of the act, approved the tenth day of May, one thousand nine hundred and twenty-one (P. L. 455), entitled "An act to fix the number of Representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution," rearranging the legislative districts in Luzerne County.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1458 (Senate Bill No. 398), entitled:

An Act to amend Section 1 of, and to add Section 2 to, the the act approved the twenty-fifth day of June one thousand nine hundred and thirty-one (Pamphlet Laws thirteen hundred sixty-four), entitled "An act prohibiting the use of counterfeit or spurious coins in automatic instruments or machines; and providing a penalty,' by including devices or substances other than metal, and by providing penalties for the manufacture for sale, or sale or gift or counterfeit or spurious coins for the fraudulent operation of automatic instruments or machines.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 65, entitled:

A Joint Resolution proposing an amendment to section eighteen, article three of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 67, entitled:

A Joint Resolution proposing an amendment to section seven, article nine of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1681, entitled:

An Act to regulate and restrain the traffic in malt brewed and vinous beverages as herein defined; providing for the licensing of the manufacture, sale, transportation and distribution of such beverages; imposing taxes and license fees; and providing for collection and distribution of revenues therefrom; restricting ownership and interest in licensed places; providing penalties, and repealing existing acts.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

MOTION TO RECOMMIT

Mr. STERLING. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for further study.

On the question,

Will the House agree to the motion?

Mr. SOWERS. Mr. Speaker and members of the House, the motion before you is to recommit Bill No. 1681 to the Committee on Ways and Means. Number 1681 is the beer control bill. To recommit this bill to the Ways and Means Committee means giving it a committee that has not been studying it. Your committee has been studying the subject for more than a month past. Your committee may have amendments to offer to the bill. Your committee is working on what may be amendments. Your committee may ask that this bill may be recommitted to it for further study and amendments. To adopt the plan suggested by the gentleman from Philadelphia, Mr. Sterling, is to delay beer legislation, and I ask this House not to delay beer legislation.

I urge you to vote down this motion.

Mr. STERLING. Mr. Speaker and members of the House, I must make a personal apology for the voice that I do not have.

The Ways and Means Committee of this House has for many sessions past been given all revenue raising measures.

The membership of that committee is trained by long experience and by long membership upon that committee to

study legislation which affects the revenues of this Commonwealth.

There is no piece of legislation before the Assembly today that with any greater degree of importance deserves the consideration of the Ways and Means Committee of this House.

My friend from Philadelphia has said to you that the reason why the Ways and Means Committee should not be given an opportunity to study this bill is because it has not studied the question. I submit to the House that that is the very reason why the House should support the motion to recommit the bill.

This special committee appointed by the Speaker upon authority of a resolution of this House to study the question of beer or liquor control was a committee, as I understand it, appointed for the purpose of studying the question of control. There is a wide difference between control and revenue.

With all due respect to the eleven members of that committee, that constitute the legislative group to study beer control, I submit to this House that if the years of experience acquired by the members of the Ways and Means Committee is to be thrown into the discard, then there is no use for men to labor day and night, week after week and month after month during sessions and between sessions to adjust and readjust the finances of the Commonwealth.

I submit to you gentlemen, whether or not the recommitting of this measure will mean delay, that delay on this subject is justified by the tremendous importance of the question of revenue which this legislation will raise, brings to the Commonwealth of Pennsylvania.

The members of the Ways and Means Committee deserve the confidence of this House, whether it is on beer control or some other control.

I would submit to you that the motion before you should have your affirmative vote.

Mr. SARIG. Mr. Speaker and members of the House, as a member of the beer control committee, I rise to voice my opposition to this motion.

It is true that the bill has a revenue raising feature, but that does not mean that is the essential feature. The essential feature of the bill is beer control. That is the heart of the problem, and the other is a minor consideration.

I want to say to you that it seems unfair, after we have worked for several weeks and have considered various plans and measures, now to step in here on the floor of the House and grab it out of our hands.

I can seen no reason why this bill should be taken out of the hands of the present committee and shifted over to the Ways and Means Committee.

For that reason I ask you to vote down this motion.

Mr. SOWERS. Mr. Speaker and members of the House, the motion made by my friend raises this issue: the Governor's plan is to tax beer one dollar and forty-eight cents. The plan of the liquor control committee was to tax beer a dollar a barrel——

QUESTION OF PARLIAMENTARY INQUIRY

Mr. STERLING. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Philadelphia will state his question of parliamentary inquiry.

Mr. STERLING. Mr. Speaker, my friend from Philadelphia is discussing the merits of the measure.

The SPEAKER. The point of order is well taken. The gentleman from Philadelphia, Mr. Sowers, will confine his remarks to the motion before the House.

Mr. SOWERS. Mr. Speaker and members of the House, I will not go into the questions that may be at issue, but I ask you to show by your vote today that this committee has diligently, persistently and consistently labored and worked and that this bill should not be sent to some other committee, merely to delay it.

The Governor today issued a statement—maybe you have not read it yet, but you will find it later on—that possibly prompts this motion. But I ask you to keep this bill in the control of your committee that you selected to draft it, and I want to assure you that when their labors are completed you will be entirely satisfied with the product.

Mr. STERLING. Mr. Speaker and members of the House, a reference has been made by my friend from Philadelphia to a statement made by the Governor of the Commonwealth, for whom I do not speak.

It has been my honor and responsibility for many years to be the chairman of the Ways and Means Committee of this House and I covet that honor and responsibility. Through the privilege, which you have given me, I have myself taken a deep interest in matters of revenue and matters of taxation that concern vitally this Commonwealth, and the proposal that I make to you is born out of the intelligence and the light that I have acquired as chairman of that committee. I believe that every measure involving the revenues of this Commonwealth should be referred to that committee, the creation of which is justified by the importance of the subjects which they are permitted to consider. I ask you that you support the motion that has been made for the benefit of the Commonwealth.

Mr. BECHTEL. Mr. Speaker and members of the House, I too am a member of the beer control committee.

I rise to oppose Mr. Sterling's motion and for this reason, that if the Ways and Means Committee at this particular time have a bill in regard to a revenue raiser as it would refer to the beer control bill, they can study that bill if they see fit in the Ways and Means Committee and then have the opportunity to set that off against the tax provisions of the particular bill that is now before the House, and if they in their wisdom and their study can show the members of this House that the revenue raiser which they advocate is a better one than advocated in this particular bill, then they can move to strike out and amend the beer bill, either in committee or on the floor of this House, and I believe that I can assure the members of this House that the members of this committee of the House will go along with their recommendations. If they do not they can vote as they see fit in regard to it.

I think the motion should be voted down.

Mr. EROE. Mr. Speaker, I do not find this bill in my file.

The SPEAKER. The gentleman from Philadelphia, Mr. Sterling, is informed that the bill is not on file. Therefore the Chair must rule that the motion of the member at the present time is out of order.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1674, entitled:

An Act authorizing the transfer of the Pennsylvania State Forest School at Mont Alto from the Commonwealth of Pennsylvania to Pennsylvania State College.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1675, entitled:

An Act to amend section 1 of the act approved the eighth day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, six hundred eighty-five) entitled "An act prescribing the fees for the office of Secretary of the Commonwealth" by increasing the fee to be charged by the Department of State for filing the power of attorney and statement of a foreign corporation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1676, entitled:

An Act to further amend paragraph (b) of section 9 of the act approved the fifteenth day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, eight hundred nine) entitled "An act relating to the organization, maintenance, and operation of the Department of Banking, and the scope of its supervision and control over corporations, partnerships, unincorporated associations, and individuals, and the assets and liabilities thereof; providing penalties for the enforcement of its provisions; and repealing the Banking Department Act of nineteen hundred and nineteen, with table of contents," by requiring building and loan associations to pay the full cost of examinations by the Department of Banking.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1758, entitled:

An Act to repeal the act approved the eighth day of July, one thousand nine hundred nineteen (Pamphlet Laws seven hundred seventy), entitled "An act creating a Division of Township Highways in the State Highway Department; conferring powers, and imposing duties upon officers of the State Highway Department requiring certain duties of clerks of the courts of quarter sessions; and providing penalties."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1664, entitled:

A Supplement to the act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws seven hundred sixty-two) entitled "An act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto; declaring false oaths by the subscribers to be misdemeanors; and providing penalties for the violation thereof" providing for the examination and audit of the State Workmen's Insurance Fund by the Insurance Department and appropriating the moneys in the fund for the payment of the cost of such audit and examination.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1645, entitled:

An Act to amend Section 5 of the act approved the sixth day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand five hundred and sixty-one) entitled "An act regulating certain maternity hospitals in cities of the third class, boroughs, towns, and townships; providing for the licensing and supervision thereof by the Department of Welfare of this Commonwealth; fixing penalties; and placing the burden of proof as to certain facts on the persons prosecuted" by increasing the license fee to be collected by the Department of Welfare and providing for the payment thereof into the State Treasury, through the Department of Revenue.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1646, entitled:

An Act to amend Sections 1 and 2 of Act No. 276 approved the seventh day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, six hundred seventy-seven) entitled "An act to provide for the care, treatment, and maintenance of dependent, crippled children, conferring powers in connection therewith upon the Department of Public Welfare and juvenile courts; and imposing certain expenses upon counties" by requiring the data and notices required by the act to be filed with the Department of Health instead of the Department of Welfare.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1845, entitled:

An Act authorizing school districts to issue and sell bonds for certain purposes, and for a certain period of time; providing for a trust fund and a sinking fund for the payment thereof, and defining the duties of the officers and members of the school board in relation to said funds, and fixing a penalty for the violation thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1665, entitled:

An Act to repeal sections 6 and 8 and to amend sections 2, 4, and 11 of the act approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (Pamphlet Laws, four hundred fifty) entitled "An act relating to fires and fire prevention; imposing duties and conferring powers upon the State Police; authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said State Police, and defining their powers and duties; providing for the investigation of the cause, origin, and circumstances of fires and the inspection of all, and the removal or change of, certain buildings; imposing duties on school authorities and on certain corporations, associations, and fire rating agencies; providing for the attendance of witnesses before the said State Police, and the enforcement of its orders; and prescribing penalties" by requiring only reports of incendiary fires to be filed with the Pennsylvania State Police and eliminating the compiling of statistics of fires and fire losses by the Pennsylvania State Police.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1672, entitled:

An Act to repeal the act approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred thirty-seven), entitled "An act

for the protection of public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth, imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities; and providing penalties."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1673, entitled:

An Act to amend sections 2 and 3 of the act approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand two hundred and twenty-nine), entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption; conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties," by authorizing the Secretary of Health to charge and collect fees for the issuance of certificates of approval and permits and further providing for the inspection of premises where milk is to be sold.

And said bill havin been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1263, entitled:

An Act to amend section eleven of the act approved the thirtieth day of March, one thousand nine hundred and seventeen (P. L. 21), entitled,"An act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination and Licensure, and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by said board, and providing penalties for violation thereof, and repealing all acts or parts of acts inconsistent therewith" as amended by permitting treatment of diseases of or injury to the eye in cases of emergency.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1677, entitled:

An Act to amend paragraph (c) of section 5 of the act approved the twenty-third day of June, one thousand nine hundred and thirty-one entitled "An act regulating public bathing places, swimming pools, public bath houses, public and private natatoriums, turkish bath houses, all places hired for any form of bathing or swimming, and all related appurtenances; fixing license fees; providing, in matters of sanitation, cleanliness and safety, for supervision by the Department of Health; and prescribing penalties for violations," by increasing the inspection fee chargeable by the Department of Health.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1678, entitled:

An Act to amend the act approved the nineteenth day of February, one thousand nine hundred and twenty-six (Pamphlet Laws, sixteen) entitled "A supplement to the act, approved the twenty-seventh day of March, one thousand nine hundred and twenty-three (Pamphlet Laws, thirty-four), entitled 'An act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in, and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; defining intoxicating liquor; providing for penalties, forfeitures, and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws'; providing for the registering of federal permits; also regulating, under permit, through a Pennsylvania Alcohol Permit Board created in the Department of Welfare, the manufacture, production, distillation, development, use in manufacture, denaturization, redistillation, recovery, reuse, holding in bonds, holding in storage by bailee for hire, sale at wholesale, and transportation for hire, of any alcohol or alcoholic liquid, by certain persons; also providing for fees and the disposition thereof; also authorizing the inspection of the records of permittees and purchasers of said alcohol or alcoholic liquid; also declaring certain places nuisances and providing for their abatement; also providing penalties; and also repealing all acts or parts of acts inconsistent with this act' by abolishing the Pennsylvania Alcohol Permit Board and transferring the powers and duties of the board to the Department of Health.

And said bill having been read at length the first time,

Ordered. To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1679, entitled:

An Act to amend an act approved the seventh day of May, one thousand nine hundred and twenty-three (Pamphlet Laws, page 151), entitled "An act defining and regulating the business of dry cleaning and dyeing; providing for the maintenance, construction, and inspection of dry cleaning and dyeing buildigs and establishments; providing for enforcing the act, and penalties for violation thereof" as amended, by transferring the duty of enforcing the act from the Pennsylvania State Police to the Department of Labor and Industry.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1680, entitled:

An Act to repeal Section 11 and to amend Sections 3, 4, 5, 6, 7, 8, and 9 of the act approved the second day of March, one thousand nine hundred and twenty-one (Pamphlet Laws, twelve), entitled "An act relating to vocational rehabilitations; accepting the provisions and benefits of the act of Congress, approved the second day of June, one thousand nine hundred tnd twenty, entitled 'An act to provide for the promotion of vocation rehabilitation of persons disabled in industry or otherwise and their return to civil employment'; providing for the rehabilitation of disabled persons and their return to civil employment; and providing for the cooperation of the State Board of Education and the Department of Labor and Industry in carrying out the provisions of this act" by transferring the duties imposed by the act upon the Department of Labor and Industry to the Department of Health.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1537, entitled:

An Act to amend clause five of section three of the act, approved the thirteenth day of May, one thousand nine hundred and nine (P. L. 520), entitled "An act relating to food; defining food;. providing for the protection of the public health; and the prevention of fraud and deception, by prohibiting the manufacture or sale, the offering for sale or exposing for sale, or the having in possession with intent to sell, of adulterated, misbranded, or deleterious foods; prescribing certain duties of the Dairy and Food Commissioner in reference thereto; and providing penalties for the viola-

tion thereof," as amended, by extending, changing and limiting the provisions thereof; relating to fruits used in fruit cake and the use of sulphur dioxide.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1781, entitled:

An Act to amend the act approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, three hundred forty-three) entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agenciy thereof and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State and certain officers of such subdivisions, every persons, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth" as amended, by adding new sections; eliminating the duty of the Treasury Department to examine and audit requisitions for disbursements; eliminating the duty of the Department of the Auditor General to audit the affairs of the State Workmen's Insurance Board; providing for the adjustment and settlement of claims against the Commonwealth; abolishing the publication of mercantile appraisers lists; and providing for the reimbursement of the General Fund the special operating funds for services rendered by the Department of the Auditor General and the Treasury Department.

And said bill having been read at length the first time,
Ordered To be laid aside for second reading.

Agreeably to order
The House proceeded to the first reading and consideration of House Bill No. 1782, entitled:

An Act to further amend section 285 of the act approved the second day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, four hundred forty-eight), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by making the moneys in the Fish Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1783, entitled:

An Act to amend the act approved the second day of April, one thousand nine hundred and twenty-five (Pamphlet Laws, one hundred twenty-two), entitled "An act to authorize the Superintendent of Public Instruction to fix and to collect reasonable fees for certain services rendered by that Department" by authorizing the Department of Public Instruction to collect a fee for issuing certificates to teachers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1787, entitled:

An Act to further amend section 1201 of the act approved the twenty-fourth day of May, one thousand nine hundred and twenty-three (Pamphlet Laws, three hundred fifty-nine) entitled, "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto;" by making the moneys in the Game Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2061, entitled:

An Act providing for the transfer of the State Nursery at Milton from the Department of Highways to the Department of Forests and Waters

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1658, entitled:

An Act authorizing the transfer of a certain sum from the Manufacturing Fund to the General Fund and appropriating the moneys in the Manufacturing Fund for this purpose.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1659, entitled:

An Act to further amend Section 17 of the act approved the fourteenth day of June, one thousand nine hundred and twenty-three (Pamphlet Laws seven hundred ten) entitled "An act to amend section seventeen of the act, approved the fourteenth day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, seven hundred ten), entitled 'An act allowing and regulating boxing, sparring, and wrestling matches and exhibitions; establishing a State Athletic Commission; making an appropriation therefor; and appropriating moneys received for monument and memorial purposes; and prescribing penalties,'" by increasing certain license fees.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1657, entitled:

An Act to amend Sections 5 and 6 of the act approved the fourteenth day of April, one thousand nine hundred and twenty-five (Pamphlet Laws, two hundred thirty-four) entitled "An act relating to Boarding Houses for Infants; providing for the licensing thereof and the adoption of rules and regulations for the maintenance, operation, and conduct thereof, by the Department of Welfare; and fixing penalties," by authorizing the Department of Welfare to collect fees for licenses issued under the act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1656, entitled:

An Act to further amend Section 9 of the act approved the sixteenth day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, seventeen hundred eighty) entitled "An act to fix the salaries and compensations of the judges of Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Allegheny County, by reducing the compensation and further defining the traveling expenses of judges presiding in other districts.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1264, entitled:

An Act to amend section six of the act, approved the thirtieth day of March, one thousand nine hundred and seventeen (P. L. 21), entitled "An act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination and Lncensure, and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by said board ,and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith," as amended, by further regulating branch offices of optometrists.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1934, entitled:

An Act providing for receipt by the Commonwealth of personal property bequeathed to the Commonwealth; providing for the vesting of title in the Commonwealth of real estate devised to the Commonwealth, the custody, repairs, leasing and sale thereof by the Department of Justice; and providing the payment of costs of repair of such property.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1655, entitled:

An Act to amend the act approved the eleventh day of May, one thousand nine hundred and twenty-one (Pamphlet Laws five hundred twenty-two) entitled "An act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof, and providing penalties" by transferring certain duties imposed by the act upon the Department of Agriculture to the Department of Revenue and the Pennsylvania State Police and repealing certain sections of the act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1266, entitled:

An Act to provide for the issuance and acceptance of certificates from duly licensed optometrists whenever such certificates may now or hereafter be required as to ocular and visual efficiency by any law of the Commonwealth, and repealing all laws; general, special, or local, or any parts thereof, that are or may be inconsistent therewith.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1653, entitled:

An Act to amend Sections 1, 3 and 4 of the act approved the first day of July, one thousand nine hundred and nineteen (Pamphlet Laws, seven hundred and seventeen), entitled "An act fixing the number ,compensation, mileage, and duties of the officers and employes of the General Assembly, and providing for their election or appointment, term of office, and manner of filling vacancies" by changing the number of employes of the General Assembly.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1654, entitled:

An Act to further amend Section 7 of the act approved the fourteenth day of April, one thousand nine hundred and three (Pamphlet Laws, one hundred eighty), entitled "An act to establish a Department of Mines in Pennsylvania; defining its purposes and authority; providing for the appointment of a chief of said department, and assistants, and fixing their salaries and expenses" by increasing fees to be paid by applicants to the Department of Mines for certificates of qualification as mine foremen and assistant mine foremen in the anthracite mines and providing for the disposition of the fees received by the Department.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1337, entitled:

An Act to amend section one of the act approved the eleventh day of July one thousand nine hundred and seventeen (P. L. 758) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treament of the drug habit by providing for the revocation and suspension of licenses physicians dentists veterinarians pharmacists druggists and registered nurses for certain cases and by providing for the enforcement of this act and penalties as amended by extending the provisions of said act to include marihunna

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1848, entitled:

An Act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Internal Affairs in respect thereto; providing for the licensing and registration of airmen and

aircraft; establishing the legal status of air navigation; providing for sovereignty in and ownership of space; providing for the lawfulness of flights; regulating civil cases of action arising out of operation of aircraft; fixing the status of contracts, crimes and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition, and repealing certain existing laws.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1265, entitled:

An Act to amend section nine of the act, approved the thirtieth day of March, one thousand nine hundred and seventeen (P. L. 21), entitled "An act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions, and providing a Board of Optometrical Education, Examination and Licensure, and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for the revocation or suspension of licenses given by said board, and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith," as amended, by enlarging the power of the board to refuse, cancel, revoke or suspend licenses.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1650, entitled:

An Act to amend the act approved the fifteenth day of April, one thousand eight hundred and seventy-three (Pamphlet Laws, seventy-five) entitled "An act relating to the fees of the surveyor general" by prescribing certain fees to be charged by the Department of Internal Affairs for services rendered by the Land Office.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1649, entitled:

An Act to reenact Section 1 and to amend Section 6 of the act approved the thirteenth day of June, one thousand eight hundred and eighty-three (Pamphlet Laws, one hundred nineteen) entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies" as amended by re-establishing the Anatomical Board of the State of Pennsylvania and making the board self-sustaining.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1651, entitled:

An Act to further amend section twenty-three of the act approved the first day of June, one thousand eight hundred and eighty-nine (Pamphlet Laws, four hundred twenty) entitled "An act to provide revenue by taxation approved the seventh day of June Anno Domini, one thousand eight hundred and seventy-nine" by extending the provisions of the act to include natural gas companies, artificial gas companies, water companies, steam heat companies, and limited partnerships, associations, joint-stock associations, copartnerships, and persons engaged in the natural gas, artificial gas, water, or steam heat business and appropriating part of the tax to the Public Service Commission of the Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1652, entitled:

An Act to amend Sections 2 and 6 of the act approved the twelfth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, nine hundred forty-one) entitled "An act providing for the preparation, contents, style, printing, and binding of the Legislative Journal and its delivery and distribution; providing for the preparation, printing, and binding of the Journals of the Senate and House of Representatives; authorizing the appointment of official reporters, expert typewriters, clerks and other employes, and providing for their compensation and mileage; providing for the making of an appendix and index, the printing of wrappers or envelopes for mailing the Legislative Journal; and repealing all acts or parts of acts inconsistent herewith" by further prescribing the method of printing bills and joint resolutions in the Legislative Journal; changing the number of employes of the General Assembly, necessary for the preparation of the Legislative Journal, and repealing part of an inconsistent act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1647, entitled:

An Act to amend Sections 8 and 15 of the act approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (Pamphlet Laws, four hundred sixty-five) entitled "An act to provide for the safety of persons employed, housed, or assembled in certain buildings and structures not in cities of the first class, second class, and second class A, by requiring certain construction, and ways of egress, equipment, and maintenance; providing for the licensing of projectionists; requiring the submission of plans for examination and approval; providing for the promulgation of rules and regulations for the enforcement of this act; providing for the enforcement of this act by the Department of Labor and Industry and, in certain cases, by the chiefs of fire departments in cities of the third class; providing penalties for violations of the provisions of this act; and repealing certain acts" as amended by authorizing the Department of Labor and Industry to charge for the cost of making examinations of plans and eliminating duplicating and overlapping inspections of plans in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1648, entitled:

An Act to amend Section 4 of the act approved the twelfth day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, five hundred ten) entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals; conferring certain powers and duties upon the Department of Welfare; and providing penalties" by increasing the license fee to be collected by the Department of Welfare.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 406, entitled:

An Act for the protection of human life by regulating the business of exterminating vermin, insects and rodents by the use of certain gases, fumes, sprays, vapors or bait; providing for the licensing of persons engaged in such business; imposing duties upon the Department of Health of the Commonwealth; and providing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the pfirst reading and consideration of House Bill No. 1671, entitled:

An Act to further amend section 21 of the act approved the seventh day of June, one thousand nine hundred and fifteen (Pamphlet Laws nine hundred), entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths, and burial or removal permits: requiring prompt returns to the Central Bureau of Vital Statistics, as required to be established by the State Department of Health; and, in order, to secure prompt and faithful registration of births, marriages, deaths and diseases, of practitioners of medicine and surgery, of midwives, nurses, and undertakers, and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages and diseases throughout the State, as provided in section ten of an act, entitled 'An act creating the Department of Health and defining its powers and duties,' approved the twenty-seventh day of April, nineteen hundred and five, and providing penalties for violations of this act,' by increasing the fee to be charged by the Department of Health for certified copies of records of births, deaths or marriages.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideartion of House Bill No. 1670, entitled:

An Act to amend section 7 of the act approved the thirty-first day of May, one thousand nine hundred and twenty-three (Pamphlet Laws four hundred eighty-one), entitled "An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen, assistant mine foremen, and fire bosses in the bituminous coal mines of this Commonwealth; prescribing the qualifications; defining the powers and duties, and fixing the compensation of such examiners; authorizing the Chief of the Department of Mines to determine the district in which boards of examiners shall hold examinations, and to designate the boards before whom applicants in the various inspection districts shall appear; providing for the issuance of certificates of qualification to successful applicants; fixing the fees to be paid by applicants, and providing for their disposition; forbidding the employment of unqualified persons as mine foremen, assistant mine foremen and fire bosses, providing a penalty for forging or making false statements regarding certificates" by increasing the fees to be paid to the Department of Mines by applicants for certificates of qualification as mine foremen, assistant mine foremen and fire bosses in the bituminous mines and providing for the disposition of the fees received by the department.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1594, entitled:

An Act creating a Legislative Finance Bureau, and providing for the appointment of a chief thereof by the General Assembly; defining the powers and duties of said Bureau, and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2062, entitled:

An Act to amend the act approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistant therewith," by reducing the number of assistant county superintendents and the salaries of county and assistant superintendents; abolishing State teachers college districts and certain State teachers colleges; and authorizing the Superintendent of Public Instruction with the approval of the State Council of Education to assign a professional service area to each State teachers college.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1784, entitled:

An Act prescribing fees to be charged by the Secretary of the Commonwealth for filing nomination papers and nomination petitions.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1785, entitled:

An Act authorizing the Department of Mines to charge a fee for making examinations and inspections of anthracite and bituminous mines.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1786, entitled:

An Act to further amend section 11 of the act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred sixty-two), entitled "An act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto; declaring false oaths by the subscribers to be misdemeanors; and providing penalties for the violation thereof," by making the moneys in the State Workmen's Insurance Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1788, entitled:

An Act to further amend sections 3 and 4 of the act approved the first day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand forty-six) entitled "An act appropriating the moneys in the Motor License Fund" by making the moneys in the Motor License Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1789, entitled:

An Act to further amend paragraph (a) of section 9 of the act approved the fifteenth day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, eight hundred nine) entitled "An act relating to the organization, maintenance, and operation of the Department of Banking, and the scope of its supervision and control over corporations, partnerships, unincorporated associations, and individuals, and the assets and liabilities thereof; providing penalties for the enforcement of its provisions; and repealing the Banking Department Act of nineteen hundred and nineteen, with table of contents" by making the moneys in the Banking Department Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1850, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1033, entitled:

An Act to amend section seven hundred twenty-two, of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts, and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporactd towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as amended, exempting certain veterans' organizations from payment of fees for registration and certificates of titles of motor vehicles owned and used by them.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1847, entitled:

An Act to protect the public health; defining and providing for the licensing of bakeries and regulating the inspection, maintenance and operation of bakeries and premises, stores and shops connected therewith; defining and regulating the manufacture, sale and offering for sale of baker products; conferring powers on the Department of Agriculture; and providing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1662, entitled:

An Act to further amend section 14 of an act approved the thirteenth day of May, one thousand nine hundred and fifteen (Pamphlet Laws, two hundred eighty-six) entitled "An act to provide for the health, safety, and welfare of minors; by forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school districts and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith" by requiring minors or their parents or guardians to pay to physicians a fee not in excess of one dollar ($1.00) for physical examinations made in connection with certificates of physical fitness required by the act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1663, entitled:

An Act to amend section 2 of the act approved the twenty-second day of June; one thousand nine hundred and thirty-one (Pamphlet Laws, six hundred eighty-two) entitled "An act relating to domestic animals, and providing for their appraisement when about to be slaughtered to prevent the spread of diseases; and regulating payment by the Commonwealth in such cases, and the payment of salvage by butchers" by reducing the amount of compensation payable by the Commonwealth for bovine animals destroyed to prevent the spread of disease.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1440, entitled:

An Act to amend section one of the act, approved the eleventh day of June, one thousand eight hundred and seventy-nine (Pamphlet Laws, one hundred forty-eight), entitled, "An act to require all magistrates and other officials in cities of the first, second and third class, authorized to take acknowledgments and administer oaths, to perform such service free of charge for soldiers and widows of soldiers, when making affidavit to papers for the purpose of drawing pensions," by extending the provisions of this act to include bonuses, compensation and war risk insurance, and extending the application of the act to all political subdivisions of the State.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2059, entitled:

An Act creating and appropriating a special fund in the State Treasury for the purpose of insuring the Commonwealth against losses of public moneys or securities arising from embezzlement or theft thereof by or the malfeasance of its officers and employes, except the officers and employes of the Treasury Department, prohibiting the purchase of surety bonds for officers and employes covered by fund; and providing for the investment of the moneys in the fund and the ascertainment of losses to be paid out of the fund.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2060, entitled:

An Act to amend section 3 of the act approved the thirty-first day of March, one thousand nine hundred and twenty-seven (Pamphlet Laws, ninety-one) entitled "An act relating to municipal indebtedness; imposing certain powers and duties upon the Department of Internal Affairs, and the officers of counties, cities of the third class, boroughs, towns, townships, school districts of the second, third and fourth classes and poor districts, in connection with the proceedings to incur and increase indebtedness; and the establishing and maintaining of sinking funds; fixing the maximum maturity of refunding bonds; and providing penalties" by authorizing the Department of Internal Affairs to charge and collect fees for examining and approving proceedings relating to municipal indebtedness.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1668, entitled:

An Act to repeal paragraph (x) of section 1 of Article II and section 8 of Article IV and to amend section 47 of Article VI of an act approved the twenty-sixth day of July, one thousand nine hundred thirteen (Pamphlet Laws, one thousand three hundred seventy-four), entitled "An act defining public service companies; and providing for thier regulation by prescribing and defining their duties and liabilities; prescribing, defining and limiting their powers, and regulating thtir incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing, and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages, in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers, counsel, and employes; prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals'; and an act, entitled 'To provide the maximum car service charges, including storage charges, that railroad companies and corporations or associations, may charge and collect on each car loading, and unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved the twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act," by eliminating the duties of the Public Service Commission pertaining to the investigation of accidents and authorizing additional fees to be collected for papers filed with the commission.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1669, entitled:

An Act to amend sections 3 and 4 of the act approved the twenty-seventh day of April one thousand nine hundred and eleven (P. L. 110) entitled "An act for the assignment of judges to districts other than their own for the purpose of expediting business with provision for their compensation" by further regulating the assignment of judges to districts other than their own and requiring such judges to itemize their expenses in reports filed with the Auditor General

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1666, entitled:

An Act to amend section 9 of the act approved the thirteenth day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, six hundred forty-four) entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes" by increasing the fee to be charged by the Department of Welfare for certificates of registration.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1741, entitled:

An Act to amend section ten as amended of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligations and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof! providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commisisoner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township, or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated town with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," by providing for the construction and maintenance of certain bridges in boroughs by the Commonwealth.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1661, entitled:

An Act to amend section 309 of the act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred thirty-six), entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder," as amended, by prescribing the method of determining the weekly wages of claimants in certain cases.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1660, entitled:

An Act to amend sections 1, 2, 15 and 19 of the act approved the sixth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, seven hundred eighty-eight) entitled "An act to protect the health of the persons employed in bakeries by requiring the ventilation, drainage, sanitation, and purity of bakeries, the cleanliness of persons employed therein and of all bakery products, tools, implements, ingredients, and other things used in connection with their manufacture, delivery, and sale; by regulating and, in certain cases restricting, the use of such bakeries; by regulating the manufacture, sale, and delivery of such products; by requiring all persons employed or permitted to work therein to be certified as free from certain diseases and skin infections; by prohibiting the presence of all animals; by requiring a certificate of compliance, and regulating the issuance of same; by providing for the enforcement of this act; and by providing penalties for violations thereof," by reenacting and changing definitions in the act and transferring the duties imposed by the act upon the Department of Labor and Industry to the Department of Health.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1667, entitled:

An Act to amend sections 1, 4 and 5 of the act approved the eighteenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, ten hundred forty-five) entitled "An act providing for the establishment of a Bureau of Rehabilitation in the Department of Labor and Industry, and conferring upon the Commissioner of Labor and Industry, the power to supervise and direct the rendering of certain physically handicapped persons fit to engage in remunerative occupations; providing for the appointment of a chief of the bureau, subordinate officers, and employes, and furnishing suitable accommodations; and making an appropriation" by transferring to the Department of Health the powers and duties imposed by the act upon the Department of Labor and Industry and repealing certain sections of the act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and sonsideration of House Bill No. 1111, entitled:

An Act providing for the protection of persons employed in the anthracite coal mines by requiring attendants at certain ventilating fans; and providing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1694 (Senate Bill No. 591), entitled:

An Act to further amend section one of an act, approved the thirty-first day of May, one thousand eight hundred ninety-three (Pamphlet Laws, one hundred eighty-eight), entitled "An act designating the days and half days to be observed as legal holidays, and for the payment, acceptance and protesting of bills, notes, drafts, checks and other negotiable paper on such days," by authorizing bank holidays during State and national financial crises.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1491 (Senate Bill No. 598), entitled:

An Act to amend sections one hundred and sixty-four, one hundred and sixty-five, and one hundred and sixty-six of the act, approved the thirty-first day of March, one thousand eight hundred and sixty (P. L. 382), entitled "An act to consolidate, revise and amend the penal laws of this Commonwealth," by making unlawful the counterfeiting, altering and uttering of scrip and possession of materials for falsely making the same.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1844 (Senate Bill No. 682), entitled:

An Act authorizing and regulating the issue and sale of preferred stock by banks and trust companies.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1684 (Senate Bill No. 155), entitled:

An Act for the protection of the public health and to prevent fraud and deception in the manufacture, sale, offering for sale, exposing for sale, and having in possession with intent to sell, of adulterated or deleterious ice cream, custard ice cream, french ice cream, french custard, frozen custard, sherbet ice and fruit ice, including coated ice cream and the coating thereof; fixing standards for ice cream, custard ice cream, french ice cream, french custard, frozen custard, sherbet, ice and fruit ice, and to prevent the sale of imitation ice cream and defining said imitation ice cream; providing penalties for the violation thereof, and providing for the enforcement thereof.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1446 (Senate Bill No. 138), entitled:

An Act to amend section sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Phamplet Laws, four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highway of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highway to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended, fixing the time within which proceedings to assess damages for land taken for the changing, widening or relocation of highways.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 158.

An Act to amend section six, as amended, and section eight of an act approved the twelfth day of July, one thousand nine hundred and thirteen (P. L. 719), entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation"; prohibiting persons from being candidates for more than one party nomination.

SENATE BILL No. 374.

An Act empowering counties, cities, boroughs, towns and townships to borrow money from the Reconstruction Finance Corporation to finance certain projects and prescribing the manner of such borrowing.

SENATE BILL No. 392.

An Act authorizing the compromise of tax claims on real property purchased by the county on county treasurers' sales for nonpayment of taxes, and the reconveyance of such property.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILL ON SECOND READING

Agreably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1509, entitled:

An Act to further amend the act "Declaring it a felony to wilfully and maliciously burn or cause to be burned or to set fire to or attempt to set fire to any motor vehicle" by including aircraft

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the seventh day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred twenty-two) entitled "Declaring it a felony to wilfully and maliciously burn or cause to be burned or to set fire to or attempt to set fire to any motor vehicle" is hereby further amended to read as follows

Section 1 That if any person shall wilfully and maliciously burn or cause to be burned or set fire to or attempt to set fire to any motor vehicle or aircraft with intent thereby to defraud or prejudice any person or body politic or corporate that has underwritten or shall underwrite any policy of insurance thereon or with intent thereby to destroy the property of another then and in every such case the person so offending shall be guilty of a felony and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars and to undergo imprisonment not exceeding five years

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. SCOTT. Mr. Speaker, I move that this bill be recommitted to the Committee on Aeronautics for the purpose of further study.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1245, as follows:

An Act to amend section thirty-two of the act approved the twenty-ninth day of April one thousand eight hundred and forty-four (Pamphlet Laws four hundred eighty-six) entitled "An act to reduce the state debt and to incorporate the Pennsylvania canal and railroad company" as amended making the real estate of public service companies subject to taxation and providing certain exceptions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section thirty-two of the act approved the twenty-ninth day of April one thousand eight hundred and forty-four (Pamphlet Laws four hundred eighty-six) entitled "An act to reduce the state debt and to incorporate the Pennsylvania canal and railroad company" which was amended by section one of the act approved the twenty-eighty day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred ninety-one) is hereby further amended to read as follows

Section 32 Be it further enacted that from and after the passage of this act all real estate to wit Houses lands lots of ground and ground rents mills and manufactories of all kinds furnaces forges bloomeries distilleries sugar houses malt houses breweries tan yards fisheries and ferries wharves and all real estate owned or possessed by any public service companies except the superstructure of the roads of railroad and street railway companies and the lands upon which the same are located and except the lines and pipes of companies used for the transmission of electric power oil natural and artificial gas and the lands upon which the same are located and all other real estate not exempt by law from taxation and all salaries and emoluments of office all offices and posts of profit professions trades and occupations except the occupation of farmers together with all other things now taxable by the laws of this Commonwealth shall be valued and assessed and subject to taxation for the purpose in this act mentioned and for all county purposes whatsoever

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1695 (Senate Bill No. 619), entitled:

An Act authorizing courts of common pleas to stay and adjourn the execution of certain writs in the hands of sheriffs ratifying confirming and validating the actions of courts in staying and adjourning the execution of such writs and of sheriffs in obeying orders and decrees of courts in accordance with this act and a resolution of the General Assembly and dispensing with the necessity of re-advertising and re-posting such writs

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING

Mr. SOWERS asked and obtained unanimous consent to call up out of order House Bill No. 1259, Printer's No. 319, on page 38 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1259, as follows:

An Act relating to criminal procedure imposing upon magistrates conducting preliminary hearings the duty of obtaining two names of persons whom defendants desire notified of time of trial and imposing upon the district attorney the duty of notifying such persons

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any magistrate after hearing holds any person accused of any violation of any law or laws of the Commonwealth for the action of the grand jury such magistrate shall ask such person for the names and addresses of two persons whom he or she desires to be notified of the time of his or her pending trial and when given such names and addresses shall be noted upon the record and made part of the transcript returned by said magistrate as required by law

Section 2 The district attorney of the county wherein such hearing was held shall before the time fixed for the trial of such person mail United States postal card notices of the time and place fixed for such trial to the persons whose names appear upon such transcript to the address or addresses given thereon

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. SOWERS. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General for the purpose of further study.

The motion was agreed to.

BILL ON THIRD READING

Mr. NOTHNAGLE asked and obtained unanimous consent to call up out of order House Bill No. 329, Printer's No. 302, on page 34 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 329, as follows:

An Act to amend sections twenty-nine and thirty-one of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (Pamphlet Laws two hundred seven) entitled "An act providing when how upon what prop-

erty and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by providing that under certain circumstances a municipality may purchase for the record costs subject to the lien of taxes and municipal claims property sold to satisfy a judgment on a tax or municipal claim and that a judicial sale on a tax or municipal claim shall discharge all mortgages ground-rents and other charges on or estates in the land included in the lien and repealing certain acts or parts of acts so far as they may be inconsistent with this amendment

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections twenty-nine and thirty-one of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (Pamphlet Laws two hundred seven) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act for the procedure on tax and municipal claims filed under other and prior acts of Assembly" are hereby amended to read as follows

Section 29 The plaintiff in any judgment recovered on a tax or municipal claim may upon paying the sheriff's costs fix an upset price to be realized at any sale under such judgment sufficient to pay all taxes and municipal claims and all accrued but unfiled taxes and claims in full No sale shall be made on a judgment recovered on a tax or municipal claim except for a sum sufficient to pay all taxes and municipal claims in full except as hereinafter provided and [the plaintiff in such judgment may purchase the property at such sale for that sum if no one bids a higher price therefor] except when a municipality is the real plaintiff in such judgment and is the only bidder at such sale said municipality may purchase the property for the record costs thereon subject to the lien of all taxes and municipal claims

Section 31 The lien of a tax or a municipal claim shall not be divested by any judicial sale of the property liened where the amount due is indefinite or undetermined or where the same is not due and payable nor shall the lien of a tax or municipal claim be divested by any judicial sale of the property liened as respects so much thereof as the proceeds of such sale may be insufficient to discharge nor except as hereinafter provided shall a judicial sale of the property liened under a judgment obtained on a tax or municipal claim discharge the lien of any other tax or municipal claim than that upon which said sale is had except to the extent that the proceeds realized are sufficient for its payment after paying the costs and expenses of the sale and of the writ upon which it was made and any other prior tax or municipal claims to which the fund may first be applicable On any such sale being made all tax claims shall be paid out of the proceeds thereof first the oldest tax having priority and municipal claims shall be paid next the oldest in point of lien having priority

Mortgages and ground rents [and other charges on and estates in the property] which were recorded [or created where recording is not required] before any tax other than for the current year accrued or before the actual doing of the work in front of or upon the particular property for which the municipal claim is filed shall not be disturbed by [such sale] any judicial sale of the property liened under a judgment obtained on a municipal claim nor by a judicial sale on a tax lien before the expiration of the second calendar year after that in which the tax covered by the lien was first payable and where no notice has been given to the mortgage owner or ground rent owner as hereinafter provided unless a prior lien is also discharged thereby

A judicial sale on a tax lien after the expiration of the second calendar year after that in which the tax is first payable shall discharge and divest all mortgages and ground rents on the property liened whether the said mortgages or ground rents were recorded or created prior or subsequent to any tax other than for the current year accrued provided that the claimant in such tax claim shall give at least twenty days written notice of his intention to issue such execution to the owner or owners of any mortgage or ground rent encumbering the property to be sold prior to the issuance thereof This notice shall contain the court term and number of the tax lien a description of the property liened and the record of the mortgage or ground rent in question Service of the notice may be made in the manner provided by law for the service of a summons in assumpit or it may be made by mailing a registered letter addressed to the owner or owners of said mortgage at the residence designated in the certificate of the owners address accompanying the mortgage or its assignment and recorded therewith Service may also be made by mailing a registered letter to any owner or owners of any mortgage or ground rent covering the liened property who is a non-resident of the County in which the liened property is located In the event that the address of the owner of said mortgage or ground rent is not given in any certificate accompanying the mortgage or ground rent and the claimant or the person making the affidavit of service on its behalf does not know and has not been able to ascertain the address or addresses of some of or all of said owners service of notice as to the owners whose addresses are unknown or can not be ascertained by claimant or affiant may be made upon such owners by leaving a copy of the notice with the occupants of the land or if vacant by posting such notice An affidavit of service of notice shall be filed of record before the execution is issued on the tax lien The affidavit shall set forth when upon whom and in what manner service was made and shall be accompanied with a copy of the notice given Notice need not be given to owners whose names do not appear of record in the Office of the Recorder of Deeds Open notorious continuous and permanent easements shall not be discharged by a judicial sale on a tax or municipal claim

[In case the property is not sold for the sum sufficient to pay all taxes and municipal claims together with the cost thereon the plaintiff in any such claim may postpone the sale without payment of costs and file his petition setting forth that more than one year has elapsed since the filing of his claim that he has exposed the property to sheriff's sale thereunder and was unable to obtain a bid sufficient to pay the upset price in full and if a municipal claimant other than a municipality that he will bid sufficient to pay the upset price and upon the production of searches or a title insurance policy showing the state of the record and the ownership of the property and of all tax and municipal claims mortgages ground-rents or other charges on or estates in the land the court shall grant a rule upon all parties thus shown to be interested to appear and show cause why a decree should not be made that said property be sold freed and cleared of their respective claims mortgages charges and estates If upon a hearing thereafter the court is satisfied that service has been made of said rule upon the parties respondent in the manner provided in this act for the service of writs of scire facias to obtain judgments upon tax and municipal claims and that the facts stated in the petition be true it shall order and decree that said property be sold at a subsequent sheriff's sale day to be fixed by the court without further advertisement clear of all claims liens mortgages charges and estates to the highest bidder at such sale and the proceeds realized therefrom shall be distributed in accordance with the priority of such claims and the purchaser at such sale shall take and forever thereafter have an absolute title to the property sold free and discharged of all tax and municipal claims liens mortgages charges and estates of whatsoever kind subject only to the right of redemption as provided by law

Any person interested may at any time before the sale pay the petitioner the whole of his claim with interest and costs whereupon the proceedings on petition shall at once determine

For the purpose of enabling the petitioner in any such proceedings to give the notice required he may take the testi-

mony of the defendant in the claim or of any other person whom he may have reason to believe has knowledge of the whereabouts of any of the parties respondent either by deposition commission or letters rogatory]

The owner of the mortgage ground-rent whose mortgage ground-rent has been discharged or divested by such sale may redeem the same at any time within one year from the date of the acknowledgment of the sheriff's deed therefor as provided in section thirty-two of the act to which this is an amendment The purchaser of the property so sold on a tax or claim "after the expiration of the second calendar year in which the tax covered by the lien is first payable and after service of notice as hereinbefore provided for" shall hold the same free and clear of said mortgages ground-rents subject only to rights of redemption

Any county municipality township or school district being a claimant shall have the right and is hereby empowered to bid and become the purchaser of the property at such sale and while the said property so purchased is held and owned by either a county or a municipality township or school district it shall not be subject to tax claims unless it be redeemed by the former owner or other person having the right to redeem as provided by law If however a county municipality township or school district shall become the purchaser at said sale the former owner or other person desiring to redeem shall pay all taxes and municipal claims accrued and chargable against the property prior to the sale thereof together with the costs and interest thereon and also all taxes and claims whether filed or not which would have accrued and become chargable against the property had the same been purchased at the sale by some party other than the county city or other municipal division

Upon the delivery by the sheriff of a deed for any property sold under a tax or municipal claim the judgment upon which such sale was had shall thereupon and forever thereafter be final and conclusive as to all matters of defense which could have been raised in the proceeding including payment and no error or irregularity in obtaining or entering of such judgment shall [effect] affect the validity thereof

Section 2 Insofar as they may be inconsistent herewith or supplied hereby the following acts or parts of acts are hereby repealed

Sections four and five of the act approved the sixteenth day of April one thousand eight hundred and forty-five (Pamphlet Laws four hundred eighty-eight) entitled "A supplement to an act passed the sixth day of April one thousand eight hundred and thirty entitled 'A supplement to an act entitled "An act for taking lands in execution for the payment of debts" passed in one thousand seven hundred and five' "

And sections one and two of the act approved the thirtieth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred seventy-four) entitled "An act relating to judicial sales and sales upon writs of execution or otherwise and preserving the lien of mortgages on real estate other than upon unseated lands"

Section 3 All other acts or parts of acts inconsistent herewith are hereby repealed

Section 4 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. NOTHNAGLE. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations for the purpose of further study.

The motion was agreed to.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 38, as follows:

An Act to amend section one of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred forty-seven) entitled "An act placing upon the Commonwealth the responsibility for the construction and maintenance of certain bridges on State highway routes or continuations of State highway routes in boroughs incorporated towns cities of the third class and townships under certain conditions and restrictions and appropriating money in the motor license fund for such purposes providing for a limitation of the Commonwealth's liability for reconstruction and maintenance in certain cases under orders of court or the Public Service Commission providing for the Commonwealth to succeed to the rights of the county under certain existing agreements or contracts authorizing the department to issue licenses to public service companies for occupancy of such bridges in accordance with existing laws subject to certain conditions and restrictions providing for the crediting of certain moneys to the motor license fund and providing for the return to the county or disposal of said bridges in certain cases and repealing certain acts with reference to county bridges" eliminating the provisions which places upon the counties fifty per centum of the cost of construction and maintenance to certain bridges

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred forty-seven) entitled "An act placing upon the Commonwealth the responsibility for the construction and maintenance of certain bridges on State highway routes or continuations of State highway routes in boroughs incorporated towns cities of the third class and townships under certain conditions and restrictions and appropriating money in the motor license fund for such purposes providing for a limitation of the Commonwealth's liability for reconstruction and maintenance in certain cases under orders of court or the Public Service Commission providing for the Commonwealth to succeed to the rights of the county under certain existing agreements or contracts authorizing the department to issue licenses to public service companies for occupancy of such bridges in accordance with existing laws subject to certain conditions and restrictions providing for the crediting of certain moneys to the motor license fund and providing for the return to the county or disposal of said bridges in certain cases and repealing certain acts with reference to county bridges" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where any county is responsible for the construction or maintenance of any bridge on a State highway route carrying vehicular traffic over a stream and the facilities of any public service company or on a continuation of a State highway route through any borough or incorporated town or which is located on a continuation of a State highway route and part of which extends into the municipal limits of a third class city the county's responsibility shall be assumed by the Commonwealth except as hereinafter in this act provided All such bridges shall be taken over by the Department of Highways and shall be built rebuilt repaired and maintained by the department at the expense of the Commonwealth [but the Commonwealth's responsibility with reference to any bridge located partially within the limits of a third class city shall be limited to fifty (50) per centum of the cost of rebuilding repairing or maintaining and the remaining fifty (50) per centum of such cost shall be paid to the Commonwealth by the county upon certification by the Secretary of Highways in the same manner as now provided by law in the case of joint construction of State highways and] This act shall not be construed to relieve any person firm association or corporation from any obligation for the construction or maintenance of any such bridge under any agreement or order of court or under any order of the Public Service Commission heretofore or heeafter made

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192

Andrews,	Haines,	McGregor,	Shenkel,
Baker,	Hamilton,	McHenry,	Shettel,
Baldi,	Harmuth,	McKay,	Shortz,
Barnhardt,	Harris,	McKinney,	Shreiner,
Bechtel,	Hart,	Melchiorre,	Shugarts,
Beech,	Heffernan,	Meredith,	Simon,
Bennett,	Hefferon,	Metzler,	Sinwell,
Blumberg,	Heffner,	Mohn,	Snyder,
Boyd,	Hermansen,	Moore,	Sowers,
Brancato,	Hester,	Mumford,	Spann,
Brennan,	Hewitt,	Munley,	Stank,
Brown, J. E.,	Himes, L. R.,	Myers,	Steedle,
Brown, W. L.,	Hoffman,	Negley,	Sterling, R. B.,
Brownfield,	Holmes, J. B.,	Nothnagle,	Stevens,
Caputo,	Holmes, J. L.,	O'Connor,	Stevenson,
Carey,	Hoopes,	O'Keefe,	Stiteler,
Carson,	Horst,	O'Neill,	Stone,
Cohen,	Hough,	O'Rourke,	Storb,
Conner,	Howard,	Patterson,	Stott,
Cooke,	Hutton,	Peelor,	Surface,
Cordier,	Jaffe,	Pennock,	Tahl,
Craig,	Jones,	Perry, D. R.,	Terry,
Cramer,	Kane, J. J.,	Perry, J. J.,	Turner,
Dane,	Kane, L. P.,	Peters,	Wade,
Davies,	King,	Powell,	Wagner,
DeFrehn,	Kinney,	Powers,	Walker, G. E.,
Denning,	Lane,	Price,	Walker, W. A.,
Downey, J.,	Laubach,	Quinn,	Wall,
Duffy,	Lenahan,	Rectenwald,	Wasserman,
Dunmire,	Lewis,	Reed,	Way,
Dwyer,	Long,	Reilly,	Weidemann,
Ederer,	Lord,	Rhodes,	Welsh,
Emhardt,	Lose,	Rice,	Westrick,
Eroe,	Lovett, J. E.,	Roan,	White,
Evans,	Lovett, W. S.,	Root,	Wike,
Fitzgerald,	Lynch, J. R.,	Roth,	Williams, G. W.,
Flanagan,	Lynch, M.,	Ruby,	Williams, J. J.,
Fleisher,	Male,	Ruth,	Wilson, L. M.,
Flinchbaugh,	Malina,	Sarig,	Wilson, T. B.,
Flynn,	Maloney,	Sautter,	Witkin,
Forrest,	Marcks,	Schrock,	Wood,
Furman,	Mason,	Schrope,	Woodside,
Gallagher,	McBride,	Schwab,	Wright,
Gillette,	McCandless,	Schwartz,	Yeakel,
Gorman,	McClure,	Scorza,	Yourishin,
Green,	McCreary,	Scott,	Zimmerman
Greenstein,	McElwee,	Sheffer,	Talbot,
Griffith,	McGinnis,	Shellenberger,	Speaker.
Habbyshaw,	McGrail,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1500, as follows:

An Act for the development and use of unredeemed seated and unseated lands purchased by county commissioners at tax sales providing for the holding and permanent retention of such lands by the county for forest or recreational uses beneficial to the local community or for their transfer to the State under suitable restrictions for similar uses subject to certain annual charges providing for the use of revenues derived from such lands providing a procedure for the discharge of liens of record against such lands by sale after notice to owners and lien creditors providing for the sale by counties of such lands as are retained by the county providing for the appointment by local State forest advisory councils and conferring powers upon the Department of Forests and Waters and the Board of Game Commissioners with respect to the acquisition and exchange of such lands their proper organization and development and the acceptance of gifts of lands

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following terms as used in this act are hereby defined as follows

"County Forests" Lands owned and retained by a county and organized systematically for the purpose of facilitating proper management for forestry and recreational purposes

"State Forests" Lands deeded by the county commissioners of a county to the State for organization and management as public forests or recreation areas the county retaining an interest in all future net financial returns therefrom

Section 2 Whenever any seated or unseated lands are sold at a county treasurer's sale to the county commissioners and said lands are not redeemed within a period of two years as provided by law the county commissioners may if the Department of Forests and Waters or Board of Game Commissioners within one year do not record with the county commissioners a desire to acquire such lands for State forests or State game lands retain such lands as county forests or under the provisions of this act convey such lands to the State as State forests Such lands shall however not be deemed to be held and retained as county forests nor for transfer to the State as State Forests until the board of county commissioners shall first duly adopt a resolution for such purposes and spread the same upon its minutes

Section 3 Except as hereinafter provided no such lands shall be held and retained as county forests or be transferred to the State as State Forests by the county against which there are any liens of record which have not been discharged by the county treasurer's sale or by failure to redeem the same In case the county commissioners desire to retain and hold such lands as county forests or to convey them to the State as State Forests they may after holding such lands for a period of two years after the county treasurer's sale advertise such lands separately for sale in the manner provided by law for the advertisement of sales for taxes by county commissioners A notice of the place and time of such sale shall be served on the owner of such lands and on any lien creditor if known and if their whereabouts are unknown then such notices shall be sent by registered mail addressed to the last known post office address of the owner and lien creditor and a return of the card showing receipt of such letter or the return of the letter itself showing a refusal to accept delivery or a failure to deliver shall be deemed sufficient service

Section 4 If at the time of such sale sufficient is not bid for such lands to pay taxes penalties interest and costs due thereon by the owner lien creditor the Department of Forests and Waters the Board of Game Commissioners or any other person the lands shall then be sold to the county commissioners without any consideration or money charge In either event such sale shall discharge all liens of record against such lands Thereafter such lands may be held and retained as county forests or be conveyed to the State as State Forests in the manner provided by this act

Section 5 (a) Whenever the board of county commissioners shall retain lands for county forests as provided for in this act the county shall become liable to pay to the township and to the school district in which such lands are located each an annual charge of two cents per acre for road and school purposes and all county township road school and poor taxes theretofore assessed against such lands and unpaid shall be and are hereby abated No further taxes shall thereafter be assessed against such lands so long as the same are retained and held by the county as county forests

(b) The county commissioners shall have full power to develop any lands so held and retained as county forests and for such purposes to employ persons including especially those unemployed and who are in need of public assistance to sell any forest products found or produced thereon and to lease areas thereof or buildings thereon at such prices or rentals as may be agreed upon

(c) The Department of Forests and Waters and the Board of Game Commissioners shall assist advise and cooperate with counties in the development of county forests and may furnish technical assistance free and also nursery stock for planting on such county forests for forest plantations and game cover as the case may require at a price not exceeding the cost of production

(d) The county commissioners may at any time transfer any such county forests to the Department of Forests and Waters or the Board of Game Commissioners for State Forests or State game lands for such price as may be agreed upon and make deed therefor to the purchaser or they may make appli-

cation in the manner prescribed in this act for the transfer of such lands to the State as State Forests

Section 6 (a) Whenever the county commissioners shall desire to deed to the State for State Forests any such seated or unseated lands acquired as provided in this act they shall make application in writing to the Department of Forests and Waters using an application form furnished by that Department Such lands shall not however be deemed to have been retained for the purpose of transfer to the State for State Forests until the board of county commissioners shall first duly adopt a resolution expressing their desire to file an application with the Department of Forests and Waters to transfer such lands and spread the resolution upon its minutes

(b) In order to have its application accepted for the establishment of State Forests in a county the board of county commissioners must demonstrate to the Department of Forests and Waters

1 That it has in its possession a total of at least one thousand acres of such land which it offers to deed to the State for the establishment of State Forests in the county that no single piece of such land is less than one hundred acres in area and that such one thousand acres is located within a radius of five miles

2 That it is willing to deed the necessary land free of any and all costs to the State for the purpose of assisting in the establishment of such State Forests

3 That it is willing to convey to the Department of Forests and Waters all title rights and control over the management of such lands when established as State Forests in return for which the State shall pay an annual charge of five cents (5c) per acre for such lands as are included in the State Forests for county road and school purposes in the same manner as in the case of State forest lands and a share of not to exceed twenty-five per centum (25%) of the net income derived from the operation of such State Forests in the county if and when such net income eventuates which shall be for the use of the county

(c) After the date of the filing of an application for the establishment of State Forests in a county if the application appears to fulfill the necessary conditions the Department of Forests and Waters shall cause to be inspected the areas covered by the said application If after inspection the Department finds that the conditions on the ground are in accord with the application and that they fulfill the legal requirements then the Department shall notify the board of county commissioners that its application has been accepted and shall instruct them to proceed with the preparation of the necessary deeds and papers required for the transfer of title to the lands to the State for the establishment of a State Forest Upon the proper conveyance of the title to the lands the Department of Forests and Waters shall proceed with the work of organizing the lands as State Forests following the dictates of sound forest and land management

(d) Each year the Department of Forests and Waters shall file a report with the board of commissioners of the county which shall include a financial statement of receipts and payments and net income if any covering the administration of the State Forests

Section 7 After the establishment of State Forests in any county if the board of county commissioners desires to add to the area of the State Forests by further transfers of unredeemed seated or unseated lands held or acquired by the board in accordance with the provisions of this act they may do so by making application with the Department of Forests and Waters in the manner hereinbefore provided The Department of Forests and Waters is also herewith empowered to accept as gifts any lands which in the Department's judgment will be useful or valuable additions to the State Forests already established. The Department of Forests and Waters is also authorized to add to the area of State Forests in a county through purchase when funds are available at prices not to exceed five dollars ($5.00) per acre and it is also empowered to make such exchanges of land as in its judgment will benefit the State Forests

Section 8 In every county where State Forests are established the Department of Forests and Waters acting in cooperation with the board of county commissioners shall appoint a local State Forest Advisory Council for that county This council shall consist of nine persons who shall serve without pay and whose duties shall be educational and advisory As far as possible the council should include public spirited residents of the county from the following walks of life

1 A farmer working on a farm in the county
2 A woodsworker in the forests of the county
3 A teacher from a rural school
4 A teacher from a high school or college in the county
5 A logger or sawmill man operating in the county
6 A labor union delegate from a labor union in the county
7 A worker from a wood-using industry in the county
8 A representative from a sportsmen's organization in the county

It shall be the duty of this council to be the intermediary between the people of the county and the representative of the Department of Forests and Waters administering the State Forests in the county The appointments to the council shall be for three years and shall rotate by having three new appointments and three terminations occur annually

Section 9 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—191

Baker,	Griffith,	McGrail,	Shellenberger,
Baldi,	Habbyshaw,	McGregor,	Shenkel,
Barnhardt,	Haines,	McHenry,	Shortz,
Bechtel,	Hamilton,	McKay,	Shreiner,
Beech,	Harris,	McKinney,	Shugarts,
Bennett,	Hart,	Meredith,	Simon,
Bernhard,	Hartman,	Merrell,	Sinwell,
Blumberg,	Heffernan,	Metzler,	Snyder,
Boyd,	Hefferon,	Mohn,	Sowers,
Brancato,	Heffner,	Moore,	Spann,
Brennan,	Hermansen,	Mumford,	Stank,
Brown, J. E.,	Hester,	Munley,	Steedle,
Brown, W. L.,	Hewitt,	Myers,	Sterling, P.,
Brownfield,	Hoffman,	Negley,	Stevens,
Cannon,	Holmes, J. B.,	Nothnagle,	Stevenson,
Caputo,	Holmes, J. L.,	O'Connor,	Stiteler,
Carey,	Hoopes,	O'Keefe,	Stone,
Carson,	Horst,	O'Neill,	Storb,
Cohen,	Hough,	O'Rourke,	Stott,
Conner,	Howard,	Patterson,	Surface,
Cooke,	Hutton,	Peelor,	Tahl,
Cordier,	Jaffe,	Pennock,	Terry,
Craig,	Jones,	Perry, D. R.,	Turner,
Cramer,	Kane, J. J.,	Perry, J. J.,	Wade,
Dane,	Kane, L. P.,	Peters,	Wagner,
Davies,	King,	Powell,	Walker, G. E.,
DeFrehn,	Kinney,	Powers,	Walker, W. A.,
Denning,	Labar,	Price,	Wall,
Downey, G. E.,	Laubach,	Raub,	Wasserman,
Downey, J.,	Lenahan,	Rectenwald,	Way,
Duffy,	Lewis,	Reed,	Weidemann,
Dunmire,	Long,	Reilly,	Welsh,
Dwyer,	Lord,	Rhodes,	Westrick,
Ederer,	Lose,	Rice,	White,
Emhardt,	Lovett, J. E.,	Roan,	Wike,
Eroe,	Lovett, W. S.,	Root,	Williams, G. W.,
Evans,	Lynch, M.,	Roth,	Williams, J. J.,
Fitzgerald,	Male,	Royle,	Wilson, L. M.,
Flanagan,	Malina,	Ruby,	Wilson, T. B.,
Flinchbaugh,	Maloney,	Ruth,	Witkin,
Flynn,	Marcks,	Sautter,	Wood,
Forrest,	Mason,	Schrock,	Woodside,
Furman,	McBride,	Schrope,	Wright,
Gallagher,	McCandless,	Schwab,	Yeakel,
Gartner,	McClure,	Schwartz,	Yourishin,
Gillette,	McCreary,	Scorza,	Zimmerman,
Gorman,	McElwee,	Scott,	Talbot,
Green,	McGinnis,	Sheffer,	Speaker.
Greenstein,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1097, entitled:

An Act to safeguard human health and life by providing for the licensing and regulation of persons and entities engaged in the disposal of garbage through the construction keeping maintenance or conduct of garbage disposal plants conferring powers and imposing duties on the State Department of Health and the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—58

Bennett,	Green,	Lord,	Reed,
Bernhard,	Greenstein,	Lovett, J. E.,	Reilly,
Brancato,	Hamilton,	Lynch, J. R.,	Sarig,
Brown, W. L.,	Harmuth,	Maloney,	Schrope,
Brownfield,	Harris,	Marcks,	Scott,
Caputo,	Hart,	McGrail,	Shugarts,
Dane,	Hester,	McKinney,	Sinwell,
Davies,	Hewitt,	Melchiorre,	Sterling, R. B.,
Denning,	Holmes, J. B.,	Metzler,	Wagner,
Downey, G. E.,	Howard,	Moore,	Westrick,
Dwyer,	Kane, J. J.,	O'Rourke,	Williams, G. W.,
Emhardt,	Kinney,	Peters,	Yourishin,
Evans,	Lane,	Powers,	Talbot,
Fitzgerald,	Lenahan,	Quinn,	Speaker.
Flanagan,	Long,	Rectenwald,	

NAYS—54

Baker,	Habbyshaw,	O'Connor,	Shreiner,
Bechtel,	Hermansen,	Peelor,	Stevens,
Boyd,	Holmes, J. L.,	Perry, D. R.,	Stevenson,
Brennan,	Horst,	Perry, J. J.,	Stiteler,
Brown, J. E.,	Hutton,	Powell,	Stone,
Cannon,	King,	Rhodes,	Storb,
Carson,	Labar,	Rice,	Terry,
Cramer,	Lovett, W. S.,	Ruby,	Walker, W. A.,
Dunmire,	McCreary,	Sautter,	Wall,
Ederer,	McElwee,	Schrock,	Way,
Flinchbaugh,	McKay,	Sheffer,	Wilson, T. B.,
Forrest,	Meredith,	Shellenberger,	Woodside,
Gallagher,	Merrell,	Shortz,	Wright,
Griffith,			Zimmerman,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 608, entitled:

An Act to amend clause fifty-three of section one thousand two hundred and two of the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as amended authorizing boroughs to refuse contracts to bidders not domiciled in the United States.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181

Andrews,	Greenstein,	McElwee,	Shellenberger,
Baker,	Griffith,	McGinnis,	Shettel,
Baldi,	Habbyshaw,	McGrail,	Shortz,
Barnhardt,	Haines,	McGregor,	Shreiner,
Bechtel,	Hamilton,	McHenry,	Shugarts,
Beech,	Harris,	McKay,	Simon,
Bennett,	Hart,	McKinney,	Sinwell,
Bernhard,	Hartman,	Melchiorre,	Snyder,
Boyd,	Heffernan,	Merrell,	Spann,
Brancato,	Hefferon,	Metzler,	Stank,
Brennan,	Heffner,	Mohn,	Steedle,
Brown, J. E.,	Hermansen,	Moore,	Sterling, P.,
Brown, W. L.,	Hester,	Mumford,	Stevens,
Brownfield,	Hewitt,	Munley,	Stevenson,
Cannon,	Hoffman,	Myers,	Stiteler,
Carey,	Holmes, J. B.,	Negley,	Storb,
Carson,	Holmes, J. L.,	Nothnagle,	Stott,
Cohen,	Hoopes,	O'Connor,	Surface,
Conner,	Horst,	O'Keefe,	Tahl,
Cooke,	Hough,	O'Neill,	Terry,
Cordier,	Howard,	Patterson,	Turner,
Craig,	Hutton,	Pennock,	Wade,
Dane,	Jaffe,	Perry, D. R.,	Wagner,
Davies,	Jones,	Peters,	Walker, W. A.,
DeFrehn,	Kane, J. J.,	Powers,	Wall,
Denning,	King,	Price,	Wasserman,
Downey, J.,	Kinney,	Quinn,	Way,
Duffy,	Labar,	Rectenwald,	Weidemann,
Dunmire,	Lane,	Reed,	Welsh,
Dwyer,	Laubach,	Reilly,	Westrick,
Ederer,	Lewis,	Rhodes,	White,
Emhardt,	Long,	Rice,	Wike,
Eroe,	Lord,	Roan,	Williams, G. W.,
Evans,	Lose,	Root,	Williams, J. J.,
Fitzgerald,	Lovett, J. E.,	Roth,	Wilson, L. M.,
Flanagan,	Lovett, W. S.,	Ruby,	Wilson, T. B.,
Fleisher,	Lynch, M.,	Ruth,	Witkin,
Flinchbaugh,	Male,	Sarig,	Wood,
Flynn,	Malina,	Sautter,	Woodside,
Forrest,	Maloney,	Schrock,	Wright,
Furman,	Marcks,	Schrope,	Yeakel,
Gallagher,	Mason,	Schwab,	Yourishin,
Gartner,	McBride,	Scorza,	Zimmerman,
Gorman,	McCandless,	Scott,	Talbot,
Green,	McClure,	Sheffer,	Speaker.

NAYS—2

	Peelor,	Perry, J. J.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL No. 648 FROM THE GOVERNOR

Mr. HOFFMAN asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, March 29, 1933.

Resolved (if the Senate concur), That House Bill No. 648, entitled "An act relating to the annexation of townships of the first class or parts thereof to boroughs and requiring the consent of the electors of the entire township to such annexation to be ascertained at an election," be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 775, entitled:

An Act to amend section five of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred thirty) entitled "An act for the protection of the public health in the manufacture and sale of carbonated beverages and still drinks providing for the registration thereof prohibiting the sale offering or exposing for sale exchange or giving away thereof in certain cases unless registered regulating the manufacture bottling preparation mixing and compounding of carbonated beverages

or still drinks and the sale and dispensing thereof creating a special fund in the State Treasury and providing penalties" as amended by permitting the use of dextrose in such beverages

On the question,

Will the House agree to the bill on third reading,

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WILLIAM L. BROWN. Mr. Speaker, I would like to have the sponsor of this bill explain its purpose.

The SPEAKER. Does the gentleman from Allegheny desire to interrogate the sponsor of this bill, the gentleman from Luzerne?

Mr. WILLIAM L. BROWN. Mr. Speaker and members of the House, you understand that I am not opposing this bill. It is something I am somewhat ignorant of, and I would like to know the object of the bill, the purpose of it. Is it an economic measure in connection with the manufacture of pop and soft drinks?

Mr. MASON. Mr. Speaker, if the gentleman just wants an explanation, I can make an explanation to the House in general.

This bill is simply to bring the act of the State of Pennsylvania into conformity with the present Federal Department of Agriculture ruling. Under the present Federal ruling corn sugar and dextrose are allowed and treated as fruit products for use in bottling. The State of Pennsylvania does not now have such an act. It is an economic measure so far as it allows the use of corn by the farmers to be prepared and sold as a sugar product in the State of Pennsylvania in the distribution of bottled beverages.

Mr. WILLIAM L. BROWN. Mr. Speaker, dextrose is a cheaper product than sugar. Is that the reason for the introduction of this bill?

Mr. MASON. Mr. Speaker, it is an economic measure to that extent, certainly.

Mr. WILLIAM L. BROWN. Mr. Speaker, at the present time you can make about fifteen or twenty bottles of pop at a penny or two. You know, I would not be opposed to this bill.

I understand that at the time when Dr. Wiley was the head of the Department of Health in Washington——

The SPEAKER. Is the gentleman from Allegheny interrogating the gentleman from Luzerne or making a statement?

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—125

Baker,	Hefferon,	Mumford,	Snyder,
Baldi,	Hewitt,	Myers,	Spann,
Barnhardt,	Himes, L. R.,	O'Neill,	Stank,
Bechtel,	Hoopes,	O'Rourke,	Steedle,
Bennett,	Horst,	Patterson,	Sterling, P.,
Bernhard,	Hough,	Peelor,	Stevens,
Brennan,	Howard,	Pennock,	Stevenson,
Caputo,	Jaffe,	Perry, J. J.,	Stone,
Conner,	Jones,	Peters,	Storb,
Cordier,	Lane,	Powers,	Surface,
Dane,	Laubach,	Price,	Tahl,
DeFrehn,	Lenahan,	Quinn,	Turner,
Denning,	Long,	Reed,	Wade,
Downey, G. E.,	Lose,	Reilly,	Wagner,
Downey, J.,	Lovett, J. E.,	Rhodes,	Walker, G. E.,
Evans,	Lynch, J. R.,	Rice,	Walker, W. A.,
Fitzgerald,	Male,	Roan,	Way,
Flanagan,	Maloney,	Roth,	Weidemann,
Flinchbaugh	Mason,	Ruby,	Welsh,
Forrest,	McBride,	Sarig,	White,
Furman,	McCandless,	Sautter,	Wike,
Gallagher,	McCreary,	Schrope,	Williams, G. W.,
Gartner,	McElwee,	Schwab,	Wilson, L. M.,
Gillette,	McGinnis,	Schwartz,	Witkin,
Green,	McGregor,	Scott,	Wood,
Greenstein,	McHenry,	Sheffer,	Woodside,
Griffith,	McKay,	Shellenberger	Wright,
Haines,	McKinney,	Shenkel,	Yeakel,
Hamilton,	Meredith,	Shettel,	Yourishin,
Harris,	Merrell,	Shortz,	Zimmerman,
Hart,	Mohn,	Simon,	Talbot,
Heffernan,	Moore,	Sinwell,	Speaker.

NAYS—12

Andrews,	Brownfield,	Emhardt,	O'Connor,
Boyd,	Cannon,	Hartman,	Shugarts,
Brown, J. E.,	Chervenak,	Hester,	Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1069 (Senate Bill No. 224), entitled:

An Act defining and regulating the practice of chiropody; requiring the registration and licensure of persons engaging in such practice; conferring powers and duties upon the Department of Public Instruction; and providing penalties.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. HEFFERNAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Health and Sanitation for the purpose of amendment.

The motion was agreed to.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 210 (Senate Bill No. 51), entitled:

An Act to amend the act, approved the twenty-second day of April, one thousand nine hundred and nine (P. L. 122), entitled "An act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired, and to validate the conveyances and other instruments of said corporations," as amended; extending said validating provisions to January first, one thousand nine hundred and thirty-three.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—187

Andrews,	Habbyshaw,	McGrail,	Shenkel,
Baker,	Haines,	McGregor,	Shettel,
Baldi,	Hamilton,	McHenry,	Shortz,
Bechtel,	Harmuth,	McKay,	Shreiner,
Beech,	Harris,	McKinney,	Shugarts,
Bennett,	Hart,	Meredith,	Simon,
Blumberg,	Hartman,	Merrell,	Sinwell,
Boyd,	Heffernan,	Metzler,	Snyder,
Brancato,	Hefferon,	Mohn,	Sowers,
Brennan,	Heffner,	Moore,	Spann,
Brown, J. E.,	Hester,	Mumford,	Steedle,
Brown, W. L.,	Hewitt,	Munley,	Sterling, P.,

Cannon,	Himes, L. R.,	Myers,	Sterling, R. B.,
Caputo,	Hoffman,	Negley,	Stevens,
Carey,	Holmes, J. B.,	Nothnagle,	Stevenson,
Carson,	Holmes, J. L.,	O'Connor,	Stiteler,
Chervenak,	Hoopes,	O'Keefe,	Storb,
Cohen,	Horst,	O'Neill,	Stone,
Conner,	Hough,	Patterson,	Stott,
Cooke,	Hutton,	Peelor,	Surface,
Cordier,	Jaffe,	Pennock,	Tahl,
Craig,	Jones,	Perry, D. R.,	Turner,
Cramer,	Kane, J. J.,	Perry, J. J.,	Wade,
Dane,	Kane, L. P.,	Peters,	Wagner,
Davies,	King,	Powell,	Walker, G. E.,
DeFrehn,	Kinney,	Powers,	Walker, W. A.,
Denning,	Labar,	Price,	Wall,
Downey, G. E.,	Lane,	Quinn,	Wasserman,
Duffy,	Laubach,	Rectenwald,	Way,
Dunmire,	Lenahan,	Reed,	Weidemann,
Dwyer,	Lewis,	Reilly,	Welsh,
Ederer,	Long,	Rhodes,	Westrick,
Emhardt,	Lord,	Rice,	Wike,
Eroe,	Lose,	Roan,	Williams, G. W.,
Evans,	Lovett, W. S.,	Roth,	Williams, J. J.,
Fitzgerald,	Lynch, J. R.,	Royle,	Wilson, L. M.,
Fleisher,	Lynch, M.,	Ruby,	Wilson, T. B.,
Flinchbaugh,	Malina,	Ruth,	Witkin,
Flynn,	Maloney,	Sarig,	Wood,
Forrest,	Marcks,	Sautter,	Woodside,
Furman,	Mason,	Schrock,	Wright,
Gallagher,	McBride,	Schrope,	Yeakel,
Gartner,	McCandless,	Schwab,	Yourishin,
Gillette,	McClure,	Scorza,	Zimmerman,
Green,	McCreary,	Scott,	Talbot,
Greenstein,	McElwee,	Sheffer,	Speaker.
Griffith,	McGinnis,	Shellenberger,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1218 (Senate Bill No. 465), entitled:

An Act to repeal the act approved the third day of March one thousand eight hundred and sixty-eight (Pamphlet Laws two hundred sixty-two), entitled "An act relative to the establishment of a law library in the county of Columbia.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. BRENNAN. Mr. Speaker, at the request of the sponsor of this bill, I move that it be recommitted to the Committee on Repeal Bills for the purpose of further study.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1448 (Senate Bill No. 266), as follows:

An Act to provide for the hospitalization of tubercular patients in State and State-aided hospitals when State owned institutions established for that purpose are unable to provide therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Health is hereby authorized and empowered to send to State owned medical and surgical hospital and State-aided hospitals properly equipped to care for and treat tubercular patients and located within the State of Pennsylvania if such hospitals agree to receive them any tubercular patients eligible for admittance to the State owned institutions provided for the care and treatment of such patients when and if such State institutions are unable to provide for the care and treatment of such patients

Section 2 Patients sent to State and State-aided hospitals in accordance with the provisions of this act may be transferred to State owned institutions established for the care and treatment of such patients at any time within the discretion of the Department of Health

Section 3 The cost of the care and treatment of patients of the character herein mentioned and described in State and State-aided hospitals shall be paid by the State out of any appropriation made to the Department of Health and available for the care and treatment of tubercular patients in State institutions the per diem cost of the care and treatment of such patients in State and State-aided hospitals shall be the cost as determined quarterly and reported to the Pennsylvania Department of Welfare by each hospital concerned not to exceed $3 per day

Section 4 This act shall take effect immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. STEEDLE. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Health and Sanitation for the purpose of further study.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1075, entitled:

An Act to amend section seven hundred and eighteen of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred fifty-nine) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as amended by permitting the training of dogs on Sunday and providing further for field meets.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—114

Andrews,	Fleisher,	Mason,	Schwartz,
Baldi,	Flynn,	McBride,	Shortz,
Barnhardt,	Forrest,	McClure,	Shreiner,
Bechtel,	Gallagher,	McGrail,	Simon,
Beech,	Gartner,	Melchiorre,	Sowers,
Bennett,	Green,	Metzler,	Spann,
Bernhard,	Greenstein,	Moore,	Stank,
Brancato,	Habbyshaw,	Munley,	Steedle,
Brennan,	Hamilton,	Myers,	Sterling, P.,
Brown, J. E.,	Harris,	Nothnagle,	Stiteler,
Caputo,	Hart,	O'Connor,	Stone,
Carey,	Heffernan,	O'Rourke,	Storb,
Chervenak,	Hefferon,	Patterson,	Tahl,
Conner,	Hermansen,	Pennock,	Turner,
Cooke,	Hoffman,	Perry, D. R.,	Wagner,
Cordier,	Hoopes,	Perry, J. J.,	Weidemann,
Craig,	Hough,	Peters,	Welsh,
Cramer,	Howard,	Powers,	Westrick,
Davies,	Jaffe,	Price,	Wike,
DeFrehn,	Kane, L. P.,	Rectenwald,	Williams, J. J.,
Denning,	King,	Reed,	Wilson, L. M.,
Downey, J.,	Kinney,	Reilly,	Witkin,
Duffy,	Labar,	Rice,	Wood,
Dunmire,	Lane,	Roan,	Yeakel,
Dwyer,	Laubach,	Root,	Yourishin,
Ederer,	Lewis,	Royle,	Zimmerman,
Emhardt,	Long,	Sarig,	Talbot,
Evans,	Lose,	Sautter,	Speaker.
Fitzgerald,	Lynch, J. R.,	Schrope,	

NAYS—44

Baker,	Jones,	Negley,	Stevens,
Boyd,	Lovett, W. S.,	Peelor,	Stevenson
Flinchbaugh	Lynch, M.,	Raub,	Stott,
Gorman,	Male,	Rhodes,	Surface,
Haines,	McCandless,	Schrock,	Terry,
Hester,	McCreary,	Sheffer,	Wall,
Hewitt,	McElwee,	Shellenberger,	Way,
Himes, L. R.,	McGregor,	Shettel,	White,
Holmes, J. L.,	McKay,	Shugarts,	Williams, G. W.
Horst,	McKinney,	Sinwell,	Woodside,
Hutton,	Merrell,	Snyder,	Wright,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

MOTION TO RECOMMIT

Mr. PHILIP STERLING, Mr. Speaker, I move that House Bill No. 1681, Printer's No. 341, entitled:

An Act to regulate and restrain the traffic in malt brewed and vinous beverages as herein defined providing for the licensing of the manufacture sale transportation and distribution of such beverages imposing taxes and license fees and providing for collection and distribution of revenue therefrom restricting ownership and interest in licensed places providing penalties and repealing existing acts

on page 4 of today's calendar, bills on first reading, be recommitted to the Committee on Ways and Means for further study.

On the question,

Will the House agree to the motion?

Mr. PHILIP STERLING, Mr. Speaker and members of the House, House Bill No. 1681 has been made available to each of you and is now on your desks. The motion, which you have just heard read, is a renewal of the motion which I made within the hour and which was unfortunately ruled out of order, because the bill was not on your desks.

That which I stated to you at that time is unnecessary in repetition now, but I do want to repeat for emphasis that the Ways and Means Committee of this House is the officially constituted committee created and in existence for the purpose of studying all revenue measures that are introduced in this House.

I want also to call your attention to the fact that while the subject of liquor control was by special resolution of this House reposed in a special committee for that purpose, that resolution also provided at its conclusion that the committee, upon the completion of the drafting of legislation, was to cause the bill to be introduced for the consideration of the House. That legislation, which is now before you, is no longer the property of the special committee created to consider liquor control legislation, but that measure is today the property of this House.

This House controls the destiny of all legislation after it leaves a committee, and I submit to you that the matter is of such great importance, if not grave importance to the Commonwealth and the study of its fiscal affairs that no further consideration of the measure should be permitted until the Ways and Means Committee has given it its profound study. For these reasons and the additional reasons I gave to you early this morning, I ask that this motion receive the consideration and approval of the membership of this House.

Mr. SARIG. Mr. Speaker and members of the House, I will not repeat my arguments that were made very recently, but I again ask you to have confidence in the committee appointed by you and to vote down this resolution.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. McClure.

The SPEAKER. Will the gentleman from Allegheny, Mr. McClure, permit himself to be interrogated?

Mr. McCLURE. Mr. Speaker, I will.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, is the gentleman from Allegheny, Mr. McClure, the sponsor of beer bills numbers 2096 and 2097?

Mr. McCLURE. I am, Mr. Speaker.

Mr. GEORGE W. WILLIAMS. May I ask, Mr. Speaker, to which committee those bills were referred?

Mr. McCLURE. I am informed, Mr. Speaker, that House Bills Nos. 2096 and 2097 were both referred to the Committee on Ways and Means.

Mr. GEORGE W. WILLIAMS. And for what purpose?

Mr. McCLURE. For the purpose of studying the matter of taxes and revenues which are included in those bills.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, if in your judgment it was proper to refer House Bills Nos. 2096 and 2097 to the Ways and Means Committee because they were revenue measures, I feel that the motion of the gentleman from Philadelphia, Mr. Sterling, should prevail, and that the bill now under consideration should be referred to the Ways and Means Committee for the same purpose, it being a revenue measure.

Mr. BECHTEL. Mr. Speaker and members of the House, that leads me to reiterate what I have stated as to why the motion should be voted down: that the Ways and Means Committee can study within its committee the question of revenue raisers as would be pertinent to the beer bills, and they can bring it out on the floor of this House when this bill is under consideration and by way of amendment advance to this House the bill that Mr. Sterling says is the property of this House, and which should be the property of this House, their recommendations as against what this bill contains. The members of this House can then in their wisdom decide as to whether those recommendations should be followed or whether they should not be followed.

I ask the members to vote the motion down.

The yeas and nays were required by Mr. Philip Sterling and Mr. George W. Williams and were as follows:

YEAS—69

Andrews,	Hutton,	Nothnagle,	Surface,
Baker,	Jones,	Patterson,	Terry,
Caputo,	King,	Peelor,	Turner,
Craig,	Labar,	Perry, D. R.,	Wade,
Dane,	Lord,	Peters,	Walker, W. A.,
DeFrehn,	Lovett, W. S.,	Rhodes,	Wall,
Dunmire,	McCandless,	Rice,	Way,
Ederer,	McClure,	Schrock,	Wike,
Emhardt,	McElwee,	Scott,	Williams, G. W.,
Evans,	McGregor,	Sheffer,	Wilson, T. B.,
Forrest,	McHenry,	Shellenberger,	Witkin,
Griffith,	McKay,	Shreiner,	Wood,
Haines,	McKinney,	Simon,	Woodside,
Hamilton	Meredith,	Snyder,	Wright,
Hermansen,	Merrell,	Sterling, P.,	Yeakel,
Hewitt,	Mohn,	Stevenson,	Zimmerman,
Holmes, J. L.,	Mumford,	Stiteler,	Talbot,
Horst,			Speaker.

NAYS—121

Baldi,	Furman,	Lovett, T. E.,	Reilly,
Barnhardt,	Gallagher,	Lynch, J. R.,	Roan,
Bechtel,	Gartner,	Lynch, M.,	Root,
Beech,	Gillette	Male,	Roth,

Bennett,	Green,	Malina,	Ruby,
Bernhard,	Greenstein,	Maloney,	Sarig,
Blumberg,	Habbyshaw,	Marcks,	Sautter,
Boyd,	Harmuth,	Mason,	Schrope.
Brancato,	Harris,	McBride,	Schwab,
Brennan,	Hart,	McCreary,	Schwartz,
Brown, J. E.,	Hartman,	McGinnis,	Shenkel,
Brown, W. L.,	Heffernan,	McGrail,	Shortz,
Brownfield,	Hefferon,	Melchiorre,	Shugarts,
Cannon,	Heffner,	Metzier,	Sinwell,
Carey,	Hester,	Moore,	Sowers,
Carson,	Himes, L. R.,	Munley,	Spann,
Chervenak,	Hoffman,	Myers,	Stank,
Conner,	Holmes, J. B.	Negley,	Steele,
Cooke,	Hoopes,	O'Connor,	Sterling, R. B.,
Cordier,	Hough	O'Keefe,	Stevens,
Cramer,	Howard,	O'Neill,	Storb,
Davies,	Jaffe,	O'Rourke,	Stott,
Denning,	Kane, J. J.,	Pennock,	Tahl,
Downey, G. E.,	Kinney,	Perry, J. J.,	Wagner,
Downey, J.,	Lane,	Powell,	Wasserman,
Dwyer,	Laubach,	Powers,	Weidemann,
Eroe,	Lenahan,	Price,	Westrick,
Fitzgerald,	Lewis,	Quinn,	White,
Flanagan,	Long,	Rectenwald,	Williams, J. J.,
Flinchbaugh,	Lose,	Reed,	Wilson, L. M.,
			Yourishin,

So the question was determined in the negative and the motion was not agreed to.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, March 29, 1933.

Resolved (if the Senate concur), That House Bill No. 648, entitled "An act relating to the annexation of townships of the first class or parts thereof to boroughs and requiring the consent of the electors of the entire township to such annexation to be ascertained at an election," be recalled from the Governor for further consideration.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, March 8, 1933.

Whereas, Constables are executing writs of possession throughout the Commonwealth; and

Whereas, Tenants are entitled to the same protection as execution debtors are given in Senate Resolution just adopted; now therefore be it

Resolved (if the Senate concur), That the Senate and House of Representatives hereby authorize the several Courts of Common pleas of the several counties of this Commonwealth to stay the execution of all writs of possession until a date not later than April 3, 1933; and be it further

Resolved, That the General Assembly hereby declares its purpose to enact legislation more fully to effectuate this Resolution, et cetera, as provided in said Senate Resolution; and be it further

Resolved, That this Resolution shall become effective immediately upon it final adoption.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1590.

An Act making an appropriation to the State Emergency Relief Board for direct relief and work relief.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 218.

An Act to amend section twelve of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within this Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers, common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by preventing suspension of permits without hearings and providing for appeals in case of suspension or revocation of permits.

HOUSE BILL No. 851.

An Act lapsing all unobligated balances of appropriations for township reward heretofore made from the Motor License Fund

HOUSE BILL No. 948.

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue to meet interest and Sinking Fund requirements on the State debt

HOUSE BILL No. 949.

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth

With the information that the Senate has passed the same without amendment.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. It is the thought of the Chair, after the announcements have been read by the Clerk, to recess until 3:00 o'clock. The calendar is heavy and it may necessitate a night session. The Chair is further of the belief that it will be necessary to have a session tomorrow.

Mr. TURNER. Mr. Speaker, before the Clerk begins making the announcements, may I say that there have been some committee meetings arranged for this afternoon—in particular one large group. Is it possible to move the session up an hour?

The SPEAKER. What time does the gentleman suggest?

Mr. TURNER. 4:00 o'clock.

RECESS

The SPEAKER. If there are no objections the Chair will declare a recess until 4.00 o'clock this afternoon.

Are there objections? The Chair hears none and (at 1.05 P. M.) declares a recess until 4.00 P. M.

AFTER RECESS

The House reconvened at 4.00 P. M.

The SPEAKER (Grover C. Talbot) in the Chair.

REPORTS FROM COMMITTEES

Mr. RECTENWALD, from the Committee on Counties, reported as committed, House Bill No. 1241, entitled:

An Act relating to memorial halls in counties of the second class, erected in honor of the veterans of the wars of the United States, and providing for the use, upkeep, management and control of such halls.

Mr. SIMON, from the Committee on Game, reported as amended, House Bill No. 1409, entitled:

An Act to amend section five hundred and two of the act, approved the twenty-fourth day of May, one thousand nine hundred and twenty-three (P. L. 359), entitled "An act concerning game and other wild birds and wild animals and amending, revising, consolidating, and changing the law relating thereto," as amended, fixing the per day bag limits for cock and hen pheasants.

Mr. NOTHNAGLE, from the Committee on Game, reported as committed, House Bill No. 1200, entitled:

An Act making it unlawful to unnecessarily crop or cut off the ear or ears of dogs to show or exhibit such dogs and providing for the registration of dogs so cut or cropped before this act becomes effective with the city treasurer.

Mr. PHILIP STERLING, from the Committee on Insurance, reported as committed, House Bill No. 1727, entitled:

An Act to amend sections five, six and seven of the act, approved the twentieth day of May, one thousand nine hundred and twenty-one (P. L. 916), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges, and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies, and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports, and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation, and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to, and be supervised by, the Insurance Commissioner; and repealing existing laws; further regulating the benefits authorized under said act.

Mr. WASSERMAN, from the Committee on Judiciary Local, reported as committed, House Bill No. 1418, entitled:

An Act declaring and adopting the azalea nudiflora, also known as the wild Azalea, wild honeysuckle and pinxter bloom, as the Pennsylvania State flower.

Mr. TAHL, from the Committee on Judiciary General, reported as committed, House Bill No. 1755, entitled:

An Act to amend paragraph (a) of section twenty-three of the act approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 337), entitled "An act relating to the jurisdiction, powers, and procedure of the several orphans' courts in proceedings for the partition and valuation of real estate, and for the sale of real estate for the purpose of distribution; and the fees, costs, and expenses therein," as amended, providing that the orphans' court may order the sale of real estate of a decedent upon petition of a majority of the parties in interest.

Mr. TAHL, from the Committee on Judiciary General, reported as committed, House Bill No. 1536, entitled:

An Act to amend the title, and to amend section one of the act, approved the tenth day of May, one thousand nine hundred and twenty-seven (Pamphlet Laws, eight hundred seventy-nine) entitled "An act regulating the sale in bulk of fifty-one per centum or more of the stock of goods, wares or merchandise of any kind, fixtures, machinery, equipment or real estate, by every corporation, joint-stock association, limited partnership or company; providing certain requirements, therefor and imposing certain duties upon the seller and buyer; and fixing penalties," by extending the provisions of the said act to idividuals, copartnerships, and other unincorporated associations, and including notice thereof in the title of said act.

Mr. LONG, from the Committee on Judiciary General, reported as committed, House Bill No. 1837, entitled:

An Act to enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for the years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two, and validating the liens of such taxes.

Mr. CRAIG, from the Committee on Judiciary General, reported as committed, House Bill No. 1713, entitled:

An Act to repeal the act approved the eighteenth day of June, one thousand nine hundred and twenty-three (P. L. 842), entitled "An act for the protection of owners of electric storage batteries upon which the word 'rental' or any other word, mark, or character is printed, painted, stamped, or attached to identify the same; and providing penalties."

Mr. WILSON, from the Committee on Judiciary General reported as amended, House Bill No. 554, entitled:

An Act to amend section ninety-four of the act, approved the thirty-first day of March, one thousand eight hundred and sixty (P. L. 382), entitled "An act to consolidate, revise and amend the penal laws of this Commonwealth," by changing the penalty for kidnapping or enticing children from parents.

Mr. WILSON, from the Committee on Judiciary General, reported as amended, House Bill No. 500, entitled:

An Act to amend the act, approved the twenty-fifth day of February, one thousand eight hundred and seventy-five (P. L. 4), entitled "A supplement to the act, approved March thirty-first, one thousand eight hundred and sixty, entitled 'An act to consolidate, revise and amend the penal laws of this Commonwealth,' further defining the offence of kidnapping, and affixing additional penalties thereto," by increasing the penalty for kidnapping with intent to extort money for restoration.

Mr. EDERER, from the Committee on Constitutional Amendments, reported as committed, House Bill No. 1054, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth, by adding thereto section sixteen.

Mr. BLUMBERG, from the Committee on Judiciary General, reported as committed, House Bill No. 1849, entitled:

An Act to amend sections one and thirty-one of the act approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 337), entitled "An act relating to the jurisdiction, powers, and procedure of the several orphans' courts in proceedings for the partition and valuation of real estate, and for the sale of real estate for the purpose of distribution; and the fees, costs, and expenses therein"; extending the provisions of said act to include real estate of a decedent left in trust or in which a life estate was devised by the will thereof, when the surviving spouse is entitled to an interest therein by reason of taking against said will, and permitting the surviving spouse to take such real estate in kind as the distributive share thereof.

Mr. BLUMBERG, from the Committee on Judiciary General, reported as committed, House Bill No. 1275, entitled:

An Act creating a presumption with regard to vehicles bearing the name or license number of its owner.

Mr. CHERVENAK, from the Committee on Constitutional Amendments, reported as committed, House Bill No. 743, entitled:

A Joint Resolution proposing an amendment to article fourteen, section one, of the Constitution of the Commonwealth of Pennsylvania.

Mr. SOWERS, from the Committee on Constitutional Amendments, reported as committed, House Bill No. 764, entitled:

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania.

Mr. JOHN W. GRIFFITH, from the Committee on Constitutional Amendments, reported as committed, House Bill No. 1357 (Senate Bill No. 356), entitled:

A Joint Resolution proposing an amendment to article fifteen section four of the Constitution of the Commonwealth of Pennsylvania.

Mr. WILSON, from the Committee on Judiciary General, reported as committed, House Bill No. 1073 (Senate Bill No. 369), entitled:

An Act to amend section one of the act approved the twenty-first day of March, one thousand nine hundred and twenty-nine (P. L. 37), entitled "An act for the compensation by counties of persons detained as material witnesses in criminal prosecutions;" reducing the compensation of detained witnesses.

Mr. WILSON, from the Committee on Judiciary General, reported as committed, House Bill No. 1072 (Senate Bill No. 360), entitled:

An Act to validate sheriff's deeds acknowledged previous to the return day of the writ by virtue of which the real estate was sold or acknowledged defectively.

Mr. WILSON, from the Committee on Judiciary General, reported as committed, House Bill No. 1843 (Senate Bill No. 638), entitled:

An Act providing for the appointment by the court of quarter sessions of the directors of the poor of the Erie County Poor District and abolishing the elected directors providing for the appointment and compensation of a director of welfare investigators assistants experts and employes and for the employment and compensation of elected directors whose terms have not expired and repealing existing laws.

Mr. HUTTON, from the Committee on Judiciary General, reported as committed, House Bill No. 1456 (Senate Bill No. 375), entitled:

An Act fixing and regulating the fees, commissions, mileage and other costs chargeable by sheriffs for their official acts and the services of their deputies, watchmen, appraisers and other agents, requiring prepayment of same, unless secured or chargeable to the county, and delivery of itemized receipts therefor; requiring certain payments by the counties, including the compensation of special deputies; providing for the taxation and collection of fees, commissions, mileage and other costs; requiring salaried sheriffs to account to their counties for certain fees and commissions collected and repealing inconsistent laws, general, special or local.

Mr. GREENSTEIN, from the Committee on Counties, reported as committed, House Bill No. 796 (Senate Bill No. 252), entitled:

An Act to amend section fifty-four of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto"; providing that counties shall also pay the premiums on bonds of county officers given to the Commonwealth.

Mr. GREENSTEIN, from the Committee on Counties, reported as committed, House Bill No. 789 (Senate Bill No. 173), entitled:

An Act to amend section six of the act approved the thirty-first day of March, one thousand eight hundred and seventy-six (P. L. 13), entitled "An act to carry into effect section five, of article fourteenth, of the constitution, relative to the salaries of county officers and the payment of fees received by them into the state or county treasury, in counties containing over one hundred and fifty thousand inhabitants," by providing for the payment in full of salaries of county officers out of the fees earned before payment of salaries of deputies, clerks or assistants.

Mr. MASON, from the Committee on Judiciary General, reported as committed, House Bill No. 1086, entitled:

An Act to amend section one of the act, approved the twenty-eighth day of April, one thousand eight hundred and ninety-nine (P. L. 117), entitled, "An act making it unlawful for any person to hold himself out or advertise himself as a lawyer, attorney-at-law or counsellor-at-law in any county of the State of Pennsylvania, unless duly admitted to practice by a court of record of any county in this Commonwealth, and providing a penalty therefor," as amended, by defining and prohibiting certain acts related to the practice of law by persons, partnerships, associations and corporations not duly and regularly admitted to practice law.

RESOLUTIONS

Mr. MELCHIORRE asked and obtained unanimous consent to offer and immediate consideration of the following resolution which was twice read, considered and adopted:

In the House of Representatives, March 29, 1933.

As he was about to undertake the greatest task of his busy life had known, to enjoy the reward of many years of national service, Senator Thomas J. Walsh, of Montana, quietly and peacefully passed into the great unknown.

Before he had yet begun to enjoy and appreciate the companionship that had come to crown the sunset of his life, death called to him and she was left alone.

His selection by President Roosevelt, from scores of able and competent attorneys for the important post of Attorney General of the United States, was a deserved recognition of his ability, his rectitude, and his courage; therefore be it

Resolved, That in the death of Senator Walsh the Nation has been deprived of the service of one who had frequently shown his ability as a public prosecutor, whose worth as an advisor had often been demonstrated, and whose standing as a leader of thought was established.

That his native State has lost its most illustrious son, and the wife who had known his so short a time had not yet glimpsed the inner greatness of this outstanding American.

That although his ability and his courage will be greatly missed, his career of distinguished service to his country needed not this last crowning honor to make his fame lasting and his place in the minds and hearts of his countrymen secure.

That this resolution be spread upon the Journal of the House, and a copy therefor be forwarded by the Chief Clerk of the House to the President of the Senate of the United States.

GRANTING USE OF HALL OF HOUSE TO TAXPAYERS' PROTECTIVE LEAGUE AND ALLIED ORGANIZATIONS

Mr. HOOPES. Mr. Speaker, I move that the use of the Hall of the House of Representatives be granted to the Taxpayers' Protective League and allied organizations of the unemployed on Tuesday, April 4, 1933, between the hours of two and four P. M., for a public hearing on unemployment relief measures,

and that members of the Senate and the House be invited to attend.

The motion was agreed to.

BILL INTRODUCED AND REFERRED

By Mr. PHILLIP STERLING (By request). HOUSE BILL No. 2098.

An Act providing for the imposition, collection and lien of charges for sand, gravel and coal taken, removed or dredged from the beds of streams, lakes and other bodies of water, wholly or partly within, or forming part of the boundary of this Commonwealth, title to which is in the Commonwealth; requiring persons, associations, copartnerships and corporations to secure permits from the Water and Power Resources Board and to file bonds with the Department of Revenue; and providing penalties.

Referred to the Committee on Ways and Means.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 727 (HOUSE BILL No. 2099).

An Act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Revenue in respect thereto; providing for the licensing and regulation of airmen and aircraft; establishing the legal status of air navigation; providing, for sovereignty in and ownership of space; providing for lawfulness of flights; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws.

Referred to the Committee on Aeronautics.

SENATE BILL No. 640 (HOUSE BILL No. 2100).

An Act to amend the first "Whereas" clause, the first paragraph of article one, clause (d) of article two, and article ten of section one, and section two as amended, of the act, approved the twenty-fifth day of June, one thousand nine hundred and thirty-one (P. L. 1352), entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration, operation, and maintenance of bridges over the Delaware River, and for the construction of additional bridge facilities across said river; authorizing the Governor, for those purposes, to enter into an agreement with the State of New Jersey; creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof, including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges; transferring to said Commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River; and making an appropriation." by providing for the appointment of an engineer by the commission, and for the repayment to the Commonwealth, of appropriation herein made.

Referred to the Committee on Highways.

SENATE BILL No. 720 (HOUSE BILL No. 2101).

An Act to authorize certain corporations organized under the laws of Pennsylvania, including railroad corporations organized under the laws of Pennsylvania and of any other state or states, to increase or decrease the par value of the shares of their capital stock; providing that such change of par value of shares may reduce the aggregate par value of outstanding capital stock, or alter or affect the division of authorized capital stock as between outstanding stock and authorized stock unissued; prescribing the manner in which such change shall be made; and repealing all acts and parts of acts inconsistent herewith.

Referred to the Committee on Corporations.

SENATE BILL No. 721 (HOUSE BILL No. 2102).

An Act authorizing stock corporations with certain exceptions, to make provisions for, and to issue, shares of capital stock of any class or classes, or to change shares of authorized or outstanding capital stock of any class into one or more classes, with or without nominal or par value, and with such designations, terms, relative rights, powers, privileges, preferences, limitations, restrictions and qualifications as may be specified; regulating such corporations and the liabilities of their directors; making other provisions relating to the capital stock of such corporations; and repealing all acts or parts of acts inconsistent herewith.

Referred to the Committee on Corporations.

PETITION

URGING MILK ALLOTMENTS TO BE RETURNED

The SPEAKER laid before the House a petition presented by Mr. Bechtel urging the restoration of original milk allotments and that the General Assembly move quickly to provide relief for the coming year, which was read by the Clerk.

The SPEAKER. The communication will be noted in the Journal and is referred to the Committee on Unemployment Relief.

COMMUNICATION

The SPEAKER laid before the House the following communication which was read by the Clerk.

URGING REMOVAL OF TAX ON GASOLINE USED FOR AGRICULTURAL PURPOSES AND URGING REDUCTION OF SCHOOL EXPENDITURES

Taxpayers of Franklin County—addressed to Hon. A. J. White Hutton.

Referred to the Committee on Ways and Means.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 948.

An Act making an appropriation of moneys into the Motor License Fund to the Board of Finance and Revenue to meet interest and Sinking Fund requirements on the State debt.

HOUSE BILL No. 949.

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

HOUSE BILL No. 1590.

An Act making an appropriation to the State Emergency Relief Board for direct relief and work relief.

HOUSE BILL No. 218.

An Act to amend section twelve of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred forty-nine) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the

generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by preventing suspension of permits without hearings and providing for appeals in case of suspension or revocation of permits

HOUSE BILL No. 851.

An Act lapsing all unobligated balances of appropriations for township reward heretofore made from the Motor License Fund.

Whereupon,

The SPEAKER, in the presence of the House signed the same.

BILLS INTRODUCED

Mr. PHILIP STERLING. Mr. Speaker, I ask unanimous consent at this time to introduce two bills which come to the House from the Joint Legislative Commnttee on Finances. It was impossible for the committee to have all the bills prepared in support of this program, but these two bills represent part of the plan.

The SPEAKER. Will the House give its unanimous consent for the introduction of these bills? Is there objection? The Chair hears none and consent is granted.

The bills will be filed with the Bill Clerk.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 810, as follows:

An Act to amend section thirteen of the act approved the seventeenth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred eight) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" as amended removing liver products from the provision which prohibits the sale of medicines containing substances of glandular origin except by registered pharmacists and assistants

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that section thirteen of the act approved the seventeenth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred eight) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drugs' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" which was amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws six hundred fifty-six) is hereby further amended to read as follows

Section 13 That hereafter it shall be unlawful to sell drugs medicines or poisons at retail or to compound physicians' prescriptions or to conduct a pharmacy unless the person so doing shall be a pharmacist or assistant pharmacist or to practice as a pharmacist or assistant pharmacist except in compliance with the provisions of the various laws of the Commonwealth relating thereto Provided however That nothing in this act of Assembly shall be so construed as to interfere with students of pharmacy or other employes in a pharmacy from performing such duties as may be assigned to them by and under the supervision of a pharmacist or assistant pharmacist And provided further That the compounding of physicians' prescriptions or the dispensing and selling of poisons at retail shall not be permitted except under the strict supervision and in the presence of a pharmacist or assistant pharmacist

Nothing in this act of Assembly shall be construed so as to prevent an authorized practitioner of medicine from administering or dispensing such drugs to bona fide patients as he or she shall deem necessary Provided however That such drugs so administered or dispensed shall conform to the standards of strength quality and purity as fixed by the laws of this Commonwealth nor prevent the sale or manufacture of proprietary medicines nor prevent storekeepers from dealing in and selling commonly used household drugs or proprietary medicines when the same are offered for sale or sold in original packages except when administered in single doses on the premises which hav been put up ready for sale to consumers by pharmacists manufacturing pharmacists manufacturers of proprietary medicines wholesale grocers or wholesale druggists under qualified supervision Provided however That the proprietary medicines or household drugs sold or offered for sale shall not contain any opium coca leaves chloral or any of the salts derivatives or compounds thereof in any quantity whatsoever Provided also That remedial agencies that are administered hypodermically intramuscularly or intravenously and all medicial substances containing barbituric acid or its compounds and biologicals (except those biologicals distributed to State and county health officers) and medicines containing substances of glandular origin (except intestinal enzymes and all liver products) shall be sold only by registered pharmacists or assistant pharmacists employed by or conducing a registered pharmacy Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction shal be sentenced to pay a fine of not less than fifty dollars ($50.00) or more than five hundred ($500.00) or imprisonment for not more than one year or either or both in the discretion of the court

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. JOHN L. HOLMES. Mr. Speaker, I desire to ask the sponsor of this bill whether he will explain this bill to this House, and especially as to how it will affect the sale of cod liver oil and liver pills in some of the general stores throughout the State of Pennsylvania.

Mr. WITKIN. Mr. Speaker and members of the House, the bill as amended will permit persons who are not registered pharmacists to sell cod liver oil and all of the liver products without the necessity of being a pharmacist.

Mr. STEEDLE. Mr. Speaker, I should like to interrogate the gentleman from Philadelphia, Mr. Witkin.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Witkin, permit himself to be interrogated?

Mr. WITKIN. I will, Mr. Speaker.

Mr. STEEDLE. Mr. Speaker, may I ask the gentleman from Philadelphia, Mr. Witkin, if this doesn't go further than just the permission to sell cod liver oil and its derivatives?

Mr. WITKIN. Will the gentleman repeat his question?

Mr. STEEDLE. Does this not go further than amending that part of the Act of 1931, excluding cod liver oil; this is corrected to permit the sale of cod liver oil and all of the other emulsions into which cod liver oil enters?

Mr. WITKIN. Absolutely so.

Mr. STEEDLE. Does it also provide for intestinal enzymes and all other cod liver products?

Mr. WITKIN. Mr. Speaker, for the information of the gentleman from Allegheny, I would explain what this act does. In the last General Assembly an act of the Legislature was passed which said that medicines containing substances of glandular origin, except intestinal enzymes and all liver products shall be sold by registered pharmacists or under their guidance and jurisdiction. I might say to the gentleman from Allegheny and the members of this House that about two months prior to this Legislature being called I was retained by certain patent medicine people in Philadelphia and on their behalf filed a bill in equity in the court of common pleas in Philadelphia attacking the constitutionality of that act for the reason that under that act the way it was the ordinary person conducting a patent medicine store could not sell cod liver oil or other harmless products. As the result of the filing of that bill in equity there was a meeting there in Harrisburg, prior to the meeting of this Legislature, at which the Attorney General's office, the State Pharmacist Board myself and several other persons were present. It was agreed by all concerned that the intent of the framers of that act in the last session of the Legislature was not to stop the sale of intestinal enzymes. The result was that with the approval of the Pharmaceutical Board and the approval of the Attorney General's Office and the abatement of that bill in equity these amendments were inserted. The original amendment simply cut out medicines containing substances of glandular origin. The Druggists' Association of Pennsylvania said that that was too broad and they entered a complaint to the effect that there were some medicines of glandular origin that were harmful, and a person who is not registered should not be permitted to sell them. Accordingly, we agreed to amend this act to cover their objection, and as the act now stands a person not a pharmacist or under the jurisdiction and direction of a pharmacist cannot sell medicines containing substances of glandular origin with the exception of the same exceptions which existed in the act passed at the last session, of intestinal enzymes and all liver products, and I am informed by pharmacists and by the State Pharmacists' Board that all this act will do is to permit persons without the necessity of being registered pharmacists to sell these substances of glandular origin that are not harmful in any form. and as I understand, include cod liver oil and all of its derivatives. Everybody seems to be satisfied, as well as the druggists and the Pharmaceutical Board and the druggists themselves.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—71

Baldi,	Green,	McKay,	Sinwell,
Barnhardt,	Greenstein,	Moore,	Spann,
Bechtel,	Habbyshaw,	Myers,	Steedle,
Bennett,	Hamilton,	O'Connor,	Sterling, P.,
Boyd,	Harmuth,	O'Rourke,	Stiteler,
Brennan,	Heffernan,	Pennock,	Stone,
Caputo,	Hefferon,	Peters,	Stott,
Conner,	Heffner,	Powers,	Tahl,
Cooke,	Hermansen,	Price,	Turner,
Craig,	Hoffman,	Raub,	Wasserman,
Denning,	Hoopes,	Root,	Williams, J. J.,
Downey, J.,	Hutton,	Ruth,	Wilson, L. M.,
Duffy,	Jaffe,	Sautter,	Wilson, T. B.,
Ederer,	Laubach,	Schrope,	Witkin,
Emhardt,	Lose,	Schwab,	Woodside,
Forrest,	Lynch, M.,	Shreiner,	Yeakel,
Furman,	Maloney,	Shugarts,	Yourishin,
Gartner,	McElwee,	Simon,	Zimmerman,

NAYS—69

Andrews,	Gallagher,	McCreary,	Shortz,
Baker,	Haines,	McGinnis,	Snyder,
Beech,	Hartman,	McGrail,	Stank,
Bernhard,	Hester,	McGregor,	Sterling, R. B.,
Blumberg,	Hewitt,	McHenry,	Stevenson,
Brown, J. E.,	Himes, L. R.,	McKinney,	Surface,
Brownfield,	Horst,	Melchiorre,	Terry,
Cannon,	Hough	Merrell,	Wade,
Carson,	Howard,	Mumford,	Wall,
Chervenak,	Jones,	Munley,	Way,
Cramer,	Kane, L. P.,	Negley,	Welsh,
Dane,	Labar,	Patterson,	Westrick,
Davies,	Lane,	Peelor,	White,
DeFrehn,	Lenahan,	Perry, D. R.,	Williams, G. W.,
Dunmire,	Lord,	Perry, J. J.,	Wright,
Eroe,	Lovett, J. E.,	Schrock,	Talbot,
Evans,	Lovett, W. S.,	Sheffer,	Speaker.
Flinchbaugh,	Male,	Shellenberger,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

RECONSIDERATION OF VOTE

Mr. SPANN. Mr. Speaker, I move that the vote by which the House agreed to transcribe for third reading, House Bill No. 1695, Senate Bill No. 619, Printer's No. 164, entitled:

An Act authorizing courts of common pleas to stay and adjourn the execution of certain writs in the hands of sheriffs ratifying confirming and validating the actions of courts in staying and adjourning the execution of such writs and of sheriffs in obeying orders and decrees of courts in accordance with this act and a resolution of the General Assembly and dispensing with the necessity of re-advertising and re-posting such writs.

on page 31 of today's calendar, bills on third reading, be reconsidered.

The motion was agreed to.

Mr. SPANN. Mr. Speaker, I move that the vote by which the House agreed to this bill on second reading be reconsidered.

The motion was agreed to.

Mr. SPANN. Mr. Speaker, I move that the vote by which the House agreed to the title and section three of the bill be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the third section.

Mr. SPANN. Mr. Speaker, I desire to offer the following amendment to section 3.

The amendment was read by the Clerk as follows:

Amend section 3, page 3, lines 12 and 13 by striking out the words "this act or of."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to Section 3 as amended?

It was agreed to.

On the question recurring,

Will the House agree to the title?

Mr. SPANN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend title, page 1, line 5 of the title by striking out the words "this act and."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1146, entitled:

An Act to repeal section three of the act approved the eighth day of April, one thousand eight hundred and fifty-two (P. L. 296), entitled, "An act relative to county offices of Clarion County; to certain streets in the borough of Brookville, and to hawkers and peddlers in Bedford County."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—187

Andrews,	Green,	McElwee,	Shellenberger,
Baker,	Greenstein,	McGinnis,	Shenkel,
Baldi,	Griffith,	McGregor,	Shettel,
Barnhardt,	Haines,	McHenry,	Shortz,
Bechtel,	Hamilton,	McKay,	Shreiner,
Beech,	Harmuth,	McKinney,	Shugarts,
Bennett,	Harris,	Melchiorre,	Simon,
Bernhard,	Hart,	Meredith,	Sinwell,
Blumberg,	Heffernan,	Merrell,	Snyder,
Boyd,	Hefferon,	Mohn,	Sowers,
Brancato,	Heffner,	Moore,	Spann,
Brennan,	Hermansen,	Mumford,	Steedle,
Brown, J. E.,	Hester,	Munley,	Sterling, P.,
Brown, W. L.,	Hewitt,	Myers,	Sterling, R. B.,
Brownfield,	Himes, L. R.,	Negley,	Stevens,
Caputo,	Hoffman,	Nothnagle,	Stevenson,
Carey,	Holmes, J. B.,	O'Connor,	Stone,
Carson,	Holmes, J. L.,	O'Keefe,	Storb,
Chervenak,	Hoopes,	O'Rourke,	Stott,
Conner,	Horst,	Patterson,	Surface,
Cooke,	Hough,	Peelor,	Tahl,
Cordier,	Howard,	Pennock,	Terry,
Craig,	Hutton,	Perry, D. R.,	Turner,
Cramer,	Jones,	Perry, J. J.,	Wade,
Dane,	Kane, J. J.,	Peters,	Walker, G. E.,
Davies,	Kane, L. P.,	Powell,	Walker, W. A.,
DeFrehn,	King,	Powers,	Wall,
Denning,	Kinney,	Price,	Wasserman,
Downey, G. E.,	Labar,	Quinn,	Way,
Downey, J.,	Lane,	Rectenwald,	Weidemann,
Duffy,	Laubach,	Reed,	Welsh,
Dunmire,	Lenahan,	Reilly,	Westrick,
Dwyer,	Long,	Rhodes,	White,
Ederer,	Lord,	Rice,	Wike,
Emhardt,	Lose,	Roan,	Williams, G. W.,
Eroe,	Lovett, J. E.,	Roth,	Williams, J. J.,
Evans,	Lovett, W. S.,	Royle,	Wilson, L. M.,
Fitzgerald,	Lynch, J. R.,	Ruby,	Wilson, T. B.,
Fleisher,	Lynch, M.,	Sarig,	Witkin,
Flinchbaugh,	Malina,	Sautter,	Wood,
Flynn,	Maloney,	Schrock,	Woodside,
Forrest,	Marcks,	Schrope,	Wright,
Furman,	Mason,	Schwab,	Yeakel,
Gallagher,	McBride,	Schwartz,	Yourishin,
Gartner,	McCandless,	Scorza,	Zimmerman,
Gillette,	McClure,	Scott,	Talbot,
Gorman,	McCreary,	Sheffer,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 864, entitled:

An Act to repeal article twenty-one of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, will the sponsor of this bill tells us what article in the school code this bill repeals?

Mr. ZIMMERMAN. Mr. Speaker and members of the House, the purpose of this bill is to abolish teachers institutes.

The Department of Education believes and so do most of the school districts and the counties throughout the State that teachers institutes have now served their purpose, that they have become costly to the counties and that they are obsolete.

We feel, and the Department of Education agrees with us, that as provided in this section the teachers institutes should be abolished, and this bill provides the way it shall be done.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—129

Andrews,	Gorman,	Mumford,	Sinwell,
Baldi,	Green,	Myers,	Snyder,
Barnhardt,	Greenstein,	Negley,	Spann,
Bechtel,	Griffith,	O'Connor,	Steedle,
Bennett,	Habbyshaw,	O'Keefe,	Sterling, P.,
Bernhard,	Hamilton,	O'Rourke,	Stevens,
Boyd,	Harmuth,	Peelor,	Stevenson,
Brancato,	Hartman,	Pennock,	Stiteler,
Brennan,	Heffernan,	Perry, D. R.,	Storb,
Brown, W. L.,	Hefferon,	Perry, J. J.,	Surface,
Cannon,	Heffner,	Peters,	Tahl,
Caputo,	Hermansen,	Powell,	Turner,
Carey,	Hewitt,	Powers,	Wade,
Conner,	Himes, L. R.,	Quinn,	Wagner,
Cooke,	Hoffman,	Rectenwald,	Walker, W. A.,
Cordier,	Holmes, J. B.,	Reed,	Wall,
Craig,	Holmes, J. L.,	Rhodes,	Way,
Dane,	Hoopes,	Rice,	Weidemann,
Davies,	Hough,	Roan,	Westrick,
DeFrehn,	Hutton,	Roth,	Wike,
Denning,	Kane, J. J.,	Ruby,	Williams, G. W.,
Dunmire,	Kane, L. P.,	Sautter,	Wilson, L. M.,
Dwyer,	King,	Schrock,	Wilson, T. B.,
Ederer,	Labar,	Schwab,	Witkin,
Emhardt,	Laubach,	Scorza,	Wood,
Evans,	McBride,	Scott,	Woodside,
Fleisher,	McCandless,	Sheffer,	Wright,
Flinchbaugh,	McClure,	Shellenberger,	Yeakel,
Flynn,	McGinnis,	Shortz,	Yourishin,
Forrest,	McGrail,	Shreiner,	Zimmerman,
Furman,	McKay,	Shugarts,	Talbot,
Gallagher,	McKinney,	Simon,	Speaker.
Gillette,	Mohn,		

NAYS—11

Beech,	Chervenak,	Howard,	Melchiorre,
Brown, J. E.,	Cramer,	Lane,	Welsh,
Brownfield,	Hester,	Lenahan,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 51.

An Act to amend the act approved the twenty-second day of April one thousand nine hundred and nine (Pamphlet Laws one hundred twenty-two) entitled "An act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired and to validate the conveyances and other instruments of said corporations" as amneded extending said validating provisions to January first one thousand nine hundred and thirty-three

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1279, entitled:

An Act to amend article fourteen of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by adding thereto a new section providing that the Department of Public Instruction shall reimburse school districts for educating children of employes of public institutions.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—136

Andrews,	Heffernan,	Moore,	Snyder,
Baker,	Hefferon,	Mumford,	Sowers,
Bechtel,	Hermansen,	Myers,	Steedle,
Bennett,	Hester,	Nothnagle,	Sterling, P.,
Bernhard,	Hewitt,	O'Keefe,	Stevens,
Blumberg,	Himes, L. R.,	O'Rourke,	Stevenson,
Boyd,	Hoffman,	Patterson,	Stiteler,
Brancato,	Hoopes,	Peelor,	Storb,
Brown, W. L.,	Horst,	Pennock,	Stott,
Cannon,	Hough,	Perry, D. R.,	Surface,
Conner,	Hutton,	Perry, J. J.,	Tahl,
Cooke,	Jaffe,	Peters,	Terry,
Cordier,	Jones,	Powell,	Turner,
Dane,	Kane, L. P.,	Price,	Wade,
Denning,	King,	Raub,	Wall,
Downey, G. E.,	Labar,	Reed,	Wasserman,
Duffy,	Laubach,	Reilly,	Way,
Dwyer,	Lenahan,	Rhodes,	Weidemann,
Ederer,	Long,	Rice,	Welsh,
Emhardt,	Lose,	Roan,	White,
Evans,	Lynch, J. R.,	Root,	Wike,
Flinchbaugh,	Male,	Royle,	Williams, G. W.,
Flynn,	Malina,	Ruth,	Williams, J. J.,
Forrest,	Marcks,	Sarig,	Wilson, L. M.,
Gallagher,	Mason,	Sautter,	Wilson, T. B.,
Gillette,	McBride,	Schrock,	Witkin,
Green,	McCandless,	Schwartz,	Wood,
Greenstein,	McClure,	Scott,	Woodside,
Griffith,	McElwee,	Sheffer,	Wright,
Habbyshaw,	McGrail,	Shellenberger,	Yeakel,
Hamilton,	McKay,	Shortz,	Yourishin,
Harmuth,	McKinney,	Shreiner,	Zimmerman,
Harris,	Meredith,	Simon,	Talbot,
Hart,	Metzler,	Sinwell,	Speaker.
Hartman,			

NAYS—3

Caputo,	O'Connor,	Shugarts,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1234, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of an arbitration award for architectural services rendered in connection with the construction of the Farm Show Building.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to teh provisions of the Constitution, the yeas and nays were taken as follows, viz:

YEAS—192

Andrews,	Greenstein,	McHenry,	Shettel,
Baker,	Griffith,	McKay,	Shortz,
Baldi,	Haines,	McKinney,	Shreiner,
Barnhardt,	Hamilton,	Melchiorre,	Shugarts,
Bechtel,	Harris,	Meredith,	Simon,
Beech,	Hart,	Merrell,	Sinwell,
Bennett,	Heffernan,	Metzler,	Snyder,
Bernhard,	Hefferon,	Mohn,	Sowers,
Blumberg,	Heffner,	Moore,	Spann,
Boyd,	Hermansen,	Mumford,	Stank,
Brancato,	Hester,	Munley,	Steedle,
Brennan,	Hewitt,	Myers,	Sterling, P.,
Brown, J. E.,	Himes, L. R.,	Negley,	Sterling, R. B.,
Brown, W. L.,	Hoffman,	Nothnagle,	Stevens,
Brownfield,	Holmes, J. B.,	O'Connor,	Stevenson,
Cannon,	Holmes, J. L.,	O'Keefe,	Stiteler,
Caputo,	Hoopes,	O'Neill,	Storb,
Carey,	Horst,	O'Rourke,	Stone,
Carson,	Hough,	Peelor,	Stott,
Chervenak,	Howard,	Pennock,	Surface,
Cohen,	Hutton,	Perry, D. R.,	Tahl,
Conner,	Jaffe,	Perry, J. J.,	Terry,
Cooke,	Jones,	Peters,	Turner,
Cordier,	Kane, J. J.,	Powell,	Wade,
Craig,	Kane, L. P.,	Powers,	Wagner,
Cramer,	King,	Price,	Walker, G. E.,
Dane,	Kinney,	Quinn,	Walker, W. A.,
Davies,	Labar,	Raub,	Wall,
DeFrehn,	Lane,	Rectenwald,	Wasserman,
Denning,	Laubach,	Reed,	Way,
Downey, G. E.,	Lenahan,	Reilly,	Weidemann,
Downey, J.,	Lewis,	Rhodes,	Welsh,
Duffy,	Long,	Rice,	Westrick,
Dunmire,	Lord,	Root,	White,
Dwyer,	Lose,	Roth,	Wike,
Ederer,	Lovett, W. S.,	Royle,	Williams, G. W.,
Emhardt,	Lynch, J. R.,	Ruby,	Williams, J. J.,
Eroe,	Lynch, M.,	Ruth,	Wilson, L. M.,
Evans,	Male,	Sarig,	Wilson, T. B.,
Fitzgerald,	Malina,	Sautter,	Witkin,
Flanagan,	Maloney,	Schrock,	Wood,
Fleisher,	Marcks,	Schrope,	Woodside,
Flinchbaugh,	Mason,	Schwab,	Wright,

Flynn,	McCandless,	Schwartz,	Yeakel,
Forrest,	McClure,	Scorza,	Yourishin,
Furman,	McElwee,	Scott,	Zimmerman,
Gartner,	McGinnis,	Sheffer,	Talbot,
Gillette,	McGrail,	Shellenberger,	Speaker.
Green,	McGregor,	Shankel,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 950, entitled:

An Act prohibiting the marking of articles manufactured aassembled or produced without the United States as having been manufactured assembled or produced within the United States prohibiting the removal of tags or markings therefrom showing foreign manufacture and prohibiting the sale of foreign made articles as having been manufactured in the United States and providing penalties

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—189

Andrews,	Greenstein,	McElwee,	Shortz,
Baker,	Griffith,	McGinnis,	Shreiner,
Baldi,	Haines,	McGrail,	Shugarts,
Barnhardt,	Hamilton,	McGregor,	Simon,
Bechtel,	Harmuth,	McKay,	Sinwell,
Beech,	Harris,	McKinney,	Snyder,
Bennett,	Hart,	Melchiorre,	Sowers,
Bernhard,	Hartman,	Meredith,	Spann,
Blumberg,	Hefferon,	Merrell,	Stank,
Boyd,	Heffner,	Metzler,	Steedle,
Brancato,	Hermansen,	Mohn,	Sterling, P.,
Brennan,	Hester,	Mumford,	Sterling, R. B.,
Brown, W. L.,	Hewitt,	Munley,	Stevens,
Brownfield,	Himes, L. R.,	Myers,	Stevenson,
Cannon,	Hoffman,	Nothnagle,	Stiteler,
Caputo,	Holmes, J. B.,	O'Connor,	Storb,
Carey,	Holmes, J. L.,	O'Keefe,	Stone,
Carson,	Hoopes,	O'Neill,	Stott,
Chervenak,	Horst,	O'Rourke,	Surface,
Cohen,	Hough,	Patterson,	Tahl,
Conner,	Howard,	Peelor,	Terry,
Cooke,	Hutton,	Pennock,	Turner,
Cordier,	Jaffe,	Perry, D. R.,	Wade,
Craig,	Jones,	Perry, J. J.,	Wagner,
Cramer,	Kane, J. J.,	Peters,	Walker, G. E.,
Dane,	Kane, L. P.,	Powers,	Walker, W. A.,
Davies,	King,	Price,	Wall,
DeFrehn,	Kinney,	Raub,	Wasserman,
Denning,	Labar,	Rectenwald,	Way,
Downey, G. E.,	Lane,	Reed,	Weidemann,
Downey, J.,	Laubach,	Reilly,	Welsh,
Dunmire,	Lenahan,	Rice,	Westrick,
Dwyer,	Lewis,	Roan,	White,
Ederer,	Long,	Roth,	Wike,
Embardt,	Lord,	Royle,	Williams, G. W.,
Eroe,	Lose,	Ruth,	Williams, J. J.,
Evans,	Lovett, J. E.,	Sarig,	Wilson, L. M.,
Fitzgerald,	Lovett, W. S.,	Sautter,	Wilson, T. B.,
Flanagan,	Lynch, J. R.,	Schrock,	Witkin,
Fleisher,	Male,	Schrope,	Wood,
Flinchbaugh,	Malina,	Schwab,	Woodside,
Flynn,	Maloney,	Scorza,	Wright,
Forrest,	Marcks,	Scott,	Yeakel,
Gallagher,	Mason,	Sheffer,	Yourishin,
Gartner,	McBride,	Shellenberger,	Zimmerman,
Gillette,	McCandless,	Shenkel,	Talbot,
Gorman,	McClure,	Shettel,	Speaker.
Green,	McCreary,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and conisderation of House Bill No. 664, entitled:

An Act making an appropriation for the purpose of maintaining the public roads through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192

Andrews,	Gorman,	McCandless,	Schwab,
Baker,	Green,	McClure,	Schwartz,
Baldi,	Greenstein,	McCreary,	Scorza,
Barnhardt,	Griffith,	McElwee,	Scott,
Bechtel,	Habbyshaw,	McGrail,	Sheffer,
Beech,	Haines,	McGregor,	Shellenberger,
Bennett,	Hamilton,	McHenry,	Shenkel,
Bernhard,	Harmuth,	McKay,	Shettel,
Blumberg,	Harris,	McKinney,	Shortz,
Boyd,	Hart,	Melchiorre,	Shreiner,
Brancato,	Hartman,	Meredith,	Shugarts,
Brennan,	Heffernan,	Merrell,	Simon,
Brown, J. E.,	Hefferon,	Metzler,	Sinwell,
Brown, W. L.,	Heffner,	Mohn,	Snyder,
Brownfield,	Hermansen,	Moore,	Sowers,
Cannon,	Hester,	Mumford,	Spann,
Caputo,	Hewitt,	Munley,	Steedle,
Carey,	Himes, L. R.,	Myers,	Sterling, P.,
Carson,	Hoffman,	Negley,	Sterling, R. B.,
Chervenak,	Holmes, J. B.,	Nothnagle,	Stevens,
Cohen,	Holmes, J. L.,	O'Connor,	Stevenson,
Conner,	Hoopes,	O'Neill,	Stiteler,
Cooke,	Horst,	O'Rourke,	Storb,
Cordier,	Hough,	Patterson,	Stone,
Craig,	Howard,	Peelor,	Stott,
Cramer,	Hutton,	Pennock,	Surface,
Dane,	Jaffe,	Perry, D. R.,	Tahl,
Davies,	Jones,	Perry, J. J.,	Terry,
DeFrehn,	Kane, J. J.,	Peters,	Turner,
Denning,	Kane, L. P.,	Powell,	Wade,
Downey, G. E.,	King,	Powers,	Wagner,
Downey, J.,	Kinney,	Price,	Walker, G. E.,
Duffy,	Labar,	Quinn,	Walker, W. A.,
Dunmire,	Lane,	Raub,	Wall,
Dwyer,	Laubach,	Rectenwald,	Wasserman,
Ederer,	Lenahan,	Reed,	Way,
Embardt,	Lewis,	Reilly,	Weidemann,
Eroe,	Long,	Rhodes,	Welsh,
Evans,	Lord,	Rice,	White,
Fitzgerald,	Lose,	Roan,	Wike,
Flanagan,	Lovett, J. E.,	Root,	Williams, G. W.,
Fleisher,	Lovett, W. S.,	Roth,	Witkin,
Flinchbaugh,	Lynch, J. R.,	Royle,	Wood,
Flynn,	Male,	Ruby,	Woodside,
Forrest,	Malina,	Ruth,	Yeakel,
Furman,	Maloney,	Sarig,	Zimmerman,
Gallagher,	Marcks,	Sautter,	Talbot,
Gartner,	Mason,	Schrock,	Speaker.
Gillette,	McBride,	Schrope,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1163, as follows:

A Supplement to the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred thirty) entitled "An act relating to the erection of a dam at the outlet of Pymatuning Swamp and the establishment of a reservior for the flood control of the Shenango and Beaver rivers conferring and continuing certain powers and duties on the Department of Forest and Waters in relation to the establishment and maintenance of such reservoir providing for the acquisition of necessary lands therefor and the necessary agreements and releases relating thereto and the disposition of surplus land and materials" and making an appropriation to the Department of Forests and Waters to carry into effect the provisions of said act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of Five Hundred Thousand Dollars ($500,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the use of the Water and Power Resources Board for the construction of a dam and spillway across the outlet of Pymatuning Swamp in Crawford County on lands heretofore acquired therefor for clearing the reservoir site for raising relocating and reconstructing railroads and higways which the Water and Power Resources Board shall deem necessary in connection with the reservoir project for acquiring additional lands rights of way and releases necessary for the completion of the reservoir and the relocation of railroads and highways for the relocation of telephone and power lines and for any other expenses of every kind and description which the Water and Power Resources Board shall deem necessary in connection with the completion and operation of the Pymatuning Reservoir Project

Section 2 The dam spillway and other works shall be constructed under the supervision of the Water and Power Resources Board in accordance with plans and specifications which have been or shall be prepared by or under the direction of the Department of Forests and Waters and which shall be approved by the Governor The Water and Power Resources Board subject to the approval of the Department of Forests and Waters shall advertise for proposals and award contracts for the construction of said dam spillway and other works in the same manner and subject to the same conditions as proposals are advertised and contracts are awarded by the Department of Property and Supplies under section two thousand four hundred eight of "The Administrative Code of one thousand nine hundred and twenty-nine"

Section 3 The Department of Forests and Waters with the approval of the Governor shall pay out of the appropriation made by this act the cost of supervision engineering and other expenses necessary for carrying out the purpose of this act

Section 4 This act shall be effective immediately upon its passage and approval by the Governor

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156

Baker,	Haines,	McKay,	Sinwell,
Bennett,	Hamilton,	Metzier,	Snyder,
Boyd,	Harris,	Mohn,	Sowers,
Brancato,	Hart,	Mumford,	Spann,
Brown, J. E.,	Heffernan,	Munley,	Steedle,
Brown, W. L.,	Hefferon,	Negley,	Sterling, P.,
Brownfield,	Heffner,	Nothnagle,	Sterling, R. B.,
Cannon,	Hermansen,	O'Connor,	Stevens,
Carey,	Hester,	O'Keefe,	Stevenson,
Carson,	Hewitt,	O'Neill,	Stiteler,
Chervenak,	Himes, L. R.,	O'Rourke,	Storb,
Conner,	Hoffman,	Patterson,	Stott,
Cooke,	Holmes, J. B.,	Peelor,	Surface,
Cordier,	Holmes, J. L.,	Pennock,	Tahl,
Craig,	Hoopes,	Perry, D. R.,	Turner,
Cramer,	Horst,	Peters,	Wade,
Dane,	Hough,	Powell,	Wagner,
Davies,	Hutton,	Price,	Walker, G. E.,
DeFrehn,	Jaffe,	Rectenwald,	Walker, W. A.,
Denning,	Jones,	Reed,	Wall,
Downey, G. E.,	Kane, J. J.,	Reilly,	Wasserman,
Duffy,	Kane, L. P.,	Rhodes,	Way,
Dunmire,	King,	Rice,	Weidemann,
Dwyer,	Kinney,	Roan,	Welsh,
Emhardt,	Labar,	Royle,	White,
Eroe,	Lane,	Ruby,	Wike,
Fitzgerald,	Laubach,	Ruth,	Williams, G. W.,
Flanagan,	Lenahan,	Sarig,	Williams, J. J.,
Fleisher,	Lewis,	Sautter,	Wilson, L. M.,
Flinchbaugh,	Long,	Schrock,	Wilson, T. B.,
Flynn,	Lose,	Schwab,	Witkin,
Forrest,	Lovett, J. E.,	Schwartz,	Wood,
Gallagher,	Lynch, J. R.,	Scott,	Woodside,
Gartner,	Maloney,	Sheffer,	Wright,
Gillette,	Mason,	Shellenberger,	Yeakel,
Gorman,	McClure,	Shenkel,	Yourishin,
Green,	McCreary,	Shettel,	Zimmerman,
Greenstein,	McElwee,	Shreiner,	Talbot,
Griffith,	McHenry,	Simon,	Speaker.
Habbyshaw,			

NAYS—5

Andrews,	Lynch, M.,	Male,	McBride,
Bechtel,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1449 (Senate Bill No. 283), entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Manufacturing Fund.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—196

Andrews,	Griffith,	McCreary,	Sheffer,
Baker,	Habbyshaw,	McElwee,	Shellenberger,
Baldi,	Haines,	McGinnis,	Shenkel,
Barnhardt,	Hamilton,	McGrail,	Shettel,
Bechtel,	Harmuth,	McGregor,	Shortz,
Beech,	Harris,	McHenry,	Shreiner,
Bennett,	Hart,	McKay,	Shugarts,
Bernhard,	Hartman,	McKinney,	Simon,
Blumberg,	Heffernan,	Melchiorre,	Sinwell,
Boyd,	Hefferon,	Meredith,	Snyder,
Brancato,	Heffner,	Merrell,	Sowers,
Brennan,	Hermansen,	Metzier,	Spann,
Brown, J. E.,	Hester,	Mohn,	Stank,
Brown, W. L.,	Hewitt,	Moore,	Steedle,
Brownfield,	Himes, L. R.,	Mumford,	Sterling, P.,
Cannon,	Hoffman,	Munley,	Sterling, R. B.,
Caputo,	Holmes, J. B.,	Myers,	Stevens,
Carey,	Holmes, J. L.,	Negley,	Stevenson,
Carson,	Hoopes,	Nothnagle,	Stiteler,
Chervenak,	Horst,	O'Connor,	Storb,
Cohen,	Hough,	O'Keefe,	Stone,
Conner,	Howard,	O'Rourke,	Stott,
Cooke,	Hutton,	Patterson,	Surface,
Cordier,	Jaffe,	Peelor,	Tahl,
Craig,	Jones,	Pennock,	Talbot,
Cramer,	Kane, J. J.,	Perry, D. R.,	Terry,
Dane,	Kane, L. P.,	Perry, J. J.,	Turner,

Davies,	King,	Peters,	Wade,
DeFrehn,	Kinney,	Powell,	Wagner,
Denning,	Labar,	Powers,	Walker, G. E.,
Downey, G. E.,	Lane,	Rectenwald,	Walker, W. A.,
Downey, J.,	Laubach,	Reed,	Wall,
Duffy,	Lenahan,	Reilly,	Wasserman,
Dunmire,	Lewis,	Rhodes,	Way,
Dwyer,	Long,	Rice,	Weidemann,
Ederer,	Lord,	Roan,	Welsh,
Emhardt,	Lose,	Root,	Westrick,
Evans,	Lovett, J. E.,	Roth,	Wike,
Fitzgerald,	Lovett, W. S.,	Royle,	Williams, G. W.,
Flanagan,	Lynch, J. R.,	Ruby,	Williams, J. J.,
Fleisher,	Lynch, M.,	Ruth,	Wilson, L. M.,
Flinchbaugh,	Male,	Sarig,	Wilson, T. B.,
Flynn,	Malina,	Sautter,	Wood,
Forrest,	Maloney,	Schrock,	Woodside,
Gallagher,	Marcks,	Schrope,	Wright,
Gartner,	Mason,	Schwab,	Yeakel,
Gillette,	McBride,	Schwartz,	Yourishin,
Gorman,	McCandless,	Scorza,	Zimmerman,
Green,	McClure,	Scott,	Speaker.
Greenstein,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1502 (Senate Bill No. 176), entitled:

A Joint Resolution proposing an amendment to section three article seventeen of the Constitution of the Commonwealth of Pennsylvania.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WESTRICK. Mr. Speaker, for the purpose of information would it be possible to have someone explain this bill?

The SPEAKER. This is a Senate bill, the Chair informs the gentleman.

Is there any member in the House that can explain the purpose of the bill now before the House for the benefit of the gentleman from Cambria? There does not seem to be anyone.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Andrews,	Habbyshaw,	Scott,	Sheffer,
Baker,	Haines,	McElwee,	Shellenberger,
Baldi,	Hamilton,	McGinnis,	Shenkel,
Barnhardt,	Harris,	McGregor,	Shettel,
Bechtel,	Hart,	McHenry,	Shortz,
Bennett,	Hartman,	McKay,	Shreiner,
Bernhard,	Heffernan,	McKinney,	Shugarts,
Blumberg,	Hefferon,	Melchiorre,	Simon,
Boyd,	Heffner,	Meredith,	Sinwell,
Brancato,	Hermansen,	Merrell,	Sowers,
Brennan,	Hester,	Mohn,	Spann,
Brown, J. E.,	Hewitt,	Moore,	Stank,
Brown, W. L.,	Himes, L. R.,	Mumford,	Steedle,
Cannon,	Hoffman,	Munley,	Sterling, P.,
Caputo,	Holmes, J. B.,	Myers,	Sterling, R. B.,
Carey,	Holmes, J. L.,	Negley,	Stevens,
Carson,	Hoopes,	Nothnagle,	Stevenson,
Cohen,	Horst,	O'Connor,	Stiteler,
Conner,	Hough,	O'Keefe,	Stone,
Cooke,	Howard,	O'Rourke,	Stott,
Cordier,	Hutton,	Patterson,	Surface,
Craig,	Jones,	Peelor,	Tahl,
Cramer,	Kane, J. J.,	Pennock,	Terry,
Davies,	Kane, L. P.,	Perry, D. R.,	Turner,
DeFrehn,	King,	Perry, J. J.,	Wade,
Denning,	Kinney,	Peters,	Walker, G. E.,
Downey, G. E.,	Labar,	Powell,	Walker, W. A.,
Downey, J.,	Lane,	Powers,	Wall,
Dunmire,	Laubach,	Quinn,	Wasserman,
Dwyer,	Lewis,	Raub,	Way,
Ederer,	Long,	Reed,	Weidemann,
Emhardt,	Lord,	Reilly,	Welsh,
Eroe,	Lose,	Rhodes,	Westrick,
Evans,	Lovett, J. E.,	Rice,	White,
Fitzgerald,	Lovett, W. S.,	Roan,	Wike,
Flanagan,	Lynch, J. R.,	Roth,	Williams, G. W.,
Flinchbaugh,	Lynch, M.,	Royle,	Williams, J. J.,
Flynn,	Malina,	Ruby,	Wilson, L. M.,
Forrest,	Maloney,	Ruth,	Wilson, T. B.,
Furman,	Marcks,	Sarig,	Witkin,
Gartner,	Mason,	Sautter,	Woodside,
Gillette,	McBride,	Schrock,	Wright,
Gorman,	McCandless,	Schrope,	Yourishin,
Greenstein,	McClure,	Schwab,	Talbot,
Griffith,	McCreary,	Scorza,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affffirmative.

Ordered, That the Clerk return the same to the Senate with nformation that the House has passed it without amendments.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1489 (Senate Bill No. 38), entitled:

An Act making a deficiency appropriation to the Board of Finance and Revenue.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—196

Andrews,	Gillette,	McCandless,	Scott,
Baker,	Gorman,	McClure,	Sheffer,
Baldi,	Green,	McElwee,	Shellenberger,
Barnhardt,	Griffith,	McGinnis,	Shenkel,
Bechtel,	Habbyshaw,	McGrail,	Shettel,
Beech,	Haines,	McGregor,	Shortz,
Bennett,	Hamilton,	McHenry,	Shreiner,
Bernhard,	Harmuth,	McKay,	Shugarts,
Blumberg,	Harris,	McKinney,	Simon,
Boyd,	Hart,	Melchiorre,	Sinwell,
Brancato,	Hartman,	Meredith,	Snyder,
Brennan,	Heffernan,	Merrell,	Sowers,
Brown, J. E.,	Hefferon,	Metzler,	Spann,
Brown, W. L.,	Heffner,	Mohn,	Steedle,
Brownfield,	Hermansen,	Moore,	Sterling, P.,
Cannon,	Hester,	Mumford,	Sterling, R. B.,
Caputo,	Hewitt,	Munley,	Stevens,
Carey,	Himes, L. R.,	Myers,	Stevenson,
Carson,	Hoffman,	Negley,	Stiteler,
Chervenak,	Holmes, J. B.,	Nothnagle,	Storb,
Cohen,	Holmes, J. L.,	O'Connor,	Stone,
Conner,	Hoopes,	O'Keefe,	Stott,
Cooke,	Horst,	O'Neill,	Surface,

Cordier,	Hough,	O'Rourke,	Tahl,
Craig,	Howard,	Peelor,	Terry,
Fleisher,	Hutton,	Pennock,	Turner,
Flynn,	Jaffe,	Perry, D. R.,	Wade,
Forrest,	Jones,	Perry, J. J.,	Wagner,
Cramer,	Kane, J. J.,	Peters,	Walker, G. E.,
Dane,	Kane, L. P.,	Powers,	Walker, W. A.,
Davies,	King,	Price,	Wall,
DeFrehn,	Kinney,	Quinn,	Way,
Denning,	Labar,	Rectenwald,	Weidemann,
Downey, G. E.,	Lane,	Reed,	Welsh,
Downey, J.,	Laubach,	Reilly,	Westrick,
Duffy,	Lenahan,	Rhodes,	White,
Dunmire,	Lewis,	Rice,	Wike,
Dwyer,	Long,	Roan,	Williams, G. W.,
Ederer,	Lord,	Root,	Williams, J. J.,
Emhardt,	Lose,	Roth,	Wilson, L. M.,
Eroe,	Lovett, J. E.,	Royle,	Wilson, T. B.,
Evans,	Lovett, W. S.,	Ruby,	Witkin,
Fitzgerald,	Lynch, J. R.,	Ruth,	Wood,
Flanagan,	Lynch, M.,	Sarig,	Woodside,
Fleisher,	Male,	Sautter,	Wright,
Flynn,	Malina,	Schrock,	Yeakel,
Forrest,	Maloney,	Schrope,	Yourishin,
Furman,	Marcks,	Schwab,	Zimmerman,
Gallagher,	Mason,	Schwartz,	Talbot,
Gartner,	McBride,	Scorza,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1453 (Senate Bill No. 287), entitled:

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Banking Department Fund.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—196

Andrews,	Griffith,	McCreary,	Sheffer,
Baker,	Habbyshaw,	McElwee,	Shellenberger,
Baldi,	Haines,	McGinnis,	Shenkel,
Barnhardt,	Hamilton,	McGrail,	Shettel,
Bechtel,	Harmuth,	McGregor,	Shortz,
Beech,	Harris,	McHenry,	Shreiner,
Bennett,	Hart,	McKay,	Shugarts,
Bernhard,	Hartman,	McKinney,	Simon,
Blumberg,	Heffernan,	Melchiorre,	Sinwell,
Boyd,	Hefferon,	Meredith,	Snyder,
Brancato,	Heffner,	Merrell,	Sowers,
Brennan,	Hermansen,	Metzler,	Spann,
Brown, J. E.,	Hester,	Mohn,	Stank,
Brown, W. L.,	Hewitt,	Moore,	Steedle,
Brownfield,	Himes, L. R.,	Mumford,	Sterling, P.,
Cannon,	Hoffman,	Munley,	Sterling, R. B.,
Caputo,	Holmes, J. B.,	Myers,	Stevens,
Carey,	Holmes, J. L.,	Negley,	Stevenson,
Carson,	Hoopes,	Nothnagle,	Stiteler,
Chervenak,	Horst,	O'Connor,	Storb,
Conner,	Hough,	O'Keefe,	Stone,
Cooke,	Howard,	O'Neill,	Stott,
Cordier,	Hutton,	O'Rourke,	Surface,
Craig,	Jaffe,	Patterson,	Tahl,
Cramer,	Jones,	Peelor,	Terry,
Dane,	Kane, J. J.,	Perry, D. R.,	Turner,
Davies,	Kane, L. P.,	Peters,	Wade,
DeFrehn,	King,	Powers,	Wagner,
Denning,	Kinney,	Price,	Walker, G. E.,
Downey, G. E.,	Labar,	Quinn,	Walker, W. A.,
Downey, J.,	Lane,	Rectenwald,	Wall,
Duffy,	Laubach,	Reed,	Way,
Dunmire,	Lenahan,	Reilly,	Weidemann,
Dwyer,	Lewis,	Rhodes,	Welsh,
Ederer,	Long,	Rice,	Westrick,
Emhardt,	Lord,	Roan,	White,
Eroe,	Lose,	Root,	Wike,
Evans,	Lovett, J. E.,	Roth,	Williams, G. W.,
Fitzgerald,	Lovett, W. S.,	Royle,	Williams, J. J.,
Flanagan,	Lynch, J. R.,	Ruby,	Wilson, L. M.,
Fleisher,	Lynch, M.,	Ruth,	Wilson, T. B.,
Flynn,	Male,	Sarig,	Witkin,
Forrest,	Malina,	Sautter,	Wood,
Furman,	Maloney,	Schrock,	Wright,
Gallagher,	Marcks,	Schrope,	Yeakel,
Gartner,	Mason,	Schwab,	Yourishin,
Gillette,	McBride,	Schwartz,	Zimmerman,
Gorman,	McCandless,	Scorza,	Talbot,
Green,	McClure,	Scott,	Speaker.
Greenstein,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1454 (Senate Bill No. 288), entitled:

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Game Fund.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—196

Andrews,	Habbyshaw,	McCreary,	Sheffer,
Baker,	Haines,	McElwee,	Shellenberger,
Baldi,	Hamilton,	McGinnis,	Shenkel,
Barnhardt,	Harris,	McGregor,	Shettel,
Bechtel,	Hart,	McHenry,	Shortz,
Bennett,	Hartman,	McKay,	Shreiner,
Bernhard,	Heffernan,	McKinney,	Shugarts,
Blumberg,	Hefferon,	Melchiorre,	Simon,
Boyd,	Heffner,	Meredith,	Sinwell,
Brancato,	Hermansen,	Merrell,	Sowers,
Brennan,	Hester,	Mohn,	Spann,
Brown, J. E.,	Hewitt,	Moore,	Stank,
Brown, W. L.,	Himes, L. R.,	Mumford,	Steedle,
Cannon,	Hoffman,	Munley,	Sterling, P.,
Caputo,	Holmes, J. B.,	Myers,	Sterling, R. B.,
Carey,	Holmes, J. L.,	Negley,	Stevens,
Carson,	Hoopes,	Nothnagle,	Stevenson,
Cohen,	Horst,	O'Connor,	Stiteler,
Conner,	Hough,	O'Keefe,	Stone,
Cooke,	Howard,	O'Rourke,	Stott,
Cordier,	Hutton,	Patterson,	Surface,
Craig,	Jones,	Peelor,	Tahl,
Cramer,	Kane, J. J.,	Pennock,	Terry,
Davies,	Kane, L. P.,	Perry, D. R.,	Turner,
DeFrehn,	King,	Perry, J. J.,	Wade,
Denning,	Kinney,	Peters,	Walker, G. E.,
Downey, G. E.,	Labar,	Powell,	Walker, W. A.,
Downey, J.,	Lane,	Powers,	Wall,
Dunmire,	Laubach,	Quinn,	Wasserman,
Dwyer,	Lewis,	Reed,	Way,
Ederer,	Long,	Reilly,	Weidemann,
Emhardt,	Lord,	Rhodes,	Welsh,
Eroe,	Lose,	Rice,	Westrick,
Evans,	Lovett, J. E.,	Roan,	White,
Fitzgerald,	Lovett, W. S.,	Roth,	Wike,
Flanagan,	Lynch, J. R.,	Royle,	Williams, G. W.,
Flinchbaugh,	Lynch, M.,	Ruby,	Williams, J. J.,

Flynn,	Male,	Ruth,	Wilson, L. M.,
Forrest,	Malina,	Sarig,	Wilson, T. B.,
Furman,	Maloney,	Sautter,	Witkin,
Gartner,	Marcks,	Schrock,	Woodside,
Gillette,	Mason,	Schrope,	Wright,
Gorman,	McBride,	Schwab,	Yourishin,
Greenstein,	McCandless,	Scorza,	Talbot,
Griffith,	McClure,	Scott,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1451 (Senate Bill No. 285), entitled:

An Act making an appropriation from the Fish Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Fish Fund.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—196

Andrews,	Green,	McElwee,	Sheffer,
Baker,	Greenstein,	McGinnis,	Shellenberger,
Baldi,	Griffith,	McGrail,	Shenkel,
Barnhardt,	Habbyshaw,	McGregor,	Shettel,
Bechtel,	Haines,	McHenry,	Shortz,
Beech,	Hamilton,	McKay,	Shreiner,
Bennett,	Harmuth,	McKinney,	Shugarts,
Bernhard,	Harris,	Melchiorre,	Simon,
Blumberg,	Hart,	Meredith,	Sinwell,
Boyd,	Heffernan,	Merrell,	Snyder,
Brancato,	Hefferon,	Metzler,	Sowers,
Brennan,	Heffner,	Mohn,	Spann,
Brown, J. E.,	Hermansen,	Moore,	Stank,
Brown, W. L.,	Hester,	Mumford,	Steedle,
Brownfield,	Hewitt,	Munley,	Sterling, P.,
Cannon,	Hoffman,	Myers,	Sterling, R. B.,
Caputo,	Holmes, J. B.,	Negley,	Stevens,
Carey,	Holmes, J. L.,	Nothnagle,	Stevenson,
Carson,	Hoopes,	O'Connor,	Stiteler,
Chervenak,	Horst,	O'Keefe,	Storb,
Cohen,	Hough,	O'Neill,	Stone,
Conner,	Howard,	O'Rourke,	Stott,
Cooke,	Hutton,	Patterson,	Surface,
Cordier,	Jaffe,	Peelor,	Tahl,
Craig,	Jones,	Pennock,	Terry,
Cramer,	Kane, J. J.,	Perry, J. J.,	Turner,
Dane,	Kane, L. P.,	Peters,	Wade,
Davies,	King,	Powell,	Wagner,
DeFrehn,	Kinney,	Powers,	Walker, W. A.,
Denning,	Labar,	Quinn,	Wall,
Downey, G. E.,	Lane,	Rectenwald,	Wasserman,
Downey, J.,	Laubach,	Reed,	Way,
Duffy,	Lenahan,	Reilly,	Weidemann,
Dunmire,	Lewis,	Rhodes,	Welsh,
Dwyer,	Long,	Rice,	Westrick,
Ederer,	Lord,	Roan,	White,
Emhardt,	Lose,	Root,	Wike,
Eroe,	Lovett, J. E.,	Roth,	Williams, G. W.,
Evans,	Lovett, W. S.,	Royle,	Wilson, L. M.,
Fitzgerald,	Lynch, J. R.,	Ruby,	Wilson, T. B.,
Flanagan,	Lynch, M.,	Ruth,	Witkin,
Fleisher,	Male,	Sarig,	Wood,
Flinchbaugh,	Malina,	Sautter,	Woodside,
Flynn,	Maloney,	Schrock,	Wright,
Forrest,	Marcks,	Schrope,	Yeakel,
Furman,	Mason,	Schwab,	Yourishin,
Gallagher,	McBride,	Schwartz,	Zimmerman,
Gartner,	McCandless,	Scorza,	Talbot,
Gillette,	McClure,	Scott,	Speaker.
Gorman,	McCreary,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1452 (Senate Bill No. 286), entitled:

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Motor License Fund.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—196

Andrews,	Green,	McCreary,	Sheffer,
Baker,	Greenstein,	McElwee,	Shellenberger,
Baldi,	Griffith,	McGinnis,	Shenkel,
Barnhardt,	Habbyshaw,	McGrail,	Shettel,
Bechtel,	Haines,	McGregor,	Shortz,
Beech,	Hamilton,	McHenry,	Shreiner,
Bennett,	Harmuth,	McKay,	Shugarts,
Bernhard,	Harris,	McKinney,	Simon,
Blumberg,	Hart,	Melchiorre,	Sinwell,
Boyd,	Hartman,	Meredith,	Snyder,
Brancato,	Heffernan,	Merrell,	Sowers,
Brennan,	Hefferon,	Metzler,	Spann,
Brown, J. E.,	Heffner,	Mohn,	Stank,
Brown, W. L.,	Hermansen,	Moore,	Steedle,
Brownfield,	Himes, L. R.,	Mumford,	Sterling, P.,
Cannon,	Hoffman,	Munley,	Sterling, R. B.,
Caputo,	Holmes, J. B.,	Myers,	Stevens,
Carey,	Holmes, J. L.,	Negley,	Stevenson,
Carson,	Hoopes,	Nothnagle,	Stiteler,
Chervenak,	Horst,	O'Connor,	Storb,
Cohen,	Hough,	O'Keefe,	Stone,
Conner,	Howard,	O'Neill,	Stott,
Cooke,	Hutton,	O'Rourke,	Surface,
Cordier,	Jaffe,	Patterson,	Tahl,
Craig,	Jones,	Peelor,	Terry,
Cramer,	Kane, J. J.,	Pennock,	Turner,
Dane,	Kane, L. P.,	Perry, D. R.,	Wade,
Davies,	King,	Perry, J. J.,	Wagner,
DeFrehn,	Kinney,	Peters,	Walker, G. E.,
Denning,	Labar,	Powers,	Walker, W. A.,
Downey, G. E.,	Lane,	Rectenwald,	Wall,
Downey, J.,	Laubach,	Reed,	Wasserman,
Duffy,	Lenahan,	Reilly,	Way,
Dunmire,	Lewis,	Rhodes,	Weidemann,
Dwyer,	Long,	Rice,	Welsh,
Ederer,	Lord,	Roan,	Westrick,
Emhardt,	Lose,	Root,	Williams, G. W.,
Eroe,	Lovett, J. E.,	Roth,	Williams, J. J.,
Evans,	Lovett, W. S.,	Royle,	Wilson, L. M.,
Fitzgerald,	Lynch, J. R.,	Ruby,	Wilson, T. B.,
Flanagan,	Lynch, M.,	Ruth,	Witkin,
Fleisher,	Male,	Sarig,	Wood,
Flinchbaugh,	Malina,	Sautter,	Woodside,
Flynn,	Maloney,	Schrock,	Wright,
Forrest,	Marcks,	Schrope,	Yeakel,
Furman,	Mason,	Schwab,	Yourishin,
Gallagher,	McBride,	Schwartz,	Zimmerman,
Gartner,	McCandless,	Scorza,	Talbot,
Gillette,	McClure,	Scott,	Speaker.
Gorman,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1450 (Senate Bill No. 784), entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensaion from the State Workmen's Insurance Fund.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—196

Andrews,	Gorman,	McClure,	Sheffer,
Baker,	Green,	McCreary,	Shellenberger,
Baldi,	Greenstein,	McElwee,	Shenkel,
Barnhardt,	Griffith,	McGinnis,	Shettel,
Bechtel,	Habbyshaw,	McGrail,	Shortz
Beech,	Haines,	McGregor,	Shreiner,
Bennett,	Hamilton,	McHenry,	Shugarts,
Bernhard,	Harmuth,	McKay,	Simon,
Blumberg,	Harris,	McKinney,	Sinwell,
Boyd,	Hart,	Melchiorre,	Snyder,
Brancato,	Heffernan,	Meredith,	Sowers,
Brennan,	Hefferon,	Merrell,	Spann,
Brown, J. E.,	Hermansen,	Metzler,	Stank,
Brown, W. L.,	Hester,	Mohn,	Steedle,
Brownfield,	Hewitt,	Moore,	Sterling, P.,
Cannon,	Himes, L. R.,	Mumford,	Sterling, R. B.,
Caputo,	Hoffman,	Munley,	Stevens,
Carey,	Holmes, J. B.,	Myers,	Stevenson,
Carson,	Holmes, J. L.,	Negley,	Stiteler,
Chervenak,	Hoopes,	Nothnagle,	Storb,
Cohen,	Horst,	O'Connor,	Stone,
Conner,	Hough,	O'Keefe,	Stott,
Cooke,	Howard,	O'Neill,	Tahl,
Cordier,	Hutton,	O'Rourke,	Terry,
Craig,	Jaffe,	Patterson,	Turner,
Cramer,	Jones,	Peelor,	Wade,
Dane,	Kane, J. J.,	Perry, D. R.,	Wagner,
Davies,	Kane, L. P.,	Perry, J. J.,	Walker, G. E.,
DeFrehn,	King,	Powell,	Walker, W. A.,
Denning,	Kinney,	Powers,	Wasserman,
Downey, G. E.,	Labar,	Rectenwald,	Way,
Downey, J.,	Lane,	Reed,	Weidemann,
Duffy,	Laubach,	Reilly,	Welsh,
Dunmire,	Lenahan,	Rhodes,	Westrick,
Dwyer,	Lewis,	Rice,	White,
Ederer,	Long,	Roan,	Wike,
Emhardt,	Lord,	Root,	Williams, G. W.,
Eroe,	Lose,	Roth,	Williams, J. J.,
Evans,	Lovett, J. E.,	Royle,	Wilson, L. M.,
Fitzgerald,	Lovett, W. S.,	Ruby,	Wilson, T. B.,
Flanagan,	Lynch, J. R.,	Ruth,	Witkin,
Fleisher,	Lynch, M.,	Sarig,	Wood,
Flinchbaugh	Male,	Sautter,	Woodside,
Flynn,	Malina,	Schrock,	Wright,
Forrest,	Maloney,	Schrope,	Yeakel,
Furman,	Marcks,	Schwab,	Yourishin,
Gallagher	Mason,	Schwartz,	Zimmerman
Gardner,	McBride,	Scorza,	Talbot,
Gillette,	McCandless,	Scott,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

The SPEAKER. The Chair invites the gentleman from Tioga, Mr. Williams, to preside over the deliberations of this body.

(GEORGE W. WILLIAMS IN THE CHAIR)

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1729 (Senate Bill No. 639), entitled:

An Act relating to insurance companies exchanges associations societies orders and individuals under the supervision of the Insurance Department authorizing the Insurance Commissioner during the existing emergency to suspend laws relating to certain payments by insurers an dto impose conditions upon the conduct of the business of insurance and providing penalties

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HOOPES. Mr. Speaker and members of the House, I hate to end this truce, which has been going along so beautifully, but I believe that this bill is of sufficient importance that it should be discussed.

This is the bill to carry out the purposes of the resolution which came over here from the Senate a few weeks ago, authorizing the Insurance Commisisoner to suspend the insurance laws. The bill is not nearly as broad as the resolution, I am willing to admit that immediately, but I feel that it is still broad enough to require the careful consideration of every member of this House.

It provides that during the period of emregency the Insurance Commissioner shall have the power to suspend in whole or in part any provisions of the insurance law relating to payments by insurers on account of policy loans, surrenders or other withdrawals of cash at the option of policy holders "in addition thereto impose any conditions upon the methods used in the conduct of insurance in aid of policy holders who may be unable to meet premium payments otherwise than by loan surrender or other withdrawal because of bank closings during bank holidays and generally to safeguard by rules and regulations adopted by him from time to time the interests of policy holders beneficiaries and the public."

In short the main purpose of this bill is to effect that the Insurance Commissioner may suspend the laws which require Insurance Companies to pay out cash surrender values or withdrawals on policy loans. In other words, the poor man who has been keeping up his insurance policy for a number of years is in a position where he cannot continue, where he needs the money. Perhaps he had a little savings account and that is tied up in a bank that has already restricted withdrawals. He needs the money in the very worst way. He has this insurance policy, which he has always anticipated he could draw upon in times of need, and he now faces this necessity and he goes to get his money and he finds that the Insurance Commissioner has suspended the law. He can't get it.

I assume that the argument on the other side will be that it is for the purpose of protecting policy holders generally. That was the avowed purpose of the Sordoni act with regard to banks. The purpose of it was supposed to protect the depositors. However, I have recently seen some figures on what precipitated the banking crisis. It was not so much the with-

drawals of the little fellows that had one hundred or two hundred or even a thousand dollars, but in the city of Baltimore, the legislature of Maryland required the banks to furnish a statement as to the names of the persons who withdrew accounts and the amount that they had withdrawn just immediately preceding the bank holiday. It appeared that some of the railroad companies had withdrawn sums up to two million dollars or more, and various others sums aggregating hundreds of thousands of dollars. In other words, a comparatively few, the rich people had gotten what they wanted from the bank, and then they put a law through saying that the poor fellow cannot get his when he needs it. We now have a regulation here to let insurance companies do the same thing. I dare say if an investigation were made that we would find that some of the people that had the largest policies with the largest cash loan and surrender values have already gotten theirs, and that is the reason the insurance companies need to be protected at this moment.

I do not think it is fair to pass a bill of this kind. This measure is worse in one respect than the Sordoni act. Under the Sordoni act if a bank goes on a restricted basis it is in the process of liquidation. When that happens, they proceed to dispose of their assets and to pay off the depositors as rapidly as they can. That practically shifts the process of liquidation from an agent of the Department of Banking, as it was before, over to the bank itself. Possibly in some regards that is a better way of doing it, but in the case of the insurance companies, there is no provision for liquidation at all. It merely says that they can keep all that money. They have got it now and they can keep it, and the poor fellow that needs it worse at this time, probably even more than before, is unable to get it.

I do not think that legislation of this kind should be adopted. We pass laws to protect the banks, to protect the insurance companies, but when it comes to protecting the little fellow during the emergency we find all kinds of constitutional objections.

We passed a resolution a few weeks ago to suspend sheriffs sales. I understood that the purpose of that resolution was to give the Legislature time to pass an act which would extend the suspension of sheriff sales for a considerable period of time. We now have a bill which will come over from the Senate, it will be on third reading tomorrow, which merely carries out the provisions of the resolution and protects the sheriff for having held sales up to April 3rd, but it does not make any provision for continuing the provisions for sheriffs sales——

The SPEAKER. The Chair would advise the gentleman from Berks that he is talking on Senate Bill No. 639, and not a bill coming over from the Senate tomorrow or next week.

Mr. HOOPES. Mr. Speaker, I am speaking on this bill before the House, and in order to make my point, I am calling attention as to how similar matters are being treated in other legislation. My point is that if they are trying to give special permission to banks and insurance companies——

The SPEAKER. The gentleman will confine himself to the bill before the House.

Mr. HOOPES. Mr. Speaker, I am talking about the bill. I certainly think I have a right to make an illustration by referring to another measure to show the way we are treating similar problems.

The SPEAKER. The Chair has already ruled on the question. The gentleman will confine himself to the bill that is before the House, Senate Bill No. 639.

Mr. HOOPES. Mr. Speaker, do I understand you rule that I cannot point out by way of illustration the way the Legislature is dealing with problems similar to this during this emergency in order——

The SPEAKER. That is my ruling. The gentleman is referring to bills in other states that have nothing to do with the bill before the House.

Mr. HOOPES. Mr. Speaker the point that I am making and which I insist in trying to make is that we are passing here legislation which gives special privileges to banks and insurance companies, but when it comes to suspensions let us say, of sheriffs sales, we only suspend them to April 3rd and we do not put in any provision that will permit them to be suspended for an additional period of six months or two years as is indicated in the bill for insurance companies, and which was also in the act for banking companies. In the case of evictions, while we passed the resolution on that question and the Senate concurred in it this morning permitting the suspension of evictions until April 3rd, which incidentally is only a few days off, there is no legislation before us, out of committees, which will permit an extension of that time.

The SPEAKER. This bill has nothing to do with the question of evictions.

Mr. HOOPES. Mr. Speaker, I insist that I have the right to show this House by way of comparison what they are doing in other cases and in other matters similar to this.

The SPEAKER. The Chair rules otherwise.

Mr. HOOPES. I appeal from the ruling of the Chair.

The SPEAKER. The gentleman will proceed and confine his remarks to the question of Senate Bill No. 639.

Mr. HOOPES. Mr. Speaker, I appeal from the ruling of the Chair.

Mr. WIKE. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Baker, Peters, Zimmerman, Forrest, Nothnagle, Weidemann, Price, Wood, Shreiner, Woodside, Habbyshaw, Sheffer, Wilson, Mumford, McGregor, McCandless, Negley, Hart, Witkin, Metzier, Bennett and others.

On the question,

Shall the main question be now put?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. HOOPES. Mr. Speaker, I asked for a division before you announced. ———

POINT OF ORDER

Mr. TALBOT. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. TALBOT. Mr. Speaker, your decision has been made before the gentleman from Berks asked for a division.

The SPEAKER. The point of order is well taken.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken.

Mr. CAPUTO. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—92

Baker,	Hoffman,	Moore,	Spann,
Baldi,	Holmes, J. L.,	Mumford,	Steedle,
Barnhardt,	Horst,	Myers,	Sterling, P.,
Bennett,	Hough,	Negley,	Stiteler,
Bernhard,	Hutton,	Nothnagle,	Surface,
Conner,	Jaffe,	O'Rourke,	Terry,
Cooke,	Kane, L. P.,	Patterson,	Turner,
Craig,	King,	Peelor,	Wade,
Dane,	Laubach,	Perry, D. R.,	Walker, W. A.,
Downey, J.,	Long,	Price,	Wall,
Dwyer,	Lord,	Reed,	Wasserman,
Ederer,	Lovett, W. S.,	Rice,	Way,
Emhardt,	Lynch, J. R.,	Roan,	Weidemann,
Evans,	Maloney,	Ruby,	Wike,
Forrest,	Mason,	Schrock,	Williams, G. W.,
Gartner,	McBride,	Schwartz,	Wilson, T. B.,
Green,	McCandless,	Scorza,	Wood,
Greenstein,	McClure,	Scott,	Wright,
Griffith,	McElwee,	Sheffer,	Yeakel,
Habbyshaw,	McGregor,	Shellenberger,	Yourishin,
Hefferon,	McKay,	Shortz,	Zimmerman,
Hewitt,	Merrell,	Shreiner,	Talbot,
Himes, L. R.,	Metzler,	Snyder,	Speaker.

NAYS—92

Andrews,	Fitzgerald,	Lynch, M.,	Roth,
Bechtel,	Flanagan,	Male,	Ruth,
Beech,	Furman,	Marcks,	Sarig,
Blumberg,	Gallagher,	McCreary,	Sautter,
Boyd,	Hamilton,	McGinnis,	Schrope,
Brancato,	Harmuth,	McGrail,	Schwab,
Brennan,	Harris,	McHenry,	Shettel,
Brown, J. E.,	Hart,	McKinney,	Shugarts,
Brown, W. L.,	Hartman,	Melchiorre	Simon,
Brownfield,	Heffernan,	Munley,	Sinwell,
Cannon,	Heffner,	O'Connor,	Sowers,
Caputo,	Hermansen,	O'Keefe,	Stank,
Carey,	Hester,	O'Neill,	Sterling, R. B.,
Carson,	Holmes, J. B.,	Pennock,	Stevens,
Chervenak,	Hoopes,	Perry, J. J.,	Stone,
Cordier,	Howard,	Peters,	Wagner,
Cramer,	Kane, J. J.,	Powell,	Walker, G. E.,
Davies,	Labar,	Powers,	Welsh,
DeFrehn,	Lane,	Quinn,	Westrick,
Denning,	Lenahan,	Raub,	Williams, J. J.,
Downey, G. E.,	Lewis,	Rectenwald,	Wilson, L. M.,
Dunmire,	Lose,	Rhodes,	Witkin,
Eroe,	Lovett, J. E.,	Root,	Woodside,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1842 (Senate Bill No. 320), entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, by adding thereto section seventeen.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—118

Baker,	Hewitt,	Patterson,	Sterling, P.,
Baldi,	Hoffman,	Peelor,	Stevens,
Barnhardt,	Holmes, J. L.,	Pennock,	Stevenson,
Bechtel,	Hoopes,	Perry, D. R.,	Stiteler,
Bennett,	Horst,	Perry, J. J.,	Storb,
Boyd,	Hough,	Peters,	Stott,
Brennan,	Howard,	Powell,	Surface,
Brown, W. L.,	Hutton,	Powers,	Tahl,
Cannon,	Kane, J. J.,	Price,	Terry
Cooke,	Kane, L. P.,	Quinn,	Turner,
Craig,	King,	Reed,	Wade,
Cramer,	Laubach,	Rice,	Wall,
Davies,	Lenahan,	Roan,	Way,
Dunmire,	Long,	Root,	Weidemann,
Dwyer,	Lose,	Roth,	White,
Ederer,	Lovett, J. E.,	Royle,	Wike,
Eroe,	Lynch, J. R.,	Ruby,	Williams, G. W.,
Evans,	Maloney,	Sautter,	Williams, J. J.,
Fleisher,	Mason,	Schrock,	Wilson, L. M.,
Forrest,	McCandless,	Schwartz,	Wilson, T. B.,
Gallagher,	McClure,	Scott,	Witkin,
Green,	McCreary,	Sheffer,	Wood,
Greenstein,	McHenry,	Shellenberger,	Woodside,
Habbyshaw,	McKay,	Shreiner,	Wright,
Hamilton,	McKinney,	Simon,	Yeakel,
Harmuth,	Mohn,	Snyder,	Yourishin,
Heffernan,	Moore,	Sowers,	Zimmerman,
Hefferon,	Mumford,	Spann,	Talbot,
Hermansen,	Myers,	Stank,	Speaker.
Hester,	Nothnagle,	Steedle,	

NAYS—21

Andrews,	Carson,	Male,	Scorza,
Beech,	Chervenak,	Metzler,	Shortz,
Bernhard,	Downey, G. E.,	O'Connor,	Sinwell,
Brown, J. E.,	Emhardt,	O'Neill,	Stone,
Caputo,	Lane,	Rhodes,	Westrick,
Carey,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1686 (Senate Bill No. 321), as follows:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the expenses of government defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto providing for the payment of interest on and the redemption of such bonds, and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same POWER TO BORROW MONEY That in the event a certain proposed amendment to article nine of the Constitution of Pennsylvania which reads as follows

"Section 17 The Governor the Auditor General and the State Treasurer immediately upon the adoption of this amendment by t he electors may borrow an amount not exceeding twenty-five million dollars to defray the expenses of the State Government for the biennium beginning June first one thousand nine hundred thirty-three provided the General Assembly at its regular session of one thousand nine hundred thirty-three has authorized the borrowing of money for this purpose" shall be adopted by the people at the municipal election in November one thousan dnine hundred thirty-three the Governor the Auditor General and the State Treasurer in accordance with the provisions thereof and on behalf of the Commonwealth of Pennsylvania are hereby authorized and directed during the fiscal biennium beginning June first one thousand nine hundred and thirty-three from time to time to borrow on the credit of the Commonwealth of Pennsylvania such sum or sums of money not exceeding in the aggregate the sum of twenty-five million dollars ($25,000,000) as may be deemed necessary to defray the expenses of the State Government during the said biennium

Section 2 BONDS ISSUE MATURITY INTEREST ET CETERA

(a) As evidence of the indebtedness herein authorized bonds of the Commonwealth of Pennsylvania shall be issued from time to time for such total amounts in such form in such denominations and subject to such terms and conditions of issue redemption and maturity not to exceed ten years rate of interest not to exceed four and one-half per centum per annum and time of payment of interest as the Governor Auditor General and State Treasurer shall direct

(b) All bonds issued under the authority of this act shall bear the facsimile signatures of the Governor Auditor Gen-

eral and State Treasurer and a facsimile of the great seal of the Commonwealth of Pennsylvania and shall be countersigned by two duly authorized officers of the duly authorized loan and transfer agent of the Commonwealth

(c) The principal and interest of such bonds shall be payable in lawful money of the United States All bonds issued under the provisions of this act shall be exempt from taxation for State and local purposes

(d) Such bonds may be issued with or without interest coupons attached In case interest coupons are attached they shall contain facsimile signatures of the State Treasurer and the Auditor General

(e) The Governor the Auditor General and the State Treasurer shall proceed to have the necessary bonds prepared and printed The bonds as soon as they are prepared and printed shall be forthwith deposited with the duly authorized loan and transfer agent of the Commonwealth there to remain until sold in accordance with the provisions of this act

Section 3 SALE OF BONDS Whenever bonds are so issued they shall be offered for sale at not less than par and accrued interest and shall be sold by the Governor the Auditor General and State Treasurer to the highest and best bidder or bidders after due public advertisement on such terms and conditions and upon such open competitive bidding as the Governor Auditor General and State Treasurer shall direct The manner and character of such advertisement and the times of advertising shall be prescribed by the Governor the Auditor General and the State Treasurer

Any portion of any bond issue so offered and not sold or subscribed for may be disposed of by private sale by the Governor the Auditor General and the State Treasurer in such manner and at such prices not less than par and accrued interest as the Governor shall direct No commission shall be allowed or paid for the sale of any bonds issued under the authority of this act

Section 4 DISPOSITION AND USE OF PROCEEDS The proceeds realized from the sale of bonds under the provisions of this act shall be paid into the general funds of the State Treasury and shall be used for the payment of appropriations made from said fund

Section 5 REGISTRATION OF BONDS The Auditor General shall prepare the necessary registry books to be kept in the office of the duly authorized loan and transfer agent of the Commonwealth for the registration of any bonds at the request of owners thereof All bonds which are issued without interest coupons attached shall be registered in the registry books kept by the duly authorized loan and transfer agent of the Commonwealth

Section 6 INFORMATION TO GENERAL ASSEMBLY It shall be the duty of the Governor to include in every biennial budget submitted to the General Assembly full information relating to the issuance of bonds under the provisions of this act to enable the General Assembly to provide by appropriation the moneys necessary for the sinking fund of the Commonwealth for the payment of the interest on said bonds and the principal thereof at maturity

Section 7 SINKING FUND INVESTMENTS REDEMPTION OF BONDS All bonds issued under the authority of this act shall be redeemed at maturity and all interest due from time to time on such bonds shall be paid from the sinking fund For specific purpose of redeeming said bonds at maturity and paying all interest thereon in accordance with the information received from the Governor the General Assembly shall appropriate biennially the moneys necessary for the payment of the interest on said bonds and the principal thereof at maturity All moneys so appropriated shall be paid into the sinking fund by the State Treasurer and all of such moneys not necessary to pay accruing interest shall be invested by the Board of Finance and Revenue in such securities as are provided by law for the investment of the sinking funds of the Commonwealth

The investments and such moneys and the accumulations thereon in the sinking fund shall be devoted to and be used exclusively for the payment of the interest accruing on such bonds and their redemption at maturity Provided however That the Board of Finance and Revenue is authorized at any time to use any of such funds for the purchase and retirement of all or any part of the bonds issued under the authority of this act In the event that all or any part of said bonds shall be purchased by the Board of Finance and Revenue they shall be canceled and returned to the State Treasurer as canceled and paid bonds and thereafter all payments of interest thereon shall cease and the canceled bonds and coupons shall be destroyed within two years after cancellation in the presence of the Governor the Auditor General and the State Treasurer and a Certificate evidencing the destruction satisfactory to the duly authorized loan and transfer agent of the Commonwealth shall be furnished to it All canceled bonds and coupons shall be so marked as to make the canceled bonds and coupons non-negotiable

Section 8 SINKING FUND REQUIREMENTS The Board of Finance and Revenue shall determine the amount of money necessary for the sinking fund for the two fiscal years beginning June first one thousand nine hundred and thirty-three and the times and amounts which are to be paid into the sinking fund for such purposes and the sums so determined shall be transferred to the sinking fund from the moneys realized from the sale of such bonds by the State Treasurer and for such purposes any of such moneys are hereby appropriated

Section 9 QUORUM Whenever in this act any action is to be taken or decision made by the Governor the Auditor General and the State Treasurer and the three officers shall not be able unanimously to agree the action or decision of the Governor and either the Auditor General or State Treasurer shall be binding and final except that it shall be the mandatory duty of the Governor the Auditor General and the State Treasurer to issue bonds in accordance with the constitutional amendment quoted in the first section of this act as promptly as possible after the electors shall have approved the same at the municipal election held in November one thousand nine hundred thirty-three

Section 10 APPROPRIATION The sum of Twenty-five thousand dollars or so much thereof as may be necessary is hereby specifically appropriated for the purpose of providing such bonds for the payment of the cost of advertising the same and for all other costs and expenses in connection with the issue of said sale and registration of said bonds Payments from said appropriation shall be made by requisition of the Auditor Geieral after approval of vouchers by the Governor Auditor General and State Treasurer

Section 11 EFFECTIVE DATE This act shall become effective immediately upon the approval by the electors of the constitutional amendment set forth in section one of this act

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker and members of the House, this bill involves a radical change in the financial policies of this Commonwealth. It creates the precedent of issuing bonds, not for the purpose of capital expenditures but for the purpose meeting current expenses. The issuance of bonds for the purpose of meeting current expenses is the process that has plunged the municipalities of this State into their present financial condition. It is an unwise policy. The State of Pennsylvania, if it is to get out of its financial difficulties, must definitely plan to live within its income. This measure proposes that we do not live within our income but shall borrow money. It is a wrong policy, it is a new departure that changes the traditional policies of Pennsylvania, and I am opposed to this bill.

Mr. TURNER. Mr. Speaker and members of the House, I am quite in accord with the gentleman from Cambria when he says that the State of Pennsylvania should not borrow money if there is any other possible way to defray our expenses. I think my sincerity in that statement cannot be questioned from the fact that every member of this House practically knows today that I have spent something over four months now in working upon a reduction in the cost of State government, in order that this contingency shall not happen. The State of Pennsylvania is in a wonderful financial condition. I doubt whether there is any State in the

United States that has as fine a financial condition as the Commonwealth of Pennsylvania.

A wise policy was laid down by our forefathers and in the constitution of 1874 they provided that we should not borrow money or go into debt in a sum exceeding one million dollars. That put us upon a "pay-as-you-go" basis and that is the reason why today we have the strong financial position that we do have.

But we are now facing untried conditions. We know that the anticipated revenue for the Commonwealth of Pennsylvania for the next biennium is estimated much below that for the last biennium. We know not what future conditions may be, we know not what the effect of those conditions will be upon the tax return of the Commonwealth in the next two years. We are asked to appropriate large sums of money for relief. We are asked by the people of this Commonwealth to maintain the social service that we have been giving to the people of the Commonwealth. We are asked to maintain our educational standards and not to decrease appropriations, but to increase appropriations.

If we do not pass this provision for a twenty-five million bond issue and next January we should find our revenues depleted, if we should find it impossible to appropriate the sums that will be necessary for unemployment relief this State may be confronted with a very serious condition.

I do not want to vote to increase the indebtedness of Pennsylvania, but in the discussions that I have had with business men, from letters that have come to my desk, I find that they all feel that under the present conditions we should have this as a back log and they are willing to support it on that ground. Therefore, I trust that the members of this House will look at the matter carefully and seriously so that we will not be in the position in which we may be placed next December, if we do not have this bond issue as a back log to take care of any appropriations that may be necessary. We are trying to effect every economy possible. There are suggestions to increase the amount of taxes that will come under present legislation, but they may not be sufficient by any manner of means to meet the strain upon the treasury, and we should have this legislation.

Mr. RHODES. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Turner.

The SPEAKER. Will the gentleman from Delaware, Mr. Turner, permit himself to be interrogated?

Mr. TURNER. I will, Mr. Speaker.

Mr. RHODES. Mr. Speaker, will the genlteman from Delaware state whether or not the proceeds of this bond issue are to be used for unemployment relief?

Mr. TURNER. Mr. Speaker, and members of the House, that is a question I cannot answer at the present time. In the first place, the House has not passed the legislation which would provide from what source unemployment relief is to come, and in the second place the House has not yet completed the fiscal program that will determine the amount of economies that we will be able to make.

Mr. RHODES. Is it not true the amount contemplated for unemployment relief for the coming biennium is twenty million dollars?

Mr. TURNER. The amount of money, I understand, which pertains to the Talbot Bill which is on the calendar today is twenty million dollars for the coming biennium.

Mr. RHODES. Cannot that amount be obtained by economies other than this bond issue?

Mr. TURNER. It is my hope, and if the gentleman from Monroe will support the legislation which is proposed in the Sterling, Flynn, McClure and Steedle bill, and also House Bill No. 22, for which I have been the sponsor, but which is the legislation sponsored by a large group of members of this House, and the appropriation bill as submitted to this House, that it will be possible to have sufficient economies to take care of the unemployment relief without the bond issue.

Mr. RHODES. Then the real purpose of this bond issue would be to take care of the operating expenses of the government?

Mr. TURNER. Mr. Speaker and members of the House, that would only be to place ourselves in this position if we leave here now when we are appropriating for the next two years. As the gentleman from Monroe knows, in the 1932 session we were called back here for a Special Session because the Governor said the anticipated revenues were not sufficient to meet the appropriations made by legislative enactment.

If we do not have some kind of a background like this when we go home at the end of this session, and during the next biennium a situation should arise similar to that in 1932 and in 1931, then it would be necessary to call us back for a special session to raise some of the money to take care of our affairs for the balance of the coming biennium. The proceeds of this bond issue would only be used if necessary.

Mr. RHODES. However, if we have enough anticipated revenue to take care of the operating expenses of the government, and also to take care of unemployment relief then in order for us to utilize any of this fund for unemployment relief we would have to be called back in special session, is that correct?

Mr. TURNER. I don't quite understand the gentleman's question.

Mr. RHODES. As I understand we have enough anticipated revenue according to the statement of the gentleman from Delaware to take care of the operating expenses of the government for the coming biennium

Mr. TURNER. Mr. Speaker, may I answer that first by saying that I don't say we have enough anticipated revenue. I say that if certain contingencies take place with reference to legislation that we ought to be able to balance our budget without our borrowing money.

Mr. RHODES. Assuming that we have enough revenue for the coming biennium to take care of the operating expenses of the government, and anticipating that we will have enough revenue from the economies that you have mentioned to take care of unemployment relief to the extent of twenty million dollars, then in order to utilize any of the proceeds of this bond issue for unemployment relief we would have to be called back in extraordinary session.

Mr. TURNER. I do not see it that way. As I understand the Talbot Bill, the purpose of those who presented it is to provide the necessary revenues from anticipated revenue, and if that cannot be done, have a bond issue that will be available without an extra session of the Legislature.

Mr. RHODES. Is it not also true that if we pass this bond issue that it will eliminate the necessity of making certain curtailments and corrections in the method of our tax collections.

Mr. TURNER. Mr. Speaker, I think again I will have to ask the gentleman to re-state his question, which involves something outside of anticipated revenue.

Mr. RHODES. Mr. Speaker, what I have in mind is this, that if we pass this bond issue it will eliminate the necessity of making further curtailment and the making of certain changes in the present method of collecting our taxes, for instance, the mercantile and the inheritance taxes.

Mr. TURNER. Mr. Speaker, I would answer the gentleman by saying this; I do not see where the two questions are involved in this question. I think that economy in government is one thing, and in that respect I have differed with his Excellency, the Governor, who felt that the thing to do was to find enough of revenue to carry on the government as it exists. My conception of what the people of Pennsylvania are demanding is not that we carry on the government under the same standard as we did when we had plenty of money, but that we should curtail the cost of government If we reduce the cost of government, we reduce the amount of money necessary. On the other hand, if there are economies that can be made to increase the revenues, of course, we ought to effect these economies.

Mr. RHODES. Mr. Speaker, I presume the gentleman from Delaware would not take the position that this bond issue that he has in mind would eliminate the necessity to change the method of collecting mercantile and collateral inheritance taxes, which would take away a great deal of political patronage from certain organizations.

Mr. TURNER. Mr. Speaker, and members of the House, I see no connection between the two.

Mr. Speaker. I do not feel that it is germane to the subject. I might answer the gentleman from Monroe this way: my own personal opinion, and not expressing any opinion of any group or party or organization, my own personal opinion has been that the proposed change in the method of collecting the mercantile and inheritance taxes is merely a change of patronage from one group to another.

Mr. RHODES. Mr. Speaker, that is merely a difference of opinion.

Mr. ANDREWS. Mr. Speaker, I would like to interrogate the gentleman from Delaware, Mr. Turner.

The SPEAKER. Will the gentleman from Delaware, Mr. Turner, permit himself to be interrogated?

Mr. TURNER. Mr. Speaker, I will.

Mr. ANDREWS. Mr. Speaker, does the gentleman from Delaware consider the budget as that contemplated by House Bill No. 22 as being in any way superior to the budget presented by His Excellency the Governor?

Mr. TURNER. Mr. Speaker, I would answer the gentleman from Cambria, in this way, that he is just as mixed now as he was the other night on the school problem. House Bill No. 22, is not a budget, House Bill No. 22 is the administrative code which sets up the machinery of government and is not a budget.

Mr. ANDREWS. Mr. Speaker, does not the gentleman from Delaware concede that House Bill No. 22 must be a predicated upon a budget?

Mr. TURNER. Mr. Speaker, I do not. I concede that the budget would be predicated upon House Bill No. 22.

Mr. ANDREWS. Mr. Speaker, the gentleman from Delaware and his associates have presented to this House the foreshadowings of a budget, and those foreshadowings are contained in House Bill No. 22. His Excellency the Governor has presented a budget, the prime difference between the budget as presented by His Execellency the Governor and the budget as contemplated by the gentleman from Delaware is that in order to make his proposition swing the gentleman from Delaware has to be prepared to borrow twenty-five million dollars, while the Governor proposes to run the State as a going concern.

Mr. TURNER. Mr. Speaker and members of the House, I do not desire to prolong this debate, because there is nothing personal to me in this bill. I believe it is a matter entirely for the consideration of the members of this House and their conception of what is necessary.

The budget of the Governor, again I say, has nothing to do with House Bill No. 22, because House Bill No. 22, was neither built upon the conception of the Governor's budget nor upon the idea that it was to fit the Governor's budget, nor that it was to have anything to do with the Governor's budget.

House Bill No. 22 was to set up a frame work of government and to reduce the cost of government and after that has been passed upon that can be constructed as a budget.

In constructing House Bill No. 22, we had no conception of whether it would be necessary to have a twenty-five million dollar bond issue or not, because there is a multitude of mandatory legislation that has been enacted by the Legislature of Pennsylvania in the past that affects the cost of government far beyond the intent of House Bill No. 22. The administrative code is only one part of those things that have to do with the powers and the purposes and the functions of departments, boards and commissions. There are a great number of acts, hundreds of them, upon the statute books which place mandatory obligations upon the State of Pennsylvania that require money which enter into the making up of the budget. Let me illustrate that by just one thing. The administrative code has nothing to do with the Edmonds act which pertains to subsidies to the schools. The Edmonds act is an entirely different act of the Legislature, and under that act there would be required for the two years, fifty-eight million dollars. That has nothing to do with the administrative code, it is not mentioned in the administrative code. The administrative code has nothing to do with it, and the fifty-eight million dollars therefore would enter into the budget through some other legislation.

The gentleman is entirely mistaken. I shall be glad, after this session is over, rather than take up the time of the House to explain the matter to him.

Mr. STERLING. Mr. Speaker and members of the House, I dislike very much to impose my rasping voice again on you today, but there is something more to be said concerning the legislation that is now before you. The very next bill that this House will be called upon to consider, House Bill No. 1487, introduced by the Speaker, Mr. Talbot, provides in section 2—Mr. Speaker, if I am not transgressing on parliamentary courtesy when I refer to a measure not before the House immediately——

The SPEAKER. Will the gentleman from Philadelphia yield?

Mr. STERLING. Yes, Mr. Speaker.

Mr. TURNER. Mr. Speaker and members of the House, I would like to ask the House to grant the gentleman from Philadelphia the widest latitude in his exposition of this matter, because I think it is of the greatest importance and because it involves other legislation and I think we should give him every opportunity to speak upon the matter.

The SPEAKER. If there is no objection, the gentleman from Philadelphia will proceed.

Mr. HOOPES. Mr. Speaker, I am perfectly willing to hear the gentleman from Philadelphia discuss the matter with the widest leeway provided that I shall be given the same privilege when the next bill comes before the House.

The SPEAKER. That question will be answered when the next bill comes before the House.

Mr. HOOPES. Mr. Speaker, if you will not grant me that privilege now, I will have to object in view of the way I was treated a few moments ago.

The SPEAKER. Of course if the gentleman persists in his attitude, it will prevent the gentleman from Philadelphia proceeding along those lines.

The gentleman will confine his remarks to the bill before the House.

Mr. STERLING. Mr. Speaker and members of the House. before the measure which is now before you, may become effective, it will be necessary for the citizens of the Commonwealth of Pennsylvania to approve an amendment to the Constitution which will permit the bond issue. Not until the citizens of the Commonwealth so approve a constitutional amendment may such a bond issue be floated.

You ask and you have the right to ask what is to become of the twenty-five million dollars if the bond issue is floated. or putting it in another way, what may be the necessity be for a bond isue of twenty-five million dollars. The answer to that requires but a short survey.

We have confronting us now, probably more important than any other legislation that rests in this assembly, the question of relief to many millions of unemployed in Pennsylvania, if for no other reason than to bring that relief to the unemployed in Pennsylvania, the passage of this legislation is primarily justified. You may ask "Well, isn't it possible to find sufficient money either by a change in the collection of taxes or by a reduction in the cost of government below the figures set forth in the Governor budget?" And my answer to that question is a simple one: there is no certainty that this assembly will change any of the laws which now exist with respect to the collection of taxes, nor is there any certainty in the next place, that this Legislature will approve any of the laws or measures that will come before it, the passage of which may reduce the cost of government below the budgetary figures.

But there is another question, and that is whether or not in these troublesome times there is the maximum of accuracy in the estimates that have been given us by those employes of the Commonwealth whose right it is, whose opportunity and privilege it is to present to us estimates of revenue. We know full well how difficult it is for the employes of the federal government to state with any degree of accuracy what the estimated revenues of the federal government will be. It is equally difficult for the employes of the Department of Revenue or otherwise to give us accurate, absolutely infallible estimates of revenue.

Now, you may ask, "Are you the Chairman of the Committee which has been working for six months or more upon recommendations to this assembly through which you will effect economies in government." And my answer to that is, yes, but it is impossible now or at any other time to say that economies effected by the adoption of these revenues, plus the receipt of anticipated revenues, will create in the treasury a sufficient sum of money to make available the proposed twenty million dollars required for unemployment relief.

The joint legislative committee has presented to this Assembly upwards of fifty bills, almost each one of which if enacted into law will reduce the anticipated expenditures of the Commonwealth for the next biennium by large sums of money. We anticipate, for example, the elimination of two teachers' colleges. The mere mention of that question to some members of the Assembly immediately justifies a doubt that the over all figures submitted as probable savings are a possibility. We have recommended the elimination of two medical and surgical hospitals—

The SPEAKER. The Chair will ask the gentleman from Philadelphia to confine himself more closely to the measure that is now before the House.

Mr. STERLING. I will try, sir. In a general way we have made many recommendations, the adoption of which will result in many economies, but the point I wish to make at this time is that there is no certainty that we will have during the next biennium sufficient money to bring adequate relief to the unemployed. The measure which you will consider in a few moments will provide as you will note when you read it. that probably—

The SPEAKER. The bill that will be next considered is not the one before the House now.

Mr. STERLING. Mr. Speaker, I recognize the parliamentary obstruction that confronts me, but I also recognize, sir, that this occasion is probably the most important one and this debate probably the most important one that has yet been submitted to this House.

I submit to you, sir, that the House is entitled to an intelligent explanation of the fiscal affairs of the Commonwealth, and I submit to you also that it is quite impossible to intelligently discuss this question unless a wider latitude is granted to those engaging in the debate.

If the Speaker rules that I must confine myself strictly to the question before the House, which is the bill before you, I will close.

What I may have wanted to say, that if the House—

Mr. HOOPES. Mr. Speaker, I will withdraw my objection and grant the gentleman as far as I am concerned the right to discuss the matter with the widest latitude.

The SPEAKER. The gentleman from Philadelphia will proceed along the lines he was following.

Mr. STERLING. Mr. Speaker, I first want to acknowledge deeply the kindness granted by the genkteman from Berk, and then in conclusion simply say that we will in a few moments consider a measure which will provide twenty million dollars for unemployment relief, and the very terms of that measure, if you will examine it, in Section 2b, provides that the amount allotted or provided for unemployment relief shall be contingent upon a number of things, among which is the receipt of sufficient revenues from the General Fund, from a bond issue to defray the expenses of the Commonwealth, and I submit to you in conclusion, if for no other reason than the latter one I pointed out to you, this measure deserves the approval of the House.

Mr. TURNER. Mr. Speaker and members of the House, I rise merely to point out to the members of the House that just before this bill came up the House passed Senate Bill No. 320, House Bill No. 1842, Printer's No. 176, which was a joint resolution proposing an amendment to Article No. IX of the Constitution of Pennsylvania by adding thereto Section 17, which provides for a twenty-five million dollar bond issue. The act before us, No. 321, is an enabling act which will allow the issuance of bonds under that resolution. The act is Printer's No. 231, and if you will look at that on page 2, line 19, it says, or go back to line 17, "said sum or sums of money not exceeding in the aggregate the sum of twenty-five million dollars, as may be deemed necessary to defray the expenses of the State Government during the said biennium." You have, therefore, authorized the submission to the people of Pennsylvania next November, by the bill you just passed the proposal of a twenty-five million dollar bond issue. If that should be voted on favorably by the people of Pennsylvania, and we do not pass this act

which is before us we would be authorizing but would have no power to issue the bonds. Therefore, having taken that action, it seems to me it would be an absurdity to give the people an opportunity to say what they want, and then don't give our fiscal officers an opportunity to use the money.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—143

Baldi,	Hamilton,	McKinney,	Shellenberger,
Barnhardt,	Harris,	Melchiorre,	Shortz,
Bechtel,	Hart,	Merrell,	Shreiner,
Bennett,	Hartman,	Metzler,	Simon,
Bernhard,	Heffernan,	Moore,	Snyder,
Blumberg,	Hefferon,	Mumford,	Sowers,
Boyd,	Heffner,	Munley,	Spann,
Brancato,	Hermansen,	Myers,	Steedle,
Brennan,	Hewitt,	Negley,	Sterling, R. B.,
Brown, W. L.,	Himes, L. R.,	Nothnagle,	Stevens,
Carey,	Hoffman,	O'Neill,	Stiteler,
Cooke,	Hoopes,	O'Rourke,	Tahl,
Cordier,	Horst,	Patterson,	Terry,
Craig,	Hough,	Pennock,	Turner,
Dane,	Howard,	Perry, D. R.,	Wade,
Davies,	Hutton,	Perry, J. J.,	Walker, W. A.,
DeFrehn,	Jaffe,	Peters,	Wall,
Denning,	Jones,	Powell,	Wasserman,
Downey, G. E.,	Kane, J. J.,	Powers,	Way,
Downey, J.,	Kane, L. P.,	Price,	Weidemann,
Dwyer,	Laubach,	Quinn,	Welsh,
Ederer,	Lenahan,	Rectenwald,	Wike,
Emhardt,	Lewis,	Reed,	Williams, G. W.,
Eroe,	Lord,	Reilly,	Williams, J. J.,
Evans,	Lose,	Rice,	Wilson, L. M.,
Fitzgerald,	Lovett, W. S.,	Roan,	Wilson, T. B.,
Flanagan,	Lynch, J. R.,	Root,	Witkin,
Forrest,	Maloney,	Roth,	Wood,
Furman,	Marcks,	Ruby,	Woodside,
Gallagher,	Mason,	Ruth,	Wright,
Gartner,	McBride,	Sarig,	Yeakel,
Gillette,	McClure,	Sautter,	Yourishin,
Green,	McCreary,	Schrock,	Zimmerman,
Greenstein,	McElwee,	Scorza,	Talbot,
Griffith,	McKay,	Scott,	Speaker.
Habbyshaw,	McGrail,	Sheffer,	

NAYS—34

Andrews,	Conner,	Lynch, M.,	Schrope,
Baker,	Dunmire,	Male,	Schwab,
Beech,	Flinchbaugh,	McCandless,	Shettel,
Brown, J. E.,	Harmuth,	McGregor,	Sinwell,
Brownfield,	Hester,	McHenry,	Stevenson,
Cannon,	Holmes, J. B.,	O'Connor,	Stone,
Caputo,	Labar,	Raub,	Wagner,
Carson,	Lane,	Rhodes,	Westrick,
Chervenak,	Lovett, J. E.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendment in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideratioin of House Bill No. 1487, entitled:

An Act making appropriations to the State Emergency Relief Board for expenditure by it and for the allocation and reallocation to political subdivisions charged by law with the care of the poor or to other subsituted agencies for direct and work relief defining the purposes for which such moneys may be expended providing for the audit of such expenditures and prescribing the powers and duties of the State Emergency Relief Board of cities coextensive with counties and of counties

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WILLIAM L. BROWN. Mr. Speaker, I would like to ask the sponsor, Mr. Talbot, how this bill affects this commissary relief plan of the several sections of the State at the present time?

Mr. TALBOT. Mr. Speaker and members of the House, this bill provides for an appropriation of twenty-two million dollars for unemplyoment relief. I say to the members that this bill be amended in the Senate, if the House sees fit to pass it, to read "twenty million dollars," and on page 3, line 4, where it reads, "allowances or transfers from Motor License Fund, the word "transfer" will be eliminated in the Senate if the House passes the bill. This bill preserves the Emergency Relief Board to the extent it has supervisory powers over the local agencies, but it sets out insofar as the City of Philadelphia is concerned that the Department of Welfare in that city will expend the funds for unemployment relief; in counties where they have the one unit of poor boards, the money will be spent and distributed by that single unit, or county poor directors. Where they are numerous poor boards in a county, the money is allocated to the county commissioners, and the State Emergency Relief Board has the power of supervision and audit. If the board abuses the right and privileges with the money given to them or allocated to them, the State Emergency Relief Board can step in and appoint a new board. This bill does destroy the County Emergency Relief Board and does not provide for administration expenses.

I referred on Monday night to the minority lobbyists in this State, and I said that that is one thing that we must withstand during this session of the Legislature. Last Friday I received some one hundred and fifty letters, and up to this morning some six hundred letters written by welfare workers throughout the State, asking first that the county emergency relief boards be preserved in this bill, and second, that money be appropriated for administrative expenses. It does seem to me that the county should be able at least to provide for administrative expenses. It is my firm belief that the people elected as poor directors or county commissioners are the proper people to disburse this fund, because they are answerable to the people in their respective counties, and further if the counties must provide money for unemployment expenses, then it seems to me that they can spend that at a minimum rather than to use State money, because the mass of the citizens do not pay taxes. We have learned through our two previous relief bills some things about relief, while I do not believe that this bill is a perfect one, nor do I believe any unemployment bill can ever be made perfect, I think it is the best thing that we can find after careful study, and I hope the members will vote "aye" on this bill.

Mr. RHODES. Mr. Speaker, may I interrogate the sponsor of the bill?

The SPEAKER. Will the gentleman from Delaware, Mr. Talbot, permit himself to be interrogated?

Mr. TALBOT. I will, Mr. Speaker.

Mr. RHODES. As I understand, Section 2, clause (b) provides for an appropriation of $15,000,000 providing the funds are obtainable.

Mr. TALBOT. That is correct.

Mr. RHODES. In other words, it is a contingent appropriation?

Mr. TALBOT. That is correct

Mr. RHODES. In the event that this money was not forthcoming to take care of this appropriation then the entire burden of unemployment relief would devolve upon the local districts, is that correct?

Mr. TALBOT. If we would pass this bill, and this was the last body to pass it, and it became a law, I would say, yes. But from the fact that this bill has originated in the House and is going to the Senate it will remain in the Senate until we find the extent of all the economies. Then, of course, there would be no other recourse in so far as contingents are concerned.

Mr. RHODES. The same section and the same clause likewise expects to utilize a portion of the proceeds of the $25,000,000 bond issue, does it not?

Mr. TALBOT. If in the event we cannot effect the economies necessary to provide for unemployment relief.

Mr. RHODES. Will the gentleman from Delaware state how the Federal funds are distributed under the Federal act?

Mr. TALBOT. Does the gentleman mean who has the power of distribution?

Mr. RHODES. Yes.

Mr. TALBOT. The Governor of the Commonwealth.

Mr. RHODES. Does the gentleman believe this amount of money would be adequate to take care of the unemployment relief without any assistance from the Federal Government?

Mr. TALBOT. I don't.

Mr. RHODES. Then would it not mean that we would have two agencies functioning at the same time, one the local poor boards and the other set up as might be decided on by the Governor to distribute the Federal relief funds?

Mr. TALBOT. We can only assume from the position that the Governor has taken so far on the distribution of the Federal funds, which has by recommendation of the State Emergency Relief Board, which will stay in existence under this bill.

Mr. RHODES. Is it correct that if the Governor followed the same method of procedure as is now followed that the Federal funds will be distributed by county emergency relief boards, and that this fund would be distributed in those districts by county poor boards, thereby setting up two relief agencies in a community.

Mr. TALBOT. That would be at the Governor's discretion.

Mr. RHODES. Would that not create a chaotic condition?

Mr. TALBOT. I question whether the Governor when the county emergency relief boards are destroyed as far as this bill is concerned whether the Governor would believe it advisable to set up two boards in a county.

Mr. RHODES. If this bill does not give a sufficient amount of money to the local poor districts, then they would have to raise whatever amount was required to take care of the needy in the county.

Mr. TALBOT. I cannot believe that, because I am satisfied the Governor would allot a proportionate share of the Federal fund to the counties in the same way as he has in the past.

Mr. STERLING. Mr. Speaker and members of the House, I ask you to vote in favor of this bill although in doing so, I do it reluctantly insofar as the measure changes the method of distribution. I desire to interrogate the gentleman from Delaware, Mr. Talbot.

The SPEAKER. Will the gentleman from Delaware, Mr. Talbot, permit himself to be interrogated?

Mr. TALBOT. I will, Mr. Speaker.

Mr. STERLING. Will the gentleman from Delaware advise the House whether or not under the decision of the Supreme Court in the first Talbot case that court decided that the payment of unemployment relief appropriations were subordinated only to the general appropriations for defraying the expenses of the government?

Mr. TALBOT. That is correct.

Mr. STERLING. Will the gentleman from Delaware advise the House whether or not under the provisions of Section 2b of the bill now before you, the payment of unemployment relief appropriation is or is not made contingent upon the payment of appropriation other than those which are necessary to defray the general expenses of the Commonwealth?

Mr. TALBOT. Mr. Speaker, I canont see it.

Mr. STERLING. Mr. Speaker, and members of the House, as I read Section 2b, the following language indicates to me that we are by the passing of this measure postponing or subordinating the payment of the unemployment relief beyond the point that the Supreme Court decided, these appropriations would be postponed under the decision in the first Talbot case, because the language of the section clearly reads: "In case at any time there are insufficient moneys in the General Fund to meet the appropriation by this clause and a deficiency will or is likely to occur at the end of the fiscal biennium, then and in that event no further moneys will be paid out by the Auditor General or the State Treasurer under the appropriation made by this clause." Lawyers differ on all questions when they are on different sides, and there may be an honest difference of opinion with respect to the construction of the language I have just read, but I present to the sponsor of this bill, in whose integrity and ability and honesty of purpose I have great confidence, that I will vote my approval of the measure, with full confidence that if upon further consideration the sponsor of this bill believes that that language that I have just read means what I believe it means, a proper adjustment of that language will be made, because I take it that neither he nor any other member of this House or of the Senate desires that any unemployment relief appropriation be postponed or subordinated beyond the ordinary and normal expenditures necessary to carry on the business of the Commonwealth.

Mr. TALBOT. Mr. Speaker, I desire to say to the gentleman from Philadelphia, Mr. Sterling, and to the members of the House that I shall be very glad if this bill passes, to sit down with the gentlaman from Philadelphia, and the Director of the Legislative Reference Bureau and thresh the matter out to his entire satisfaction.

Mr. HOOPES. Mr. Speaker and members of the House, I expressed my opinion Monday evening as to the inadequency of a two million dollar appropriation for unemployment relief for the months of April and May. I would feel that I was recreant in my duty to myself and to my constituents if I did not express the same opinion in regard to this appropriation.

As I understood the sponsor of the bill, he told us that there were two million dollars to be taken out of the bill in the Senate making an appropriation of twenty million dollars for two years.

Last summer we passed a measure providing for twelve million dollars for a period of seven months. The minimum for any one of those months was one and one-half million dollars. Spreading twenty million dollars over a period of twenty-four months will mean that the appropriation for each month will be substantially less than one million dollars. Unemployment instead of decreasing since we were here last summer, has increased, so that the need for appropriations at this time is greater than it was then.

The only reason that we have not been confronted with direst calamity since last summer was the fact that The Reconstruction Finance Corporation very generously gave to Pennsylvania moneys at the ratio of about four to one to the amount that the State appropriated.

We have been spending for unemployment relief, according to the Governor, who is chairman of the State Relief Board, a sum in excess of six million dollars a month. We are now trying to salve our consciences by passing an appropriation which provides for less than one million dollars a month. It may be that the members of this House and the sponsor of this bill feel that the Reconstruction Finance Corporation is going to continue in its generous attitude towards Pennsylvania. Many people do not think that that will be the case and in support of that contention I would like to read an editorial from this morning's Philadelphia Record, entitled:

HARRISBURG CANNOT 'PASS THE BUCK' TO WASHINGTON

Governor Pinchot and the Legislature should take warning.

The Roosevelt Administration is preparing to force a showdown on relief.

It will not sit back and permit any State to "pass the buck" to Washington.

The half billion dollar La Follette-Costigan-Wagner relief bill provides for a Federal Administrator who will supervise grants of money to the States.

President Roosevelt has made it clear that this new official will be no rubber stamp, but will insist that States which ask Federal aid must also contribute heavily to support the hungry unemployed.

It should be noted that $200,000,000 of the amount appropriated by this bill will be set aside—

"For State grants equal during any quarter to one-third of the total State funds used for relief during the previous three months."

The House at Harrisburg has just appropriated $2,000,000 for relief during April and May—OR ABOUT 50 CENTS A WEEK for each of the half million destitute families in Pennsylvania.

At that rate, under the terms of the La Follette-Costigan-Wagner bill, Pennsylvania will be eligible to receive $1,000,000 every three months, or $4,000,000 a year from the Federal Government.

Pennsylvania will be entitled to even less than that under the relief plans of both Governor Pinchot and the State Organization for the biennium beginning June 1.

The Organization and Pinchot both ask only $20,000,000 for the biennium, differing only on the question of whether the Governor or the poor boards shall control distribution of the funds.

Under either plan only $10,000,000 a year will be available.

That will entitle the State to $3,300,000 from the Federal Government—thus providing little more than $13,000,000 a year in a relief task that calls for from $75,000,000 to $125,000,000.

Governor Pinchot stands convicted of hypocrisy, the State Organization of indifference, if this program is not enlarged.

Pennsylvania must raise at least $45,000,000 a year for relief, making itself eligible to $15,000,000 more a year from the Federal Government.

A total of $60,000,000 a year would make it possible to undertake the job of relief. To provide only $10,000,000 a year is to mock the State's hungry.

Pennsylvania, after four winters of depression, has appropriated only $22,000,000 for its unemployed.

It proposes to spend ony $22,000,000 more for the next two years and two months.

During the last two years, the State has spent more than 120 millions of dollars on highways. During the next two years it will spend more than $104,000,000.

It cannot continue to spend millions on highways and still plead poverty on unemployment relief.

Tap the road fund. Impose an emergency income tax. Raise at least $45,000,000 a year for the jobless.

Harrisburg cannot "pass the buck" to Washington.

I do not agree entirely with that editorial. To be entirely frank I do not think the sum it proposes is going to be enough to feed, clothe and shelter the unemployed of this State during the next biennium. We are confronted with a dire calamity. Two millions of our citizens are now upon relief. The number is increasing, not decreasing. However much we may be of the opinion that the condition will change there is nothing in sight to indicate that they are going to do so at any time in the immediate future, at least not that they are going to change for the better. The indications, on the contrary, are that they will probably get worse.

I know that it is probably improper to stand here and say "I told you so," but some of you will remember that during the regular session of 1931 I tried to get this House to treat the problem of unemployment relief adequately, but you then said it was not necessary to do anything for unemployment relief. The result was that we had two special sessions during the years 1931 and 1932 for the purpose of taking care of the unemployment situation.

Many of the members of this House are very much concerned about economy. Certainly it is very poor economy to refuse to make an adequate appropriation for unemployment at a regular session and thereby compel the calling of special sessions at a cost of a half million dollars or more per session to do that which we should do while we are here now.

The unemployed are idle through no fault of their own. We have no right to tell these men "we cannot give you jobs, we cannot help you by giving you work, nor will we give you food." We have no right to deny work so that they can live. No less a person than Daniel Willard, president of the Baltimore and Ohio Railroad Company, said a year ago that before he would starve he would steal. The unemployed of Pennsylvania who are idle through no fault of their own cannot be expected to stand meekly by and starve without protest. I hope this General Assembly is not going to give them that choice but when they attempt to solve this problem and convince themselves they are solving the problem by only appropriating a measley sum of twenty million dollars to feed two million people for two years, and it probably will be more than two million long before the two years are out, it is certainly obvious that it cannot be done.

The Federal Government has served notice it is not going to continue the generosity that it has shown during the last few months. It is not going to permit the wealthiest State in the Union with getting away with appropriating less than one-sixth of the amount that is necessary to feed the starving within its boundaries. It is up to us to do our duty. We can get the money if we want to. We can levy a flat income tax if we cannot levy a graduated one. I am well aware that this is objectionable, but it is very much better than a sales tax. The first duty of any government that is entitled to the respect and support of its citizens is to protect those citizens in their time of need, and with millions of people in this Commonwealth facing actual starvation, we cannot go back and face our constituents after having provided them with a matter of fifty cents a month to feed them. You know that they cannot live on that. You know, even if we get that much more from the Federal Government, they cannot live on a dollar a month.

Who among the members of this House wants to try that; I do not, and I know that you don't.

If these people were out of work because of their laziness or their refusal to do their part, you might have some justification in saying to them "You have to work or starve." I firmly believe in that proposition. I don't believe in keeping

bums who refuse to work, but when people cannot get work to earn a living, then it is our duty to see that they are either given that right to work or given sufficient relief and if you say you cannot raise money by taxation, because of the decreased income, then it is time to put into effect some real emergency measures. We should take over some of the industries and put the people to work. We have the capital and we have the machinery and land and moneys within this Commonwealth to produce anything that we need to feed, clothe and shelter all of our citizens, and we have no right to say to a large proportion of our people, "You do not have a right to work, we cannot give you a chance to work; we won't do anything to give you a chance to work, and furthermore, we will not give you enough to eat, you can starve;" we have no right to say that.

That is just what you are doing in this measure, and because of that I expect to vote no. I am in favor of unemployment relief, every member knows I am, but I want adequate relief and I don't want to yield to a program that is so grossly inadequate and go back home and try to explain to my constituents why we didn't do more.

I am going to vote no in protest of the meager amount that is provided here in this bill, in the hope that a majority of the House will vote no for the same reason, and then get down to the job and find enough money for appropriating to unemployment. That is our first duty at this time, and I ask the members of this House to vote down this bill, so that we will have a chance to bring in a real relief measure and put it through, because I have reason to suspect that if this measure and the balance of the program of those that are back of this measure goes over, then you will adjourn on April 13th and let the unemployed get what they may. I say that is not honest, fair or manly. By doing it you are doing in effect what the king and queen of France did prior to the French Revolution. Many of you know what Queen Antoinnette said when she was told that the people cried for bread. She said, "Let them eat cake." You say to the people of Pennsylvania, "Let them eat cake when they don't have bread," but if you do you will be responsible for what follows, and I dread to think what is likely to follow.

I believe in organized government; I believe in democracy, and I want to see this government continue, but I should like to see many of its policies changed, but I want to see that worked out by peaceable, democratic, parliamentary means. But if you are going to say to the unemployed, "You cannot work, you can't get jobs, we won't provide food for you, we won't pass laws to prevent you from being evicted from your homes," then, my friends, you are sowing the wind and you may expect to reap the whirlwind. I ask you to vote no on this measure.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165

Andrews,	Griffith,	McGregor,	Sheffer,
Baker,	Habbyshaw,	McHenry,	Shellenberger,
Baldi,	Haines,	McKay,	Shortz,
Barnhardt,	Hamilton,	McKinney,	Shreiner,
Bechtel,	Harmuth,	Melchiorre,	Shugarts,
Beech,	Harris,	Merrell,	Simon,
Bennett,	Hart,	Metzler,	Sinwell,
Bernhard,	Heffernan,	Moore,	Snyder,
Blumberg,	Hefferon,	Mumford,	Sowers,
Boyd,	Heffner,	Munley,	Spann,
Brancato,	Hermansen,	Myers,	Stank,
Brennan,	Hewitt,	Negley,	Sterling, P.,
Brown, W. L.,	Himes, L. R.,	Nothnagle,	Steedle,
Brownfield,	Hoffman,	O'Connor,	Sterling, R. B.,
Carey,	Horst,	O'Keefe,	Stevens,
Carson,	Hough,	O'Neill,	Stevenson,
Chervenak,	Howard,	O'Rourke,	Stiteler,
Conner,	Hutton,	Patterson,	Surface,
Cooke,	Jaffe,	Peelor,	Tahl,
Cordier,	Jones,	Pennock,	Terry,
Craig,	Kane, L. P.,	Perry, J. J.,	Turner,
Dane,	King,	Peters,	Wade,
Davies,	Kinney,	Powell,	Wagner,
DeFrehn,	Labar,	Powers,	Wall,
Denning,	Lane,	Price,	Wasserman,
Downey, G. E.,	Laubach,	Quinn,	Way,
Downey, J.,	Lenahan,	Rectenwald,	Weidemann,
Dunmire,	Lewis,	Reed,	Welsh,
Dwyer,	Long,	Reilly,	Westrick,
Ederer,	Lord,	Rice,	Wike,
Emhardt,	Lose,	Roan,	Williams, G. W.,
Eroe,	Lovett, J. E.,	Root,	Williams, J. J.,
Evans,	Lovett, W. S.,	Roth,	Wilson, T. B.,
Fitzgerald,	Maloney,	Ruby,	Witkin,
Flanagan,	Marcks,	Ruth,	Wood,
Flinchbaugh,	Mason,	Sarig,	Woodside,
Forrest,	McBride,	Sautter,	Wright,
Furman,	McCandless,	Schrock,	Yeakel,
Gallagher,	McClure,	Schrope,	Yourishin,
Gartner,	McCreary,	Schwab,	Zimmerman,
Gillette,	McElwee,	Schwartz,	Talbot,
Green,	McGinnis,	Scorza,	Speaker.
Greenstein,	McGrail,	Scott,	

NAYS—11

Brown, J. E.,	Hester,	Male,	Storb,
Cannon,	Hoopes,	Raub,	Wilson, L. M.,
Caputo,	Kane, J. J.,	Rhodes,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER (GROVER C. TALBOT) IN THE CHAIR

REPORTS FROM COMMITTEES

Mr. NOTHNAGLE, from the Commitee on Mines and Mining, reported as committed, House Bill No. 1705, entitled:

An Act to regulate the sale and delivery of coal, coke, petroleum coke, briquettes and other solid fuels, providing for the appointment of public weighmasters, prescribing their powers and duties; imposing certain duties on the Department of Internal Affairs; and providing penalties.

Mr. SPANN, from the Committee on Judiciary General, reported as committed, House Bill No. 1617, entitled:

An Act limiting the effect of actions of courts in vacating, setting aside, opening, modifying and interfering with judgments, decrees and orders which have become final by lapse of time for an appeal so far as such actions affect persons, firms and corporations who, having relied upon such judgment, order or decree, have acquired rights or changed their status; and providing for intervention by such persons, firms and corporations in such actions.

Mr. HART, from the Committee on Constitutional Amendments, reported as committed, House Bill No. 921, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, by adding thereto an additional section.

Mr. LENAHAN, from the Committee on Judiciary General, reported as committed, House Bill No. 1824, entitled:

An Act to amend section two of the act approved the third day of April, one thousand nine hundred and twenty-nine, (P. L. 135), entitled, "An act authorizing the Department of Justice, acting for the Department of Forests and Waters, to institute suits on behalf of the Commonwealth to recover from persons, associations, copartnerships, and corporations, and their officers, agents, and employes, causing forest fires, the expenses incurred by the Department of Forests and Waters on account of such fires," authorizing the Department

of Forests and Waters to institute suit for such purposes where such expenses do not exceed three hundred dollars.

Mr. GARTNER, from the Committee on Judiciary Local, reported as committed, House Bill No. 1068, entitled:

An Act to amend the act, approved the fourteenth day of June, one thousand nine hundred and twenty-three (P. L. 710), entitled "An act allowing and regulating boxing, sparring, and wrestling matches and exhibitions; establishing a State Athletic Commission; making an appropriation therefor; and appropriating moneys received for monument and memorial purposes; and prescribing penalties," as amended, by limiting the provisions thereof to professional boxing, sparing and wrestling matches and exhibitions.

Mr. PHILIP STERLING, from the Committee on Banking, reported as amended, House Bill No. 808, entitled:

An Act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of expenses of the Department of Banking by supervised corporations, associations or persons and appropriating to the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions, with supervised corporations, associations or persons; prescribing and limiting the powers and duties of certain courts and their prothonotaries, registers of wills, recorders of deeds, and certain State Departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts.

Mr. REED, from the Committee on Judiciary Local, reported as amended, House Bill No. 1359 (Senate Bill No. 389), entitled:

An Act to amend sections six, twelve, seventeen and twenty-six of the act, approved the fourteenth day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, seven hundred ten), entitled "An act allowing and regulating boxing, sparring, and wrestling matches and exhibitions; establishing a State Athletic Commission; making an appropriation therefor; and appropriating moneys received for monument and memorial purposes; and prescribing penalties," as amended, by extending the provisions of said act so as to include bookers, booking agents, representatives of booking agencies for services of wrestlers; modifying license fees in certain cases; exempting amateur boxing or wrestling in schools colleges and universities

HOUSE BILL No. 70 TAKEN FROM TABLE

Mr. BAKER. Mr. Speaker, I move that House Bill No. 70, Printer's No. 28, entitled:

An Act to amend sections sixty-nine and seventy-one of the act approved the twenty-second day of June one thousand nnie hundred and thirty-one (Pamphlet Laws five hundred ninety-four) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by increasing the obligation of the Commonwealth in the construction of certain structures located on such highways

which was laid on the table, be taken from the table.

The motion was agreed to.

RECONSIDERATION OF VOTE

Mr. BAKER. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

The motion was agreed to.

Mr. BAKER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. BAKER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend section 1, page 2, line 17 by striking out after the figure "69" the words: "[This act is not intended and shall not]"

Amend section 1, page 2, by striking out lines 18 to 28 inclusive and inserting in lieu thereof the following: "The Commonwealth through the Department of Highways shall maintain construct and reconstruct all drainage structures and bridges which are the responsibility of the township on any highway taken over under the provisions of this act except storm or sanitary sewers."

Amend section 1, page 3, line 1 by striking out the bracket before the word "other."

Amend section 1, page 3, line 1 by striking out the bracket after the word "structures."

Amend section 1, page 3, line 1, by inserting before the word "such" a bracket.

Amend section 1, page 3, line 1 by inserting after the word "bridges" a bracket.

Amend section 1, page 3, line 2 by striking out the bracket before the word "county."

Amend section 1, page 3, line 2 by striking out the bracket after the word "township."

Amend section 2, page 3, line 12 by inserting a bracket before the word "specifically."

Amend section 2, page 3, line 12 by inserting a bracket after the word "specifically."

Amend page 4 by inserting after the line 11 the following: "Section 3. All acts or parts of acts inconsistent herewith be and the same are hereby repealed.

"Section 4. This act shall become effective upon its approval by the Governor."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL RECOMMITTED

Mr. J. J. WILLIAMS. Mr. Speaker, I move that House Bill No. 1245, Printer's No. 306, entitled:

An Act to amend section thirty-two of the act approved the twenty-ninth day of April, one thousand eight hundred and forty-four (P. L. 486), entitled "An act to reduce the state debt, and to incorporate the Pennsylvania canal and railroad company;" as amended; making the real estate of public service companies subject to taxation, and providing certain exceptions.

on page 31 of today's calendar, bills on second reading be recommitted to the Committee on Municipal Corporations for the purpose of further study.

The motion was agreed to.

ADJOURNMENT

Mr. JOHN J. KANE. Mr. Speaker, I move that this House do now adjourn until tomorrow morning at 10.00 o'clock.

The motion was agreed to, and (at 7.02 P. M.) the House adjourned until tomorrow morning at 10.00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

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HOUSE OF REPRESENTATIVES

THURSDAY, March 30, 1933

The House met at 10 o'clock A. M.

The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Rev. Hugh M. Stevenson, a member of the House offered the following prayer.

God our Heavenly Father. We thank Thee for the rest of the past night, for the promise of another day, a day of privilege and opportunity. That this day may not be time wasted or spent in such a way as shall condemn us at the bar of our own conscience, or cause us shame at the Judgment Bar of God: We pray for divine guidance.

Thou art the God of light and truth. Thou art acquainted with the problems which confront us; the demands made upon us as servants of Thine and of our fellow men.

May we be saved from political selfishness, jealousy, prejudice, and greed, realizing that we are our brothers' keeper; that the safety and welfare of this State and her people are largely committd to our care and they are looking unto us for help in the hour of their distress, and the Commonwealth needs strong men as never before.

God bless the leaders in this Commonwealth. Our Speaker and Members of the General Assembly giving unto us vision and courage to perform every duty. For Jesus' sake. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. Hamilton the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Messrs. P. STERLING, FLYNN, STEEDLE and McCLURE (By request of Joint Legislative Committee on the Finances). HOUSE BILL No. 2103.

An Act providing for the reimbursement by the State of counties for costs and the maintenance of prisoners imposed as a result of prosecutions under laws, providing that fines and penalties imposed under such laws or forfeited bail recovered as the result of such prosecutions shall be payable into the State Treasury or any fund thereof; providing for the audit of the accounts of counties by the Auditor General, and for the collection of amounts due from counties, and for appeals by counties to the Board of Finance and Revenue; and imposing powers and duties on the Auditor General, Department of Revenue, and Department of Highways, and certain duties upon counties, and making an appropriation.

Referred to the Committee on State Government.

By Messrs. P. STERLING, FLYNN, McCLURE and STEEDLE (By request of the Legislative Committee on the Finances). HOUSE BILL No. 2104.

An Act to amend paragraph 2 of Section 4 and Section 8 of the act approved the eighteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, one thousand forty-three) entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes; defining the uses and purposes thereof, and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties," as amended, by creating an administration expense account in the School Employes' Retirement Fund and providing for the payment of the cost of administering the account from interest earnings of investments of said account in excess of four percentum

Referred to the Committee on State Government.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 29, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate authorizing the several Courts of Common Pleas of the several counties of the Commonwealth to stay the execution of all writs of possession until a date not later than April 3, 1933, etc.

GIFFORD PINCHOT.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 192.

An Act to amend section two of the act approved the tenth day of April one thousand eight hundred and seventy-nine (Pamphlet Laws sixteen) entitled "An act relating to mutual saving fund building and loan associations regulating the mode of charging premiums bonus or interest in advance of withdrawals of repayment and collection of loans also restricting the power to levy excessive fines and defining the rights and liabilities of married women stockholders and prescribing the non-application to these associations of the bonus tax and registry laws for corporations" by further regulating withdrawals

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 2, page 2, line 23 by striking out after the word "association" the following:

Whenever funds applicable to the payment of withdrawals and maturities shall be inadequate to meet the demands of withdrawing or maturing members the board of directors may by resolution authorize payment on a pro rata basis or at their discretion fix a maximum amount to be paid periodically During such period of payment withdrawing and maturing members shall retain their status as stockholders with all the rights and privileges accruing thereto

and inserting in lieu thereof the following:

Whenever funds available shall be inadequate to meet the demands of withdrawing members who have previously given notice in writing of their desire to withdraw or of maturing members the board of directors may by resolution authorize payment on a pro rata basis or at their discretion fix a maximum amount to be paid periodically to such members

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178

Andrews,	Hart,	McKay,	Shreiner,
Baker,	Hartman,	McKinney,	Shugarts,
Baldi,	Heffernan,	Melchiorre,	Simon,
Barnhardt,	Hefferon,	Meredith,	Sinwell,
Bechtel,	Heffner,	Merrell,	Snyder,
Beech,	Hermansen,	Metzler,	Sowers,
Bennett,	Hester,	Mohn,	Spann,
Blumberg,	Hewitt,	Moore,	Stank,
Boyd,	Hoffman,	Mumford,	Sterling, P.,
Brancato,	Holmes, J. B.,	Myers,	Sterling, R. B.,
Brennan,	Holmes, J. L.,	Negley,	Stevenson,
Brown, W. L.,	Hoopes,	Nothnagle,	Stiteler,
Brownfield,	Horst,	O'Connor,	Stone,
Caputo,	Hough,	O'Keefe,	Storb,
Carey,	Howard,	O'Neill,	Stott,
Chervenak,	Hutton,	O'Rourke,	Surface,
Conner,	Jaffe,	Patterson,	Tahl,
Cooke,	Jones,	Pennock,	Terry,
Cordier,	Kane, J. J.,	Perry, J. J.,	Turner,
Craig,	Kane, L. P.,	Powell,	Wade,
Cramer,	King,	Powers,	Wagner,
Davies,	Kinney,	Price,	Walker, G. E.,
DeFrehn,	Laber,	Raub,	Walker, W. A.,
Denning,	Lane,	Rectenwald,	Wall,
Duffy,	Laubach,	Reed,	Wasserman,
Dunmire,	Lenahan,	Reilly,	Way,
Ederer,	Lewis,	Rhodes,	Weidemann,
Emhardt,	Long,	Rice,	Welsh,
Evans,	Lord,	Roan,	Westrick,
Fitzgerald,	Lose,	Root,	White,
Fleisher,	Lovett, J. E.,	Royle,	Wike,
Flinchbaugh,	Lynch, J. R.,	Ruby,	Williams, G. W.,
Flynn,	Male,	Sarig,	Williams, J. J.,
Forrest,	Malina,	Sautter,	Wilson, L. M.,
Furman,	Maloney,	Schrock,	Wilson, T. B.,
Gallagher,	Marcks,	Schrope,	Witkin,
Gartner,	Mason,	Schwab,	Wood,
Gorman,	McBride,	Schwartz	Woodside,
Green,	McCandless,	Scorza,	Wright,
Greenstein,	McClure,	Scott,	Yeakel,
Griffith,	McElwee,	Sheffer,	Yourishin,
Habbyshaw,	McGinnis,	Shellenberger,	Zimmerman,
Haines,	McGrail,	Shenkel,	Talbot,
Hamilton,	McGregor,	Shettel,	Speaker.
Harris,	McHenry,	Shortz,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned from the House of Representives bills numbered and entitled as follows:

HOUSE BILL No. 127.

An Act to amend section one thousand two hundred seven of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency therof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" ['] taking out of operation the Fiscal Code questions relating to the lien and payment of liquid fuel taxes and referring such questions to the provisions of the liquid fuels tax acts

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 1, by inserting before the word "as" a light face bracket; also in same line by inserting after the word "tax" a light face bracket.

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Andrews,	Harmuth,	McGrail,	Sheffer,
Baker,	Harris,	McGregor,	Shellenberger,
Baldi,	Hart,	McHenry,	Shenkel,
Barnhardt,	Hartman,	McKay,	Shettel,
Bechtel,	Heffernan,	McKinney,	Shortz,
Bennett,	Hefferon,	Melchiorre,	Shreiner,
Bernhard,	Hermansen,	Meredith,	Shugarts,
Blumberg,	Hester,	Merrell,	Simon,
Brancato,	Hewitt,	Metzler,	Sinwell,
Brennan,	Hoffman,	Mohn,	Snyder,
Brown, J. E.,	Holmes, J. B.,	Moore,	Sowers,
Brown, W. L.,	Holmes, J. L.,	Mumford,	Spann,
Brownfield,	Hoopes,	Myers,	Stank,
Cannon,	Horst,	Negley,	Steedle,
Caputo,	Hough,	Nothnagle,	Sterling, P.,

Carey,	Howard,	O'Connor,	Sterling, R. B.,
Carson,	Hutton,	O'Keefe,	Stevens,
Chervenak,	Jaffe,	O'Neill,	Stevenson,
Conner,	Jones,	O'Rourke,	Stiteler,
Cooke,	Kane, J. J.,	Patterson,	Storb,
Cordier,	Kane, L. P.,	Peelor,	Stone,
Craig,	King,	Pennock,	Stott,
Cramer,	Kinney,	Perry, D. R.,	Surface,
Davies,	Labar,	Perry, J. J.,	Tahl,
DeFrehn,	Lane,	Peters,	Terry,
Denning,	Laubach,	Powell,	Turner,
Downey, G. E.,	Lenahan,	Raub,	Wade,
Duffy,	Lewis,	Rectenwald,	Wagner,
Dunmire,	Long,	Reed,	Walker, G. E.,
Dwyer,	Lord,	Reilly,	Walker, W. A.,
Ederer,	Lose,	Rhodes,	Wall,
Emhardt,	Lovett, J. E.,	Rice,	Wasserman,
Eroe,	Lovett, W. S.,	Roan,	Way,
Evans,	Lynch, J. R.,	Root,	Weidemann,
Fitzgerald,	Lynch, M.,	Roth,	Welsh,
Flinchbaugh,	Male,	Royle,	Westrick,
Flynn,	Malina,	Ruby,	White,
Forrest,	Maloney,	Ruth,	Wike,
Furman,	Marcks,	Sarig,	Williams, G. W.,
Gallagher,	Mason,	Sautter,	Wilson, T. B.,
Gillette,	McBride,	Schrock,	Witkin,
Gorman,	McCandless,	Schrope,	Wright,
Green,	McClure,	Schwab,	Yourishin,
Greenstein,	McCreary,	Schwartz,	Zimmerman,
Griffith,	McElwee,	Scorza,	Talbot,
Habbyshaw,	McGinnis,	Scott,	Speaker.
Hamilton,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 38.

An Act to amend section one of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred forty-seven) entitled "An act placing upon the Commonwealth the responsibility for the construction and maintenance of certain bridges on State highway routes or continuations of State highway routes in boroughs incorporated towns cities of the third class and townships under certain conditions and restrictions and appropriating money in the motor license fund for such purposes providing for a limitation of the Commonwealth's liability for reconstruction and maintenance in certain cases under orders of court or the Public Service Commission providing for the Commonwealth to succeed to the rights of the county under certain existing agreements or contracts authorizing the department to issue licenses to public service companies for occupancy of such bridges in accordance with existing laws subject to certain conditions and restrictions providing for the crediting of certain moneys to the motor license fund and providing for the return to the county or disposal of said bridges in certain cases and repealing certain acts with reference to county bridges" placing on the Commonwealth the responsibility for the construction and maintenance of additional county bridges and eliminating the provisions which places upon the counties fifty per centum of the cost of construction and maintenance of certain bridges

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final pasasge and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

REPORT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 1

Mr. SCHWARTZ presented the report of the Committee of Conference on House Bill No. 1, entitled:

An Act relating to baseball and football on Sunday prohibiting baseball and football on Sunday during certain hours and also during certain other hours unless the electors of the Commonwealth are in favor of the same and a license has first been secured from the municipal authorities providing for referendums to ascertain the will of the electors and for the enactment and repeal of licensing ordinances and resolutions in accordance therewith providing penalties and repealing inconsistent laws

The SPEAKER. The report lies over for printing.

REPORTS FROM COMMITTEES

Mr. MOHN, from the Committee on Judiciary Local, reported as committed, House Bill No. 1274, entitled:

An Act authorizing a divorced wife to resume her maiden or other name used before marriage in certain cases

Mr. CAPUTO, from the Committee on Elections, reported as committed, House Bill No. 1731, entitled:

An Act to further amend clause (a) of section four and clause (a) of section five of the act, approved the eighteenth day of April, one thousand nine hundred and twenty-nine (P. L. 549), entitled "An act to permit the use of voting machines for recording and computing the vote at all elections, including primaries, in any county, city, borough or township of the Commonwealth, at the option of the electors thereof, prescribing regulations with reference to the adoption, requirements, examination, purchase, installation, preparation, custody and demonstration of use of voting machines; providing rules and regulations for the conduct of elections held with voting machines; prescribing the qualifications, number and duties of election officers in election districts in which voting machines may be used providing rules and regulations for the conduct of elections held with voting machines; prescribing the qualifications, number and duties of election officers in election districts in which voting machines may be used; placing duties upon county commissioners and the Secretary of the Commonwealth; providing for redivision of wards of cities and boroughs into election districts, and the consolidation of election districts; providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used; and providing penalties for violation of the provisions of this act."

Mr. TAHL, from the Committee on Elections, reported as commited, House Bill No. 1624, entitled:

An Act to provide for a convention to ratify or reject an amendment to the Constiuption of the United States proposed by both Houses of Congress for the repeal of the Eighteenth Amendment to the said Constitution, and for the prohibition of the transportation, importation, delivery or use of intoxicationg liquors in violation of the laws of states, territories or possessions of the United States; to provide for the election of delegates to such convention; and making an appropriation.

Mrs. PENNOCK, from the Committee on Elections, reported as commited, House Bill No. 1051, entitled:

An Act to amend section seven of the act, approved the twelfth day of July, one thousand nine hundred and thirteen (P. L. 719), entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to national party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of

a political party to make, and to alter, amend, and revoke rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation," as amended; by increasing the number of signers required for certain nomination petitions.

Mr. NOTHNAGLE, from the Committee on Education, reported as committed ,House Bill No. 450, entitled:

An Act to validate and confirm certain contracts heretofore entered into by boards of school directors, where there is no evidence of fraud or conspiracy, and to sanction, ratify, confirm, and validate, payments of such contracts by the school district and relieve against surcharge and ouster therefor.

RESOLUTION NO. 15

Mr. GALLAGHER. Mr. Speaker, I desire to call up at this time Resolution No. 15, Printer's No. 25.

The resolution was read by the Clerk as follows:

In the House of Representatives, January 25, 1933.

Whereas, There exist in the Commonwealth of Pennsylvania more than one hundred communities of people living together in towns upon the property and within the limits of property owned by persons co-partnerships associations or corporations and known as company towns and

Whereas, The citizens resident in these communities do not enjoy all the privileges of local self-government common to other American citizens and are dominated on all sides of their life by the owning persons co-partnerships associations or corporations, and

Whereas, From time to time social health economic educational and other public conditions have been revealed as inimical to American standards of public welfare and community life, and

Whereas, There is need for exact and unbiased information in regard to the conditions heretofore mentioned so that appropriate legislation can be enacted to extend to the citizens of these communities local self-government and the ordinary civil rights and privileges of American Citizenship, therefore

Be It Resolved (if the Senate concur), That the Senate and House of Representatives of the nineteen thirty-three session of the Pennsylvania State Legislature hereby request the Governor of the Commonwealth either to appoint a special commission of citizens or direct a branch of the Executive Department to investigate and report upon the conditions of health education local government highways civil liberties existing in communities located on the property of persons co-partnerships associations or corporations in the Commonwealth of Pennsylvania known as company towns, and be it further

Resolved, That the said investigating body shall make a report to the Governor of this Commonwealth not later than March first nineteen thirty-five and accompany the same with whatever suggestions or recommendations it may determine to be necessary to better conditions in such company towns

On the question,

Will the House adopt the resolution?

Mr. GALLAGHER. Mr. Speaker and members of the House, I would like to state the reasons for this resolution.

1.—House Resolution No. 15 asks the House and the Senate to endorse to the Governor its approval of a thorough investigation of present conditions in "company towns." The Resolution offers to the Governor alternative plans of conducting the investigation. He can either set up a special public commission of citizens or he can select an appropriate department under his control to do the job.

The Resolution also provides that a report of the findings of the investigation should be presented to the 1935 session of the General Assembly, together with suggestions or recommendations to better the conditions in company towns.

The Resolution does not carry an appropriation. This was done out of respect to the present fiscal condition of the Commonwealth. It is the hope of the sponsor that if this resolution is adopted, public spirited citizens of the State would serve voluntarily. If a department under the Governor should undertake the investigation, its cost could come out of the regular appropriation to that department, and, therefore be no extra burden on the Commonwealth.

2.—What is a "Company Town"?—A great many members of this House do not have to be told what a "company town" is. But for those who are not familiar with them, and for those who are so familiar with them as to have become accustomed to company towns, let me give you this description:

A company town in Pennsylvania is in most cases a community built around a mine, owned or almost entirely owned by a single company. The homes of all employees, usually small wooden shacks, are company-owned property. Employees seldom own property of any kind, save for the minimum of personal or household articles.

These communities are usually isolated and self contained. Frequently they are surrounded by a fence. The police are paid by the company and regulate the comings of all outsiders. The churches are most often dependent upon subsidies from the company for at least part of their existence. Rarely is there a place for a public meeting. What happens in these communities is seldom reported to the press. There is the notorious company store. Deprived of freedom of thought, of speech, and of action, such communities are the last stronghold of a feudalism long thought dead. There are scores of such towns in Pennsylvania which in one or more respect meet this description.

3.—Conditions Exposed Many Times.—It is not necessary to argue that these conditions exist. Everyone acquainted with this state knows that I do not exaggerate.

(1) You can find the facts recorded in the official reports of the United States Senate Investigating Committee and in the reports of the United States Coal Commission (1925).

(2) Less than two years ago, the Pittsburgh Press sent its investigator, William A. White, through the mine towns of Western Pennsylvania. His articles appeared in that newspaper, May 18 to 22, 1931. The whole wretched story of company stores, company houses, work without receiving any money, company domination is repeated there, with the added severity which the depression has brought to the people of those communities.

(3) Only last month the Pittsburgh Post Gazette sent a representative through the mining towns. His account is printed in that newspaper, February 6 to 9th, 1933. Listen to some of the headlines which this conservative organ placed upon the reports of Guy L. Ralston:

"Lives of Thousands of Miners and Their Families Dominated with Czarlike Rule by Coal Companies"
"Well Organized System of Espionage Keeps Watch on Workers"
"'Zero-Pay-Days' still Prevail in Coal Towns as Company Stores Collect what Miner Earns"
"Peonage Bared in Coal Towns"
"Miners in Many Western Pennsylvania Areas living in Virtual Slavery, Survey Shows; Evils of Former Coal, Iron Police System Will Persist."

(4) This octopus has not even kept its tentacles off the church. If there was any one thing I had thought so well founded, it was religious liberty. But I was mistaken. In the March 13, 1933 issue of the Pittsburgh Sun-Telegraph, you can read the facts I unearthed with the aid of prominent Pittsburgh citizens. In a certain town which I shall not mention, the miners were compelled to make contributions to the churches, or lose their jobs. Think of it:

And while I am on this matter of the church, let me read you this bit from the Pittsburgh Christian Advocate which in its issue of March 19, 1931, said:

"Particularly disastrous is it when the Church is also dominated by the owners of the town. Such cases are, of course, not at all uncommon. What seemed to be a piece of good fortune or of divine providence, when the company paid for materials and labor in the building of the church and promised a large share of the minister's support, has in the end been revealed as a piece of misfortune when the wishes of the corporation have controlled not only the church property, but the policies of the church and the preaching of the minister. There can be no freedom without a free religion."

(5) Finally, if more proof were needed, here is a report in the official organ of the Pennsylvania Department of Labor and Industry: "The Coal Miner and his Family in Strike Times of 1931" by Elizabeth S. Johnson of the Department of Labor and Industry, November, 1931. I have not time to go over this report in detail which in quiet, careful manner reveals the cold, hard facts of the conditions in two typical mining communities. But here you have revealed the pitifully low level of existence, the evil health and social conditions, the suppression of labor unions and strike activity, discriminations, restrictions on freedom of speech, and the almost total absence of local self government.

4.—What the Press Thinks of the Proposed Resolution.—Two years ago in the '31 session, a similar resolution was introduced by Representative Detrich. It was adopted by this House but was killed in the Senate Judiciary General Committee. At that time the resolution secured the favorable comment of leading newspapers of the State, including such well known and responsible newspapers as The Harrisburg Telegraph, Pittsburgh Press, Pittsburgh Sun-Telegraph, Philadelphia Inquirer, and Philadelphia Record.

5.—Purpose Back of the Proposed Resolution.—In introducing this resolution, the sponsor acted in the belief that the great Commonwealth of Pennsylvania can no longer avoid the responsibility which the existence of scores of company towns presents. We must do something about them. We cannot delay any longer. As long as they are allowed to stand with their present conditions, they will be a reproach to every thing we care to call "American." They will be there to taunt us with their challenge that the proud, wealthy State of Pennsylvania does not care that thousands of her best and most useful citizens live and work under conditions of virtual peonage. Here, if aynwhere, is the "forgoten man."

The sponsor of this resolution did not introduce it to "get" anybody's scalp or to expose any person or group. He honestly believes that there are brains enough, if there is the will, to find a program of changing these conditions, of progressively working them out over a period of years. He believes that the first logical step in that direction is to find the facts; to sit down calmly with those who understand this problem, and to formulate a plan which this Legislature will endorse. That is the sponsor's only purpose: that Pennsylvania will recognize this problem, and its responsibility to help a great body of her best and most loyal citizens, and then to embark upon a planned program of helpfulness and hope.

6.—Conclusion.—I know, as does everyone who knows the facts, that this problem is in a large way connected with one of the country's sick industries—coal. Coal is one of the great basic, fundamental economic interests of our State. The prosperity and the resurrection of this industry should be one of our first and most important concerns. But one of the first responsibilities of the industry itself is to drive from its midst, or put under control, those who believe that the profits of the industry can be and should continue to be wrung from the labor and misery of the workers. There are many coal companies who do not fear this investigation. There is evidence that they would welcome it as a practical aid to the solution of the problems connected with the industry.

The adoption of this resolution, and the starting of the investigation it provides, should not wait upon the stabilization of the coal industry on some economically sound basis. I maintain this because I believe that human rights come before property rights; because I believe that Pennsylvania can no longer close its eyes to the dreadful conditions which prevail. Gentlemen, you have already heard the rumblings of communism in these company towns. When the State itself forsakes its people, when it refuses to put its protecting arms about a defenseless body of her most valuable citizens, she shall have to prepare to take the consequences. Desperation, long born with patience, must eventually break forth in desperate action. I ask you to act before it is too late, and adopt this resolution.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL INTRODUCED

Mr. FLYNN. Mr. Speaker, I read an editorial in the "Oil City Derrick" this morning commending the member from Elk for not having introduced a bill during the present session. That situation was held up as an example of worthwhile statesmanship. Now, I find to my sorrow that I must break the record, and I am asking the unanimous consent of the House to offer an appropriation bill for my local hospital.

The SPEAKER. The Chair will state before he asks unanimous consent of the House to introduce the bill, that this would be a golden opportunity for someone to take advantage of the gentleman from Elk.

Will the House give its unanimous consent to the introduction of the bill? Are there objections? The Chair hears none and consent is granted.

The bill will be filed with the bill clerk.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair is informed that practically none of the bills on first reading on today's calendar are filed on the members' desks. Are there objections to proceeding with the first reading bills even though they may not be upon the files?

Mr. HOOPES. Mr. Speaker, I object.

The SPEAKER. The Chair hears objections.

We will pass over the bills on first reading with the exception of those that are filed.

QUESTION OF PERSONAL PRIVILEGE

Mr. ANDREWS. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentlemean will state his question of personal privilege.

Mr. ANDREWS. Does the gentleman from Elk intend any animadversion or reflection upon other members of this House who have introduced bills?

The SPEAKER. Does the gentleman from Cambria desire to interrogate the gentleman from Elk, Mr. Flynn?

Mr. ANDREWS. Yes, Mr. Speaker, I would like to interrogate the gentleman from Elk, Mr. Flynn.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. FLYNN. I will, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, I would like to ask the gentleman from Elk whether he intended by his remarks any animadversion or reflection on other members of this House who have introduced bills, thereby evincing possibly their lack of statesmanship?

Mr. FLYNN. No, Mr. Speaker.

POINT OF ORDER

Mr. HOOPES. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. HOOPES. Mr. Speaker, I would like to be furnished with a dictionary. The gentleman from Cambria, Mr. Andrews, used a word I am not certain what it means, "animadversion".

The SPEAKER. The Chair suggests that the gentleman from Berks and the gentleman from Cambia go into a huddle after we adjourn.

Did the gentleman from Cambria, Mr. Andrews, hear the answer to his question as made by the gentleman from Elk, Mr. Flynn?

Mr. ANDREWS. I did not, Mr. Speaker, although I understand him to say he needed a dictionary too.

The SPEAKER. The answer of the gentleman from Elk, Mr. Flynn was in two letters, "no."

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1444 (Senate Bill No. 47), entitled:

An Act to amend section one hundred and forty-three of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto;" changing the condition of the county treasurer's bond.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1442 (Senate Bill No. 37), entitled:

An Act to amend section two of the act approved the twenty-eighth day of June one thousand eight hundred and ninety-five (P. L. 408) entitled "A supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth" as amended providing for additional payments to relief fund associations of fire departments and fire companies of cities boroughs and townships which afford fire protection to adjoining boroughs and townships providing that the State Fire Marshal shall certify that such fire protection is afforded

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1357 (Senate Bill No. 356), entitled:

A Joint Resolution proposing an amendment to article fifteen, section four, of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1073 (Senate Bill No. 369), entitled:

An Act to amend section one of the act approved the twenty-first day of March, one thousand nine hundred and twenty-nine (P. L. 37), entitled "An act for the compensation by counties of persons detained as material witnesses in criminal prosecutions;" reducing the compensation of detained witnesses.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1072 (Senate Bill No. 360), entitled:

An Act to validate sheriff's deeds acknowledged previous to the return day of the writ by virtue of which the real estate was sold or acknowledged defectively.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1843 (Senate Bill No. 638), entitled:

An Act providing for the appointment by the court of quarter sessions of the directors of the poor of the Erie County Poor District and abolishing the elected directors; providing for the appointment and compensation of a director of welfare, investigators, assistants, experts and employes, and for the employment and compensation of elected directors whose terms have not expired; and repealing existing laws.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1456 (Senate Bill No. 375), entitled:

An Act regulating and fixing the fees, commissions, mileage and other costs chargeable by sheriffs for their official acts and the services of their deputies, watchmen, appraisers and other agents, requiring prepayment of same, unless secured or chargeable to the county, and delivery of itemized receipts therefor; requiring certain payments by the counties, including the compensation of special deputies; providing for the taxation and collection of fees, commissions, mileage and other costs; requiring salaried sheriffs to account to their counties for certain fees and commissions collected and repealing inconsistent laws, general, special or local.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 796 (Senate Bill No. 252), entitled:

An Act to amend section fifty-four of the act approved the second day of May, one thousand nine hundred and twenty-

nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto"; providing that counties shall also pay the premiums on bonds of county officers given to the Commonwealth.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 789 (Senate Bill No. 173), entitled:

An Act to amend section six of the act approved the thirty-first day of March, one thousand eight hundred and seventy-six (P. L. 13), entitled "An act to carry into effect section five, of article fourteenth, of the constitution, relative to the salaries of county officers and the payment of fees received by them into the state or county treasury, in counties containing over one hundred and fifty thousand inhabitants," by providing for the payment in full of salaries of county officers out of the fees earned before payment of salaries of deputies clerks or assistants.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1359 (Senate Bill No. 389), entitled:

An Act to amend sections six, twelve, seventeen and twenty-six of the act, approved the fourteenth day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, seven hundred ten), entitled "An act allowing and regulating boxing, sparring, and wrestling matches and exhibitions; establishing a State Athletic Commission; making an appropriation therefor; and appropriating moneys received for monument and memorial purposes; and prescribing penalties," as amended, by extending the provisions of said act so as to include bookers, booking agents, representatives of booking agencies for services of wrestlers; modifying license fees in certain cases; exempting amateur boxing or wrestling in schools colleges and universities

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

HOUSE BILL NO. 374 TAKEN FROM TABLE

Mr. DWYER. Mr Speaker, I move that House Bill No. 374, Printer's No. 41, entitled:

An Act to authorize the purchase by the Commonwealth of historical works relative to the services of Pennsylvania volunteers.

which was laid on the table be taken from the table.

The motion was agreed to.

RECONSIDERATION OF VOTE

Mr. DWYER. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

The motion was agreed to.

Mr. DWYER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring.

Will the House agree to the bill on third reading?

Mr. DWYER. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend section 1, page 2, line 16, by striking out the word "said" and insert in lieu thereof: "sum of one thousand dollars ($1,000) is hereby specifically appropriated out of the General Fund for the purchase of said copies which."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question.

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 146, as follows:

An Act to amend sections four hundred nine and six hundred three of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of the local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damage caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by providing for change in regulating the registration of foreign motor vehicles and licensing of foreign operators

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four hundred nine of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" which was finally amended by the act approved the fifteenth day of August one thousand nine hundred thirty-two (Pamphlet Laws forty-seven) is hereby further amended to read as follows

Section 409 Registration by Nonresidents

(a) Nonresidents of this Commonwealth except as otherwise provided in this act will be exempt from the provisions of this act as to the registration of motor vehicles trailers and semi-trailers for the same time and to the same extent as like exemptions are granted residents of this Commonwealth under the laws of the foreign country or state of their residence Provided That they shall have complied with the provisions of the law of the foreign country or state of their residence relative to the registration and equipment of their motor vehicles trailers and semi-trailers and shall conspicuously display the registration plates as required thereby and have in their possession the registration certificate issued to such vehicle

(b) The owner of a foreign vehicle operated within this Commonwealth for the transportation of persons [or property] for compensation either regularly according to schedule or for a period exceeding [fifteen (15)] thirty (30) days in the calendar year shall register such vehicle and pay the same fees therefor as are required for like vehicles owned by residents of this Commonwealth [except a foreign vehicle owned or leased by a non-profit co-operative association used exclusively for the transportation of agricultural products owned or belonging to the association or its members]

(c) Every nonresident including any foreign corporation carrying on business within this Commonwealth and owning and regularly operating in such business any motor vehicle trailer or semi-trailer exclusively within this Commonwealth shall be required to register each such vehicle and pay the same fee therefor as is required with reference to like vehicles owned by residents of this Commonwealth

Penalty Any person violating any of the provisions of subsection (a) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days Any person violating any of the provisions of subsection (b) or (c) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty ($50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 2 That section six hundred three of the act approved the first day of May one thosand nine hundred twenty-nine (Pamphlet Laws nine hundred five) as finally amended by the act approved the fifteenth day of August one thousand nine hundred and thirty-two (Pamphlet Laws forty-seven) is hereby further amended to read as follows

Section 603 Nonresidents When Exempt for License

(a) A nonersident who has been duly licensed as an operator under a law requiring the licensing of operators in his home state or country and who has in his immediate possession a valid operator's license issued to him in his home state or country shal lbe permitted without examination or operator's license under this act to operate a motor vehicle upon the highways of this Commonwealth for the same time and to the same extent as like exemptions are granted residents of this Commonwealth under the laws of the foreign state or country

(b) It shall be unlawful for any nonresident except as herein provided whose home state or country does not require the licensing of operators to operate any motor vehicle upon any highway in this Commonwealth without first making application for and obtaining a license as an operator as required under this act except that any said unlicensed nonresident who is the owner of a motor vehicle which has been duly registered for the current calendar year in the state or country of which the owner is a resident may operate motor vehicles upon the highways of this Commonwealth for the same time and to the same extent as like exemptions are granted residents of this Commonwealth under the laws of the state or country of the non-resident without making application for or obtaining an operator's license under this act upon condition that the nonresident owner has in his immediate possession a registration card evidencing such ownership and registration in his home state or country Provided That unlicensed nonresident operator's not the owners of motor vehicles registered in states or counties not requiring an opertor's license may operate any motor vehicle properly registered in their home state or country or any highway within this Commonwealth without making application for or obtaining an operator's license under this act upon condition that they may be required at any time or place to prove lawful possession of such motor vehicle and proper identity

(c) Provided That nonresident operators operating motor vehicles within this Commonwealth for the transportation of persons [or property] for compensation either regularly according to a schedule or for a period exceeding [fifteen (15)] thirty (30) days in the calendar year shall be required to obtain a Pennsylvania operator's license [except a nonresident operator of a foreign vehicle owned or leased by a non-profit co-operative association used exclusively for the transportation of agricultural products owned or belonging to the association or its members]

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 22, as follows:

An Act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers deputies and employes providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the assistants and employes of certain departments boards and commissions shall be determined"

Article I Short Title and General Reorganization Provisions
Section 1 Short Title
Section 2 Certain Existing Boards and Commissions Abolished
Section 3 Documents
Article II Administrative Organization
Section 201 Executive Officers Administrative Departments and Independent Administrative Boards and Commissions
Section 202 Departmental Administrative Boards Commissions and Offices
Section 203 Advisory Boards and Commissions
Section 204 Executive Board
Section 205 Pennsylvania State Police
Section 206 Department Heads
Section 207 Appointment
Section 208 Terms of Office
Section 209 Compensation of the Governor Lieutenant Governor and Heads of Departments
Section 210 Compensation of Members of Administrative Boards and Commissions
Section 211 Employes of the Governor's Office
Section 212 Bureaus
Section 213 Division
Section 214 Deputies
Section 215 Employment and Compensation of Attorneys for the Department of the Auditor General Treasury Department and the Department of Internal Affairs
Section 216 Employment and Compensation of Division Chiefs and Other Employes
Section 217 Limit of Compensation Extra Compensation Prohibited

Section 218 Expenses
Section 219 Qualifications
Section 220 Oath of office
Section 221 Fidelity Bonds
Section 222 Departmental Offices
Section 223 Office Hours
Section 224 Works-Hours and Vacations
Article III Organization of Independent Administrative Boards and Commissions
Section 301 Board of Game Commissioners
Section 302 Board of Fish Commissioners
Section 303 The Public Service Commission of the Commonwealth of Pennsylvania
Article IV Organization of Departmental Administrative Boards and Commissions and of Advisory Boards and Commissions
Section 401 Boards of Trustees of State Institutions
Section 402 State Employes' Retirement Board
Section 403 Board of Pardons
Section 404 Board of Commissioners on Uniform State Laws
Section 405 Board of Finance and Revenue
Section 406 Board of Property
Section 407 State Council of Education
Section 408 Pennsylvania State Board of Censors
Section 409 Public School Employes Retirement Board
Section 410 Pennsylvania Historical Commission
Section 411 State Board of Medical Education and Licensure
Section 412 State Board of Pharmacy
Section 413 State Dental Council and Examining Board
Section 414 State Board of Optometrical Examiners
Section 415 State Board of Osteopathic Examiners
Section 416 Osteopathic Surgeons' Examining Board
Section 417 State Board of Examiners for Registration of Nurses
Section 418 State Board of Undertakers
Section 419 State Board of Veterinary Medical Examiners
Section 420 State Board of Examiners of Public Accountants
Section 421 State Board of Examiners of Architects
Section 422 Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania
Section 423 Anthracite Mine Inspectors' Examining Board
Section 424 State Registration Board for Professional Engineers
Section 425 Secretarial Services for Examining Boards
Section 426 Armory Board of the State of Pennsylvania
Section 427 State Athletic Commission
Section 428 Board to License Private Bankers
Section 429 Pennsylvania Securities Commission
Section 430 State Farm Products Show Commission
Section 431 Water and Power Resources Board
Section 432 Geographic Board
Section 433 Lake Erie and Ohio River Canal Board
Section 434 Pennsylvania State Park and Harbor Commission of Erie
Section 435 Washington Crossing Park Commission
Section 436 Valley Forge Park Commission
Section 437 Fort Washington Park Commission
Section 438 Mine Inspectors
Section 439 Sanitary Water Board
Section 440 Workmen's Compensation Board
Section 441 Workmen's Compensation Referees
Section 442 State Workmen's Insurance Board
Section 443 State Council for the Blind
Section 444 Board of Commissioners of Public Grounds and Buildings
Section 445 Advisory Boards and Commissions
Article V Powers and Duties in General
Section 501 Coordination of Work
Section 502 Cooperative Duties
Section 503 Departmental Administrative Boards and Commissions
Section 504 Departmental Reports
Section 505 Departmental Seals
Section 506 Rules and Regulations
Section 507 Purchases
Section 508 Erection Repairs or Alterations of and additions to Buildings
Section 509 Bonds and Insurance
Section 510 Disposition of Unserviceable Personal Property
Section 511 Sale of Surplus Products
Section 512 Legal Advice and Services
Section 513 Acceptance of Gifts or Donations
Section 514 Sale of Real Estate and Grants of Rights of Way or Other Rights Over or in Real Estate
Section 515 Automobiles
Section 516 Contracts
Section 517 Administering Oaths
Section 518 Meetings of Boards and Commissions
Section 519 Geographic Names
Section 520 Subpoenas
Section 521 Publications
Section 522 Wage Specifications in Contracts for Public Works
Article VI Budgetary and Financial Powers and Duties of Administrative Officers Departments Boards and Commissions
Section 601 Preparation of Budget
Section 602 Submission of Budget to General Assembly
Section 603 List of Employes to be Furnished Certain State Officers
Section 604 Estimates of Current Expenditures by Departments Boards and Commissions
Section 605 Departmental Administrative Boards and Commissions
Section 606 Fiscal Year
Article VII Powers and Duties of the Governor and Other Constitutional Officers of the Executive Board and of the Pennsylvania State Police
Section 701 The Governor
Section 702 Lieutenant Governor
Section 703 Secretary of the Commonwealth
Section 704 Attorney General
Section 705 Secretary of Internal Affairs
Section 706 Auditor General
Section 707 State Treasurer
Section 708 Superintendent of Public Instruction
Section 709 Executive Board
Section 710 Pennsylvania State Police
Section 711 Superintendent of Pennsylvania State Police
Section 712 The Pennsylvania State Police Force
Article VIII Powers and Duties of the Department of State and Its Departmental Administrative Board
Section 801 Powers and Duties in General
Section 802 General Administration
Section 803 Elections
Section 804 Legislation
Section 805 Corporations
Section 806 Registration
Section 807 Warrants
Section 808 State Employes' Retirement Board
Section 809 Commissions
Article IX Powers and Duties of the Department of Justice and Its Departmental Administrative Boards
Section 901 Powers and Duties in General
Section 902 Legal Advice
Section 903 Litigation
Section 904 Investigation and Law Enforcement
Section 905 Codification of the Laws
Section 906 Deputy Attorneys General
Section 907 Special Attorneys in Criminal Cases
Section 908 Access to Books and Papers
Section 909 Board of Pardons
Section 910 Board of Commissioners on Uniform State Laws
Article X Powers and Duties of the Department of the Auditor General
Section 1001 Powers and Duties Retained
Section 1002 Financial Statistics and Information
Section 1003 Copies of Audits for use of General Assembly
Article XI Powers and Duties of the Treasury Department
Section 1101 Powers and Duties Retained
Section 1102 Board of Finance and Revenue
Article XII Powers and Duties of the Department of Internal Affairs and Its Departmental Administrative Board
Section 1201 Powers and Duties Retained
Section 1202 Topographic and Geologic Survey
Section 1203 Land Office
Section 1204 Municipalities
Section 1205 Statistics and Information
Section 1206 Standards
Section 1207 Board of Property
Article XIII Powers and Duties of the Department of Public Instruction and Its Departmental Administrative Boards and Commissions
Section 1301 Powers and Duties in General
Section 1302 Public Schools

Section 1303 Vocational Education
Section 1304 Professional Education and Licensure
Section 1305 Library and Museum
Section 1306 Pennsylvania State Board of Censors
Section 1307 State Council of Education
Section 1308 Public School Employes' Retirement Board
Section 1309 Pennsylvania Historical Commission
Section 1310 Professional Examining Boards
Section 1311 Boards of Trustees of State Institutions within the Department
Article XIV Powers and Duties of the Department of Military Affairs and Its Departmental Administrative and Advisory Boards and Commissions
Section 1401 Powers and Duties in General
Section 1402 Pennsylvania National Guard
Section 1403 Pensions and Relief
Section 1404 Naval Militia
Section 1405 Loans of Arms and Accoutrements
Section 1406 State Military Cemetery
Section 1407 The Armory Board of the State of Pennsylvania
Section 1408 State Athletic Commission
Section 1409 Board of Trustees of Pennsylvania Soldiers' and Sailors' Home
Section 1410 State Military Reservation Commission
Section 1411 State Veterans Commission
Article XV Powers and Duties of the Insurance Department
Section 1501 Powers and Duties in General
Section 1502 Insurance
Article XVI Powers and Duties of the Department of Banking and Its Departmental Administrative Board and Commission
Section 1601 Powers and Duties in General
Section 1602 Banking Supervisory Powers
Section 1603 Banking Laws
Section 1604 Board to License Private Bankers
Section 1605 Pennsylvania Securities Commission
Article XVII Powers and Duties of the Department of Agriculture and Its Departmental Administrative Commission
Section 1701 Powers and Duties in General
Section 1702 Animal Industry
Section 1703 Plant Industry
Section 1704 Markets
Section 1705 Foods
Section 1706 Chemistry
Section 1707 Quarantines
Section 1708 State Farm Products Show Commission
Article XVIII Powers and Duties of the Department of Forests and Waters Its Officers and Departmental Administrative and Advisory Boards and Commissions
Section 1801 Powers and Duties in General
Section 1802 Forests Powers and Duties
Section 1803 Forests Powers
Section 1804 Waters
Section 1805 Cooperation with Municipalities
Section 1806 Parks
Section 1807 Pennsylvania State Forest School
Section 1808 Water and Power Resources Board
Section 1809 Geographic Board
Section 1810 Lake Erie and Ohio River Canal Board
Section 1811 Pennsylvania State Park and Harbor Commission of Erie
Section 1812 Washington Crossing Park Commission
Section 1813 Valley Forge Park Commission
Section 1814 Fort Washington Park Commission
Section 1815 State Forest Commission
Section 1816 Bushy Run Battlefield Commission
Section 1817 Powers of Forest Officers
Section 1818 Powers of Chief Forest Fire Warden
Section 1819 Powers of District Forest Fire Wardens
Section 1820 Powers of Local Forest Fire Wardens
Section 1821 Powers of all Forest Fire Wardens
Article XIX Powers and Duties of the Department of Mines and Its Departmental Administrative Officers
Section 1901 Powers and Duties in General
Section 1902 Mines
Section 1903 Mine Inspectiors
Section 1904 Inspection of Certain Mines and Quarries
Article XX Powers and Duties of the Department of Highways
Section 2001 Powers and Duties in General
Section 2002 State and State-aid Highways
Section 2003 Machinery Equipment Lands and Buildings
Section 2004 Highway Districts
Section 2005 General Road Improvement
Section 2006 Township Roads
Section 2007 State Reward Fund
Section 2008 Toll Roads and Bridges
Section 2009 Rebuilding County Bridges Destroyed by Flood Fire and other Casualty
Article XXI Powers and Duties of the Department of Health and Its Departmental Administrative and Advisory Boards
Section 2101 Powers and Duties in General
Section 2102 General Health Administration
Section 2103 Housing
Section 2104 Vital Statistics
Section 2105 Health Districts and Officers
Section 2106 Quarantines
Section 2107 Tuberculosis Sanatoria
Section 2108 Narcotic Drugs Alocholic Permits
Section 2109 Water Pollution
Section 2110 Sanitary Water Board
Section 2111 Advisory Health Board
Section 2112 Crippled Children
Section 2113 State Council for the Blind
Article XXII Powers and Duties of the Department of Labor and Industry Its Departmental Administrative and Advisory Boards and Departmental Administrative Officers
Section 2201 Powers and Duties in General
Section 2202 Inspection and Administration
Section 2203 Investigations
Section 2204 Rules and Regulations
Section 2205 Mediation and Arbitration
Section 2206 Women and Children
Section 2207 Workmen's Compensation
Section 2208 Rehabilitation
Section 2209 Employment and Unemployment
Section 2210 State Workmen's Insurance Board
Section 2211 Workmen's Compensation Board
Section 2212 Workmen's Compensation Referees
Section 2213 Industrial Board
Article XXIII Powers and Duties of the Department of Welfare and Its Departmental Administrative and Advisory Boards
Section 2301 Powers and Duties in General
Section 2302 Definitions
Section 2303 Supervisory Powers
Section 2304 Visitations and Inspections
Section 2305 Promotion of County Welfare Organizations
Section 2306 Recommendations
Section 2307 Rules and Regulations
Section 2308 Transfer Parole or Discharge of Patients
Section 2309 Child Welfare
Section 2310 Restoration
Section 2311 Inmate Labor
Section 2312 Mental Health
Section 2313 Approval of Plans and Mortgages
Section 2314 State Institutions
Section 2315 Care of the Indigent
Section 2316 Boards of Trustees of State Institutions
Section 2317 Board of Trustees of Cumberland Valley State Institution for Mental Defectives
Article XXIV Powers and Duties of the Department of Property and Supplies and Its Departmental Administrative and Advisory Boards and Commissions
Section 2401 Powers and Duties Transferred
Section 2402 Grounds Buildings and Monuments in General
Section 2403 Standards and Purchases
Section 2404 Bonds and Liability Insurance
Section 2405 Sale of Unservicable Property
Section 2406 Publications
Section 2407 Automobiles
Section 2408 Procedure for Erection of Buildings and Alterations or Additions to Existing Buildings
Section 2409 Method of Awarding Contracts for Stationery Paper Fuel Repairs Furnishings and Supplies
Section 2410 Method of Awarding Contracts for Public Printing and Binding
Section 2411 Preparation of Plans and Specifications in Anticipation of Requests for Appropriations
Section 2412 Qualification of Bidders
Section 2413 Boards of Commisisoners of Public Grounds and Buildings
Section 2414 General Galusha Pennypacker Monument Commission
Section 2415 Capitol Police
Article XXV Powers and Duties of the Department of Revenue
Section 2501 Powers and Duties in General

Section 2502 Enforcement of Vehicle Code
Article XXVI Powers and Duties of the Board of Game Commissioners and Its Enforcement Officers
Section 2601 Powers and Duties in General
Section 2602 Enforcement of Game Laws
Section 2603 Special Hunters' Licenses
Section 2604 State Game Refuges and Farms
Section 2605 Powers of Game Protectors
Article XXVII Powers and Duties of the Board of Fish Commissioners and Its Enforcement Officers
Section 2701 Powers and Duties in General
Section 2702 Enforcement of Fish Laws
Section 2703 Hatching Stations and Distribution of Fish
Section 2704 Fishways
Section 2705 Special Licenses
Section 2706 Powers of Fish Wardens
Article XXVIII Powers and Duties of the Public Service Commission of the Commonwealth of Pennsylvania
Section 2801 Powers and Duties in General
Section 2802 Public Service Company Law
Section 2803 Elevated and Underground Railways
Article XXIX Interpretation and Effective Date
Section 2901 Constitutionality
Sectino 2902 Continuation of Existing Laws
Section 2903 Enumeration of Powers of Departments Boards and Commissions
Section 2904 Repealed Laws Not Revived
Section 2905 Effective Date
Section 2906 Existing Officers to Continue Exception
Article XXX Repealer
Section 3001 Acts and Parts of Acts Specifically Repealed

ARTICLE I

SHORT TITLE AND GENERAL REORGANIZATION PROVISIONS

Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as "The Administrative Code of one thousand nine hundred and thirty-three"

Section 2 Certain Existing Boards and Commissions Abolished To accomplish the purposes of this act the following departmental administrative boards and commissions and advisory boards and commissions are hereby abolished namely State Aeronautics Commission State Bridge Commission Anatomical Board State Art Commission Alcohol Permit Board and State Welfare Commission

Section 3 Documents Where an existing board or commission is abolished by this act all books papers maps charts plans records and all other equipment in the possession of such board or commission or of any member or officer thereof shall be delivered to the head of the administrative department or departmental administrative board or commission to which its rights powers duties and obligations are transferred

ARTICLE II

ADMINISTRATIVE ORGANIZATION

Section 201 Executive Officers Administrative Departments and Independent Administrative Boards and Commissions The executive and administrative work of this Commonwealth shall be performed by the Executive Department consisting of the

Governor
Lieutenant Governor
Secretary of the Commonwealth
Attorney General
Auditor General
State Treasurer
Secretary of Internal Affairs and
Superintendent of Public Instruction

by the

Executive Board and the
Pennsylvania State Police

by the following administrative departments

Department of State
Department of Justice
Department of the Auditor General
Department of Internal Affairs
Department of Public Instruction
Treasury Department
Department of Military Affairs
Insurance Department
Department of Banking
Department of Agriculture
Department of Forests and Waters
Department of Mines
Department of Highways
Department of Health
Department of Labor and Industry
Department of Welfare
Department of Property and Supplies and
Department of Revenue

and by the following independent administrative boards and commissions

Board of Game Commissioners
Board of Fish Commissioners and
The Public Service Commission of the Commonwealth of Pennsylvania

All of the provisions of this act which apply generally to administrative departments shall apply to the Executive Board and to the Pennsylvania State Police

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

In the Department of State
State Employes Retirement Board

In the Department of Justice
Board of Pardons
Board of Commissioners on Uniform State Laws

In the Treasury Department
Board of Finance and Revenue

In the Department of Internal Affairs
Board of Property

In the Department of Public Instruction
State Council of Education
Pennsylvania State Board of Censors
Public School Employes' Retirement Board
Pennsylvania Historical Commission
Board of Trustees of Thaddeus Stevens Industrial School
Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Home for Training in Speech of Deaf Children
Board of Trustees of Pennsylvania Soldiers' Orphan School
Board of Trustees of West Chester State Teachers' College
Board of Trustees of Millersville State Teachers' College
Board of Trustees of Kutztown State Teachers' College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College
Board of Trustees of Bloomsburg State Teachers' College
Board of Trustees of Shippensburg State Teachers' College
Board of Trustees of Lock Haven State Teachers' College
Board of Trustees of Indiana State Teachers' College
Board of Trustees of California State Teachers' College
Board of Trustees of Slippery Rock State Teachers' College
Board of Trustees of Edinboro State Teachers' College
Board of Trustees of Clarion State Teachers' College
Board of Trustees of Cheyney Training School for Teachers
State Board of Medical Education and Licensure
State Board of Pharmacy
State Dental Council and Examining Board
State Board of Optometrical Examiners
State Board of Osteopathic Examiners
Osteopathic Surgeons' Examining Board
State Board of Examiners for the Registration of Nurses
State Board of Undertakers
State Board of Veterinary Medical Examiners
State Board for the Examination of Public Accountants
State Board of Examiners of Architects
Anthracite Mine Inspectors Examining Board
Mine Inspectors Examining Board for the Bituminous Coal Mines of Pennsylvania
State Registration Board for Professional Engineers

In the Department of Military Affairs
Armory Board of the State of Pennsylvania
Board of Trustees of Pennsylvania Soldiers' and Sailors' Home
State Athletic Commission

In the Department of Banking
Board to License Private Bankers
Pennsylvania Securities Commission
In the Department of Agriculture
State Farm Products Show Commission
In the Department of Forests and Waters
Water and Powers Resources Board
Geographic Board
Lake Erie and Ohio River Canal Board
Pennsylvania State Park and Harbor Commission of Erie
Washington Crossing Park Commission
Valley Forge Park Commission
Fort Washington Park Commission
In the Department of Mines
Anthracite Mine Inspectors
Bituminous Mine Inspectors
In the Department of Health
Sanitary Water Board
State Council for the Blind
In the Department of Labor and Industry
Workmen's Compensation Board
Workmen's Compensation Referees
State Workmen's Insurance Board
In the Department of Welfare
Board of Trustees of Eastern State Penitentiary
Board of Trustees of Western State Penitentiary
Board of Trustees of Pennsylvania Industrial School
Board of Trustees of State Industrial Home for Women
Board of Trustees of Pennsylvania Training School
Board of Trustees of Allentown State Hospital
Board of Trustees of Danville State Hospital
Board of Trustees of Farview State Hospital
Board of Trustees of Harrisburg State Hospital
Board of Trustees of Norristown State Hospital
Board of Trustees of Warren State Hospital
Board of Trustees of Wernersville State Hospital
Board of Trustees of Torrance State Hospital
Board of Trustees of Ashland State Hospital
Board of Trustees of Blossburg State Hospital
Board of Trustees of Coaldale State Hospital
Board of Trustees of Connellsville State Hospital
Board of Trustees of Hazleton State Hospital
Board of Trustees of Locust Mountain State Hospital
Board of Trustees of Nanticoke State Hospital
Board of Trustees of Philipsburg State Hospital
Board of Trustees of Scranton State Hospital
Board of Trustees of Shamokin State Hospital
Board of Trustees of Laurelton State Village
Board of Trustees of Pennhurst State School
Board of Trustees of Polk State School
Board of Trustees of Cumberland Valley State Institution for Mental Defectives
Board of Trustees of Selinsgrove State Colony for Epileptics
In the Department of Property and Supplies
Board of Commissioners of Public Grounds and Buildings

All of the foregoing departmental administrative boards and commissions shall be organized or reorganized as provided in this act

Section 203 Advisory Boards and Commissions The Following advisory boards and commissions are placed in and made parts of the respective administrative departments as follows

In the Department of Military Affairs
State Military Reservation Commission
State Veterans Commission
In the Department of Forests and Waters
State Forest Commission
State Parks Commission
Bushy Run Battlefield Commission
In the Department of Health
Advisory Health Board
In the Department of Labor and Industry
Industrial Board
In the Department of Property and Supplies
General Galusha Pennypacker Monument Commission

Section 204 Executive Board The Executive Board shall consist of the Governor who shall be Chairman thereof the Lieutenant Governor the Auditor General the State Treasurer and the Secretary of Internal Affairs

Three members of the board shall constitute a quorum

The board shall elect a secretary not a member of the board and fix his compensation not to exceed five thousand dollars per annum and appoint and fix the compensation of such other officers and employes except as in this act otherwise provided as may be necessary for the proper conduct of its work

The board shall keep full and exact minutes of its proceedings which shall at all times be open for the inspection of the General Assembly

Section 205 Pennsylvania State Police The Pennsylvania State Police shall consist of a superintendent the State police force as now or hereafter authorized by law a Deputy Superintendent and such chiefs statisticians clerks experts and other assistants as the superintendent with the approval of the Governor shall deem necessary for the work of the force

The Superintendent of the Pennsylvania State Police shall receive a salary at the rate of seven thousand five hundred dollars per annum

The Deputy Superintendent of the Pennsylvania State Police shall receive a salary at the rate of five thousand dollars per annum

The State Police force shall receive such compensation as is now or may hereafter be fixed by law

The chiefs statisticians clerks experts and other assistants engaged in the work of the Pennsylvania State Police shall be appointed by the Superintendent and shall receive such compensation as shall be fixed by the superintendent with the approval of the Governor except as in this act otherwise provided which compensation shall however conform to the standards established by the Executive Board

The members of the State Police force shall be appointed by the superintendent

Section 206 Department Heads Each administrative department shall have as its head an officer who shall either personally by deputies or by the duly authorized agent or employe of the department and subject at all times to the provisions of this act exercise the powers and perform the duties by law vested in and imposed upon the department

(a) The following officers shall be the heads of the administrative departments following their respective titles

Secretary of the Commonwealth of the Department of State
Attorney General of the Department of Justice
Auditor General of the Department of the Auditor General
State Treasurer of the Treasury Department
Secretary of Internal Affairs of the Department of Internal Affairs
Superintendent of Public Instruction of the Department of Public Instruction
Adjutant General of the Department of Military Affairs
Insurance Commissioner of the Insurance Department
Secretary of Banking of the Department of Banking
Secretary of Agriculture of the Department of Agriculture
Secretary of Forests and Waters of the Department of Forests and Waters
Secretary of Mines of the Department of Mines
Secretary of Highways of the Department of Highways
Secretary of Health of the Department of Health
Secretary of Labor and Industry of the Department of Labor and Industry
Secretary of Welfare of the Department of Welfare
Secretary of Property and Supplies of the Department of Property and Supplies
Secretary of Revenue of the Department of Revenue

Section 207 Appointment The Governor shall nominate and by and with the advice and consent of two-thirds of all the members of the Senate appoint

(a) The Secretary of the Commonwealth the Attorney General the Superintendent of Public Instruction the Adjutant General the Insurance Commissioner the Secretary of Banking the Secretary of Agriculture the Secretary of Forests and Waters the Secretary of Mines the Secretary of Highways the Secretary of Health the Superintendent of the Pennsylvania State Police the Secretary of Labor and Industry the Secretary of Welfare the Secretary of Property and Supplies the Secretary of Revenue and the members of all independent administrative boards and commissions

(b) Except as in this act otherwise provided the members of all departmental administrative bodies boards and commissions and the officers who shall fill the departmental administrative offices mentioned in this article

(c) Except as in this act otherwise provided the members of all advisory boards and commissions

Section 208 Terms of Office The terms of office of the persons appointed by the Governor under the preceding section shall be as follows

(a) The Secretary of the Commonwealth and the Attorney General shall serve during the pleasure of the Governor

(b) The term of the Superintendent of Public Instruction shall be four years

(c) Except as in this act otherwise provided the heads of other administrative departments the Superintendent of the Pennsylvania State Police the members of independent administrative boards and commissions of departmental administrative boards and commissions and of advisory boards and commissions and departmental administrative officers shall hold office for terms of four years from the third Tuesday of January next following the election of a Governor and until their successors shall have been appointed and qualified Provided That the terms of any persons whose terms of office are fixed by this subsection who are appointed prior to the third Tuesday of January one thousand nine hundred and thirty-five shall expire upon that date or as soon thereafter as their successors shall have been appointed and qualified

Section 209 Compensation of the Governor Lieutenant Governor and Heads of Departments Annual salaries shall be payable in equal semi-monthly installments as follows

To the Governor fifteen thousand dollars

The the Lieutenant Governor seven thousand dollars

To the Secretary of the Commonwealth eight thousand dollars

To the Attorney General ten thousand dollars

To the Audtior General ten thousand dollars

To the State Treasurer ten thousand dollars

To the Secretary of Internal Affairs eight thousand dollars

To the Superintendent of Public Instruction ten thousand dollars

To the Adjutant General eight thousand dollars

To the Insurance Commissioner eight thousand dollars

To the Secretary of Banking eight thousand dollars

To the Secretary of Agriculture eight thousand dollars

To the Secretary of Forests and Waters eight thousand dollars

To the Secretary of Mines eight thousand dollars

To the Secretary of Highways ten thousand dollars

To the Secretary of Health eight thousand dollars

To the Secretary of Labor and Industry eight thousand dollars

To the Secretary of Welfare eight thousand dollars

To the Secretary of Property and Supplies eight thousand dollars

To the Secretary of Revenue ten thousand dollars

Neither the Governor Lieutenant Governor nor the head of any administrative department shall receive any additional compensation for any services rendered to the Commonwealth in any capacity

Section 210 Compensation of Members of Administrative Boards and Commissions (a) Annual salaries shall be payable in equal semi-monthly installments as follows

To the Commissioner of Fisheries five thousand dollars

To the Chairman of The Public Service Commission of the Commonwealth of Pennsylvania eight thousand five hundred dollars

To the members of The Public Service Commission of Pennsylvania other than the chairman each eight thousand dollars

(b) The members of the Board of Game Commissioners and of the Board of Fish Commissioners other than the Commissioner of Fisheries shall not receive any compensation

(c) Except as in this act otherwise provided the members of departmental administrative boards and commissions and of advisory boards and commissions shall serve without compensation

Section 211 Employes of the Governor's Office The Governor shall appoint to serve at his pleasure a Secretary to the Governor whose annual salary shall be six thousand five hundred dollars and a Budget Secretary whose annual salary shall be six thousand five hundred dollars and such consultants experts accountants investigators clerks stenographers messengers watchmen and other employes as may be required for the proper conduct of the work of his office and except as in this act otherwise provided shall fix their salaries wages fees or other compensation

Section 212 Bureaus The following bureaus and bureau heads are hereby established in the respective administrative departments and the several independent administrative boards and commissions as follows

In the Department of the Auditor General

Bureau of Administration which shall have as its head a Deputy Auditor General

Four other bureaus which shall each have as its head a director whose salary shall be five thousand dollars per annum

In the Treasury Department

Bureau of Administration which shall have as its head the Deputy State Treasurer

Two other bureaus which shall each have as its head a director whose salary shall be five thousand dollars per annum

In the Department of Internal Affairs

Bureau of Administration which shall have as its head the Deputy Secretary of Internal Affairs

Two other bureaus which shall each have at its head a director whose salary shall be five thousand dollars per annum

In the Department of Agriculture

Bureau of Administration which shall have as its head the Deputy Secretary of Agriculture

Three other bureaus which shall each have as its head a director whose salary shall be five thousand dollars per annum

In the Department of Banking

Bureau of Administration which shall have as its head a Deputy Secretary of Banking

Three other bureaus which shall each have as its head a Deputy Secretary of Banking

In the Department of Forests and Waters

Bureau of Administration which shall have as its head the Deputy Secretary of Forests and Waters

Two other bureaus which shall each have as its head a director whose salary shall be five thousand dollars per annum

In the Department of Health

Bureau of Administration which shall have as its head the Deputy Secretary of Health

Three other bureaus which shall each have as its head a director whose salary shall be five thousand dollars per annum

In the Insurance Department

Bureau of Administration which shall have as its head a Deputy Insurance Commissioner

One other bureau which shall have as its head a Deputy Insurance Commissioner

One other bureau which shall have as its head a director whose salary shall be five thousand dollars per annum

In the Department of Labor and Industry

Bureau of Administration which shall have as its head the Deputy Secretary of Labor and Industry

Four other bureaus which shall each have as its head a director whose salary shall be five thousand dollars per annum

In the Department of Military Affairs

Bureau of Administration which shall have as its head the Deputy Adjutant General

In the Department of Mines

Bureau of Administration which shall have as its head a Deputy Secretary of Mines

One other bureau which shall have as its head a Deputy Secretary of Mines

In the Department of Property and Supplies

Bureau of Administration which shall have as its head the Deputy Secretary of Property and Supplies

Four other bureaus which shall each have as its head a director whose salary shall be four thousand five hundred dollars per annum

In the Department of Public Instruction

Bureau of Administration which shall have as its head a Deputy Superintendent of Public Instruction

Two other bureaus which shall each have as its head a Deputy Superintendent of Public Instruction

In the Public Service Commission

Bureau of Administration which shall have as its head the Secretary of Public Service Commission

Four other bureaus which shall each have as its head a director whose salary shall be five thousand dollars per annum

In the Department of Revenue
Bureau of Administration which shall have as its head the Deputy Secretary of Revenue
Four other bureaus which shall each have as its head a director whose salary shall be five thousand dollars per annum
Bureau of Motor Vehicles which shall have as its head the Deputy Secretary of Revenue and Commissioner of Motor Vehicles
In the Department of State
Bureau of Administration which shall have as its head the Deputy Secretary of the Commonwealth
One other bureau which shall have as its head a director whose salary shall be five thousand dollars per annum
In the Pennsylvania State Police
Bureau of Administration which shall have as its head the Deputy Superintendent of State Police Force
Two other bureaus which shall each have as its head a director whose salary shall be four thousand five hundred dollars per annum
In the Department of Welfare
Bureau of Administration which shall have as its head the Deputy Secretary of Welfare
Bureau of Mental Health which shall have as its head a director whose salary shall be seven thousand five hundred dollars per annum
Two other bureaus which shall each have as its head a director whose salary shall be five thousand dollars per annum

All directors of bureaus shall be appointed by the head of the Department Board or Commission in which the bureau is established All such appointments except in the Department of the Auditor General Treasury Department and Department of Internal Affairs shall be subject to the approval of the Governor No bureau other than those provided for in this section shall be established

Section 213 Divisions The heads of the several administrative departments and the several independent administrative boards and commissions shall subject to the approval of the Executive Board establish such divisions within bureaus in their respective departments boards or commissions as may be required for the proper conduct of the work of such departments boards or commissions The head of each division shall be known as a chief

Section 214 Deputies The Auditor General may appoint two deputies at an annual salary of six thousand dollars each The State Treasurer may appoint one Deputy at an annual salary of six thousand dollars The Secretary of Internal Affairs may appoint one Deputy at an annual salary of five thousand five hundred dollars The heads of the following administrative departments may with the approval of the Governor appoint the following deputies at the following annual salaries

Department of Agriculture
One Deputy five thousand five hundred dollars
Department of Banking
Two Deputies six thousand dollars each
One Deputy five thousand dollars
One Deputy (in charge of Building and Loans five thousand dollars)
Department of Forests and Waters
One Deputy five thousand five hundred dollars
Department of Health
One Deputy five thousand five hundred dollars
Department of Highways
One Deputy (who should be Chief Engineer eight thousand dollars)
One Assistant Chief Engineer seven thousand dollars
One Assistant Chief Engineer five thousand dollars
Insurance Department
One Deputy six thousand dollars
One Deputy five thousand five hundred dollars
Department of Justice
Three Deputy Attorneys General six thousand dollars each
Three Deputy Attorneys General five thousand dollars each
Three Special Deputy Attorneys General five thousand dollars each
One Special Deputy Attorney General three thousand six hundred dollars
Two Assistant Deputy Attorneys General three thousand six hundred dollars each

Such other Special Deputy Attorneys General as shall be approved by the Executive Board whose salaries shall be fixed by the Executive Board

Department of Labor and Industry
One Deputy five thousand five hundred dollars
Department of Military Affairs
One Deputy four thousand five hundred dollars
Department of Mines
One Deputy five thousand dollars
Department of Property and Supplies
One Deputy five thousand dollars
One Deputy six thousand dollars
Department of Public Instruction
One Deputy six thousand dollars
Two Deputies five thousand dollars each
Department of Revenue
One Deputy six thousand dollars
One Deputy and Commissioner of Motor Vehicles six thousand dollars
Department of State
One Deputy five thousand dollars
Department of Welfare
One Deputy six thousand dollars

No deputies other than those provided for in this section shall be appointed Such Deputies shall in the absence of the head of such department have the right to exercise all the powers and perform all the duties by law vested in and imposed upon the head of such department except the power to appoint deputies bureau or division chiefs or other assistants or employes and who may at any time exercise such of the powers and perform such of the duties of the head of his department as may be prescribed by the head of his department Provided however That any such deputy shall not have the right to exercise any power or perform any duty which the Constitution of the Commonwealth of Pennsylvania requires the head of his department personally to exercise or perform

Whenever there shall be a vacancy in the office of the head of any department such deputy as the Governor shall designate in writing shall exercise the powers and perform the duties of the head of the department until the vacancy is filled

With the approval of the Governor in writing the head of any department except the Auditor General and the State Treasurer may authorize a named deputy to serve in his stead on any departmental administrative board or commission except the Board of Pardons of which such department head is a member ex officio

The Auditor General and State Treasurer may without the approval of the Governor authorize any employe of his department to serve in his stead on any departmental administrative board or commission

Section 215 Employment and Compensation of Attorneys for the Department of the Auditor General Treasury Department and the Department of Internal Affairs The Auditor General may appoint one attorney at an annual salary of six thousand dollars The State Treasurer may appoint one attorney at an annual salary of six thousand dollars The Secretary of Internal Affairs may appoint one attorney at an annual salary of five thousand dollars Such attorneys may be appointed as deputies in the several departments for which appointed

Section 216 Employment and Compensation of Division Chiefs and Other Employes The heads of the several administrative departments and the independent administrative boards and commissions shall except as otherwise provided by this act appoint and fix the compensation of such superintendents division chiefs experts scientists engineers surveyors draftsmen accountants secretaries auditors inspectors examiners statisticians marshals clerks stenographers bookkeepers messengers and other assistants and employes as may be required for the proper conduct of the work of their respective departments boards or commissions Except as otherwise provided in this act the heads of the respective administrative departments shall appoint and fix the comensation of such clerks stenographers and other assistants as may be required for the proper conduct of the work of any departmental administrative bodies boards commissions or officers and of any advisory boards or commissions established in their respective departments

The number and compensation of all employes appointed under this section except as otherwise provided in this act and except those appointed by the Auditor General State Treasurer and Secretary of Internal Affairs shall be subject to approval by the Governor After the Executive Board shall have fixed the standard compensation for

any kind grade or class of service or employment the compensation of all persons in that kind grade or class appointed hereunder in any executive and administrative department and independent administrative board and commission shall be fixed in accordance with such standard

Section 217 Limit of Compensation Extra Compensation Prohibited No employe appointed as authorized by this act except special duty attorneys general and except attorneys engaged by the Auditor General or State Treasurer to represent them in litigation as authorized by the provisions of this act shall receive a compensation greater than four thousand dollars per annum unless the compensation is specifically provided for by this act No employe in any administrative department independent administrative board or commission or departmental administrative board or commission employed at a fixed compensation shall be paid for any extra services unless expressly authorized by the Executive Board prior to the rendering of such services

Section 218 Expenses Subject to the rules and regulations of the Executive Board the heads of administrative departments the members of independent administrative boards and commissions the members of departmental administrative bodies boards and commissions the members of advisory boards and commissions all administrative officers and all persons employed under the provisions of this act shall be entitled to receive their traveling and other necessary expenses actually incurred in the performance of their public duties upon requisition of the head of the appropriate administrative department or of the appropriate administrative board of commission but in the case of departmental administrative boards and commissions such requisitions shall be subject to the approval of the departments with which such boards or commissions are respectively connected Whenever an employes of any department board or commission who shall have been in the employment of the same department board or commission for more than one year shall be required by the head of the department or by the board or commission by which he or she is employed to change his or her residence from one place in Pennsylvania to another such place such employe may with the approval of the Governor in writing receive the expenses of moving his or her household goods to his or her new residence

Section 219 Qualifications All deputies directors superintendents and division chiefs and other employes shall be persons especially qualified for their positions by training and experience in the particular kind of work which their official duties will require them to perform

Section 220 Oath of Office All persons appointed by the Governor under the provisions of this act and all deputy heads of administrative departments shall before entering upon the duties of their offices take and subscribe the constitutional oath of office which shall be filed in the office of the Secretary of the Commonwealth

Section 221 Fidelity Bonds Before entering upon the duties of their respective offices or positions bonds conditioned for the faithful performance of their respective duties in such penal sums as shall be fixed by the Executive Board shall be executed and filed with the State Treasurer by all heads of administrative departments but the amount of the bond shall not be less than twenty thousand dollars ($20,000)

Similar bonds in such penal sums as shall be fixed by the Executive Board shall be executed and filed with the State Treasurer by

(a) Such members of independent administrative boards or commissions as the Executive Board shall require

(b) Such members of departmental administrative boards or commissions as the heads of the departments with which such boards or commissions are respectively connected shall with the approval of the Executive Board prescribe

(c) Such officers and employes of administrative departments or of independent administrative boards or commissions as the heads of such departments or such boards or commissions shall with the approval of the Executive Board prescribe

(d) Such officers and employes of departmental administrative boards or commissions as the departments with which such boards or commissions are connected shall with the approval of the Executive Board prescribe

All bonds required to be given under this section shall before being accepted by the State Treasurer be approved by the Department of Justice and unless the Commonwealth shall establish its own indemnity fund all such bonds shall be given with security approved by the Department of Justice If the Commonwealth shall establish its own indemnity fund the Executive Board may nevertheless require any bond given hereunder to be executed by surety or sureties satisfactory to the Department of Justice

Section 222 Departmental Offices Each administrative department and each independent administrative board and commission shall maintain a central office at Harrisburg in rooms assigned to it by the Board of Commissioners of Public Grounds and Buildings The head of any department or any independent administrative board or commission may with the approval of the Executive Board establish and maintain at places other than Harrisburg in quarters assigned by the Board of Commissioners of Public Grounds and Buildings branch offices for the conduct of any one or more functions of such department board or commission or of any departmental administrative or advisory board or commission in such department

Section 223 Office Hours All administrative offices of the State Government shall be open for the transaction of public business at least eight hours each day except Saturdays Sundays and legal holidays On Saturdays when not legal holidays such offices shall be open for business for at least three hours The hours when such offices shall open and close shall from time to time be determined by the Executive Board

Section 224 Work-Hours and Vacations Each employe of an administrative department of an independent administrative board or commission or of a departmental adminstrative board or commission if employed for continuous service shall work during such hours as the head of the department or the board or commission shall require but not less than thirty-eight hours per week Such employe shall be entitled during each calendar year to fifteen days' leave of absence with full pay and in special and meritorious cases where to limit the annual leave to fifteen days in any one calendar year would work peculiar hardships the extent of such leave with pay may in the discretion of the head of the department or of the board or commission be extended but any such extension shall not be for more than fifteen days except with the approval of the Executive Board in the case of employes of departments or of independent administrative boards or commissions and in the case of employes of departments or of independent administrative boards or commissions and in the case of employes of departmental administrative boards or commissions of the departments with which such boards or commissions are respectively connected This section shall be construed to mean that the pay of such employe shall cease upon the expiration of the granted leave regardless of his or her continuation thereafter upon the rolls of the department board or commission The annual leave of absence with pay shall be exclusive of Sundays and legal holidays

ARTICLE III

ORGANIZATION OF INDEPENDENT ADMINISTRATIVE BOARDS AND COMMISSIONS

Section 301 Board of Game Commissioners The Board of Game Commissioners shall consist of eight competent citizens of this Commonwealth no two of whom shall be from the same senatorial district The board shall annually elect a president and a vice-president from among its members It shall also appoint to serve at its pleasure and with the approval of the Governor an executive secretary who need not be a member of the board and who shall attend to the administrative work of the board whose annual salary shall be five thousand dollars

Five members of the board shall constitute a quorum

Members of the board shall be appointed to serve for terms of six years

Section 302 Board of Fish Commissioners The Board of Fish Commissioners shall consist of a Commissioner of Fisheries and seven other citizens of the Commonwealth

Five members of the board shall constitute a quorum

The Commissioner of Fisheries shall be the president and executive officer of the board and chief superintendent of all hatching stations and fish cultural establishments belonging to the State

Members of the board shall be appointed to serve for terms of six years

Section 303 The Public Service Commission of the Commonwealth of Pennsylvania The Public Service Commission of the Commonwealth of Pennsylvania shall consist of seven members who shall have the qualifications and be appointed as now provided by law

A member designated by the Governor as now provided by law shall be the chairman of the commission during such members term of office When present the chairman shall preside at all meetings but in his absence the member who has served on the Commission for the longest period of time shall preside and shall exercise for the time being all of the powers of the chairman In addition to the authority now conferred by law the chairman shall have power as often as he may deem the work of the commission requires (a) to designate the time and place for the conducting of investigations inquiries and hearings (b) to assign cases to a commissioner or commissioners for hearing investigation inquiry study or other similar purpose (c) to assign cases to special agents or examiners for the taking and receiving of evidence and (d) to direct and designate officers and employes of the commission to make investigations inspections inquiries studies and other like assignments for report to the commission

The commission may appoint a secretary to hold office at its pleasure Such secretary if appointed shall have such powers and shall perform such duties not contrary to law as the commission shall prescribe and shall receive an annual salary of five thousand dollars He shall have power and authority to designate from time to time one of the clerks appointed by the commission to perform the duties of the secretary during his absence and the clerk so appointed shall possess for the time so designated the powers of the secretary of the commission

The terms of the members of the commission shall be ten years

The offices of counsel of marshal and of investigator of accidents as they exist under The Public Service Commission Law are hereby retained appointments thereto to be made as now provided by law

The compensation of counsel shall be six thousand five hundred dollars per annum

The compensation of marshal shall be one thousand five hundred dollars per annum

The compensation of investigator of accidents shall be four thousand dollars per annum

ARTICLE IV

ORGANIZATION OF DEPARTMENTAL ADMINISTRATIVE BOARDS AND COMMISSIONS AND OF ADVISORY BOARDS AND COMMISSIONS

Section 401 Boards of Trustees of State Institutions The Board of trustees of each of the State institutions hereinafter mentioned shall consist of nine members and the head of the department having supervision over the institution ex officio

The terms of the members of each such board shall be four years and until their successors are qualified

Five members of any such board shall constitute a quorum

Each such board shall annually elect a president and vice-president from among its members and a secretary and treasurer who need not be members of the board the secretary and treasurer may be the same person This section shall apply to

Board of Trustees of Thaddeus Stevens Industrial School
Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Home for Training in Speech of Deaf Children
Board of Trustees of Pennsylvania Soldiers' Orphan School
Board of Trustees of West Chester State Teachers' College
Board of Trustees of Millersville State Teachers' College
Board of Trustees of Kutztown State Teachers' College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College
Board of Trustees of Bloomsburg State Teachers' College
Board of Trustees of Shippensburg State Teachers' College
Board of Trustees of Lock Haven State Teachers' College
Board of Trustees of Indiana State Teachers' College
Board of Trustees of California State Teachers' College
Board of Trustees of Slippery Rock State Teachers' College
Board of Trustees of Edinboro State Teachers' College
Board of Trustees of Clarion State Teachers' College
Board of Trutees of Cheyney Training Schoo' for Teachers
Board of Trustees of Pennsylvania Soldiers' and Sailors' Home
Board of Trustees of Eastern State Penitentiary
Board of Trustees of Western State Penitentiary
Board of Trustees of Pennsylvania Industrial School
Board of Trustees of State Industrial Home for Women
Board of Trustees of Pennsylvania Training School
Board of Trustees of Allentown State Hospital
Board of Trustees of Danville State Hospital
Board of Trustees of Farview State Hospital
Board of Trustees of Harrisburg State Hospital
Board of Trustees of Norristown State Hospital
Board of Trustees of Warren State Hospital
Board of Trustees of Wernersville State Hospital
Board of Trustees of Torrance State Hospital
Board of Trustees of Ashland State Hospital
Board of Trustees of Blossburg State Hospital
Board of Trustees of Coaldale State Hospital
Board of Trustees of Connellsville State Hospital
Board of Trustees of Hazleton State Hospital
Board of Trustees of Locust Mountain State Hospital
Board of Trustees of Nanticoke State Hospital
Board of Trustees of Philipsburg State Hospital
Board of Trustees of Scranton State Hospital
Board of Trustees of Shamokin State Hospital
Board of Trustees of Laurelton State Village
Board of Trustees of Pennhurst State School
Board of Trustees of Polk State School
Board of Trustees of Cumberland Valley Institution for Mental Defectives
Board of Trustees of Selinsgrove State Colony for Epileptics

Section 402 State Employes' Retirement Board The State Employes' Retirement Board shall consist of the Secretary of the Commonwealth who shall be chairman thereof the State Treasurer one member who shall be appointed by the Governor and two members of the State Employes' Retirement Association who shall be elected from among their number in a manner to be approved by the board

A vacancy occurring during a term shall be filled for the unexpired term by the appointment or election of a successor in the same manner as his or her predecessor was appointed or elected

The member of the board appointed by the Governor shall serve until his successor is appointed The members elected by the State Employes' Retirement Association shall be elected for terms of three years

The members of the board elected by the State Employes' Retirement Association shall not suffer any loss of salary or wages through serving on the board

The board shall appoint a secretary who need not be a member of the board and fix his compensation which shall not exceed three thousand six hundred dollars per annum

Section 403 Board of Pardons The Board of Pardons shall consist of the Lieutenant Governor Secretary of the Commonwealth Attorney General and Secretary of Internal Affairs

Three members of the board shall constitute a quorum

Section 404 Board of Commissioners on Uniform State Laws The Board of Commissioners on Uniform State Laws shall consist of three persons learned in the law and the Attorney General ex officio

The terms of members of the board shall be four years from the dates of their respective appointments

Section 405 Board of Finance and Revenue The Board of Finance and Revenue shall consist of the State Treasurer who shall be chairman thereof the Attorney General the Auditor General and the Secretary of Revenue

Three members of the board shall constitute a quorum

The board shall elect and fix the compensation of a secretary whose annual salary shall not exceed five thousand dollars and who need not be a member of the board and of such other officers and employes except as in this act otherwise provided as may be necessary for the proper conduct of its work

The powers and duties vested in and imposed upon the board shall in all cases be exercised or performed by a majority of the board

The board shall keep full and exact minutes of its proceedings which shall at all times be open to the inspection of the Governor and the General Assembly

Section 406 Board of Property The Board of Property shall consist of the Secretary of Internal Affairs the Secretary of the Commonwealth and the Attorney General Two members of the board shall constitute a quorum

Section 407 State Council of Education The State Council of Education shall consist of the Superintendent of Public Instruction who shall be the president and chief executive officer thereof and nine other members

All appointments shall be for terms of six years

The Superintendent of Public Instruction and five other members shall constitute a quorum The council may elect a secretary who need not be a member thereof

Section 408 Pennsylvania State Board of Censors The Pennsylvania State Board of Censors shall consist of three residents and citizens of Pennsylvania well qualified by education and experience to act as censors of motion-picture films and steropticon views or slides One member of the board shall be designated as chairman one member as vice-chairman and the other member as secretary thereof

The chairman of the board shall receive a salary of three thousand three hundred dollars per annum and the vice-chairman and secretary shall each receive a salary of three thousand dollars per annum

Two members of the board shall constitute a quorum

Section 409 Public School Employes' Retirement Board The Public School Employes' Retirement Board shall consist of the Superintendent of Public Instruction who shall be chairman thereof the State Treasurer one member who shall be appointed by the Governor three members of the School Employes' Association elected from among their number in a manner to be approved by the board and one member not an officer or employe of the State who shall be elected by the board

A vacancy occurring during a term shall be filled for the unexpired term by the appointment or election of a successor in the same manner as his or her predecessor

Of the members of the Public School Employes' Retirement Board the member who is appointed by the Governor shall serve until his successor is appointed The members elected by the School Employes' Association shall be elected for terms of three years The members elected by the board shall be elected annually to serve for a term of one year

The members of the board elected by the School Employes' Association shall not suffer any loss of salary or wages through serving on the board

The board shall appoint a secretary who need not be a member of the board and fix his compensation which shall not exceed five thousand dollars per annum

Section 410 Pennsylvania Historical Commission The Pennsylvania Historical Commission shall consist of the Superintendent of Public Instruction ex officio and five citizens of the Commonwealth

Three members of the commission shall constitute a quorum

The commission shall select from their number a chairman and shall elect a secretary who need not be a member of the commission

The secretary shall receive such compensation not exceeding one thousand five hundred dollars per annum as the commission shall with the approval of the Superintendent of Public Instruction determine

Section 411 State Board of Medical Education and Licensure The State Board of Medical Education and Licensure shall consist of seven members two of whom shall be the Superintendent of Public Instruction and the Secretary of Health ex officio Of the five remaining members one shall be appointed from the Medical Society of the State of Pennsylvania one from the Homeopathic Medical Society of the State of Pennsylvania and one from the Eclectic Medical Society of the State of Pennsylvania The two remaining members shall not be of the same school or system of practice

Each of the five members appointed shall at the time of his appointment be licensed and qualified under the existing laws of this Commonwealth to practice medicine and surgery and shall have practiced the same in this Commonwealth for a period of not less than ten years prior to his appointment No member of the board shall be a member of the faculty of any under-graduate school or college or university teaching medicine or surgery

The terms of members of the board shall be four years from the respective dates of their appointment

Four members of the board shall constitute a quorum

The board shall select from among their number a chairman

Each member of the board other than the Superintendent of Public Instruction and the Secretary of Health shall receive ten dollars per diem while actually engaged in the work of the board

Section 412 State Board of Pharmacy The State Board of Pharmacy shall consist of the Superintendent of Public Instruction ex officio and five persons who shall be appointed for terms of six years from among the most skillful pharmacists in Pennsylvania who are not teachers or instructors in any educational institution teaching pharmacy Each appointee must have been registered as a pharmacist in Pennsylvania at least ten years previous to this appointment and he must be actually engaged in conducting a pharmacy

Three members of the board shall constitute a quorum The board shall select from their number a chairman

The members of the board other than the Superintendent of Public Instruction shall be paid ten dollars per diem when actually engaged in the performance of their official duties

Section 413 State Dental Council and Examining Board The State Dental Council and Examining Board shall consist of the president of the Pennsylvania State Dental Society the Superintendent of Public Instruction the Secretary of Health and six persons whose term of office shall be six years

The Pennsylvania State Dental Society shall have power to nominate from its membership at least double the number of candidates required to fill the vacancies occurring annually in the membership of the State Dental Council and Examining Board Such candidates shall have been engaged in the actual practice of dentistry in this Commonwealth during a period of not less than ten years The Governor shall appoint members to fill all vacancies occurring from any cause only from the candidates nominated as aforesaid No member of the faculty of a dental college shall be eligible to appointment as a member of the State Dental Council and Examining Board In the event of failure of the Pennsylvania State Dental Society to nominate candidates as aforesaid the Governor shall appoint members in good standingg of the said society without other restriction

The members of the State Dental Council and Examining Board shall annually select one of their number to act as chairman

Each of the members of the State Dental Council and Examining Board other than the Superintendent of Public Instruction the Secretary of Health and the president of the Pennsylvania State Dental Society shall receive ten dollars per diem while actually engaged in the work of the board

Section 414 State Board of Optometrical Examiners The State Board of Optometrical Examiners shall consist of the Superintendent of Public Instruction ex officio and seven members all of whom shall be optometrists citizens of Pennsylvania who possess the requisite qualifications to practice optometry under the laws of this Commonwealth and who shall have been so practicing in this Commonwealth during the five years immediately preceding their appointment

The terms of members of the board shall be four years from the respective dates of their appointment

No member of the board shall be a member of the faculty of any undergraduate school or college teaching optometry

Four members of the board shall constitute a quorum and the board shall select from its membership a chairman

The members of the board other than the Superintendent of Public Instruction shall receive ten dollars per diem for each day actually devoted to the work of the board

Section 415 State Board of Osteopathic Examiners The State Board of Osteopathic Examiners shall consist of the Superintendent of Public Instruction ex officio and five members teach of whom shall be a graduate of a legally incorporated and reputable college of osteopathy and shall have been licensed to practice osteopathy under the laws of this Commonwealth and shall not be in any manner financially interested in or connected with the faculty or management of any osteopathic school or college and shall have been engaged in the practice of osteopathy in this Commonwealth for a period of at least three years

The members of the board qualified as aforesaid shall be appointed from a full list of the members in good standing of the Pennsylvania Osteopathic Association which list shall be furnished to the Governor by the president and secretary of such association annually In the case of the failure of the Pennsylvania Osteopathic Association to submit such a list to the Governor the Governor shall appoint members in good standing of such association without restriction

The terms of members of the board shall be four years from the respective dates of their appointment

Three members of the board shall constitute a quorum and the board shall annually select from among its number a chairman

The members of the board other than the Superintendent of Public Instruction shall receive ten dollars per diem when actually engaged in the performance of their official duties

Section 416 Osteopathic Surgeons' Examining Board The Osteopathic Surgeons' Examining Board shall consist of five members and the Superintendent of Public Instruction ex officio One of the members shall be a deputy or other officer or employe of the Department of Public Instruction who shall have charge of the department's work in connection with pre-professional and professional credentials Such deputy officer or employe shall be designated by the Superintendent of Public Instruction Two of the members of the board shall be appointed from four persons nominated by the State Board of Medical Education and Licensure who at the time of their appointment are licensed and qualified to practice medicine and surgery and have practiced the same in this Commonwealth for a period of not less than ten years immediately prior to their appointment The remaining two members shall be appointed from four persons nominated by the State Board of Osteopathic Examiners who at the time of their appointment are licensed and qualified to practice osteopathy and have practiced the same in this Commonwealth for a period of not less than ten years and who have practiced surgery for a period of not less than five years immediately prior to their appointment

Three members of the board shall constitute a quorum The board shall select from its membership a chairman

The members of the board other than the Superintendent of Public Instruction and the members designated by him shall receive ten dollars per diem for each day actually devoted to the work of the board

Section 417 State Board of Examiners for Registration of Nurses The State Board of Examiners for Registration of Nurses shall consist of the Superintendent of Public Instruction ex officio and five members who shall be registered nurses graduated from training schools connected with hospitals where practical and theoretical instruction is given in general surgical and medical nursing and who shall have been engaged in nursing in the Commonwealth of Pennsylvania for at least five years since registration

The Governor shall upon the expiration of the term of office of any member appoint a person with the above specified qualifications from a list of not less than ten names submitted to him by the board of directors of the Graduate Nurses' Association of Pennsylvania for a term of six years and until a successor is appointed and qualified Vacancies shall be filled in like manner

Three members of the board shall constitute a quorum and the board shall select from among its members a chairman and shall elect a director of the board who shall also act as its secretary at an annual salary of three thousand dollars

The members of the board other than the Superintendent of Public Instruction shall receive ten dollars per diem when actually engaged in the transaction of official business

Section 418 State Board of Undertakers The State Board of Undertakers shall consist of the Superintendent of Public Instruction ex officio and five persons who shall be practicing undertakers The terms of members of the board shall be six years

Three members of the board shall constitute a quorum The board shall select from among their number a chairman

Each member of the board other than the Superintendent of Public Instruction shall receive ten dollars per diem when actually engaged in the transaction of official business

Section 419 State Board of Veterinary Medical Examiners The State Board of Veterinary Examiners shall consist of the Superintendent of Public Instruction ex officio and five members who shall be of good standing in the veterinary profession and shall be graduates of a legally incorporated and reputable veterinary school They shall have practiced veterinary medicine for at least five years immediately preceding their appointment

Three members of the board shall constitute a quorum

The board shall select from among their number a chairman

Each member of the board other than the Superintendent of Public Instruction shall receive ten dollars per diem while actually engaged in the transaction of official business

Section 420 State Board of Examiners of Public Accountants The State Board of Examiners of Public Accountants shall consist of the Superintendent of Public Instruction ex officio and five members two of whom shall be appointed from the eastern part of the State two from the western part and one from the central part Three of them shall be certified public accountants holding degrees of the same from the Commonwealth of Pennsylvania The other two shall be practicing attorneys in good standing in any of the courts of the Commonwealth

The terms of the members of the board shall be four years from the respective dates of their appointment

Three members of the board shall constitute a quorum

The board shall select from among their number a chairman

Each member of the board other than the Superitnendent of Public Instruction shall receive ten dollars per diem when actually engaged in the work of the board

Section 421 State Board of Examiners of Architects The State Board of Examiners of Architects shall consist of the Superintendent of Public Instruction ex officio and five members all of whom shall be architects who have been in active practice in this Commonwealth for not less than ten years prior to their appointment

The terms of members of the board shall be six years

Three members of the board shall constitute a quorum

The board shall annually select from among their number a president

Each member of the board except the Superintendent of public Instruction shall receive ten dollars per diem while actually engaged in the work of the board

Section 422 Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania The Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania shall consist of the Superintendent of Public Instruction ex officio the Secretary of Mines two mining engineers who shall have had at least five years' experience in the bituminous mines of Pennsylvania and three members who shall have passed successfully examinations qualifying them to act as inspectors or mine foremen in bituminous mines generating explosive gas and shall have had at least five years' practical experience as miners in the bituminous mines of Pennsylvania All members of the board shall be at least thirty years of age

The Secretary of Mines shall be chairman of the board

Each member of the board other than the Superintendent of Public Instruction and the Secretary of Mines shall receive ten dollars per diem while actually engaged in the performance of the work of the board

Section 423 Anthracite Mine Inspectors' Examining Board shall consist of the Superintendent of Public Instruction ex officio the Secretary of Mines two mining engineers who shall have had at least five years' experience in the anthracite mines of Pennsylvania and three members who shall be coal miners in actual practice and shall have had at least five years' practical experience in the anthracite mines of Pennsylvania

All members of the board shall be at least thirty years of age

The Secretary of Mines shall be chairman of the board

Each member of the board other than the Superintendent of Public Instruction and the Secretary of Mines shall receive ten dollars per diem while actually engaged in the performance of the work of the board The Secretary of Mines shall have the right to determine from time to time the maximum number of days for which the members of the board entitled thereto shall receive compensation

Section 424 State Registration Board for Professional Engineers The State Registration Board for Professional Engineers shall consist of the Supertendent of Public Instruction ex officio and five members all of whom shall be registered professional engineers and full corporate members in good standing in at least one of the following societies American Society of Civil Engineers American Institute of Mining and Metallurgical Engineers American Society of Mechanical Engineers or American Instiute of Electrical Engineers The members of the board shall be so selected that not more than two of them shall be members of the same society Each member of the board shall be a citizen of the United States and a resident of this Commonwealth shall have been engaged in the practice of the profession of engineering for at least ten years and shall have been in responsible charge of engineering work for at least five years

The terms of members of the board shall be six years

Three members of the board shall constitute a quorum

The board shall select from their number annually a president

Each member of the board except the Superintendent of Public Instruction shall receive ten dollars per diem when actually attending to the work of the board

Section 425 Secretarial Services for Examining Boards All secretarial services to all examining and licensing boards shall be furnished by the Department of Public Instruction

Section 426 Armory Board of the State of Pennsylvania The Armory Board of the State of Pennsylvania shall consist of the Governor the Adjutant General and five other persons of whom three shall be officers of the National Guard of Pennsylvania

The Adjutant General shall be chairman of the board

The board shall select a secretary who need not be a member of the board

Four members of the board shall constitute a quorum

Each member of the board except the Governor and the Adjutant General shall receive a salary at the rate of twelve hundred dollars per annum

Section 427 State Athletic Commission The State Athletic Commission shall consist of three members who shall be appointed for terms of two years and the Adjutant General ex officio

Each member of the commission except the Adjutant General shall receive a salary of ten dollars per diem for each day actually employed in the performance of their duties

Two members of the commission shall constitute a quorum and the concurrence of at least two members of the commission shall be necessary to render valid any action by the commission

The commission with the approval of the Adjutant General may appoint such number of deputies and at such compensation as shall be approved by the Executive Board

The commission may with the approval of the Adjutant General appoint a secretary who shall receive a salary of two thousand four hundred dollars per annum

Section 428 Board to License Private Bankers The Board to License Private Bankers shall consist of the Secretary of Banking who shall be chairman thereof the Secretary of the Commonwealth and the State Treaurer

Section 429 Pennsylvania Securities Commission The Pennsylvania Securities Commission shall consist of three members and the Secretary of Banking ex officio

Two members of the commission shall constitute a quorum and no action of the commission shall be valid unless it shall have the concurrence of at least two members A vacancy on the commission shall not impair the right of a quorum to exercise all the powers and perform all the duties of the commission

The Governor shall designate one of the members of the commission as the chairman thereof and the Secretary of Banking with the approval of the Governor shall appoint a secretary who shall receive an annual salary of three thousand six hundred dollars

The chairman of the commission shall receive a salary at the rate of six thousand dollars per annum. The other members of the commission except the Secretary of Banking shall receive salaries at the rate of five thousand five hundred dollars per annum

Section 430 State Farm Products Show Commission The State Farm Products Show Commission shall consist of the Governor the Secretary of Agriculture another officer of the Department of Agriculture to be designated by the Secretary of Agriculture an officer of the Department of Public Instruction to be designated by the Superintendent of Public Instruction the dean of the School of Agriculture of Pennsylvania State College the director of agricultural extension of Pennsylvania State College and three other persons

The terms of those members of the commission who are appointed by the Governor shall be four years

The association known as "State Farm Products Show Committee" shall have the right to nominate from its membership at least double the number of candidates required to fill any vacancies which may occur in the membership of the State Farm Products Show Commission and the Governor shall appoint members to fill such vacancies only from the candidates nominated as aforesaid In the event however that said committee shall fail to make and submit to the Governor nominations to fill vacancies the Governor may appoint any citizen of Pennsylvania to fill such vacancies

The Secretary of Agriculture shall be chairman of the commission The commission shall elect a director a secretary and a treasurer who need not be members thereof The director may receive such reasonable compensation not exceeding three thousand dollars per annum as the commission shall direct The same person may be secretary and treasurer of the commission The secretary and the treasurer shall receive no compensation for their services as such

Five members of the commission shall constitute a quorum

Section 431 Water and Power Resources Board The Water and Power Resources Board shall consist of five members who shall be the Secretary of Forests and Waters the Secretary of Health the Commissioner of Fisheries the Secretary of Internal Affairs and a member of The Public Service Commission of the Commonwealth of Pennsylvania to be designated by the Governor

The Secretary of Forests and Waters shall be chairman of the board

Section 432 Geographic Board The Geographic Board shall consist of the Secretary of Forests and Waters who shall be the chairman thereof the Secretary of Highways the president of the Pennsylvania Historical Commission and such officer of the Department of Internal Affairs as shall be designated by the Governor

Three members of the board shall constitute a quorum

Section 433 Lake Erie and Ohio River Canal Board The Lake Erie and Ohio River Canal Board shall consist of the Secretary of Forests and Waters ex officio and seven members three of whom may be nonresidents of Pennsylvania

The Governor shall designate one member of the board as chairman and the board shall elect a secretary

Four members of the board shall constitute a quorum

Section 434 Pennsylvania State Park and Harbor Commission of Erie The Pennsylvania State Park and Harbor Commission of Erie shall consist of the Secretaray of Forests and Waters the Secretary of Internal Affairs the Commissioners of Fisheries ex officio and nine other persons of whom two shall be appointed by the council of the City of Erie

The commission shall annually elect a chairman and a secretary

Five members of the commission shall constitute a quorum

Section 435 Washington Crossing Park Commission The Washington Crossing Park Commission shall consist of the Secretary of Forests and Waters ex officio and ten other persons

The commission shall annually elect a chairman and a secretary

Six members of the commission shall constitute a quorum

Section 436 Valley Forge Park Commission The Valley Forge Park Commission shall consist of the Secretary of Forests and Waters ex officio and thirteen other persons

The commission shall annually elect a chairman and a secretary

Seven members shall constitute a quorum

Section 437 Fort Washington Park Commission The Fort Washington Park Commission shall consist of the Commissioners of Fairmount Park Philadelphia and the Secretary of Forests and Waters ex officio

The commission shall annually elect a chairman and a secretary

Seven members of the Commission shall constitute a quorum

Section 438 Mine Inspectors The number of inspectors of Anthracite and Bituminous Mines shall be fixed by the Secretary of Mines with the approval of the Executive Board All such mine inspectors shall be appointed respectively from among persons holding valid certificates of qualification issued by the Anthracite Mine Inspectors' Examining Board or the Examining Board for the Bituminous Coal Mines of Pennsylvania

The manner of appointing mine inspectors their qualifications and their terms of office shall be as may now or hereafter be provided by law

Each mine inspector shall receive a salary at the rate of four thousand dollars per annum

Section 439 Sanitary Water Board The Sanitary Water Board shall consist of the Secretary of Health who shall be chairman thereof the Secretary of Forests and Waters the Commissioner of Fisheries a member of the Public Service Commission to be designated by the chairman and one other member

Three members of the board shall constitute a quorum

Section 440 Workmen's Compensation Board The Workmen's Compensation Board shall consist of three members of whom the Governor shall designate one as chairman The Secretary of Labor and Industry shall be ex officio a member of the board Two members of the board shall be a quorum and no action of the board shall be valid unless it shall have the concurrence of at least two members A vacancy on the board shall not impair the right of a quorum to exercise all the rights and perform all the duties of the board

The Secretary of Labor and Industry with the approval of the Governor shall appoint a secretary to the Workmen's Compensation Board who shall receive such salary not exceeding three thousand seven hundred and fifty dollars per annum as the Secretary of Labor and Industry with the approval of the Governor shall determine

The Chairman of the Workmen's Compensation Board shall receive a salary at the rate of seven thousand five hundred dollars per annum The other members of the board except the Secretary of Labor and Industry shall receive salaries at the rate of seven thousand dollars per annum

Section 441 Workmen's Compensation Referees There shall be in the Department of Labor and Industry as many Workmen's Compensation Referees as in the judgment of the Secretary of Labor and Industry with the approval of the Executive Board shall be necessary properly to administer the workmen's compensation laws of the Commonwealth Such referees shall be subject to the direction and control of the Department of Labor and Industry The department shall assign them to the various workmen's compensation districts and shall prescribe from time to time the duties to be performed by them

Each Workmen's Compensation Referee shall receive a salary at the rate of four thousand dollars per annum

Section 442 State Workmen's Insurance Board The State Workmen's Insurance Board shall consist of the Secretary of Labor and Industry who shall be the chairman thereof the State Treasurer and the Insurance Commissioner The Board shall elect a manager not a member of the Board and fix his compensation not to exceed five thousand dollars per annum and appoint and fix the compensation of such other officers and employes except as in this act otherwise provided as may be necessary for the proper conduct of its work

Section 443 State Council for the Blind The State Council for the Blind shall consist of seven members of whom three shall the the Secretary of Health the Superintendent of Public Instruction and the Secretary of Labor and Industry Of the other four members one at least shall be a blind person

The terms of members shall be four years from the dates of their respective appointments

No paid employe of any school institution or other agency carrying on work for the blind shall be eligible for appointment

The council for the blind shall annually elect from its members a chairman The Secretary of Health shall be the secretary and executive officer of the council

Four members of the council shall constitute a quorum

At least four regular meetings of the council shall be held each year Special meetings may be called jointly by the chairman and the secretary and shall be called by the chairman on the written request of any three of the appointed members of the council

Section 444 Board of Commissioners of Public Grounds and Buildings The Board of Commissioners of Public Grounds and Buildings shall consist of the Governor the Auditor General and the State Treasurer.

Section 445 Advisory Boards and Commissions The advisory boards and commissions within the several administrative departments shall be constituted as follows

(a) The State Military Reservation Commission shall consist of the Governor the Major General commanding the National Guard of Pennsylvania any Major General who commands has commanded or shall hereafter command the National Guard of Pennsylvania and who shall retire from the service subsequent to the first day of January one thousand nine hundred and thirty-five regardless of such retirement the Adjutant General the Brigadier Generals commanding brigages the Chief of Staff of the Twenty-eighth Division and two other members to be appointed by the Governor

The commission shall elect from among its members a chairman and a secretary

(b) The State Veterans Commission shall consist of the Adjutant General ex officio and five members all of whom shall have served in the armed forces of the United States while a state of war existed between the United States of America and another sovereign power and shall be members in good and regular standing of a Pennsylvania branch post lodge or club of a recognized national veterans orgaization active in this Commonwealth

Three members of the commission shall constitute a quorum

The commission shall select from its number a chairman and a secretary

(c) The State Forest Commission shall consist of four persons and the Secretary of Forests and Waters ex officio who shall be chairman thereof

Bushy Run Battlefield Commission The Bushy Run Battlefield Commission shall consist of the Secretary of Forests and Waters and the chairman and secretary of the Pennsylvania Historical Commission ex officio and six other members residing in the vicinity of the Bushy Run Battlefield State Park and having a knowledge of and interest in the history of the locality wherein said park is situated

The members of the commission shall annually elect a chairman and a secretary

Five members of the commission shall constitute a quorum

The Advisory Health Board shall consist of the Secretary of Health and six members a majority of whom shall be physicians graduates of legally constituted medical colleges and of at least ten years' experience in the practice of their profession and one of whom shall be a civil engineer The Secretary of Health shall be chairman of the board

Three members of the board together with the Secretary of Health shall constitute a quorum

The Industrial Board shall consist of the Secretary of Labor and Industry and four additional members one of whom shall be an employer of labor one a wage earner and one a woman The Secretary of Labor and Industry shall be the chairman of the board

Three members of the board shall be a quorum

The members of the Industrial Board other than the chairman shall receive five dollars per day while in the performance of their official duties

The General Galusha Pennypacker Monument Commission shall consist of the Secretary of Property and Supplies the president of the Pennsylvania Academy of Fine Arts of Philadelphia and three other persons The commission shall annually elect a president and secretary

Three members of the commission shall constitute a quorum

ARTICLE V

POWERS AND DUTIES IN GENERAL

Section 501 Coordination of Work The several administrative departments and the several independent administrative and departmental administrative boards and commissions shall devise a practical and working basis for cooperation and coordination of work eliminating duplication and overlapping of functions and shall sofar as practical cooperate with each other in the use of employes land buildings quarters facilities and equipment The head of any administrative department or any independent administrative or departmental administrative board or commission may empower or require an employe of another such department board or commission subject to the consent of the head of such department or of such board or commission to perform any duty which he or it might require of the employes of his or its own department board or commission

Section 502 Cooperative Duties Whenever in this act power is vested in a department board or commission to inspect examine secure data or information or to procure assistance from any other department board or commission a duty is hereby imposed upon the department board or commission upon which demand is made to render such power effective

Section 503 Departmental Administrative Boards and Commissions Except as otherwise provided in this act departmental administrative bodies boards and commissions within the several administrative departments shall exercise their powers and perform their duties independently of the heads or any other officers of the respective administrative departments with which they are connected but in all matters involving the expenditure of money all such departmental administrative boards and commissions shall be subject and responsible to the departments with which they are respectively connected Such departments shall in all cases have the right to make such examinations of the books records and accounts of their respective deparmental administrative boards and commissions as may be necessary to enable them to pass upon the necessity and propriety of any expenditure or proposed expenditure Provided however no department shall have the right to audit the books records or accounts except the Department of the Auditor General

Section 504 Departmental Reports The head of each administrative department and each independent administrative board and commission shall not later than October first of

each even-numbered year report in writing to the Governor concerning the condition management and financial transactions of the department board or commission such reports shall except where impracticable be for the two-year period ending May thirty-first of the year in which they are made Each departmental administrative board and commission and each advisory board and commission shall not later than September first of each even-numbered year report in writing to the head of the department of which such board or commission is a part All such reports shall be attached as exhibits to the report made by the head of the department to the Governor

Except as otherwise in this act specifically provided the reports required by this section shall be in lieu of all other reports heretofore required by law to be made by the several administrative departments boards and commissions either to the Governor or to the General Assembly

Section 505 Departmental Seals Each administrative department each independent administrative board and commission shall and any departmental administrative board or commission may adopt and use an official seal A copy of any paper or document on file with any such department board or commission authenticated by any such seal shall be evidence equally and in like manner as the original

Section 506 Rules and Regulations The heads of all administrative departments the several independent administrative boards and commissions the several departmental administrative boards and commissions are hereby empowered to prescribe rules and regulations not inconsistent with law for the government of their respective departments boards or commissions the conduct of their employes and clerks the distribution and performance of their business and the custody use and preservation of the records books documents and property pertaining thereto Provided however that the Auditor General and the State Treasurer shall have access to all financial records books and other financial documents when either or both of them may deem necessary

Section 507 Purchases It shall be unlawful for any administrative department other than the Department of Property and Supplies or for any independent administrative board or commission or for any departmental administrative body board or commission or for any advisory board or commission to purchase or contract for the purchase of any stationery paper printing binding ruling lithographing engraving envelopes or other printing or binding supplies or any fuel supplies furniture furnishings or equipment except

(a) Any departments boards or commissions which by law are authorized to purchase materials or supplies and pay for the same out of fees or other moneys collected by them or out of the moneys appropriated to them by the General Assembly Provided That every such department board and commission shall make its purchases through the Department of Property and Supplies as purchasing agency and all such purchases shall make its purchases through the Department of Property and Supplies as purchasing agency and all such purchases of the Department of Property and Supplies unless in any case the Board of Commissioners of Public Grounds and Buildings shall specifically authorize a departure from such effective supplies contracts

(b) Any department board or commission having charge of a State institution which may purchase perishable foodstuffs and fuel for such institution directly and may purchase any article directly if it can after competitive bidding purchase the same f o b the instiution for a price equal to or less than the Department of Property and Supplies can furnish it f o b the institution but all articles purchased directly hereunder shall conform to the specification contained in the effective supply contracts of the Department of Property and Supplies or if the article be not included in the effective supply contracts then to the standard specification if any adopted by the Department of Property and Supplies for the commodity purchased unless the Board of Commissioners of Public Grounds and Buildings shall have specifically authorized a departure from such specification

In all other cases such departments boards or commissions shall make purchases through the Department of Property and Supplies as purchasing agency and all purchases made by the Department of Property and Supplies as purchasing agency hereunder shall conform to the specifications contained in the effective supply contracts of the department or if the article be not included in the effective supply contracts then to the standard specifications if any adopted by the department for the commodity purchased unless the Board of Commissioners of Public Grounds and Buildings shall specifically authorize a departure from such effective supply contracts or specifications

(c) Any department board or commission may make purchases in the field not exceeding twenty-five dollars in any month except in cases of emergencies when purchases exceeding that amount may be made as approved by the Dpartment of Property and Supplies but records of all such purchases shall be transmitted monthly to the Department of Property and Supplies in such form as it may require

(d) All State-owned institutions may purchase staple articles in the vicinity of the institution The Department of Property and Supplies shall prepare and issue monthly lists of the maximum prices which may be paid by such institutions for such local purchases

Section 508 Erection Repairs or Alterations of and Additions to Buildings (a) No administrative dpartment except the Department of Property and Supplies and no administrative board or commission shall except as in this act otherwise specifically provided erect or construct or contract for the erction or construction of any new building or make or contract for making any alterations or additions to an existing building involving an expenditure of more than ten thousand dollars ($10,000) and in any case in which any other department or any board or commission is by this act authorized to erect or construct buildings or make alterations or additions such erection or construction shall be under the general supervision of the Department of Property and Supplies

(b) All repairs to or alterations of existing buildings of the Commonwealth involving expenditures of more than one thousand dollars ($1,000) shall be subject to inspection by and the general supervision of the Department of Property and Supplies which shall be notified thereof at least ten days prior to the execution of the execution of the contract or if the work is not to be done under contract then at least ten days prior to the commencement of the work and all plans and specifications for repairs to or alterations of buildings under the control of departmental administrative boards and commissions shall be subject to approval by the departments with which such boards or commissions are rspectively connected

(c) All plans and specifications for new buildings and for alterations or additions to existing buildings shall be subject to the approval of the department board or commission using or intending to use the building being erected or constructed or to which an alteration or addition is being made and in the case of building used by or for the use of departmental administrative boards or commissions the plans and specifications shall also be approved by the dpartment with which the board or commission is connected

(d) Buildings may be erected or constructed or alterations or additions made wholly or partially by the labor of employes or inmates or patients of State institutions if in the judgment of the agency responsible for the management of such institutions and of the Department of Property and Supplies the work can be proprly and safely done by such employes inmates or patients In such cases the Department of Property and Supplies or such agency of the State Government or outside supervising engineer or enginering concern as it may approve shall have direct supervision of the work and in all cases the Department of Property and Supplies shall have the right to inspect and generally supervise the work

Section 509 Bonds and Insurance No administrative department or independent administrative departmental administrative or advisory board or commission shall contract for any bonds or insurance of any kind or description except the Treasury Department which may contract for insurance covering the securities of which it or the State Treasurer is custodian as provided in the Fiscal Code and except the Department of the Auditor General the Treasury Department and the Department of Internal Affairs who may contract separately for bonds and insurance

Section 510 Disposition of Unserviceable Personal Property Whenever any furnishings or other personal property of this Commonwealth shall be no longer of service to the Commonwealth it shall be the duty of the department board or commission in whose possession such property shall be or come to put such property into the custody of the Department of Property and Supplies Provided however That in the case of any perishable property which is not in the city of Harrisburg the department board or commission having possession

of the same may sell it in such manner and upon such terms as the head of the department or the board or commission may determine

"Unserviceable property" as used in this section shall not include produts manufatured grown or raised by any department board or commission or by the inmates or patients of any State institution or minerals oil gas or other materials taken from any property of the Commonwealth It shall include only articles previously purchased by the Commonwealth or any agency thereof and paid for out of funds of or in the control of the Commonwealth

Section 511 Sale of Surplus Products All departments boards and commissions may sell for the best price obtainable but not less than the current market price for similar products any surplus products of the soil meats live stock timber or other materials raised or grown upon or taken from property of the Commonwealth administered by such departments boards or commissions respectively

As used in this section "surplus" shall mean products meats live stock timber or other materials which cannot conveniently and economically be used in connection with the proper maintenance of the institution park or other property administered by the department board or commission involved but under no circumstances shall live trees be cut for sale unless and until the Department of Forests and Waters has approved the cutting of such trees and no sales shall be made under this section by any departmental administrative board or commission without the approval of the department with which such board or commission is connected

The proceeds of the sale of any products of the soil meats live stock timber or other materials sold by any department board or commission under the provisions of this section shall be paid into the State Treasury through the Department of Revenue and credited to the General Fund unless the expenses of such departmnt board or commission are paid wholly or mainly out of a special fund in which case such proceeds shall be credited to the proper special fund Any questions arising hereunder shall be determined by the Governor and his decision shall be certified to the Department of Revenue and the Treasury Department

Every department board or commission which sells any products of the soil meats live stock timber or other materials under the provisions of this section shall keep an accurate record of the dates quantities and prices of all sales which records shall at all times be subject to audit by the Department of the Auditor General

Section 512 Legal Advice and Services Whenever any department board commission or officer of the State Government shall require legal advice concerning its conduct or operation or when any legal difficulty or dispute arises or litigation is commenced or to be commenced in which any department board commission or officer is concerned or whenever any taxes or other accounts of any kind whatever due the Commonwealth remain overdue and unpaid for a period of ninety days it shall be the duty of such department board commission or officer to refer the same to the Department of Justice

It shall be the duty of any department board except the Board of Finance and Revenue commission or officer except the Auditor General and State Treasurer having requested and received legal advice from the Department of Justice regarding the official duty of such department board commission or officer including the Auditor General and State Treasurer and the members of the Board of Finance and Revenue shall follow the advice given him by the Department of Justice he shall not be in any way liable for so doing upon his official bond or otherwise

Before the Department of Justice shall render any opinion interpreting any appropriation act or act authorizing the expenditure of money it shall notify the Department of the Auditor General and the Treasury Department of the question upon which its opinion has been requested and afford to these departments an opportunity to present any views which they may have upon such question

It shall be unlawful for any department board commission or officer of the Commonwealth to engage any attorney to represent such department board commission or officer in any matter or thing relating to the public business of such department board commission or offcer without the approval in writing of the Attorney General Provided however That the Auditor General and State Treasurer may engage any attorney to represent them jointly or individually in any matter relating to the public business of their respective Departments pending in any court of this Commonwealth or for the purpose of commencing or prosecuting any litigation when not in accord with the legal position taken by the Attorney General and may with the approval of the Executive Board fix his compensation

Whenever the Auditor General or the State Treasurer shall follow the advice given him by the attorney appointed by him in his department or whenever the Board of Finance and Revenue shall follow the advice given it by the attorney appointed by the State Treasurer in his department such officer or the members of such board shall not be in any way liable for so doing upon his official bond or otherwise

Section 513 Acceptance of Gifts or Donations Every administrative department every independent administrative board and commission and with the approval of the department with which it is connected every departmental administrative board or commission may accept gifts or donations of money securities or other personal property which or the income of which shall be used in conducting the work of such department board or commission or for the benefit of the inmates or patients of any State institution administered by such department board or commission

Except as otherwise in this act expressly provided a department board or commission shall not accept any gift of real estate or of any interest in real estate without specific authority from the General Assembly so to do

Section 514 Sale of Real Estate and Grants of Rights of Way or Other Rights Over or in Real Estate (a) Except as otherwise in this act expressly provided a department board or commission shall not sell or exchange any real estate belonging to the Commonwealth or grant any easement right of way or other interest over or in such real estate without specific authority from the General Assembly so to do but a department board or commission may with the approval of the Governor grant a license to any public service corporation to place upon in or over any land or bridge of or maintained by the Commonwealth any public service line if such line will enable any State building or State institution to receive better service or if such line is necessary for the service of persons living adjacent to the Commonwealth's land upon in or over which it is proposed to run the line or if the running of such line over a bridge will be more economical than the erection of a separate bridge for the line Every such license shall be revocable upon six months written notice by the Commonwealth and upon such other proper terms and conditions as the department board or commission with the approval of the Governor shall prescribe and unless any such line is primarily for the benefit of a State building or State institution the license shall provide for the payment to the Commonwealth of compensation for the use of its property in such amount as the department board or commission granting it shall with the approval of the Governor prescribe

(b) Any department board or commission having control over lands of the Commonwealth underlaid with veins of coal may with the approval of the Governor exchange part of such coal for coal in place owned by private interests which may be necessary to insure lateral or surface support for any building reservoir or structure erected or to be erected on such lands of the Commonwealth or commission to private interests shall be approximately equivalent in value to the coal received in exchange therefor every such department board or commission is hereby authorized and empowered to execute and deliver and to receive legal instruments and deeds necessary to effectuate any exchange authorized hereunder which instruments and deeds shall have the prior approval of the Department of Justice and a copy thereof shall be filed with the Department of Internal Affairs

Section 515 Automobiles All automobiles required for the proper conduct of the business of the several administrative departments boards and commissions shall be purchased and maintained by or under the supervision of the Department of Property and Supplies except the Department of Highways may continue to maintain automobiles purchased for it by the Department of Property and Supplies as purchasing agency

Section 516 Contracts No member or officer of any department of the government shall be in any way interested in any contract for furnishing stationery printing paper fuel furniture material or supplies to the State Government or for the printing binding and distributing of the laws journals department reports or any other printing and binding or for the repairing and furnishing the halls and rooms used for the meetings of the General Assembly and its committees

Section 517 Administering Oaths The head of every administrative department all deputy heads of administrative departments every member of an independent administrative or departmental administrative board or commission the Superintendent of the Pennsylvania State Police every workmen's compensation referee and such officers or employes of the several admiistrative departments boards or commissions as the heads of such departments or such boards or commissions shall designate shall have the power to administer oaths or affirmations anywhere in this Commonwealth with regard to any matter or thing which may properly come before such department board commission superintendent or referee or any member of a board or commission as the case may be

Section 518 Meetings of Boards and Commissions Every independent administrative board or commission departmental administrative board or commission and every advisory board or commission shall meet upon the call of the chairman or president thereof at such times and places as the chairman or president shall designate and at such times and places as the board or commission may by rule designate

Section 519 Geographic Names Every administrative department board or commission of the Commonwealth shall in preparing or publishing maps reports or other documents showing or referring to any mountain river creek or other topographic feature within the Commonwealth designate such mountain river creek or other topographic feature by and only by such name as shall have been adopted therefor by the Georgraphic Board except the Pennsylvania Historical Commission in historical documents and maps

Section 520 Subpoenas Every administrative department every independent administrative board and commission every departmental administrative board and commission every advisory board and commission and the several workmen's compensation referees shall have the power to issue subpoenas requiring the attendance of witnesses and the production of books and papers pertinent to any hearing before such department board commission or officer and to examine such witnesses books and papers

Any witness who refuses to obey a subpoena issued hereunder or who refuses to be sworn or affirmed or to testify or who is guilty of any contempt after summons to appear may be punished for contempt of court and for this purpose an application may be made to any court of common pleas within whose territorial jurisdiction the offense was committed for which purpose such court is hereby given jurisdiction

Section 521 Publications No department board or commission shall publish or distribute any publication map or document to the public except through the Department of Property and Supplies unless the Department of Property and Supplies shall have consented to the direct publication or distribution of such publication map or document by such other department or by such board or commission

Section 522 Wage Specifications in Contracts for Public Works The specifications upon which contracts are entered into by the Commonwealth for the construction alteration or repair of any public work shall as far as possible contain the minimum wage or wages which may be paid by the contractor or his subcontractors for the work performed by laborers and mechanics employed on such public work and such laborers or mechanics shall be paid not less than such minimum wage or wages

Every contract entered into upon such specifications shall stipulate a penalty of an amount equal to twice the difference between the minimum wage contained in said specifications and the wage actually paid to each such laborer or mechanic for each day during which he has been employed at a wage less than that prescribed in said specifications Every officer or person designated as inspector of the work to be performed under any such contract or to aid in the enforcing of the fulfillment thereof shall upon observation or investigation report to the department board or commission which made the contract award all violations of minimum wage stipulations together with the name of each laborer or mechanic who has been paid less than that prescribed by the specifications and the day or days of such violation All such penalties shall be withheld and deducted for the use of the Commonwealth from any moneys due the contractor by the officer or person whose duty it shall be to authorize the payment of moneys due such contractor whether the violation of the minimum wage stipulation of the specifications is by the contractor or by any of his subcontractors

Section 523 Reciprocal Limitations upon the Purchase of Supplies and Materials It shall be unlawful for any administrative department board or commission to specify for or permit to be used in or on any public building or other work erected constructed or repaired at the expense of the Commonwealth or to purchase any supplies equipment or materials manufactured in any state which prohibits the specification for or use in or on its public buildings or other works or the purchase of supplies equipment or materials not manufactured in such state

ARTICLE VI

BUDGETARY AND FINANCIAL POWERS AND DUTIES OF ADMINISTRATIVE OFFICERS, DEPARTMENTS BOARDS AND COMMISSIONS

Section 601 Preparation of Budget The Budget Secretary shall in each even-numbered year obtain and prepare information necessary for the preparation of a State budget for the biennium beginning June first of the following year He shall not later than the fifteenth day of August of such even-numbered year distribute to the Governor to the Lieutenant Governor to each administrative department to each independent administrative board and commission to the chief clerk of the Senate to the chief clerk of the House of Representatives to the prothonotaries of the various courts of the Commonwealth and to all institutions or other agencies which desire State appropriations to be made to them the proper blanks necessary to the preparation of the budget estimates with a request that such blanks be returned with the information desired not later than the first day of November of the same year Such blanks shall be in such form as shall be prescribed by the Budget Secretary to procure any or all information pertaining to the revenues and expenditures for the preceding fiscal years and for the current fiscal year the appropriations made by the previous General Assembly the expenditures therefrom encumbrances thereon the amount unencumbered and unexpended an itemized estimate of the revenues and expenditures of the current fiscal year and for the succeeding biennium and an estimate of the revenues and amounts needed for the respective departments boards and commissions for expenses of the General Assembly for the Judicial Department and for any and all institutions or other agencies to which appropriations are likely to be made by the General Assembly for the two fiscal years next succeeding Such blanks shall also request the person returning them to accompany them with a statement in writing giving the facts and an explanation of and reasons for the estimates of receipts and expenditures for the succeeding biennium contained upon the blanks returned It shall be the duty of each administrative department and each independent administrative board and commission to comply not later than November first with any and all requests made by the Budget Secretary in connection with the budget

The Budget Secretary may under the direction of the Governor make further inquiries and investigations as to the financial needs expenditures estimates or revenues of any department board commission institution or other agency The Governor may after giving to each department board commission institution or other agency an opportunity to be heard approve disapprove or alter the estimates The Budget Secretary shall on or before the first day of January next succeeding any additional information requested by the Governor as a submit to the Governor in writing the above information and basis for the Governor's estimates for appropriations for the next succeeding biennium

Section 602 Submission of Budget to General Assembly As soon as possible and not later than four weeks after the organization of the General Assembly the Governor shall submit a State budget embracing therein the amounts recommended by him to be appropriated to the General Assembly the Judicial Department the Governor and the several administrative departments boards and commissions of the State Government and to institutions within the State and for all other public purposes the estimated revenues or receipts from any and all sources and an estimated amount to be raised by taxation or otherwise Together with such budget the Governor shall transmit the estimates of receipts and expenditures as received by the Budget Secretary from the officers in the Executive Legislative and Judicial Departments.

Section 603 List of Employes to Be Furnished to Certain State Officers All administrative departments boards and commissions shall on the fifteenth day of June of each year

transmit to the Auditor General the State Tresaurer and the Budget Secretary a complete list as of June first preceding of the names of all persons except day-laborers entitled to receive compensation from the Commonwealth for services rendered in or to the department board or commission as the case may be Such list shall show the position occupied by each such person the date of birth and voting residence of such person the salary at which or other basis upon which such person is entitled to be paid the date when such person entered the service of the Commonwealth whether such person has been continuously employed by the Commonwealth since that date and all periods of service and positions held as an employe of the Commonwealth

Each month thereafter the heads of the several administrative boards and commissions shall certify to the Auditor General the State Treasurer and the Budget Secretary any changes in the annual list of employes last transmitted to them which shall have occurred during the preceding month

The information received by the Auditor General the State Treasurer and the Budget Secretary under this section shall be public information

Section 604 Estimates of Current Expenditures by Departments Boards and Commissions Each administratvie department board and commission shall from time to time as requested by the Governor prepare and submit to the Governor except as hereinafter otherwise provided for approval or disapproval an estimate of the amount of money required for each activity or function to be carried on by such department board or commission during the ensuing month quarter or such other period as the Governor shall prescribe If such estimate does not meet with the appoval of the Governor it shall be revised in accordance with the Governor's desires and resubmitted for approval but such approval shall not be required of estimates for departments of which the Auditor General State Treasurer and Secretary of Internal Affairs are respectively the heads A like estimate shall be made of money required for each activity or function to be carried on by the Governor

After the approval of any such estimate it shall be unlawful for the Governor or any department board or commission to expend any appropriation or part thereof except in accordance with such estimate unless the same be revised with the approval of the Governor or by the department not subject to approval by the Governor and it shall be unlawful for the Auditor General to draw any warrant upon any appropriation made to any Department board or commission until a certified copy of the said estimate as approved by the Governor or by the department not subject to approval by the Governor shall have been filed with the Auditor General and then only when in accordance with said estimate

Section 605 Departmental Administrative Bodies Boards and Commissions It shall be the duty of each departmental administrative body board and commission promptly to furnish to the head of the department of which it is a part such information as may be requested by the head of the department for the departmental budget estimates or the periodical estimates of the current expenditures of the department

Section 606 Fiscal Year All books and accounts kept by every department board and commission shall be kept as of the fiscal year which shall be the period beginning on the first day of June of each calendar year and ending on the thirty-first day of May of the calendar year next succeeding

ARTICLE VII

POWERS AND DUTIES OF THE GOVERNOR AND OTHER CONSTITUTIONAL OFFICERS OF THE EXECUTIVE BOARD AND OF THE PENNSYLVANIA STATE POLICE

Section 701 The Governor The Governor shall have the power and it shall be his duty

(a) To take care that the laws of the Commonwealth shall be faithfully executed

(b)To act as Commander-in-chief of the Army and Navy of the Commonwealth and of the Militia except when they shall be called into active service by the United States Government

(c) To cause to be published through the Department of Property and Supplies from time to time for the information of the public bulletins of the work of the State Government

(d) To prescribe and require the installation of a uniform system or systems of bookkeeping accounting and reporting for the several administrative departments boards and commissions except for the Department of the Auditor General the Treasury Department and the Department of Internal Affairs but before prescribing and requiring such installation the Governor shall obtain the approval of the Department of the Auditor General

(e) To prescribe forms for accounts and financial or other records reports and statements for the Governor and the several administrative departments boards and commissions but before prescribing such forms the Governor shall have the approval of the Executive Board and it shall be unlawful for the Governor or any Department board or commission to use any form for accounts financial or other records reports and statements until approved by the Governor and the Executive Board It shall be unlawful for the Department of Property and Supplies to accept any order for furnishing any forms for accounts financial or other records reports and statements until approved by the Governor and the Executive Board Nothing contained herein shall be construed to apply to reports and statements for the use of the Legislature

(f) To approve or disapprove all investments by departments boards or commissions of funds administered by such departments boards or commissions

(g) To submit to the General Assembly a State budget

(h) After each biennial appropriation to the Department of Property and Supplies (1) for the purchase of stationery paper printing binding ruling lithographing color printing engraving paper evelopes and other printing and binding supplies (2) for fuel supplies furniture furnishings repairs alterations and improvements (3) for automobiles and (4) for rentals of branch offices after making proper deductions for the needs of the legislative and judicial departments to allocate and from time to time to reallocate to the several administrative departments boards and commissions such portions of such appropriations as will fairly represent the needs of the departments boards and commissions for the biennium taking into consideration the right of any such department board or commission to pay its necessary expenses or purchase furniture materials or supplies out of fees or other moneys received by or moneys specifically appropriated to it

Every administrative department board or commission shall be limited in its right to make requisition upon the Department of Property and Supplies to the amount allocated to it unless the Governor shall subsequently permit the Department of Property and Supplies to honor requisitions in excess of such amount The Department of Property and Supplies shall furnish the Department of the Auditor General by the fifteenth day of June of each year with a certified copy of the approved allocations and from time to time the re-allocations made to the Governor and to each of the several administrative departments boards and commissions for the then current fiscal year and shall furnish the Department of the Auditor General a monthly statement of the amount of requisitions honored and charged to each allocation or re-allocation

(i) To do all other acts make all appointments fill all vacancies exercise all the powers vested in him and perform all the duties imposed upon him as provided and required by the Constitution and laws of this Commonwealth

Section 702 Lieutenant Governor The Lieutenant Governor shall exercise such powers and perform such duties as may now or hereafter be vested in or imposed upon him by the Constitution and laws of this Commonwealth

Section 703 Secretary of the Commonwealth The Secretary of the Commonwealth shall

(a) Keep a record of all official acts and proceedings of the Governor and when required lay the same with all papers minutes and vouchers relating thereto before either branch of the General Assembly

(b) Record and file in his office the recommendations of the Board of Pardons together with the reasons therefor

(c) Keep the seal of the Commonwealth and affix it to all public instruments to which the attestation of the Governor's signature now is or may hereafter be required by law

(d) Have power and authority to administer to all officers of the State Government such oaths or affirmations as by the Constitution or laws of the Commonwealth such officers are required to make in any and all matters pertaining to the administrative work of the Commonwealth

(e) To deliver the plates from which the Pennsylvania State Reports and Pennsylvania Superior Court Reports are printed to the Department of Property and Supplies for safe-keeping

(f) Procure and keep deposited in his department as required by law an official State flag

(g) Perform such other duties as may now or hereafter be imposed upon him by law

Section 704 Attorney General The Attorney General shall be the legal advisor of the Governor in the performance of his official duties and the chief law officer of the Commonwealth

He shall exercise such powers and perform such duties as may now or hereafter be vested in or imposed upon him by the Constitution and laws of this Commonwealth

Section 705 Secretary of Internal Affairs The Secretary of Internal Affairs shall exercise such powers and perform such duties as may now or hereafter be vested in and imposed upon him by the Constitution and laws of this Commonwealth

He shall exercise such powers and perform such duties as may now or hereafter be vested in or imposed upon him by the Constitution and laws of this Commonwealth

Section 705 Secretary of Internal Affairs The Secretary of Internal Affairs shall exercise such powers and perform such duties as may now or hereafter be vested in and imposed upon him by the Constitution and laws of this Commonwealth

Section 706 Auditor General The Auditor General shall exercise such powers and perform such duties as may now or hereafter be vested in and imposed upon him by the Constitution and laws of this Commonwealth

Section 707 State Treasurer The State Treasurer shall exercise such powers and perform such duties as may now or hereafter be vested in and imposed upon him by the Constitution and laws of this Commonwealth

Section 708 Superintendent of Public Instruction The Superintendent of Public Instruction shall

(a) Exercise all the powers and perform all the duties of the Superintendent of Common Schools in the manner prescribed by law

(b) Perform such other duties as may now or hereafter be imposed upon him by law

Section 709 Executive Board The Executive Board shall have the power

(a) Except as in this act otherwise provided to standardize the qualifications for employment and all titles salaries and wages of persons employed by the administrative departments boards and commissions In establishing such standards the board may

(1) Take into consideration the location of the work and the conditions under which the service is rendered

(2) Establish different standards for different kinds grades and classes of similar work or service

(b) To approve or disapprove the establishment of divisions within bureaus by the administrative departments and by the independent administrative boards and commissions and to investigate duplication of work of the several administrative departments boards and commissions and the efficiency of the organization and administration thereof and the better coordination of such departments boards and commissions

(c) To approve or disapprove as provided by this act the payment of extra compensation to employes of administrative departments boards or commissions who are employed at fixed compensation

(d) To determine from time to time the hours when the administrative offices of the State Government shall open and close

(e) To approve or disapprove extensions of leaves of absence with pay for employes of administrative departments or of independent administrative boards or commissions

(f) To make rules and regulations defining the expenses for which officers and employes of the executive branch of the State Government may be reimbursed

(g) To determine by what members of independent administrative boards and commissions fidelity bonds shall be given to approve or disapprove recommendations of department heads or of independent administrative boards or commissions for the bonding of officers or employes of their departments or members or officers or employes of departmental administrative boards or commissions or officers or employes of independent administrative boards or commissions to fix the amounts of the bonds of all such members officers or employes required to give bond or bonds to be executed by a surety or sureties even though the Commonwealth may have established its own indemnity fund as elsewhere in this act provided

(h) To approve or disapprove the establishment of branch offices outside of the Capital City by or for administrative departments boards or commissions

(i) From time to time to determine within what limits the Department of Property and Supplies shall procure liability insurance covering claims for damages against the Commonwealth and State officers and employes arising out of the operation of State automobiles by such officers and employes

(j) From time to time to determine the number and type of automobiles to be purchased by the Department of Property and Supplies acting either on its own behalf or as purchasing agency for any other department except the Department of the Auditor General and the Treasury Department or for any board or commission and to make rules and regulations for the use of State automobiles by State officers and employes except the Department of the Auditor General and the Treasury Department

Section 710 Pennsylvania State Police The Pennsylvania State Police shall have the power and its duty shall be

(a) Subject to any inconsistent provisions in this act contained to continue to exercise the powers and perform the duties by law vested in and imposed upon the Department of State Police

(b) To assist the Governor in the administration and enforcement of the laws of the Commonwealth in such manner at such times and in such places as the Governor may from time to time request

(c) With the approval of the Governor to assist any administrative department board or commission of the State Government to enforce the laws applicable or appertaining to such department board or commission or any organization thereof

(d) Whenever possible to cooperate with counties and municipalities in the detection of crime the apprehension of criminals and the preservation of law and order throughout the State

(e) To aid in the enforcement of all laws relating to aeronautics game fish forests and waters

(f) To collect and classify and keep at all times available complete information useful for the detection of crime and the identification and apprehension of criminals Such information shall be available for all police officers within the Commonwealth under such regulations as the Superintendent of State Police may prescribe

(g) To assist in the collection of fees and the enforcement of the title provisions of the Vehicle Code and the laws regulating the use of the highways

(h) To perform all such other duties as may be imposed by law

Section 711 Superintendent of Pennsylvania State Police The Superintendent of Pennsylvaia State Police shall be the head and executive officer of the Pennsylvania State Police He shall provide for the members of the police force suitable uniforms arms equipment and where it is deemed necessary horses or motor vehicles and make such rules and regulations subject to the approval of the Governor as are deemed necessary for the control and regulations of the police force It shall also be the duty of the superintendent to establish local headquarters in various places so as best to distribute the force through the various sections of the Commonwealth where they will be most efficient in carrying out the purposes of this act to preserve the peace and prevent and detect crime

Section 712 The Pennsylvania State Police Force The various members of the Pennsylvania State Police are hereby authorized and empowered

(a) To make arrests without warrant for all violations of the law which they may witness and to serve and execute warrants issued by the proper local authorities They shall have all the powers and prerogatives conferred by law upon members of the police force of cities of the first class and upon constables of the Commonwealth

(b) To act as game protectors and as forest fish or fire wardens and for the better performance of such duties

(1) Seize all guns boats decoys traps dogs game fish shooting paraphernalia or hunting or fishing appliances or devices used taken or had in possession contrary to the laws of this State Any article so seized shall be held subject to such disposition as the Commissioner of Fisheries or the Secretary of the Board of Game Commissioners or the Secretary of Forests and Waters may respectively determine

(2) Seize and take possession of all birds animals or fish which have been taken caught or killed or had in possession or under control or which have been shipped or are about to be shipped contrary to any law of this State

(3) Search without warrant any aeroplane boat conveyance vehicle or receptacle when there is good reason to believe that any law has been violated the enforcement or administration of which is imposed on or vested in the Board of Fish Commissioners or the Board of Game Commissioners or in the Department of Forests and Waters

(4) Serve subpoenas issued for any examination investigation or trial had pursuant to any law as aforesaid

(5) Purchase game or fish for the purpose of securing evidence

ARTICLE VIII

POWERS AND DUTIES OF THE DEPARTMENT OF STATE AND ITS DEPARTMENTAL ADMINISTRATIVE BOARD

Section 801 Powers and Duties in General The Department of State shall subject to any inconsistent provisions in this act contained to exercise the powers and perform the duties heretofore by law vested in and imposed upon the Department of the Secretary of the Commonwealth and the several bureaus thereof the Department of State and Finance the Department of State and the Secretary of the Commonwealth

Section 802 General Administration The Department of State shall have the power and its duty shall be

(a) To permit any committee of either branch of the General Assembly to inspect and examine the books papers records and accounts filed in the department and to furnish such copies or abstracts therefrom as may from time to time be required

(b) To furnish to any person upon request and the payment of such charges as may be required and fixed by law certificates of matters of public record in the department or certified copies of public papers or documents on file therein

Section 803 Elections The Department of State shall have the power and its duty shall be to care for compile publish and certify returns of elections in all cases in which such duties shall heretofore have been imposed by law upon the Department of the Secretary of the Commonwealth the Department of State and Finance or the Department of State

Section 804 Legislation The Department of State shall have the power and its duty shall be

(a) To record all laws resolutions acts and proceedings of the General Assembly and perform all other duties with reference thereto as required by law

(b) To punctuate the laws passed by the General Assembly and read the proof of and prepare an index for the same

(c) As soon as possible after the signing of any bill by the Governor whereby it becomes a law to transmit a correct copy thereof to the Department of Property and Supplies so as to enable said department to print advance sheets of the same

Section 805 Corporations The Department of State shall have the power and its duty shall be to examine and file all applications for charters of corporations for the amendment of such charters for the merger and consolidation of such corporations for the change of their corporate names for the reorganization after judicial sale of their franchise and property for the increase of their capitalization or indebtedness or the decrease of their capitalization for the change of the par value of the shares of their stock for the change of the location of their principal office and for any other proceeding by or with reference to such corporations as may be permitted or required by law to transmit to the Governor such papers in connection therewith as may be required and to perform all such other duties acts and things in connection therewith as are now or may hereafter be prescribed by law Provided however That the department shall not be required to file any papers or documents except such as are by law required to be filed nor any papers or documents which do not conform to law

Section 806 Registration The Department of State shall have the power and its duty shall be to register foreign corporations desiring to transact business in this Commonwealth and act as the attorney-in-fact and authorized agent of such corporations for the service of process thereon and to register the names titles or designations of associations societies and corporations of the first class the assumed or fictitious names under which individuals carry on or conduct business upon application duly made trade marks trade-names labels bottle descriptions union labels badges emblems and applications for license to manufacture or distill and sell ethyl alcohol in accordance with the several acts of Assembly providing for such registrations and to register all other matters or things for the registration of which in the office of the Secretary of the Commonwealth provision may now or hereafter be made by law

Section 807 Warrants The Department of State shall have the power and its duty shall be to keep a record of all death warrants respites pardons remittances of fines forfeitures and commutations of sentences and to pass upon and approve all proceedings for extradition of fugitives from justice before laying the same before the Governor and to make report quarterly to the Department of Revenue and to the Department of the Auditor General of all remissions of fines granted by the Governor

Section 808 State Employes' Retirement Board Subject to any inconsistent provisions in this act contained the State Employes' Retirement Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said retirement board under the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred fifty-eight) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" its amedments and supplements

Section 809 Commissions The Department of State shall have the power and its duty shall be

(a) To prepare and issue with the approval of the Governor commissions to all officials elected by popular vote who by law are entitled to receive them and to prepare and issue with the approval of the Governor commissions to aldermen and justices of the peace elect based upon the certificate of the prothonotary showing election and acceptance of such offices

(b) To issue commissions to such officials as are entitled thereto appointed by the Governor

(c) To file bonds of county officers and notaries

ARTICLE IX

POWERS AND DUTIES OF THE DEPARTMENT OF JUSTICE AND ITS DEPARTMENTAL ADMINISTRATIVE BOARDS

Section 901 Powers and Duties in General The Department of Justice shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the Attorney General the Attorney General's Department and the Department of Justice

Section 902 Legal Advice The Department of Justice shall have the power and its duty shall be

(a) To furnish legal advice to the Governor and to all administrative departments boards commissions and officers of the State Government concerning any matter or thing arising in connection with the exercise of the official powers or the performance of the official duties of the Governor or such administrative departments boards commissions or officers

(b) To supervise direct and control all of the legal business of every administrative department board and commission of the State Government Provided however That the Auditor General State Treasurer and Board of Finance and Revenue shall not be required to follow the advice given them by the Department of Justice regarding official duty of such officer or board

Section 903 Litigation The Department of Justice shall have the power and its duty shall be

(a) To collect by suit or otherwise all debts taxes and accounts due the Commonwealth which shall be placed with the Department for collection by any department board or commission The department shall keep a proper docket or dockets duly indexed in which it shall make and preserve memoranda of all such claims showing whether they are in litigation and their nature and condition

(b) To represent the Commonwealth or any department board commission or officer thereof in any litigation to which the Commonwealth or such department board commission or

officer may be a party or in which the Commonwealth or such department board commission or officer is permitted or required by law to intervene or interplead Provided however That the Auditor General and State Treasurer may engage any attorney to represent them jointly or individually in any matter relating to the public business of their respective departments pending in any court of this Commonwealth for the purpose of commencing or prosecuting any litigation when not in accord with the legal position taken by the Attorney General

Section 904 Investigation and Law Enforcement The Department of Justice shall have the power and its duty shall be with the approval of the Governor

(a) To investigate any violations or alleged violations of the laws of the Commonwealth which may come to its notice

(b) To take such steps and adopt such means as may be reasonably necessary to enforce the laws of the Commonwealth

Section 905 Codification of the Laws The Department of Justice shall have the power and its duty shall be to prepare for submission to the General Assembly from time to time such revisions and codifications of the laws of this Commonwealth or any part thereof when specifically authorized by law

Section 906 Deputy Attorneys General In addition to such deputy attorneys general as may be specifically authorized by this act to assist in the conduct of the regular work of the department the Attorney General with the approval of the Governor shall have power

(a) To appoint and fix the compensation as provided by this act of such special deputy attorneys general as may be required to represent and advise the Workmen's Compensation Board and any other departments boards and commissions which may require the services of counsel to such an extent as to render it reasonably necessary to assign deputy attorneys general exclusively to their work Provided That the office of counsel to the Public Service Commission of the Commonwealth of Pennsylvania shall be retained such counsel to be appointed by the Attorney General The Attorney General may also from time to time with the approval of the Governor appoint such assistant counsel to the Public Service Commission as may be required for the proper conduct of its work at an annual salary rate not exceeding four thousand five hundred dollars

(b) From time to time to appoint and fix the compensation of special deputy attorneys general and special attorneys as authorized by Executive Board to represent the Commonwealth or any department board or commissions thereof in special work or in particular cases

Section 907 Special Attorneys in Criminal Cases When the president judge in the district having jurisdiction of any criminal proceedings before any court of oyer and terminer general jail delivery or quarter sessions in this Commonwealth shall request the Attorney General to do so in writing setting forth that in his judgment the case is a proper one for the Commonwealth's intervention the Attorney General is hereby authorized and empowered to retain and employ a special attorney or attorneys as he may deem necessary properly to represent the Commonwealth in such proceedings and to investigate charges and prosecute the alleged offenders against the law Any attorney so retained and employed shall supersede the district attorney of the county in which the case or cases may arise and shall investigate prepare and bring to trial the case or cases to which he may be assigned He shall take the oath of office required by law to be taken by district attorneys and shall be clothed with all the powers and subject to all the liabilities imposed upon them by law The compensation for services rendered and necessary expenses incurred by such attorney or attorneys shall be fixed by the Attorney General and paid by the county

Section 908 Access to Books and Papers The Attorney General shall have the right to access at all times to the books and appers of any administrative department board or commission of the State Government

Section 909 Board of Pardons The Board of Pardons shall have the power to hear applications for the remission of fines and forfeitures and the granting of reprieves commutations of sentence and pardons except in cases of impeachment and to make recommendations in writing to the Governor thereon, in the manner provided in and under and subject to Article IV Section 9 of the Constitution of this Commonwealth

Section 910 Board of Commissioners on Uniform State Laws Subject to any inconsistent provisions in this act contained the Board of Commissioners on Uniform State Laws shall have the power and its duty shall be

(a) To examine such subjects as it may deem necessary and to ascertain the best means to effect an assimilation and uniformity of State legislation throughout the United States relating to the subject so examined

(b) To meet with the National Conference of Commissioners on Uniform State Laws for the promotion of uniformity of legislation in the United States at its annual or other sessions and join with it in such measures as may be deemed most expedient to advance the object of its appointment

ARTICLE X

POWERS AND DUTIES OF THE DEPARTMENT OF THE AUDITOR GENERAL

Section 1001 Power and Duties Retained Subject to any inconsistent provisions in this act contained the Department of the Auditor General shall exercise its powers and perform its duties as provided in the Fiscal Code and other applicable laws

Section 1002 Financial Statistics and Information The Department of the Auditor General shall have the power and its duty shall be

(a) To investigate collect compile and prepare statistics and uniform data and information relating and pertaining to the receipts and expenditures of the State Government and shall make to the General Assembly within three weeks after the convening of each regular or special session a report in writing In such regular report or in any special report he shall make recommendations looking to greater economy or efficiency in the collection and disbursement of the funds of the State Government He shall from time to time make such special reports as may be required by any committee of the General Assembly

(b) All departments boards and commissions and all agencies receiving State appropriations shall on request of the Auditor General furnish him with such information regarding their activities financial transactions and methods of business as he may from time to time require

(c) No department board and commission shall be permitted to collect compile prepare or furnish statistics relating to the financial transactions of the State Government except to the Governor the Auditor General and the General Assembly but any department board or commission or the public entitled to the same may obtain such statistics from the Department of the Auditor General

Section 1003 Copies of Audits for Use of General Assembly The Department of the Auditor General shall transmit copies of all reports of audits of all departments boards commissions and other governmental agencies under the State government to the Legislative Reference Bureau for the use of the members of the General Assembly and shall notify the General Assembly upon the filing of each such report that a copy has been filed with the Legislative Reference Bureau

ARTICLE XI

POWERS AND DUTIES OF THE TREASURY DEPARTMENT

Section 1101 Powers and Duties Retained Subject to any inconsistent provisions in this act contained The Treasury Department shall exercise its powers and perform its duties as provided in the Fiscal Code and other applicable laws

Section 1102 Board of Finance and Revenue Subject to any inconsistent provisions in this act contained the Board of Finance and Revenue shall exercise its powers and perform its duties as provided in the Fiscal Code and other applicable laws

ARTICLE XII

POWERS AND DUTIES OF THE DEPARTMENT OF INTERNAL AFFAIRS AND ITS DEPARTMENTAL ADMINISTRATIVE BOARD

Section 1201 Powers and Duties Retained Subject to any inconsistent provisions in this act contained the Department of Internal Affairs shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said department and the several former bureaus and bureau chiefs thereof and the Secretary of Internal Affairs

Section 1202 Topographic and Geologic Survey The Department of Internal Affairs shall have the power and its duty shall be

(a) To undertake conduct and maintain the organization of a thorough and extended survey of the State for the purpose of elucidating the geology and topography of the State Such survey shall disclose such chemical analysis and location of

ores coals oils clays soils fertilizing and of other useful minerals and of waters as shall be necessary to afford the agricultural mining metallurgical and other interests of the State and the public a clear insight into the character of its resources It shall also disclose the location and character of such rock formations as may be useful in the construction of highways or for any other purpose

(b) To collect such specimens as may be necessary to form a complete cabinet collection of specimens of the geological and mineral resources of the State and deposit the same in the State Museum

(c) To put the results of the survey with the results of previous surveys into form convenient for reference

(d) To collect copies of the surveys of this and other States and countries and digest the information therein contained to the end that the survey hereby contemplated may be made as thorough practical and convenient as possible

(e) To enter into and upon all lands and localities in this State which it may be necessary to examine for the purposes of survey but in such entry no damage to property shall be done

(f) To avail itself as fully as possible of the information maps and surveys possessed by citizens and corporations of this State relative to the geology and topography of the State

(g) To transmit all publications of the survey or any part thereof to the Department of Property and Supplies to be copyrighted by the Secretary of Property and Supplies in the name of the Commonwealth

(h) To arrange for the cooperation of the United States Geological Survey or of such other national organization as may be authorized to engage in such work

Section 1203 Land Office Department of Internal Affairs shall have the power and its duty shall be

(a) To act as the Land Office of the Commonwealth

(b) To maintain and preserve the records of the first titles acquired by the proprietaries and the Commonwealth to all the lands within its boundaries the records of all lands and conveyances from the proprietaries and the Commonwealth to the purchases of the land the papers relating to the surveys of the State and county lines and the reports of commissioners relating to the boundary lines of the State maps and other papers pertaining to the colonial history of Pennsylvania the minutes of the Canal Commissioners contracts for section profile maps and other records of and relating to the public works and all other relevant records relating to titles to real estate now or heretofore owned or hereafter to be acquired by the Commonwealth

(c) So to arrange the evidences of title in its custody by filing recording and indexing as to facilitate searches examinations and inspections

(d) To furnish certified copies of any such records to the heads of departments upon request for use in the furtherance of the business of the Commonwealth

(e) To furnish copies of all records documents entries and papers in its custody to such persons as shall apply for the same and pay such fees as may now or hereafter be prescribed by law

Section 1204 Municipalities The Department of Internal Affairs shall have the power and its duty shall be

(a) To gather classify index make available and disseminate information and advice that may be helpful in improving the methods of administration uniform system of accounts and municipal development in the several municipalities of the Commonwealth

(b) To carefully examine all proceedings had by the several municipalities of this Commonwealth for the incurring or increasing of the indebtedness thereof and to ascertain whether the proposed debt is within the limitations imposed by the Constitution and whether such proceedings are in conformity with existing laws

(c) To ascertain that any municipality which has any outstanding obligations has failed or neglected to establish a sinking fund to meet interest and principal payments as the same become due or has failed to provide sufficient funds for the sinking fund to meet such payments the Department shall have power to make an order requiring such municipality to establish forthwith a sinking fund and to provide sufficient revenues therefor or to provide sufficient revenues for any established fund

Section 1205 Statistics and Information The Department of Internal Affairs shall have the power and its duty shall be

(a) To collect compile and prepare for publication statistics and uniform data and information relating and pertaining to labor coal mining oil and gas production manufacturing industries commercial operations public service companies and other business interests of the State

(b) To investigate collect compile and prepare such statistics and uniform data and information as may be deemed necessary by the Executive Board for the proper conduct of the departments boards and commissions of the Commonwealth and for public information No department board or commission shall hereafter compile or publish any statistics on subjects which are covered by the compilations of the Department of Internal Affairs Provided That where the compilation of any statistics in the Department of Internal Affairs is not feasible such statistics may be compiled by the department bureau or commission requiring the same and in such cases such statistics when so required by the Executive Board shall be edited for publication by the Department of Internal Affairs

(c) The Department of Internal Affairs shall not compile or prepare any statistics covering the financial operations of the State Government nor the vital statistics of the Commonwealth but such statistics shall be compiled by the Department of Revenue the Budget Secretary the Auditor General the State Treasurer and the Department of Health as now provided by law

(d) To facilitate the collection of statistics and information for the departments boards or commissions the Department of Internal Affairs shall have the authority to appoint agents in each department board and commission to represent it in the collection of the statistics and information desired It shall be lawful for the Department of Internal Affairs to designate any regular employe of any Administrative department board and commission with the consent of the department board or commission to act as agent for the Department of Internal Affairs for the collection of statistics and information but no regular employe thus designated by the Secretary of Internal Affairs shall receive any extra compensation for acting as such agent except with the approval of the Executive Board

(e) From time to time to transmit to the Department of Property and Supplies for publication such reports of the statistics and information collected and compiled as hereinbefore provided as shall be necessary to render such information available for the use and benefit of the public

Section 1206 Standards The Department of Internal Affairs shall have the power and its duty shall be

(a) To regulate and maintain standards of legal weights and measures in this Commonwealth to conform with the original standards of weights and measures adopted by the Congress of the United States and verified by the National Bureau of Standards

(b) To assist in securing the enforcement of the laws relating to sealers of weights and measures which are now in force or may hereafter be enacted

(c) To have custody of the State's standards of weights and measures

(d) To compare test and regulate all weights and measures of all city and borough sealers now in office or hereafter who may be appointed with the State standards when presented at the office of the Department for that purpose and to certify to their correctness by affixing the Department's official stamp thereto with the name of the examiner and the date of examination clearly marked thereon

(e) To file annual and other reports received from the local sealers of weights and measures

Section 1207 Board of Property The Board of Property shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

It shall hear and determine in all cases of controversy on caveats in all matters of difficulty or irregularity touching escheats warrants on escheats warrants to agree rights of preemption promises imperfect titles or otherwise which heretofore have or hereafter may arise in transacting the business of the Land Office in the Department of Internal Affairs Provided however That no determination of the Board of Property shall be deemed taken and construed to prevent either of the parties from bringing their action at the common law either for the recovery of possession or determining damages for waste or trespass

ARTICLE XIII

POWERS AND DUTIES OF THE DEPARTMENT OF PUBLIC INSTRUCTION AND ITS DEPARTMENTAL ADMINISTRATIVE BOARDS AND COMMISSIONS

Section 1301 Powers and Duties in General Subject to any inconsistent provisions in this act contained the Department of Public Instruction shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said department the former Bureau of Vocational Education thereof the former Bureau of Professional Education thereof and the Superintendent of Public Instruction

Section 1302 Public Schools The Department of Public Instruction shall have the power and its duty shall be

(a) To administer all of the laws of this Commonwealth with regard to the establishment maintenance and conduct of the public schools and particularly the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent herewith" its amendments and supplements

(b) To prepare blank forms for the annual district reports with suitable instructions and forms for conducting the various proceedings and details of the system in a uniform and efficient manner and forward the same to the county and district superintendents for distribution to and among the proper district officers of their respective counties or school districts

(c) To prepare and furnish to the proper persons suitable blanks and all other papers required by law

(d) Whenever required to give advice explanatiosn construction or information to the district officers and to citizens relative to the school laws the duties of school officers the management of the schools and all other questions and matters calculated to promote the cause of education

(e) To classify the high schools of the State upon the basis of the reports of the directors and the State inspectors of high schools in compliance with the provisions of the school laws

(f) To issue all commissions to superintendents and assistant superintendents of schools in this Commonwealth

(g) To prescribe minimum courses of study for the public schools

(h) To prepare and furnish to boards of school directors sample blank forms for keeping and reporting school accounts and sample bonds for their treasurers secretaries tax collectors and depositories and samples of other bonds or forms required by law all blank forms for reports records and statements shall be approved as in this act provided

(i) Subject to such rules as provided by law to endorse and make valid for teaching in Pennsylvania any permanent or life teacher's certificate from any other State

Section 1303 Vocational Education The Department of Public Instruction shall have the power and its duty shall be

(a) To administer the laws of this Commonwealth relating to vocational education industrial education agricultural education and household arts education as defined in said laws

(b) To investigate the need for and aid in the establishment of supervise inspect and approve for the purpose of reimbursement on the part of the State schools departments and courses for agricultural industrial commercial and home economics mining and other vocational and practical education as well as continuation schools when maintained as a part of the public school system of the Commonwealth

(c) Out of the funds appropriated to it by the General Assembly for the purpose to pay for the education of deaf and blind children residents of Pennsylvania in schools which afford vocational training to such children to make appropriate rules and regulations for the admission of State pupils to such schools and to supervise the education of State pupils in any such schools

Section 1304 Professional Education and Licensure The Department of Public Instruction shall have the power and its duty shall be

(a) To determine value standardize and regulate the preliminary education both secondary and collegiate of those to be hereafter admitted to the practice of medicine dentistry and pharmacy in this Commonwealth

(b) To prepare uniform blank forms and circulars of information except as in this act otherwise provided

(c) To hold examinations at suitable times and places to be designated by the Superintendent of Public Instruction for the determination of the fitness of applicants unable to present satisfactory certificates and to issue certificates to those found proficient

(d) To establish reciprocity with other States as regards preliminary education and professional licenses

(e) To keep the records of all the professional examining boards established in the department

(f) To issue all certificates and other official documents of the various professional examining boards in the department Provided however That the officers and members or any of them of any such examining board may also sign such certificates and other documents if such board shall have taken action authorizing such signatures

(g) To assist any professional examining board within the department if as and when requested by such board

(h) To cooperate with the several professions whose examining bodies are within the department in the determniation and establishment of standards of professional education

(i) Whenever under any act of Assembly the right to practice any profession or work at any trade or occupation shall be conditioned upon examination licensure or registration to hold such examinations make such investigations require such information and do and perform all other acts which may be necessary to determine whether applicants for licensure or registration are qualified to practice the profession or work at the trade or occupation within this Commonwealth and in proper cases to issue licenses and certificates of registration In performing its duties under this clause the department shall appoint an advisory committee of not more than five members of each profession trade or occupation applicants to practice or work at which are examined and licensed hereunder Each such committee shall assist the department in holding examinations and passing upon information submitted In cases in which there is a State association of the profession trade or occupation for which an advisory committee is to be selected hereunder such State association may submit to the department from time to time a list of ten names of persons qualified for appointment on such committee and the department's selection of a committee or of persons to fill vacancies thereon shall be made from the names submitted Members of every advisory committee appointed by the department under the authority hereby conferred shall serve at the pleasure of the department and shall be compensated at the rate of five dollars per diem for each day of service rendered to the department and shall receive the expenses actually incurred by them while engaged in assisting the department as herein provided the payment of such expenses however to be subject to the rules and regulations of the Executive Board

Section 1305 Library and Museum The Department of Public Instruction shall have the power and its duty shall be to exercise the powers and perform the duties heretofore by law vested in and imposed upon the State Library and Museum and the several divisions thereof The Superintendent of Public Instruction may designate the person in charge of the work to which this section refers as the State Librarian and fix the compensation not to exceed five thousand dollars per annum

The department shall have the power and its duty shall be

(a) To control direct supervise and manage the State Library and Museum

(b) To edit the Pennsylvania Archives

(c) To maintain as a part of the State Library and Museum a law library

(d) To preserve all public records throughout the Commonwealth and to give special attention to the preservation of all records of the State Government not in current use and of historical value

(e) To collect classify preserve and make acceptable for reference all records which may come into the possession of the library with such exceptions as may be indicated by the department and to examine into the condition of the records books pamphlets documents manuscripts archives maps and papers kept filed or recorded in the several offices of the counties cities and boroughs of the State

(f) To recommend such action to be taken by the persons having the care and custody of public records as may be necessary to secure their safety and preservation and to cause all laws relating to public records to be enforced

(g) To furnish to persons applying therefor certificates relating to the public records or copies thereof upon the payment of such charges as shall be fixed by law

(h) To give advice and counsel to all free libraries in the State and to all communities which may propose to establish free libraries in the selection of books cataloguing and other details of library management and as to the best means of establishing and administering such libraries

(i) Generally to supervise and inspect free libraries to require reports in such manner as may be deemed proper and to establish and maintain a system of traveling libraries as far as possible throughout the Commonwealth

(j) To preserve objects illustrating the flora and fauna of the State and its mineralogy geology archaeology arts history and education and whenever deemed necessary to illustrate the same with lantern slides or films which may be circulated throughout the Commonwealth under such rules and regulations as the department may adopt which rules and regulations may provide for a reasonable charge for the use of such slides and films Provided That in exercising its powers and performing the duties under sub-sections (b) (d) (e) and (f) of this section the department shall consult and cooperate with the Pennsylvania Historical Commission

Section 1306 Pennsylvania State Board of Censors The Pennsylvania State Board of Censors shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the said board It shall enforce and administer such provisions of the act approved the fifteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred thirty-four) entitled "An act relating to motion picture films reels or stereopticon views or slides providing a system of examination approval and regulation thereof and of the banners posters and other like advertising matter used in connection therewith creating a Board of Censors and providing penalties for the violation of the provisions of this act" its amendments and supplements as are not inconsistent with the provisions of this act

Section 1307 State Council of Eudcation The State Council of Education shall have the power and its duty shall be

(a) Subject to any inconsistent provisions in this act contained to continue to exercise the powers and perform the duties by law vested in and imposed upon the said council

(b) To report and recommend to the Governor and the General Assembly legislation needed to make the public schools of this Commonwealth more efficient and useful

(c) To equalize through special appropriations for this purpose or otherwise the educational advantages of the different parts of this Commonwealth

(d) To inspect and require reports of the educational work in the schools and institutions wholly supported by the State and institutions for the education of the blind and deaf receiving State aid Provided That a copy of the report of the inspection of any such institution which may be made to the State Council of Education shall be sent to the head of such institution

(e) To encourage and promote agricultural education manual training domestic science and such other vocational and practical education as the needs of this Commonwealth may from time to time require

(f) To exercise all powers and perform all the duties formerly vested by law in the State Board of Eduction

(g) To change the name of any State normal school to State teachers' college and to designate the certificates and degrees which such college shall confer

(h) To determine and promulgate such standards for certificates to teach in the elementary and secondary schools of this Commonwealth as may be designated by law

Section 1308 Public School Employes' Retirement Board Subject to any inconsistent provisions in this act contained the Public School Employes' Retirement Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said Retirement Board under the act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand forty-three) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonewalth and contributing employes defiining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" its amendments and supplements

Section 1309 Pennsylvania Historical Commission Subject to any inconsistent provisions in this act contained the Pennsylvania Historical Commission shall have the power

(a) To continue to exercise the powers by law vested in the said Historical Commission

(b) Upon its own initiative or upon petition of municipalities or historical societies to mark by proper monuments tablets or markers places or buildings within this Commonwealth where historical events have transpired and with the consent of the State or county having purisdiction thereof places or buildings outside of this Commonwealth having to do with its history and to arrange for the care or maintenance of such markers or monuments

(c) To undertake within the means at its command the preservation or restoration of ancient or historical public buildings military works or monuments connected with the history of Pennsylvania and for this purpose to contract with cities boroughs and townships for and on behalf of the Commonwealth or with historical societies or other associations with proper bond or security for the maintenance of such buildings works or monuments as a consideration for assistance in their erection restoration preservation or marking by the commission

(d) To transmit to the Department of Property and Supplies for publication or republication matters of historical or archaeological interest when authorized by law and to cooperate with said department in compiling heading printing and distributing such publications

(e) Upon its own initiative or in cooperation with reputable societies or organizations to conduct investigatons upon historical or archaeological matters relative to Pennsylvania and report the same for public information

(f) To assume the preservation care and maintenance of historical buildings grounds monuments or antiquities committed to its custody by the General Assembly and to make and enforce rules and regulations for the visitation of such places by the public

(g) To receive for and on behalf of the Commonwealth gifts or bequests of relics or other articles of historical interest which shall be deposited in the State Museum

(h) To accept for the Commonwealth gifts and bequests of or securities for the endowment of its work in accordance with the instructions of the donors and in conjunction with the Governor Auditor General and State Treasurer who shall together with the members of the commission constitute a body of trustees for the care of such funds invest the same in the bonds of this Commonwealth or of any political subdivision thereof and to employ the interest and income from such investments for the purposes of the commission or to apply the same to such uses as may have been specified by the respective donors of such funds

(i) To approve or disapprove the design and proposed location of all historical monuments memorials buildings tablets and inscriptions and to cooperate in the care or restoration of historic sites buildings battlefields and other historical undertakings maintained or executed in whole or in part at the expense of the Commonwealth

(j) To accept and take title in the name of the Commonwealth of Pennsylvania to the sites of historical markers

(k) To examine any records within the control of the several departments boards and commissions of this Commonwealth for the purposes of historical research and to copy any such records

(l) To examine or cause to be examined or excavated the sites and areas of former aboriginal or American Indian occupation within this Commonwealth to acquire by purchase archaeological collections for the State Museum to prepare a list of all such sites to describe them to report upon their specific archaeological culture and to prepare for publication the information so obtained All information reports scientific determinations and other records obtained by this survey or archaeological collections acquired by purchase shall be the property solely of the Commonwealth to be deposited in the State Museum In performing its duties under this subsection the commission may consult and procure the advice of such archaeological and anthropological experts as it shall deem it advisable to consult

Section 1310 Professional Examining Boards The professional examining boards within the Department of Public Instruction shall respectively exercise the rights and powers and perform the duties by law vested in and imposed upon them Provided however That all certificates and official documents of such examining boards shall be issued by the Department of Public Instruction but may be signed by the members of the appropriate board or any of them as determined by such board

Subject to the preceding provisions of this section and to any other inconsistent provisions in this act contained

The State Board of Medical Examination and Licensure shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board and the Bureau of Medical Examination and Licensure in the Department of Public Instruction

The State Board of Pharmacy shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Dental Council and Examining Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board the State Dental Council and the Board of Dental Examiners for the Commonwealth of Pennsylvania

The State Board of Optometrical Examiners shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board and the State Board of Osteopathic Examiners of Pennsylvania The Osteopathic Surgeons' Examining Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Examiners for Registration of Nurses shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Undertakers shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Veterinary Medical Examiners shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Examination of Public Accountants shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Examiners of Architects shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The Anthracite Mine Inspector's Examining Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board and the Mine Inspectors' Examining Board created by the act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws seven hundred fifty-six) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" and the amendments and supplements thereto

The State Registration Board for Professional Engineers shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board.

Section 1311 Boards of Trustees of State Institutions Within the Department The boards of trustees of the several State Normal Schools or Teachers Colleges the Board of Trustees of the Cheyney Training School for Teachers the Board of Trustees of Pennsylvania State Oral School for the Deaf the Board of Trustees of Home for Training in Speech of Deaf Children the Board of Trustees of Pennsylvania Soldiers' Orphan School and the Board of Trustees of Thaddeus Stevens Industrial School shall have general direction and control of the property and management of their respective institutions Each of the said boards of trustees shall have the power and its duty shall be

(a) Subject to the approval of the Governor to elect a president principal or superintendent of the institution who shall subject to the authority of the board administer the institution and if deemed advisable a business manager The combined amount of cash salary and the value of the maintenance if any furnished by the State to any such President Principal or Superintendent shall in no case exceed the sum of eight thousand dollars per annum The Auditor General State Treasurer and Superintendent of Public Instruction shall determine in each case the value of the State maintenance furnished such President Principal or Superintendent The combined amount of cash salary and the value of the maintenance if any furnished by the State to any business manager shall in no case exceed the sum of five thousand dollars per annum The Auditor General State Treasurer and Superintendent of Public Instruction shall determine in each case the value of the State maintenance furnished in each case the value of the State maintenance funished such President Principal or Superintendent

(b) On nomination by the president principal or superintendent from time to time to appoint such officers and employes as may be necessary except as in this act otherwise provided

(c) Except as in this act otherwise provided to fix the salaries of its employes in conformity with the standards established by the Executive Board

(d) Subject to the approval of the Superintendent of Public Instruction to make such by-laws rules and regulations for the management of the institution as it may deem advisable are provided by law

ARTICLE XIV

POWERS AND DUTIES OF THE DEPARTMENT OF MILITARY AFFAIRS AND ITS DEPARTMENTAL ADMINISTRATIVE AND ADVISORY BOARDS AND COMMISSIONS

Section 1401 Powers and Duties in General The Department of Military Affairs shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the Adjutant General the Adjutant General's Department the several former bureaus thereof and the Department of Military Affairs

Section 1402 Pennsylvania National Guard The Department of Military Affairs shall have the power and its duty shall be

(a) To keep in its custody all books and accounts and military property of the Commonwealth issued by it pertaining to the Pennsylvania National Guard

(b) To distribute all orders from the Commander-in-Chief and perform such other duties as the Commander-in-Chief shall direct

(c) To make returns periodically as required of the Pennsylvania National Guard and report of their arms uniforms accoutrements and ammunition according to such forms as may be prescribed by the Secretary of War of the United States and to forward a copy thereof to the Secretary of War of the United States

(d) To pay the troops and make all other disbursements authorized by law by requisition presented to the Auditor General in the usual way

(e) To supply to all officers of the Pennsylvania National Guard such copies of drill regulations manuals or rifle practice service manuals and military publication forms and books prescribed for use of the United States Army as the Governor as Commander-in-Chief may designate

(f) To supply to all organizations of the Pennsylvania National Guard all necessary military stores arms and equipment

(g) With the approval of the Governor as Commander-in-Chief to sell or exchange from time to time such military stores belonging to the Commonwealth as are found to be unserviceable or in state of decay or which it may be deemed for the best interest of the Commonwealth to sell or exchange All moneys received for stores so sold shall be paid into the State Treasury through the Department of Revenue

(h) To adjust all claims incident to the organization training discipline maintenance and service of the Pennsylvania National Guard other than fixed allowances and to pay such claims when audited by the Department of the Auditor General

(i) Subject to the approval of the Governor as Commander-in-Chief to procure and issue from time to time to the Pennsylvania National Guard such flags standards and guidons as may be necessary which shall however as far as practical be similar in style to those of the United States Army

Section 1403 Pensions and Relief The Department of Military Affairs shall have the power and its duty shall be

(a) To establish rules governing the filing of claims for pensions made under and by virtue of the laws of this Commonwealth

(b) To investigate all circumstances connected with the death of a soldier whose death is the basis of a claim for a pension

(c) Subject to audit by the Department of the Auditor General to determine the amount of relief payable to any officer or enlisted man of the Pennsylvania National Guard who is wounded or otherwise disabled while doing duty in active service of the State

(d) On satisfactory evidence submitted or obtained to grant such pensions as may now or hereafter be provided by law and issue its requisition to the Auditor General who after auditing the same in the usual way shall draw such warrants upon the State Treasurer therefor to the order of the pensioner as may now or hereafter be provided by law

Section 1404 Naval Militia The Department of Military Affairs shall subject in all respects to the Governor as Commander-in-Chief have general supervision over the Naval Militia of this Commonwealth

Section 1405 Loans of Arms and Accoutrements The Department of Military Affairs shall have the power to issue arms and accoutrements which are the property of this Commonwealth to the cadets of any military school or organizations of veterans of any wars in which the United States has been engaged under such terms and conditions as may now or hereafter be provided by law For the return of any arms and accoutrements issued hereunder the school or organization borrowing the same shall give bond in such amount as the Governor shall determine and with such sureties and in such form as the Department of Justice shall approve

Section 1406 State Military Cemetery The Department of Military Affairs shall have the power

(a) To select and make arrangement for ground to be set apart in some historic spot in the Commonwealth as an appropriate space for use as a cemetery for the burial of the bodies of soldiers marines and war nurses who served in the Army or Navy of the United States during times of war who died while in active service or after an honorable discharge and who entered such service while residents of Pennsylvania as well as the bodies of members of the National Guard of Pennsylvania who died while members of the National Guard or after an honorable discharge therefrom

(b) On behalf of the Commonwealth to accept the dedication of any lands in a historic spot for use as such a cemetery

(c) When any such cemetery shall be located and established to maintain and regulate the same and for that purpose to adopt rules and regulations to regulate burials therein of the bodies of persons entitled to be buried therein as provided in this section

Section 1407 The Armory Board of the State of Pennsylvania The Armory Board of the State of Pennsylvania shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in the said board It shall provide equip maintain manage and regulate armories within the limits of this Commonwealth for the use of the National Guard of Pennsylvania as may now or hereafter be provided by law and may with the approval of the Governor accept gifts of land with or without buildings thereon to be used for military purposes The title to all such lands shall be taken in the name of the Commonwealth It may also employ funds appropriated to it for the purpose to purchase for armory purposes any suitable building erected by any person or persons

The board may also with the approval of the Governor sell any buildings or armory sites which are no longer being used for military purposes

Section 1408 State Athletic Commission The State Athletic Commission shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in the said commission It shall administer the laws allowing and regulating boxing sparring and wrestling matches and exhibitions within this Commonwealth

Section 1409 Board of Trustees of Pennsylvania Soldiers' and Sailors' Home The Board of Trustees of Pennsylvania Soldiers' and Sailors' Home shall have general direction and control of the property and management of the Pennsylvania Soldiers' and Sailors' Home at Erie It shall have the power and its duty shall be

(a) Subject to the approval of the Governor to elect a superintendant of the institution who shall subject to the authority of the board administer the institution The combined amount of cash salary and the value of the maintenance if any furnished by the State to such superintendent shall not exceed the sum of five thousand dollars per annum The Auditor General State Treasurer and Adjutant General shall determine the value of the State maintenance furnished said superintendent

(b) On nomination by the superintendent from time to time to appoint such officers and employes as may be necessary

(c) Except in this act as otherwise provided to fix the salaries of its employes in conformity with the standards established by the Executive Board

(d) Subject to the approval of the Adjutant General to make such by laws rules and regulations for the management of the instiution as it may deem advisable

Section 1410 State Military Reservation Commission The State Military Reservation Commission shall have the power and its duty shall be

(a) To study the present military reservation at Mount Gretna ascertain whether it is advantageous to the Commonwealth to retain it for use by the military forces and if so to counsel with the Department of Military Affairs as to the adoption of a general policy for the improvement of the reservation and approve the purchase of additional lands out of funds appropriated to the Department of Property and Supplies for the purpose

(b) If the commission shall be of the opinion that it is not advantageous to the Commonwealth to make improvements to the present military reservation to recommend to the Department of Miliary Affairs another site

(c) At all times to consider any matters upon which the Department of Military Affairs may ask for its advice and to investigate and study the condition of any State military reservation and make recommendations to the department for the maintenance and improvement thereof

Section 1411 State Veterans Commission The State Veterans Commission shall have the power and its duty shall be

(a) To advise the Adjutant General upon such matters as the Adjutant General may bring before it

(b) To work with the Department of Military Affairs and make recommendations to it regarding the deparment's administration of the laws providing for the payment of pensions and relief for the marking of graves of veterans and for the selection acquisition and maintenance of a State Military Cemetery

(c) To investigate and compile data concerning veterans of the armed forces of the United States and all State and municipal activities relating thereto and to recommend to the Governor legislation for submission to the General Assembly concerning veterans and their activities

ARTICLE XV

POWERS AND DUTIES OF THE INSURANCE DEPARTMENT

Section 1501 Powers and Duties in General The Insurance Department shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the said department and the Insurance Commissioner

Section 1502 Insurance The Insurance Department is charged with the execution of the laws of this Commonwealth in relation to insurance

ARTICLE XVI

POWERS AND DUTIES OF THE DEPARTMENT OF BANKING AND ITS DEPARTMENTAL ADMINISTRATIVE BOARD AND COMMISSION

Section 1601 Powers and Duties in General The Department of Banking shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the said department the Banking Department the Commissioner of Banking and the Secretary of Banking

Section 1602 Banking Supervisory Powers The Department of Banking shall have supervision over

(a) All corporations now or hereafter incorporated under the laws of this or any other State and authorized to transact business in this State which have power to receive or are receiving money on deposit or for safekeeping otherwise than as bailees including all banks banking companies cooperative banking associations trust safe deposit real estate mortgage title insurance guaranty surety and indemnity companies savings institutions savings banks and provident institutions

(b) Mutual savings funds building and loan associations and corporations doing a safe deposit business only

(c) All national banking associations located within this State now or hereafter incorporated under the laws of the

United States which shall in pursuance of Federal law or regulation be granted a permit to act or shall act as trustee executor administrator registrar of stocks and bonds guardian of estates assignee receiver committee of estates o insane persons or in any other fiduciary capacity

(d) All unincorporated banks except such as are or shall be exempt by law and all such individuals partnerships and unincorporated associations as now are or shall be by law made subject to the supervision of the department and any individuals or associations of individuals doing the business of cooperative banks or of building and loan associations or a business in the nature of either whether under the guise of a deed of trust or otherwise

Section 1603 Banking Laws The Department of Banking shall enforce and administer the laws of this Commonwealth in relation to all corporations and persons under its jurisdiction and shall see that the greatest possible safety is afforded to depositors therein or therewith and to other interested persons

Section 1604 Board to License Private Bankers Subject to any inconsistent provisions in this act contained The Board to License Private Bankers shall continue to exercise powers and perform the duties vested in and imposed upon the said board by the act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand and sixty) entitled "An act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof" its amendments and supplements

Section 1605 Pennsylvania Securities Commission The Pennsylvania Securities Commission shall have the power and its duties shall be to administer and enforce the laws of this Commonwealth providing for the registration and regulation of certain individuals and entities selling offering for sale or delivery soliciting subscription to or orders for or undertaking to dispose of inviting offers for or inquiries about or dealing in any manner in securities

ARTICLE XVII
POWERS AND DUTIES OF THE DEPARTMENT OF AGRICULTURE AND ITS DEPARTMENTAL ADMINISTRATIVE COMMISSION

Section 1701 Powers and Duties in General The Department of Agriculture shall subject to any inconsistent provisions in this act contained continue to exercise all the powers and perform all the duties by law vested in and imposed upon said department the several former bureaus thereof and the Secretary of Agriculture

Section 1702 Animal Industry The Department of Agriculture shall have the power and its duty shall be

(a) To promote the live stock industry and to prevent suppress control and eradicate any transmissable diseases of animals and poultry

(b) To establish and maintain quarantines as may now or hereafter be provided by law

(c) To prevent the spread of infections and communicable diseases of animals and poultry and for this purpose the officers agents or employes thereof may at any time enter any premises where domestic animals or products thereof are kept confined or stored to take such measures as may seem advisable concerning methods of preventing controlling and eradicating disease of animals to cause the disinfection of any premises and when deemed necessary to prevent the spread of disease to cause the destruction of animals poultry and personal property and to regulate and prohibit the movement or transportation of animals or poultry into this Commonwealth or from one place to another within this Commonwealth

(d) To provide for the licensing of breeding animals kept for public service and to prevent fraud and deception in the licensing of stallions kept for public service

(e) To regulate the manufacture use and sale of biological products for use on domestic animals

(f) To make such examinations and tests as may be provided by law to determine the healthfulness of the domestic animals and poultry of the Commonwealth

(g) To administer a service for the purpose of protecting the public against the use of unwholesome meat or meat food products

Section 1703 Plant Industry The Department of Agriculture shall have the power and its duty shall be

(a) To inspect any nursery orchard farm garden park cemetery or any private or public place which may become infested or infected with harmful insects or plant diseases to establish and enforce quarantines to issue and enforce orders and regulations and make investigations for the control of said pests wherever they may exist within the Commonwealth and to perform such other duties relating to "plants" and "plant products" as may seem advisable and not contrary to law

(b) To inspect apiaries for diseases inimical to bees and beekeeping and enforce the laws relating thereto

Section 1704 Markets The Department of Agriculture shall have the power and its duty shall be

(a) To investigate the subject of marketing farm products including the costs of marketing to prepare and transmit to the Department of Property and Supplies for publication the results of such investigations and to furnish advice and assistance to the public with reference to the marketing of farm products within this Commonwealth and all matters relevant thereto

(b) To gather and diffuse timely information concerning the supply demand prevailing prices and commercial movement of farm products including quantities in common and cold storage

(c) To secure in the performance of the duties herein prescribed the cooperation and assistance of all other agencies

(d) To assist and advise in the organization and conduct of public markets of cooperative and other associations for improving marketing conditions and activities among producers distributors and consumers

(e) To investigate delays embargoes conditions practices charges and rates in the transportation and storage of all farm products which appear to be detrimental to a free economical and efficient marketing of such products

(f) To take such lawful steps as may be deemed advisable to prevent waste of perishable products

(g) To establish standards for the grading and other classification of farm products and to enforce the laws relating thereto

Section 1705 Foods The Department of Agriculture shall have the power and its duty shall be

(a) To enforce the laws of the Commonwealth relating to the production manufacture transportation and sale of foods used for man as well as every article entering into and intended for use as an ingredient in the preparation of foods for man

(b) For the purpose of enforcing such laws from time to time to purchase from wholesale or retail dealers samples of any foods or drink and have the same analyzed or examined and prosecute the sale of adulterated misbranded or deleterious foods or drink

(c) To examine all cold storage warehouses within the meaining of the laws of this Commonwealth to ascertain whether they are kept in a sanitary condition the wholesomeness of the food therein and the time within which foods shall have been so kept

(d) To make such rules and regulations as shall be provided by law for the enforcement of the laws of this Commonwealth relating to oleomargarine food drink and cold storage warehouses

Section 1706 Chemistry The Department of Agriculture shall have the power and its duty shall be

To purchase from wholesale or retail dealers for the purpose of making chemical analyses any fertilizers lime and lime products feeds feeding-stuffs insecticides fungicides paints oils turpentine putties or material or ingredients used in the manufacture or compound of any such fertilizers lime and lime products feeds feeding-stuffs insecticides fungicides paints oils turpentie or putties and to make examinations and analyses thereof whenever the Secretary of Agriculture shall deem advisable

(b) To keep correct records of all analyses made of each of the commodities received

Section 1707 Quarantines The Department of Agriculture shall have the power to establish general quarantines relating to diseases of animals or plants and their products and to make all needful rules and regulations for the enforcement of the laws relating to animals and plants or the products thereof When a general quarantine relating to plants or their products has been declared or rules and regulations for the enforcement of the laws relating to animals or plants or their products have been adopted such quarantine or rules and regulations shall be enforced by the officers or agents of the department and for the purpose of enforcing such quarantines rules and regulations such officers and agents shall have and

possess all the powers of the department including the powers formerly by law vested in the State Livestock Sanitary Board

Section 1708 State Farm Products Show Commission The State Farm Products Show Commission shall have the power and its duty shall be

(a) To formulate plans for and conduct and manage exhibitions to embrace exhibits of all agricultural industrial and artistic products including exhibits of all classes of farm products embracing live stock dairying horticulture all classes of manufacture industries and domestic arts and such other exhibit as will best advance the interests of agriculture and the other industries of the Commonwealth

(b) To lease space in the Farm Show Building to exhibitors including the departments boards and commissions of the State Government and to lease the Farm Show Building at any time to individuals associations or corporations for exhibitions conventions or other proper purposes

(c) To arrange for the holding of meetings for the promotion of agriculture

ARTICLE XVIII

POWERS AND DUTIES OF THE DEPARTMENT OF FORESTS AND WATERS ITS OFFICERS AND DEPARTMENTAL ADMINISTRATIVE AND ADVISORY BOARDS AND COMMISSIONS

Section 1801 Powers and Duties in General The Department of Forests and Waters shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the said department the Secretary of Forests and Waters the Department of Forestry the various former bureaus and officers thereof including the Bureau of Forest Protection the Commissioner of Forestry and the State Forest Commission abolished by The Administrative Code of one thousand nine hundred and twenty-three

Section 1802 Forest Powers and Duties The Department of Forests and Waters shall have the power and its duty shall be

(a) With the approval of the State Forest Commission to acquire in the name of the Commonwealth by purchase gift or condemnation and hold as State forests subject to such reservations if any of mineral rights stumpage rights rights of way or other encumbrances as the department and the State Forest Commission deem to be consistent with such holding any lands which in the judgment of the department the Commonwealth should hold manage control protect maintain utilize and regulate as State forests Provided That the purchase price of any such lands shall not exceed ten dollars per acre and that the amount expended for the acquisition of lands for State forest purposes in any biennial appropriation period shall not exceed the appropriation for that purpose for such period

(b) To purchase and hold as State forests unseated vacant or unappropriated lands lands advertised for sale for taxes and land sold for taxes as may now or hereafter be provided by law

(c) To hold manage control protect maintain utilize develop and regulate the occupancy and use of all lands heretofore or hereafter acquired owned and maintained as State forests together with the resources thereof

(d) To divide the State into such convenient forest districts as it deems economical and effective to administer protect develop utilize and regulate the occupancy and use of the lands and resources of the State forests to protect all forest land in the State from forest fires fungi insects and other enemies to promote and develop forestry and knowledge of forestry throughout the State to advise and assist landowners in the planting of forest and shade trees to obtain and publish information respecting forest lands and forestry in the State to assist in Arbor Day work and promote and advance any other activity in local forestry which the department may deem helpful to the public interest and to execute the rules and regulations as provided by law for the protection of forests from fire and depredation. It may also assign district foresters to take active charge of such forest districts and also foresters forest rangers and other help for the administration of such forest districts

(e) with the advice of the State Forest Commission establish such rules and regulations not inconsistent with law for the control management protection utilization development occupancy and use of the lands and resources of the State forests to conserve the interests of the Commonwealth Such rules and regulations shall be compatible with the purposes for which the State forests are created namely to provide a continuous supply of timber lumber wood and other forest products to protect the watersheds conserve the waters and regulate the flow of rivers and streams of the State and to furnish opportunities for healthful recreation to the public

The net receipts arising out of the occupancy and use of the State forests hereunder shall be paid into the State Treasury through the Department of Revenue and shall belong to and form part of the State School Fund

(f) Whenever it shall appear that the welfare of the Commonwealth with reference to reforesting and the betterment of the State forests with respect to control management protection utilization development and regulation of their occupancy and use will be advanced by selling or disposing of any of the timber on the State forests to dispose of such timber on terms most advantageous to the State Provided That the department is authorized and directed to set aside within the State forests unusual or historical groves of trees or natural features especially worthy of permanent preservation to make the same accessible and convenient for public use and to dedicate them in perpetuity to the people of the State for their recreaton and enjoyment And the said department is hereby empowered with the advice of the State Forest Commission to make and executie contracts or leases in the name of the Commonwealth for the mining or removal of any valuable minerals that may be found in said State forests whenever it shall appear to the satisfaction of the department that it would be for the best interests of the State to make such disposition of said minerals And provided further That any proposed contracts or leases of valuable minerals exceeding three hundred dollars in value shall have been advertised once a week for three weeks in at least two newspapers published nearest the locality indicated in advance of awarding such contract or lease Such contracts or leases may then be awarded to the highest and best bidder who shall give bond for the proper performance of the contract as the department shall designate

(g) To appoint and with the approval of the Governor fix the compensation except as in this act otherwise provided of a chief forest fire warden and such district forest fire wardens and to appoint and fix the compensation except as in this act otherwise provided of such local forest fire wardens and other assistants as shall be required for the prevention control and extinction of forest fires

(h) To establish and administer auxiliary forest reserves in the manner and under such terms and conditions as may now or hereafter be provided by law

(i) To distribute young forest trees as provided by law to those desiring to plant them

(j) To furnish information and issue certificates and requisition necessary for the payment of such fixed charges in lieu of taxes on State forest and auxiliary forest reserves to school districts road districts and counties as may now or hereafter be provided by law

(k) To sell or exchange State forest land as provided by law whenever it shall be to the advantage of the State forest interests Provided That such action has been [authorized by resolution of the State Forest Commission unanimously adopted at a meeting at which a majority of its members are present and voting and has been] approved by the Governor

Section 1803 Forest Powers The Department of Forests and Waters shall have the power

(a) To lease for a period not exceeding ten years on such terms and conditions as it may consider reasonable to any citizen church organization or school board of Pennsylvania such portion of any State forest as the department may deem suitable as a site for a temporary building to be used by such citizen church organization or school board for health and recreation or as a site for a church or school purposes

(b) To lease for not more than ten years small areas in State forests deemed by it to be better suited for the growing of other crops than for the growing of forest trees If more than one person shall apply for the same tract the lease shall be advertised for sale in three local county papers if there be so many once a week for three weeks and may then be awarded to the highest responsible bidder but the department may nevertheless reject any or all bids Upon the termination of any such lease the lessee may remove buildings and fences placed thereon at his own expense or the same may be purchased by the lessor as a part of the permanent improvement of the tract upon such terms as may be agreed upon by the department and the lessee

(c) To grant rights of way through State forests to individuals or corporations who may apply therefor when it shall appear to the department that the grant of a right of way will not so adversely affect the land as to interfere with its usual and orderly administration and when it shall appear that the interests of the Commonwealth or its citizens will be promoted by such grant Rights of way as used in this subsection is hereby construed to include rights of passage and haulage for any lawful purpose also rights of flowage or transmission for any lawful purpose

(d) To give to street railway companies duly incorporated under the laws of this Commonwealth upon such terms and subject to such restrictions and regulations as the department with the advice of the State Forest Commission may deem proper the privilege to construct maintain and operate their lines of railway over along and upon public highways now laid out and in actual use which lie within or border on any State forests whenever the interests of the Commonwealth will be benefited thereby

(e) With the advice of the State Forests Commission to give to boroughs and other municipalities of this Commonwealth upon such terms and subject to such restrictions and regulations as the department may deem proper the privilege of impounding water upon any State forest and of constructing maintaining and operating lines of pipes upon and through State forests for the purpose of conveying water therefrom whenever it shall be to the public interest so to do

(f) In all cases where there are public roads regularly established running into or through or bordering upon State forests from time to time to expend such reasonable sums for the maintenance repair or extension of such roads as may be necessary for the proper administration and protection of State forests All expenses that may thus be incurred shall be paid in the same manner as the other expenses of the department

(g) To enter into cooperative agreements with county township municipal and private agencies for the prevention and suppression of forest fires as provided by law

Section 1804 Waters The Department of Forests and Waters shall have the power and its duty shall be

(a) To study consider and determine upon a public policy with regard to the conservation marketing and equitable distribution of the water and power to be derived from the utilization of the water resources of the Commonwealth to the restoration development and improvement of transportation by water to the supply of water and power for municipal domestic and industrial use and to the conservation of water resources by the aid of forestation

(b) To investigate or examine dams and other water obstructions determine whether they are unsafe need repair or should be removed notify owners to repair or remove the same remove the same in emergencies without notice and at the cost of the owners and apply for injunctions to enforce compliance with or restrain the violation of the law in regard to the safety of dams or other water obstructions or the violation of any lawful order or notice of the department in regard thereto

(c) To collect such information relative to the existing conditions of the water resources of the State as in the opinion of the department shall be necessary for the utilization of waters and for the conservation purification development and equitable distribution of water and water power resources and in particular for the use of such citizens and communities as may be in need of extended facities for these purposes

(d) To establish and maintain gauging stations on rivers and their tributaries

(e) To issue bulletins during freshet and flood conditions forecasting gauge heights and the times thereof

(f) To maintain a complete inventory of all the water resources of the Commonwealth collect all pertinent data facts and information in connection therewith classify tabulate record and preserve the same and upon the basis thereof determine with the approval of the Water and Power Resources Board the points at which storage reservoirs may be constructed for flood control for municipal and domestic supply hydraulic and hydroelectric power steam raising steam condensation navigation and other utilization and generally to devise all possible ways and means to conserve and develop the water supply and water resources of the Commonwealth for the use of the people thereof

(g) To construct maintain and operate works for water storage flood control channel improvement or other hydraulic purposes

Section 1805 Cooperation with Municipalities The Department of Forests and Waters shall cooperate with municipalities in the construction and completion of projects and improvements for the conservation of water and the control of flood For this purpose the department shall have the power to use and expend any funds advanced by municipalities under authority of law on the projects and improvements designated when such funds are advanced in the same manner as it expends any funds appropriated by the Commonwealth for similar purposes

Section 1806 Parks The Department of Forests and Waters shall have the power and its duty shall be

(a) To supervise maintain improve regulate police and preserve all parks belonging to the Commonwealth except the Pennsylvania State Park at Erie Washington Crossing Park Valley Forge Park and Fort Washington Park

Section 1807 Pennsylvania State Forest School The Department of Forests and Waters shall have the power and its duty shall be

(a) To maintain and operate the Pennsylvania State Forest School at Mont Alto

(b) For that purpose to employ such instructors assign such foresters for instruction and employ such services as may reasonably be necessary (1) to provide at the school professional education in forestry and maintain a close association of theory and practice and (2) to train forest rangers and forest inspectors

(c) With the approval of the Governor to enter into a cooperative agreement with any State or semi-State educational institution for the joint use of the facilities of the school by such institution and the department as may be deemed advisable by the Secretary of Forests and Waters Any such agrement shall provide for an equitable division between such institution and the Commonwealth of the cost of operating the school and maintaining and repairing the buildings and equipment used by it

Section 1808 Water and Power Resources Board The Water and Power Resources Board shall have the power and its duty shall be

(a) Subject to any inconsistent provisions in this act contained to continue to exercise the powers and perform the duties by law vested in and imposed upon the Water Supply Commission of Pennsylvania or in and upon said board with regard to

1 Application for charters for corporations for the supply of water for the public or for the supply storage and transportation of water and water power for commercial and manufacturing purposes or for any other water or water power company

2 Agreements for the merger and consolidation of two or more such corporations heretofore or hereafter formed

3 The sale assignment disposition transfer and conveyance of the franchises and all the property real personal and mixed of any such corporation heretofore or hereafter formed to any other such corporation

4 Consents or permits for the construction of dams and other water obstructions or of any change therein or addition thereto and consents or permits for changing or diminishing the course current or cross section of any stream or body of water

5 Permits for the condemnation or appropriation of waters or for the construction of hydraulic works

6 Applications for new or additional sources of supply of water or water power

7 Applications by companies for approval of the construction operation and maintenance of tunnels under navigable rivers to connect their power to manufacturing plants with coal lands wherein such companies have coal mining rights

8 The extension of time fixed by law for the beginning or completion of the construction of the works of water or water power companies inquiry into the standing of water or water power charters hearings as to such beginning or completion and as to the due diligence and bona fide intent of water and water power companies to fulfill the requirements of law and the certification of facts to the Attorney General requesting him to institute quo warranto proceedings

(b) To hold hearings upon and decide any other matter or thing relating to waters which may be within the juris-

diction of the Department of Forests and Waters and which the Secretary of Forests and Waters may request the board to hear and determine

(c) To complete the construction of a dam across the outlet of Pymatuning Swamp in Crawford County for the purpose of establishing a reservoir and conserving the water entering said swamp and regulating the flow of water in the Shenango and Beaver rivers and in connection with this project to acquire in the name of the Commonwealth by purchase condemnation or otherwise such lands as may be needed

Section 1809 Geographic Board The Geographic Board shall have the power and its duty shall be

(a) To pass upon and determine all unsettled questions concerning geographic names which arise in the administrative departments of the State Government

(b) To determine change and fix the names of mountains rivers creeks and other topographic features within the Commonwealth

In the exercise of its powers and the performance of its duties the Geographic Board shall cooperate with the United States Geographic Board

Section 1810 Lake Erie and Ohio River Canal Board Subject to any inconsistent provisions in this act contained the Lake Erie and Ohio River Canal Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon said board

Section 1811 Pennsylvania State Park and Harbor Commission of Erie Subject to any inconsistent provisions in this act contained the Pennsylvania State Park and Harbor Commission of Erie shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said commission

Section 1812 Washington Crossing Park Commission Subject to any inconsistent provisions in this act contained the Washington Crossing Park Commission shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said commission

Section 1813 Valley Forge Park Commission Subject to any inconsistent provisions in this act contained the Valley Forge Park Commission shall continue to exercise the powers and perform the duties by law vested in and imposed upon the Commissioners of Valley Forge Park

Section 1814 Fort Washington Park Commission The Fort Washington Park Commission shall have the power and its duty shall be to supervise maintain improve regulate police and preserve Fort Washington Park Montgomery County

Section 1815 State Forest Commission The State Forest Commission shall have the power

(a) To consider study and advise in the work of the Department of Forests and Waters relating to forests and parks For this purpose the commissions shall have access at any time to all books papers documents and records pertaining or belonging to the department

(b) To advise the department on request and to make recommendations upon its initiative for the improvement of the work of the department

(c) To approve or disapprove the rules and regulations which the department may from time to time propose to adopt

(d) To give or withhold its consent to any act of the department the validity of which is by this act made subject to the consent of the commission

Section 1816 Bushy Run Battlefield Commission The Bushy Run Battlefield Commission shall have the right from time to time to meet for the purpose of considering and studying the work of the department with regard to the Bushy Run Battlefield State Park in Westmoreland County and to make recommendations and render advice to the department with reference to the conduct improvement and maintenance thereof

Section 1817 Powers of Forest Officers The persons employed under the provisions of this act by the Department of Forests and Waters for the protection of the State forests shall after taking the proper official oath before the clerk of the court of quarter sessions of any county of the Commonwealth be vested with the same powers as are by existing laws conferred upon constables and other peace officers to arrest on view without first procurring a warrant therefor persons detected by them in the act of trespassing upon any forest or timber land within this Commonwealth under such circumstances as to warrant the reasonable suspicion that such person or persons have committed are committing or are about to commit any offense or offenses against any of the laws now enacted or hereafter to be enacted for the protection of forests and timber lands Such officers shall likewise be vested with similar powers of arrest in the case of offenses against the laws or rules and regulations enacted or established for the protection of the State forests or for the protection of the fish and game contained therein Provided That the above mentioned rules and regulations shall have been previously conspicuously posted upon the State forests Said officers shall further be empowered and it shall be their duty immediatey upon any such arrest to take and convey the offender or offenders before a justice of the peace or other magistrate having jurisdiction for hearing and trial or other due process of law Provided further That this act shall extend only to the case of offenses committed upon the State forests and lands adjacent thereto and the powers herein conferred upon said officers shall not be exercised beyond the limits thereof except where necessary for the purpose of pursuing and arresting such offenders or of conveying them into the proper legal custody for punishment as aforesaid

Section 1818 Powers of Chief Forest Fire Warden The Chief Forest Fire Warden shall subject to the approval of the Secretary of Forests and Waters have the power and his duty shall be

(a) To take such measures for the prevention control and extinction of forest fires as will assure a reasonable protection from fire to woodlots forest and wild land within the Commonwealth

(b) To supervise and manage the forest fire wardens throughout the Commonwealth and when necessary to appoint persons who shall serve without compensation as special or as ex officio fire wardens Such special or ex officio fire wardens but their duties may be changed or extended by the chief forest fire warden Any special or ex officio forest fire warden appointed as herein provided shall be entitled to receive the necessary expenses incurred by him in the performance of his duties as fire warden

(c) To report to the Secretary of Forests and Waters at such times as the secretary shall require covering all phases of the work done under his direction

(d) To collect with the assistance of the fire wardens under his supervision data as to location area and fire hazards of woodlots forest and wild lands within the State as to forest fires and losses resulting therefrom and such other data as he may desire to present to the department or to the public

(e) To plan and to put into operation and maintain a system of fire towers and observation stations which shall cover the regions subject to forest fires and to purchase the necessary materials and equipment and hire the necessary labor therefor

(f) During dry seasons whenever necessary to appoint certain forest fire wardens as patrolmen for regions subject to great fire risk

(g) To enter into agreements with persons associations or corporations upon satisfactory terms for forest fire prevention or control

(h) To conduct educational work in relation to the protection of forests from fires

(i) To approve and transmit to the Secretary of Forests and waters all correct bills for expenses incurred by him or under his supervision

(j) To declare a public nuisance any property which by reason of its condition or operation is a special forest fire hazard and as such endangers other property or human life He shall notify the owner of the property or the person responsible for the condition declared a public nuisance and advise him of the abatement of such public nuisance In case of a railroad such notice shall be served upon the superintendent of the division upon which the nuisance exists

(k) To collect and arrange information concerning violation of laws relating to the protection of forests from fire and present the same to the Secretary of Forests and Waters who shall file it with the Department of Justice for legal action

(l) To issue to persons appointed forest fire wardens certificates of appointment and when deemed advisable to issue badges to such persons

Section 1819 Powers of District Forest Fire Wardens Each district fire warden shall have the power and his duty shall be

(a) To establish headquarters at some advantageous place within his district

(b) To act as the field representative of the Chief Forest Fire Warden

(c) To collect and forward to the Chief Forest Fire Warden such data within his district as may be required by the Chief Forest Fire Warden

(d) To make recommendations to the Chief Forest Fire Warden for the appointment of local fire wardens the location of towers the employment of patrolmen the region to be patrolled and such other matters as may come to his attention which would tend to improve the protective system

(e) To report to the Chief Forest Fire Warden conditions existing within his district which are or may become forest fire hazards and to serve notices for the correction or removal of such conditions after and when issued by the Chief Forest Fire Warden

(f) To receive and if correct approve the reports and accounts of the local fire wardens before submitting them to the Chief Fire Warden

(g) To act as an inspector of the work of the local fire wardens and render assistance to them

(h) To conduct educational work and develop cooperation between local agencies and the Department of Forests and Waters for the Prevention and suppression of forest fires

(i) To perform such other duties as may be assigned to him by the Secretary of Forests and Waters and the Chief Forest Fire Warden

Section 1820 Powers of Local Forest Fire Wardens It shall be the duty of each local forest fire warden

(a) Whenever fire is discovered in or approaching woodlots forests or wild lands whether the same be owned by individuals corporations or by the Commonwealth immediately to take such measures as are necessary to extinguish the fire

(b) Whenever fires have been combated or extinguished to prepare a correct statement of expenses upon forms to be furnished by the department which must be filed with the district forest fire warden and by him forwarded to the Chief Forest Fire Warden within sixty days of the date of the fire

(c) Promptly to investigate the cause of each fire which comes to his knowledge collect such evidence as may be discovered relating thereto and such other facts as he may be directed to investigate and report the same to the Chief Forest Fire Warden

(d) When designated as a patrolman or watchman to perform such duties as may be assigned him by the Chief Forest Fire Warden or by the district forest fire warden

Section 1821 Powers of all Forest Fire Wardens Every forest fire warden appointed as provided in this act shall have the power

(a) To employ such other persons as in his judgment may be necessary to render assistance in extinguishing forest fires and to compel the attendance of persons and to require their assistance in the extinguishing of forest fires

(b) To administer an oath or affirmation in order to examine any person who he believes knows facts relating to any forest fire or who claims compensation for services rendered

(c) To enter upon any land at any time for the purpose of performing duties in accordance with this act

(d) To arrest on view without first procuring a warrant any person detected by him in the act of committing an offense against any of the laws for the protection of forests woodlots or wild lands or when he shall have a reasonable suspicion that any person is committing or about to commit some such offense Such forest warden shall have further power to take the offender before a justice of the peace magistrate or other officer having jurisdiction for hearing trial or other due process of law

(e) To exercise the foregoing powers not only in the jurisdiction for or within which he may have been appointed but also in adjacent or other boroughs townships or counties

ARTICLE XIX

POWERS AND DUTIES OF THE DEPARTMENT OF MINES AND ITS DEPARTMENTAL ADMINISTRATIVE OFFICERS

Section 1901 Powers and Duties in General The Department of Mines shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the said department and the Chief of the Department of Mines

Section 1902 Mines The Department of Mines shall have the power and its duty shall be

(a) To see that the mining laws of the Commonwealth are faithfully executed and for that purpose cause lawfully qualified mine inspectors to enter inspect and examine any mine or colliery within the Commonwealth and the works and machinery connected therewith

(b) To give such aid and instruction to the mine inspectors from time to time as may be calculated to protect the health and promote the safety of all persons employed in and about the mines

(c) To make such examinations and investigations as may be necessary to enable it to make recommendations upon any matters pertaining to the general welfare of coal miners and others connected with mining and the interests of mine owners and operators in the Commonwealth

Section 1903 Mine Inspectors Subject to any inconsistent provisions in this act contained anthracite mine inspectors and bituminous mine inspectors shall respectively under the direction of the Secretary of Mines continue to exercise the powers and perform the duties by law vested in and imposed upon them

Section 1904 Inspection of Certain Mines and Quarries The Department of Mines shall inspect quarries and mines other than coal mines in those parts of the State where the coal mines are located

ARTICLE XX

POWERS AND DUTIES OF THE DEPARTMENT OF HIGHWAYS

Section 2001 Powers and Duties in General The Department of Highawys shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the said department the Secretary of Highways the former State Highway Department and State Highway Commissioners

Section 2002 State and State-aid Highways The Department of Highways shall have the power and its duty shall be

(a) To mark build rebuild relocate fix the width of construct repair and maintain such highways as may now or hereafter be designated by law as State highways

(b) To have exclusive authority and jurisdiction over all State highways

(c) To superintend supervise and control the work of building rebuilding maintaining and repairing State-aid highways

(d) To enter into contracts for constructing repairing or maintaining State highways or any parts thereof as may now or hereafter be provided by law

Section 2003 Machinery Equipment Lands and Buildings The Department of Highways shall have the power and its duty shall be

(a) Subject to the limitations in this act contained to purchase and maintain materials supplies and equipment necessary for the construction and repair of highways and to employ all labor necessary therefor

(b) If necessary in order to expedite and more efficiently to carry out the work of the department to purchase and maintain at the expense of the department wagons and other vehicles and horses mules and harness and provide for their keep and maintenance

(c) Subject to the approval of the executive board to purchase and acquire and lease lands in the name of the Commonwealth and situated anywhere therein containing stone suitable for use in the construction or maintenance of highways and to quarry and prepare the stone therein for use in the construction and maintenance of the State highways or State-aid highways and to manufacture any other material used in the construction or maintenance thereof and to use such stone and material so quarried prepared and manufactured for such construction and maintenance or to sell furnish and supply the same to contractors engaged in building or maintaining the State highways or State-aid highways or to the townships for the construction and maintenance of roads and bridges upon such terms and conditions and for such price as the department shall deem best for the interests of the Commonwealth

(d) Subject to the approval of the executive board to erect such buildings and purchase such machinery as may be necessary or essential for the proper prosecution of the work of quarrying and preparing stone and manufacturing materials for use in the construction and maintenance of State highways and State-aid highways and to employ all labor required for the operation thereof

(e) With the approval of the Governor and of the Department of Property and Supplies and subject to the approval of the executive board to purchase or otherwise acquire land in

the name of the Commonwealth for the purpose of erecting thereon garages storage sheds or other buildings necessary in connection with the construction or maintenance of highways and to erect on the land thus acquired such garages storage sheds or other buildings

(f) To rent State-owned road building equipment to political subdivisions of the Commonwealth for periods not exceeding three months upon such terms as shall be established by the rules and regulations of the department with the approval of the Governor

(g) Subject to the approval of the executive board to make suitable arrangements for the operation by persons associations or corporations of commissaries for employes of the department engaged in building roads at places remote from any place where board and lodging may be procured by such employes and to deduct from the pay of such employes and pay to the persons associations or corporations operating such commissaries the amount owing to them by such employes

Section 2004 Highway Districts The Department of Highways subject to the approval of the executive board shall have the power and its duty shall be to divide the State into suitable highway districts or divisions or both and place in charge of each such district or division or both such employe of the department as the Secretary of Highways shall deem advisable Each such employe shall perform such duties in connection with his district or division or both as the department shall prescribe

Section 2005 General Roal Improvement The Department of Highways shall have the power and its duty shall be

(a) To make a survey of all the roads of the State and a general highway plan of the State and to compile statistics and collect information relative to the mileage character and condition of the roads in the townships and counties of the State

(b) To investigate and determine upon the various methods of road construction best adapted to the various sections of the State and to establish standards for the construction and maintenance of highways in various sections taking into consideration the topography of the country and the natural conditions and the character and ability of the townships and counties to build and maintain roads as provided by law

(c) In all reasonable ways to advise and give information to county city borough incorporated town or township officers having authority over highways and bridges relative to the construction repairing alteration and maintenance of such highways and bridges

(d) To aid in promoting road improvement throughout the State and for that purpose except as in this act otherwise provided to prepare and compile useful information relative to road building and maintenance which may be disseminated by means of printed bulletins

(e) To cause except as in this act otherwise provided to be published maps showing complete road surveys of each county which shall be kept on sale in the department at the cost of publication

(f) To annually call township road meetings at such places within their respective counties as the department shall deem wise and be represented at their conventions

Section 2006 Township Roads The Department of Highways shall have the power and its duty shall be

(a) To have general supervision over all township highways and bridges constructed improved or maintained in whole or in part by the aid of State moneys and to approve all agreements made by township supervisors for the expenditures of moneys appropriated by the State for road purposes

(b) To approve plans and specifications and estimates for the erection and repair of township bridges and culverts and for the construction and maintenance of township highways but such plans and specifications shall not be approved unless they conform to the standards of the department and no contract for the repair or construction of any township bridge or culvert or for the reconstruction of a township road shall be valid unless such contract is in accordance with plans prescribed or unless plans specifications and estimates have been prepared or approved by the department

(c) Except as in this act otherwise provided to furnish from time to time bulletins of instruction to the boards of township supervisors throughout the State for the building repairing maintenance and improvement of township roads and bridges and to furnish any additional information when called upon to do so The department may also furnish from time to time free of charge standard plans and specifications for permanent improvements in the building of bridges and culverts establish all grades proper drainage and such other matters as may be deemed essential

(d) Except as in this act otherwise provided to prescribe the method of keeping township accounts and records of moneys received and expended for highways machinery bridges tools and implements and for miscellaneous purposes from time to time to cause examination of all such accounts and records to be made and to furnish and supply to the several township officers all necessary books blanks forms and supplies which shall be necessary for the proper conduct of the road work of the township

Section 2007 State Reward Fund The Department of Highways shall administer the State Reward Fund as may now or hereafter be provided by law

Section 2008 Toll Roads and Bridges The Department of Highways shall have the power to acquire for and on behalf of the Commonwealth by purchase or otherwise turnpike or toll roads or any parts thereof or toll bridges in such manner and under and subject to such terms and conditions as may now or hereafter be provided by law

Section 2009 Rebuilding County Bridges Destroyed by Flood Fire and Other Casualty The Department of Highways shall have the power and its duty shall be to prepare plans for and rebuild county bridges over navigable rivers and other streams where such bridges have been destroyed by flood fire or other casualty as may be provided by law Provided however That such bridges shall be rebuilt only if and when the General Assembly shall have specificially appropriated funds for such purpose

ARTICLE XXI

POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND ITS DEPARTMENTAL ADMINISTRATIVE AND ADVISORY BOARDS

Section 2101 Powers and Duties in General The Department of Health shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the said department the former bureaus thereof the Commissioner of Health and the Secretary of Health

Section 2102 General Health Administration The Department of Health shall have the power and its duty shall be

(a) To protect the health of the people of this Commonwealth and to determine and employ the most efficient and practical means for the prevention and suppression of disease

(b) To cause examination to be made of nuisances or questions affecting the security of life and health in any locality and for that purpose without fee or hindrance to enter examine and survey all grounds vehicles apartments buildings and places within the Commonwealth and all persons authorized by the department to enter examine and survey such grounds vehicles apartments buildings and places shall have the powers and authority conferred by law upon constables

(c) To order nuisances detrimental to the public health or the causes of disease and mortality to be abated and removed and to enforce quarantine regulations

(d) If the owner or occupant of any premises whereon any nuisance detrimental to the public health exists fails to comply with any order of the department for the abatement or removal thereof to enter upon the premises to which such order relates and abate or remove such nuisance as may now or hereafter be provided by law

(e) For the purpose of collecting or recovering the expense of the abatement or removal of a nuisance to file a claim or maintain an action in such manner as may now or hereafter be provided by law against the owner or occupant of the premises upon or from which such nuisance shall have been abated or removed by the department

(f) To revoke or modify any order regulation by-law or ordinance of a local board of health concerning a matter which in the judgment of the department affects the public health beyond the territory over which such local board has jurisdiction

(g) To promulgate its rules and regulations by sending printed copies thereof to all local boards of health and clerks of councils of boroughs when no local board of health exists

(h) Whenever in the opinion of the department conditions exist in any borough or any township of the first class within the Commonwealth which constitute a menace to the lives and health of the people living outside the corporate limits of such borough or township or after it be known to the department that any borough or any township of the first

class is without an existing or efficient board of health to enter and take full charge of and administer the health laws regulations and ordinances of such borough or township and to continue in charge thereof until the department shall decide that a competent and efficient board of health has been appointed and qualified for such borough or township and is ready able and willing to assume and carry into effect the duties imposed upon it by law and to collect all expenses incurred by the department in performing its duties hereunder as may now or hereafter be provided by law

(i) To take over the administration of the health laws in any such borough or township at the expense of the department whenever the borough or township shall request the department to do so and the department shall deem it advisable to comply with such request

(j) To prescribe standard requirements for the conduct of the medical inspection of the pupils of the public schools throughout the Commonwealth and to appoint medical inspectors to make such school inspections as may now or hereafter be provided by law

Section 2103 Housing The Department of Health shall have the power and its duty shall be to investigate the sanitary condition of tenements lodging and boarding houses and when the same are found to be a menace to those occupying the same or employed therein or to be overcrowded to condemn the same in such manner and subject to such limitations as may now or hereafter be provided by law and to notify the owners or agents thereof in writing setting forth the unsanitary or overcrowded condition thereof specifying the changes or alterations which shall be made thereto for the purpose of relieving such condition and further specifying the time within such changes or alterations shall be completed or overcrowding relieved Provided That in making inspections as authorized by this section the Department of Health shall cooperate with the Department of Labor and Industry for the purpose of avoiding any duplication of inspection or overlapping of functions

For the purpose of making investigations authorized by this section the officers and agents of the department shall at all times have the right of ingress into all tenement lodging and boarding houses

Section 2104 Vital Statistics The Department of Health shall have the power and its duty shall be

(a) To obtain collect compile and preserve all statistics of marriages deaths diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all professions whose occupation is deemed to be of importance in obtaining a complete registration of births deaths marriages and diseases or other vital statistics

(b) To prepare except in this act otherwise provided the necessary methods forms and blanks for obtaining and preserving records of registration of births deaths marriages and diseases and to insure the faithful registration of the same in the townships boroughs cities and counties of the State and in the department

(c) To see that the laws requiring the registration of births deaths marriages and diseases are uniformly and thoroughly enforced throughout the State and prompt returns of such registrations made to the department

(d) With the advice and concurrence of the Advisory Health Board to make appropriate regulations for the thorough organization and efficiency of the registration of the vital statistics throughout the Commonwealth and to enforce such regulations

(e) To issue marriage birth and death certificates and such burial or removal permits as may now or hereafter be provided by law

(f) To establish such districts for the registration of vital statistics and appoint such registrars deputies and sub-registrars as may be necessary properly to obtain collect compile and preserve the statistics which the department is required to obtain collect compile and preserve All local registrars deputies and sub-registrars appointed under this section shall perform such duties as shall be required of them by the department and shall receive such compensation as may now or hereafter be fixed by law

Section 2105 Health Districts and Officers The Department of Health shall have the power in order to enable it more efficiently to manage the sanitary affairs of the Commonwealth to apportion the Commonwealth into such number of health districts as the department with the approval of the Executive Board shall decide and in each district to appoint a health officer who shall under the direction of the department have supervision and control of the sanitary affairs of the district

Section 2106 Quarantines The Department of Health shall have the power and its duty shall be

(a) With the approval and concurrence of the Advisory Health Board to declare certain diseases to be communicable in addition to those by law declared so to be and to establish such regulations for the prevention of the spread of such diseases as the department [and the Advisory Health Board] shall deem necessary and appropriate

(b) To establish and enforce quarantines in such manner for such period and with such powers as may now or hereafter be provided by law to prevent the spread of diseases declared by law or by the department to be communicable diseases

(c) To administer and enforce the laws of this Commonwealth with regard to vaccination and other means of preventing the spread of communicable diseases

Section 2107 Tuberculosis Sanatoria The department of Health shall have the power and its duty shall be to maintain sanatoria or colonies for the reception and treatment of indigent persons affected with tuberculosis

Section 2108 Narcotic Drugs Alcohol Permits The Department of Health shall have the power and its duty shall be to supervise the enforcement of and administer laws regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of narcotic drugs

Subject to any inconsistent provisions in this act contained the Department of Health shall exercise the powers and perform the duties heretofore vested in and imposed upon the Pennsylvania Alcohol Permit Board by the act approved the nineteenth day of February one thousand nine hundred and twenty-six (Pamphlet Laws sixteen) entitled "A supplement to the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled 'An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws' providing for the registering of Federal permits also regulating under permit through a Pennsylvania Alcohol Permit Board created in the Department of Welfare the manufacture production distillation development use in manufacture denaturization redistillation recovery reuse holding in bond holding in storage by bailees for hire sale at wholesale and transportation for hire of any alcohol or alcoholic liquid by certain persons also providing for fees and the disposition thereof also authorizzing the inspection of the records of permittees and purchasers of said alcohol or alcoholic liquid also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" its amendments and supplements

Section 2109 Water Pollution The Department of Health shall have the power and its duty shall be

(a) To act as the enforcement agent for the Sanitary Water Board The department shall make such inspections conduct such investigations and do such other acts as the Sanitary Water Board shall from time to time direct but the department shall in the exercise of its powers and the performances of its duties hereunder be subject at all times to the rules and regulations orders and directions of the Sanitary Water Board Provided however That between sessions of the board the department shall have the power to issue such orders and take such action within the powers of the board as the circumstances may require but any order so issued and any action so taken may be rescinded or revoked by the board at its next session

(b) To issue water works permits and stipulate therein the conditions under which water may be supplied to the public and to administer sections one two and three of the act approved the twenty-second day of April one thousand nine hundred and five (Pamphlet Laws two hundred sixty) entitled "An act to preserve the purety of the waters of the State for the protection of the public health" its amendments and supplements

Section 2110 Sanitary Water Board Subject to any inconsistent provisions in this act contained the Sanitary Water Board shall have the power and its duty shall be

(a) To exercise all the powers and perform all the duties vested in and imposed upon the Commissioner of Health the

Governor and the Attorney General or any of them by sections four and five and sections seven to eleven inclusive of the act approved the twenty-second day of April one thousand nine hundred and five (Pamphlet Laws two hundred sixty) entitled "An act to preserve the purity of the waters of the State for the protection of the public health" which reads as follows

"Section 4 No person corporation or municipality shall place or permit to be placed or discharge or permit to flow into any of the waters of the State any sewage except as hereinafter provided But this act shall not apply to waters pumped or flowing from coal mines or tanneries nor prevent the discharge of sewage from any public sewer system owned and maintained by a municipality provided such sewer system was in operation and was discharging sewage into any of the waters of the State at the time of the passage of this act But this exception shall not permit the discharge of sewage from a sewer system which shall be extended subsequent to the passage of this act

"For the purpose of this act sewage shall be defined as any substance that contains any of the waste products or excrementitious or other discharges from the bodies of human beings or animals

"Section 5 Upon application duly made to the Commissioner of Health by the public authorities having by law the charge of the sewer system of any municipality the Governor of the State the Attorney General and the Commissioner of Health shall consider the case of such a sewer system otherwise prohibited by this act from discharging sewage into any of the waters of the State and whenever it is their unanimous opinion that the general interests of the public health would be subserved thereby the Commissioner of Health may issue a permit for the discharge of sewage from any such sewer system into any of the waters of the State and may stipulate in the permit the conditions on which such discharge may be permitted Such permit before being operative shall be recorded in the office of the recorder of deeds for the county wherein the outlet for the said sewer system is located Every such permit for the discharge of sewage from a sewer system shall be revocable or subject to modification and change by the Commissioner of Health on due notice after an investigation and hearing and an opportunity for all interested therein to be heard thereon being served on the public authorities of the municipality owning maintaining or using the sewage system The length of time after receipt of the notice within which the discharge of sewage shall be discontinued may be stated in the permit but in no case shall it be less than one year or exceed two years and if the length of time is not specified in the permit [is] it shall be one year On the expiration of the period of time prescribed after the service of a notice of revocation modification or change from the Commissioner of Health the right to discharge sewage into any of the waters of the State shall cease and terminate and the prohibition of this act against such discharge shall be in full force as though no permit had been granted but a new permit may thereafter again be granted as hereinbefore provided

"Section 7 The penalty for the discharge of sewage from any public sewer system into any of the waters of the State without a duly issued permit in any case in which a permit is required by this act shall be five hundred dollars and a further penalty of fifty dollars per day for each day the offense is maintained recoverable by the Commonwealth at the suit of the Commissioner of Health as debts of like amount are recoverable by law The penalty for the discharge of sewage from any public sewer system into any of the waters of the State without filing a report in any case in which a report is required to be filed shall be fifty dollars recoverable by a like suit

"Section 8 All individuals private corporations and companies that at the time of the passage of this act are discharging sewage into any of the waters of the State may continue to discharge such sewage unless in the opinion of the Commissioner of Health the discharge of such sewage may become injurious to the public health If at any time the Commissioner of Health considers that the discharge of such sewage into any waters of the State may become injurious to the public health he may order the discharge of such sewage discontinued

"Section 9 Every individual private corporation or company shall discontinue the discharge of sewage into any of the waters of the State within ten days after having been so ordered by the Commissioner of Health

"Section 10 Any individual private corporation or company that shall discharge sewage or permit the same to flow into the waters of the State contrary to the provisions of this act shall be deemed guilty of a misdemeanor and shall upon conviction be punished by a fine of twenty-five dollars for each offense and a further fine of five dollars per day for each day the offense is maintained or by imprisonment not exceeding one month or both at the discretion of the court

"Section 11 Any order or decision under this act of the Commissioner of Health or that of the Governor Attorney General and Commissioner of Health shall be subject to an appeal to any court of common pleas of the county wherein the outlet of such sewer or sewer system otherwise prohibited by this act is situated and said court shall have power to hear said appeal and may affirm or set aside said order or decision or modify the same or otherwise fix the terms upon which permission shall be granted But the order or decision appealed from shall not be superseded by the appeal but shall stand until the order of the court as above"

Provided That it shall require the affirmative votes of three of the members of the board to authorize the granting of a permit for discharging sewage into any of the waters of the State under section five of the said act

(b) To exercise all other powers not contrary to law formerly exercised by the Department of Health or the Commissioner of Health with regard to granting permits for the erection of sewage disposal works or plants and the construction of sewers or sewer systems

(c) To exercise all the powers not contrary to law exercised by the former Department of Fisheries the former Commissioner of Fisheries and the former Water Supply Commission of Pennsylvania with regard to the prevention of pollution of the waters of this Commonwealth

(d) To investigate hold hearings upon and determine any question of fact regarding the purity of water supplied to the public by any public service company over which the Public Service Commission of the Commonwealth of Pennsylvania has jurisdiction whenever said commission shall certify such question to the board

The findings of the board upon any such questions shall be incorporated in and made a part of the determination or decision by said commission of the controversy or other proceedings in connection with which the question arose and shall be binding upon the parties to such controversy or other proceeding unless either party shall take an appeal from the commission's determination or decision as may now or hereafter be provided by law

(e) To make rules and regulations for the effective administration and enforcement of the laws of this Commonwealth prohibiting the pollution of the waters thereof

(f) To study investigate and from time to time report ways and means of eliminating from the streams and waters of the Commonwealth so far as practicable all substances and materials which pollute or tend to pollute the same and to determine and recommend methods of preventing pollution detrimental to the public health or to the health of animals fish or aquatic life or detrimental to the use of waters for recreational purposes The board shall have the power to investigate the character of all wastes discharged into or deposited on the banks of the streams or waters of the Commonwealth and shall make similar investigations and recommendations with regard to the matter of preventing pollution of the waters of interstate streams which touch the boundaries of the Commonwealth

(g) To call upon the Department of Health to make such inspections conduct such investigations and do such other acts as may be necessary and proper in the exercise of the powers and the performance of the duties of the board

Section 2111 Advisory Health Board The Advisory Health Board shall have the power and its duty shall be

(a) To advise the Secretary of Health on such matters as he may bring before it

(b) To make such reasonable rules and regulations not contrary to law as may be deemed by the board necessary for the prevention of disease and for the protection of the lives and health of the people of the Commonwealth and for the proper performance of the work of the Department of Health and such rules and regulations when made by the board shall become the rules and regulations of the department

Section 2112 Crippled Children The Department of Health shall have the power and its duty shall be to manage and control the State Hospital for Crippled Children at Elizabethtown

The department shall have full control over the admission of patients to and their discharge from said hospital

The Department of Health shall have supervision over and shall have the power and duty to visit and inspect all other homes and hospitals for crippled children within this Commonwealth which powers and duties were heretofore conferred and imposed upon the Department of Welfare

Section 2113 State Council for the Blind The State Council for the Blind shall have the power and its duties shall be

(a) To formulate a general policy and program for the prevention of blindness and for the improvement of the condition of the blind in this Commonwealth Such policy and program shall be modified from time to time as may be found necessary or advisable in the light of improvements in method and practice

(b) To make recommendations in accordance with such policy and practice to the several executive and administrative departments boards and commissions of this Commonwealth and to any public or private agencies therein which may be in any way concerned with work with or for the blind

(c) To cooperate with State and local agencies both public and private in taking steps to prevent the loss of sight in alleviating the condition of blind persons and persons of impaired vision in extending and improving the education advisement training placement and conservation of the blind and in promoting their personal economic social and civic well-being

(d) To act as a means for communicating with other State agencies public or private and with national agencies and to cooperate in efforts to procure an enactment of legislation regarding the prevention of blindness the improvement of the blind or the regulation of private agencies for the care of the blind

(e) Subject to the approval of the executive board to collect systematize and transmit to the Department of Property and Supplies for publication and distribution to other agencies information in regard to blind persons and persons of impaired vision in this Commonwealth including their present physical and mental condition the causes of blindness and the possibilities of improvement of vision their financial status and earning capacity their capacity for education and vocational training and other relevant information looking toward the improvement of their condition

(f) To refer cases of blind persons or problems in relation to the blind or prevention of blindness to such agencies public or private as may be likely to deal most successfully with them

(g) To encourage the cooperation of all agencies public and private doing work for the blind in this Commonwealth and of the agencies whose work is related to the prevention of blindness

(h) To supervise the expenditure of State appropriations made to such agencies except in cases in which such supervision is by law within the powers and duties of some other administrative department board or commission

ARTICLE XXII

POWERS AND DUTIES OF THE DEPARTMENT OF LABOR AND INDUSTRY ITS DEPARTMENTAL ADMINISTRATIVE AND ADVISORY BOARDS AND DEPARTMENTAL ADMINISTRATIVE OFFICERS

Section 2201 Powers and Duties in General The Department of Labor and Industry shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the said department the several former bureaus and divisions thereof and the Industrial Board abolished by the Administrative Code of one thousand nine hundred and twenty-three

Section 2202 Inspection and Administration The Department of Labor and Industry shall have the power and its duty shall be

(a) To inspect during reasonable hours and as often as practicable every room building or place within this Commonwealth where and when any labor is being performed which is affected by the provisions of any law of this Commonwealth and all buildings in which public assemblies are held and for this purpose to enter any such room building or place

(b) To receive and examine plans for all buildings more than two stories high and all places of assembly outside of cities of the first second classes and second class A and third class and to approve the same as may now or hereafter be provided by law

(c) To inspect boilers and elevators and to receive reports of inspection of boilers and elevators made by inspectors holding certificates of competency issued by the department

(d) To issue licenses after examination to motion picture projectionists and apprentices as may now or hereafter be provided by law

(e) To receive reports of industrial accidents to persons and to direct the investigation of such accidents and prescribe means for the prevention of similar accidents

(f) To issue orders for removing or safeguarding when hazards are found that may cause accidents to employes as may now or hereafter be provided by law

Section 2203 Investigations The Department of Labor and Industry shall have the power to make investigations when specifically authorized by law upon any subject within the jurisdiction of the department

Section 2204 Rules and Regulations Subject to approval by the Industrial Board the Department of Labor and Industry shall have the power to make rules and regulations for carrying into effect the laws regulating the labor of persons within this Commonwealth and the construction ventilation and equipment of the rooms buildings or places where such labor is performed or where public assemblies are held and to enforce all such rules and regulations Promptly upon the approval of such rules and regulations by the Industrial Board the department shall make public announcement of their adoption and shall after approval by the executive board transmit them to the Department of Property and Supplies to be by it published

Section 2205 Mediation and Arbitration The Department of Labor and Industry shall have the power and its duty shall be whenever a difference arises between an employer and his employes with regard to wages hours or conditions of employment to send a representative of the department promptly to the locality in which such difference exists and endeavor by mediation to effect an amicable settlement of the controversy If such settlement cannot be effected and the dispute is submitted for arbitration the department in the event of the failure of representatives of employer and employes to name an impartial person to act as chairman of the board of arbitration shall if requested by the parties to the dispute select such person to act as such chairman

Section 2206 Women and Children The Department of Labor and Industry shall have the power and its duty shall be

(a) To make studies and investigations of the special problems connected with the labor of women and children

(b) To create the necessary organization and to appoint an adequate number of inspectors to enforce the laws and rules and regulations of the department relating to the work of women and children

Section 2207 Workmen's Compensation The Department of Labor and Industry shall have the power and its duty shall be

(a) To administer and enforce the laws of this Commonwealth as now existing or hereafter enacted relating to workmen's compensation Provided however That the Workmen's Compensation Board and the Workmen's Compensation Referees shall perform their respective duties independently of the Secretary of Labor and Industry or any other official of the department except that all clerical stenographic and other assistance required by the Workmen's Compensation Board and the several Workmen's Compensation Referees shall be appointed by the department as provided in this act

(b) To receive and classify reports of all accidents to receive and approve or disapprove agreements supplemental agreements receipts final receipts and other papers in workmen's compensation cases which have heretofore been subject to approval by the Workmen's Compensation Board and to notify the parties of its approval or disapproval within thirty days after receipts of such agreements supplemental agreements receipts final receipts or other papers as provided by law

(c) To follow up all cases in which workmen's compensation agreements shall have been filed and see that such agreements are fulfilled in accordance with the provisions thereof and the laws of this Commonwealth

(d) To advise injured workmen of their rights under the workmen's compensation laws

(e) From time to time to divide the State into such number of workmen's compensation districts as it may with the approval of the Executive Board deem advisable for the proper administration of the workmen's compensation laws

(f) To receive and refer to the Workmen's Compensation Board claims in contested cases and mail decisions of the Workmen's Compensation Board and of Workmen's Compensation Referees in all contested cases to claimants and defendants

(g) To render to the Workmen's Compensation Board any reasonable assistance requested by the board in the conduct of its work

(h) Except in cases in which the Commonwealth's liability therefor is covered by insurance to prepare and issue to the Auditor General certificates or requisitions for the payment of workmen's compensation to injured employes of the Commonwealth

Section 2208 Rehabilitation The Department of Labor and Industry shall have the power

(a) To render aid to persons injured in industrial pursuits to arrange for medical treatment for such persons and procure artificial limbs and appliances to enable them to engage in remunerative occupations

(b) To make surveys to ascertain the number and condition of physically handicapped persons within the Commonwealth

(c) To cooperate with the Department of Public Instruction in arranging for training courses in the public schools or other educational institutions for persons injured in industrial pursuits and to arrange for such courses in industrial or agricultural establishments

(d) To such extent as the department shall have funds available for the purpose to provide maintenance for such injured persons during such training in such amounts as may be provided by law

Section 2209 Employment and Unemployment The Department of Labor and Industry shall have the power

(a) To endeavor to bring together employers seeking employes and applicants for employment

(b) To supervise all public and private employment agencies

(c) To report on the extent of unemployment the remedy therefor and the means for the prevention thereof

(d) To establish employment offices or labor exchanges at convenient places throughout the Commonwealth

(e) To promote the intelligent distribution of labor and when necessary to assist in securing transportation for employes desiring to go to places where work is available

Section 2210 State Workmen's Insurance Board Subject to any inconsistent provisions in this act contained the State Workmens' Insurance Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

Section 2211 Workmen's Compensation Board Subject to any inconsistent provisions in this act contained the Workmen's Compensation Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

Section 2212 Workmen's Compensation Referees Subject to any inconsistent provisions in this act contained each Workmen's Compensation Referee shall have the power and his duty shall be to hear such claims for compensation as shall be assigned to him by the Workmmen's Compensation Board and to perform such other duties as shall be required of him by the Secretary of Labor and Industry or imposed upon him by law

Section 2213 Industrial Board The Industrial Board created by this act shall have the power and its duty shall be

(a) To meet at least once each month for the purpose of considering such matters as are brought before it or the Secretary of Labor and Industry shall request

(b) To hold hearings with reference to the application by the Department of the laws affecting labor upon appeal either of employes or employers or of the public and after such hearings to make recommendations to the department

(c) To approve or disapprove the rules and regulations established by the Department of Labor and Industry and to make suggestions to the department for the formulation of such rules and regulations

ARTICLE XXIII

POWERS AND DUTIES OF THE DEPARTMENT OF WELFARE AND IT DEPARTMENTAL ADMINISTRATIVE AND ADVISORY BOARDS

Section 2301 Powers and Duties in General The Department of Welfare shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the said department the Secretary of Welfare and the former Department of Public Welfare and Commissioner of Public Welfare

Section 2302 Definitions As used in this article

(a) "State Institutions" shall mean and include all penal reformatory or correctional institutions hospitals for the insane or any other institutions for feeble-minded or epileptic persons or for juvenile delinquents and dependents and charitable institutions within this Commonwealth maintained in whole by the Commonwealth and whose boards of trustees are departmental administrative boards within the Department of Welfare

(b) "Children's Institutions" shall mean any incorporated or unincorporated organization society corporation or agency public or private which may receive or care for children or place them in foster family homes either at board wages or free or any individual who for hire gain or reward receives for care a child unless he is related to such child by blood or marriage within the second degree or any individual not in the regular employ of the court or of an organization society association or agency duly certified by the department who in any manner becomes a party to the placing of children in foster homes unless he is related to such children by blood or marriage within the second degree or is the duly appointed guardian thereof

(c) "Maternity Home and Hospital" shall mean any house home or place in which within a period of six months any person receives for care or treatment during pregnancy or during or immediately after parturition more than one woman except the women related to such person by blood or marriage within the second degree

(d) "Supervised Institution" shall mean any charitable institution within the Commonwealth which receives financial assistance from the Commonwealth either directly or indirectly and to which the Governor does not appoint any member of the board of inspectors managers trustees or directors all houses or places within the Commonwealth in which any person of unsound mind is detained whenever the occupant or owner of the house or person having charge of such person of unsound mind receives any compensation for custody control or attendance other than as an attendant or nurse and also all institutions houses or places in which more than one person is detained with or without compensation paid for custody or attendance all children's institutions and maternity homes and hospitals within the Commonwealth all hospitals almhouses or poorhouses maintained by any county city borough township or poor district of this Commonwealth and all institutions associations and societies within this Commonwealth into whose care the custody of delinquent dependent or neglected children may be committed and all houses and places maintained by such institution associations or societies in which such children may be kept or detained

Section 2303 Supervisory Powers The Department of Welfare shall have supervision over

(a) All State institutions

(b) All supervised institutions as dfiened in this article

(c) All children's institutions within this Commonwealth

(d) All maternity homes and hospitals within this Commonwealth

(e) The administration of any system provided by the Commonwealth for assistance to mothers

(f) Any labor or system of labor carried on in the penal correctional or reformatory institutions of the State

(g) Any system of reparation provided by the Commonwealth for relief from conditions caused by minecaves fire flood or other casualty and constituting a menace to public safety and welfare

(h) All boarding homes for children which have been licensed by the State

Section 2304 Visitations and Inspections The Department of Welfare shall have the power and its duty shall be

(a) To visit and inspect at least once in each year all State institutions to inquire and examine into their methods of instruction discipline detention imprisonment care or treatment the care treatment government or management of their inmates or those committed thereto or being imprisoned detained treated or residing therein the official conduct of their inspectors trustees managers directors or other officer or officers charged with their management by law or otherwise or having the management care custody or control thereof the build-

ings grounds premises and equipment thereof or connected therewith and all and every matter and thing relating to their usefulness administration and management and to the welfare of the inmates thereof or those committed thereto or being imprisoned detained treated or residing therein

For these purposes the Secretary of Welfare or other officer inspector or agent of the department shall have free and full access to the grounds premises and buildings of and to all the records books or papers of or relating to any such State or supervised institution and full opportunity to interrogate or interview any inmate thereof or any person or persons committed to or being imprisoned detained treated or residing therein and all persons connected with any such State or supervised institution as officers or charged with the management thereof by law or otherwise or in any way having the care custody control or management thereof or connected therewith as employes are hereby directed and required to give to the Secretary of Welfare or to such officer inspector or agent of the department such means facilities and opportunity for such visitation examination inquiry and interrogation as is hereby provided and required or as the department by its duly ordained rules or regulations may require

(b) Whenever upon the visitation examination and inspection of any State or supervised institution any condition is found to exist therein which is unlawful unhygienic or detrimental to the proper maintenance and discipline of such State or supervised institution or to the proper maintenance custody and welfare of the inmates thereof or of the persons committed thereto or being treated detained or residing therein to direct the officer or officers charged by law with or in any way having or exercising the control government or management of such State or supervised institution to correct the said objectionable condition

(c) To cause to be visited and examined any person found by an inquisition to be insane and to authorize such visiting and examining by an officer or agent of the department or any board of visitors or by a physician and to apply to the court having jurisdiction over the committee or guardian of such insane person or to a judge of a court of common pleas of the county in which the insane person is a resident or detained to make such orders for the maintenance custody or care of the insane person and for the care and disposition of the property of the insane person as the case may require

Section 2305 Promotion of County Welfare Organizations The Department of Welfare shall have the power to promote the organization of county welfare boards the purpose of which shall be to coordinate the social welfare activities of the counties

Section 2306 Recommendations The Department of Welfare shall have the power and its duty shall be from time to time to recommend and bring to the attention of the officers or other persons having the management of the State and supervised institutions such standards and methods as may be helpful in the government and administration of such institutions and for the betterment of the inmates therein

Section 2307 Rules and Regulations The Department of Welfare shall have the power to enforce such rules and regulations as specifically authorized by law

(a) Providing for the licensing of all houses or places in which any person can be lawfully detained as an insane person or a person of unsound mind upon compensation paid to or received by the owner or occupant of such house or place directly or indirectly for the care of such insane person or person of unsound mind and also of all houses places or institutions in which more than one insane person or person of unsound mind is detained or resides other than a jail or prison with the right to exempt any State institution institution under municipal authority or any other institution

(b) To insure the proper care and treatment of persons of unsound mind detained in any house place or institution whether licensed or not to guard against the improper or unnecessary detention of such persons to regulate the manner of their detention and the restraints imposed and all matters relative to their welfare to regulate their means of communication with relatives friends and other persons outside the house place or institution of detention and to insure to them the admission of all power visitors being members of their families or personal agents or attorneys

(c) Regulating the forms to be observed warranting the commitment transfer of custody and discharge of all insane persons other than those committed by order of a court of record and as to these with the consent of the presiding judge of the court under whose order the person is detained

(d) For the approval of psychopathic wards maintained by hospitals for the reception and care of persons suffering with mental disorders

Section 2308 Transfer Parole or Discharge of Patients The Department of Welfare shall have the power

(a) To apply to the proper court for the transfer or removal of insane persons from county or district poorhouses almhouses hospitals or in the custody of the directors or overseers of the poor to the State hospitals for the insane

(b) To transfer the indigent insane from State hospitals for the insane to the almshouses poor houses or prisons of the several counties charged with their maintenance

(c) To transfer patients or inmates from one State hospital for the insane to another such hospital

(d) To transfer a committed insane person from a licensed private hospital or institution to a State or licensed county hospital and vice versa

(e) To apply to the proper court for the removal to a hospital for the insane of any person imprisoned in a penitentiary or prison and believed to be insane

(f) To transfer a committed inmate from one type of institution [under the supervision of the department] to another type of institution under its supervision

(g) The cost of the transfer or removal and of the maintenance of any insane person transferred by or under the direction or upon the application of the Secretary of Welfare shall be borne and paid in the manner provided by law in the case of any such transfer or removal

All traveling expenses of indigent insane persons discharged by order of the department from any State hospital for the insane from the hospital to their respective homes shall be paid by the hospital the amount thereof to be refunded to such hospital from the appropriation for the care and relief of such indigent insane then current

(h) To order and compel the parole or discharge of any person detained in any place as insane or of unsound mind other than a person committed after trial and conviction for crime or by order of court but the department shall not make any such order unless notice be given to the person having charge of the building in which and to the person or persons at whose instance the patient is detained and reasonable opportunity given them to justify a further detention and the department has caused the case of the patient to be personally attended and examined by its officer or agent

Section 2309 Child Welfare The Department of Welfare shall have the power and its duty shall be

(a) To investigate the residence of a child placed in Pennsylvania from unlicensed sources in another State to return such child to the State of its legal residence and to enter into appropriate contracts with such State relative thereto

(b) To exercise any powers and perform any duties with regard to the bringing into this Commonwealth dependent delinquent or defective children which may now or hereafter be authorized or imposed by law upon the department

Section 2310 Restoration The Department of Welfare shall have the power and its duty shall be to require and supervise the transfer of inmates of one penitentiary to another under any law providing therefor

Section 2311 Inmate Labor The Department of Welfare shall have the power and its duty shall be

(a) To establish maintain and carry on industries in the Eastern State Penitentiary the Western State Penitentiary the Rockview Penitentiary the new Eastern State Penitentiary at Graterford the Pennsylvania Industrial School at Huntingdon and such other penal or correctional institutions of this Commonwealth as it may deem proper in which industries all persons sentenced to such institutions who are physically capable of such labor may be employed at labor for not to exceed eight hours each day other than Sundays and public holidays Such labor shall be for the purpose of doing printing or of manufacturing and producing supplies or for the preparation and manufacture of building material for the construction or repair of any State institution or in the work of such constuction or repair or for the planting of seed trees or the performance of other work in State forests or for the purpose of industrial training or instruction or in the manufacture and production of crushed stone brick tile and culvert pipe or other material suitable for draining roads of the State or in preparation of road building and ballasting material

(b) To determine the amount kind and character of the machinery to be erected in each of the said penitentiaries reformatory or other penal or correctional institutions of the Commonwealth and the industries to be carried on therein having due regard to the location and convenience thereof with respect to other institutions to be supplied to the machinery therein and the number and character of inmates

(c) To contract to sell or sell the articles manufactured or produced in the said industries carried on in the said penitentiaries reformatory or other penal or correctional institutions which cannot be used therein to the Commonwealth or to any county city borough township school district or poor district thereof or to any State institution or to any educational or charitable institution receiving aid from the Commonwealth or to the Government of the United States or any department bureau commission or agency thereof or to any other State or political subdivision thereof or to any institution receiving aid from the Government of the United States or of any other State

(d) To arrange for the employment of inmates of such institutions at such work or labor within or upon the grounds of such institutions as may be necessary for the maintenance of the institutions or the raising of food products therefor

(e) To charge to each such institution such rate per diem as may be paid by the department to such inmate hereunder for his services for the work or labor of each inmate engaged in work or labor within or upon the grounds of such institution for the maintenance of the institution or the raising of food products therefor

Also to collect from each such institution for any manufactured supplies or products used by it the same price per article used as it would receive upon the sale of such article in similar quantities to the Commonwealth or any other agency to which it is authorized to sell articles manufactured or produced by inmate labor

All amounts collected by the Department of Welfare from such institutions hereunder shall be paid through the Department of Revenue into the Manufacturing Fund in the State Treasury and all such amounts shall be considered a part of such institutions' maintenance expense

(f) To charge to each such institution in like manner for the labor of all inmates engaged in preparing materials for the construction of buildings or in doing construction work such payments to be made by the institutions out of funds available for construction work All moneys received hereunder shall be paid into the Manufacturing Fund through the Department of Revenue

(g) Through the Department of Revenue to pay into the Manufacturing Fund the proceeds of all sales of manufactured products made under this section and all moneys received for the labor of inmates in State forests or elsewhere than on the grounds of the institutions This clause shall not however apply to the sale of surplus food products or products of the soil as elsewhere in this act permitted

(h) To pay out of the Manufacturing Fund for the machinery equipment and material required or used in the carrying on of the industries in the said penitentiaries reformatory or other institutions under the provisions hereof and all salaries of superintendents managers salesmen clerks and others employed in the management of the industries and the wages as hereinafter provided for the labor of the inmates of said penitentiaries reformatory or other institutions in such industries

(i) To require that an account shall be kept by the proper officers of each said penitentiary reformatory and other correctional institution of the labor performed by inmates In such account shall be shown the time each inmate is actually engaged in work the rate of wage if any at which he is to be paid shall be regulated by the department subject to the approval of the executive board In no case shall the amount be more than thirty cents for each day of labor actually performed The rate of compensation shall be based both upon the pecuniary value of the work performed and also on the willingness industry and good conduct of the inmate All amounts payable to inmates hereunder shall be paid to the institution out of the Manufacturing Fund to be disbursed or held by such institution in the manner following

Three-fourths of the amount of wages payable to an inmate of such penitentiary reformatory or other institution or the entire amount if the inmate so wishes shall constitute a fund for the relief of any person or persons dependent upon such inmate and shall be paid upon the order of the board of trustees of the penitentiary reformatory or other institution in which the inmate is a prisioner to the person or persons establishing such dependency to the satisfaction of such board at such time or times as said board may order

All sums credited to any inmate and not paid to a dependent or dependents shall be paid to the inmate on his discharge from the penitentiary reformatory or other institution in which he was a prisoner Provided however That subject to the rules and regulations of the board of trustees of the penitentiary reformatory or other institution in which such inmate is a prisoner the whole or any part of said sum may be paid to him during his imprisonment for his present needs such rules and regulations to be subject to the approval of the department and subject to the approval of the executive board

(j) To have and exercise supervision over the labor employed in the aforesaid industries and to make rules and regulations for carrying on such industries

(k) To the extent to which it is unable to provide work for every physically able inmate of such institutions to authorize the several boards of trustees of such institutions to permit inmates to engage in such work or industries as the Department may approve and which they are able to provide from other sources but all such work shall be performed the products thereof sold and the proceeds thereof disposed of under the rules and regulations of the department approved by the executive board

(l) To supervise the establishment in other State institutions of industries classes in occupational therapy and other means for the employment and training of inmates or patients

Section 2312 Mental Health The Department of Welfare shall have the power and its duty shall be

To administer and enforce the law of this Commonwealth relative to the prevention of mental diseases mental defect epilepsy and inebriety the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epilepsy and the transfer discharge escape interstate rendition and deportation of mental patients

Section 2313 Approval of Plans and Mortgages The Department of Welfare shall have the power and its duty shall be

(a) To approve or disapprove all plans for the erection or substantial alteration of any State institution

(b) To investigate and report to the Auditor General upon every application to the Auditor General made by any institution corporation or unincorporated association desiring to give a mortgage under the provisions of the act approved the twenty-ninth day of April Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws two hundred one) entitled "An act making mortgages given by benevolent charitable philanthropic educational and eleemosynary institutions corporations or unincorporated associations for permanent improvement and refunding purposes prior liens to the liens of the Commonwealth for the appropriation of moneys providing a method for the giving of such mortgages and fixing the duties of the Auditor General and Board of Public Charities in connection therewith"

Section 2314 State Institution With regard to State Institutions the department shall have the power and its duty shall be

(a) To determine the capacity of the institutions upon such plan or method as may be approved by the executive board

(b) To determine and designate the type of persons to be received by such institutions the proportion of each type to be received therein and the districts from which persons shall be received by such institution

(c) To issue requisitions upon the Auditor General for warrants to be drawn by the Auditor General upon the State Treasurer in favor of such institutions for the payment out of moneys specifically appropriated to the department for the purpose of the expenses of administering operating maintaining and developing such state institutions

(d) To require the submission to the department of any contract for repairs alterations or equipment which any such State institution desires to make and to approve or disapprove such proposed contract No such contract shall be valid without the approval of the department as evidenced by the signature of the Secretary of Welfare

Section 2315 Care of the Indigent The Department of Welfare shall have the power and its duty shall be whenever the General Assembly shall have specifically appropriated money to the department for the care of the indigent it shall issue requisitions upon the Auditor General for warrants to be

drawn by the Auditor General upon the State Treasurer in favor of such hospitals homes and institutions as required by law for free service to indigent persons as follows

1 The care and treatment of sick or injured persons in hospitals

2 The care of dependent delinquent and defective children in homes or institutions

3 The care of dependent adults in homes or institutions

4 The care and treatment of crippled children in homes or hospitals

5 The care treatment and removal of insane persons in county hospitals for the insane or private institutions

6 The removal of nonresident dependent children

7 The placement of dependent children through child-caring agencies

Section 2316 Board of Trustees of State Institutions The board of trustees of each State institution within the Department of Welfare shall have general direction and control of the property and management of such institution It shall have the power and its duty shall be

(a) Subject to the approval of the Governor to elect a superintendent or warden of the institution who shall subject to the authority of the board administer the institution in all its departments and if the board shall deem it advisable a business manager The combined amount of cash salary and the value of the maintenance if any furnished by the State to such superintendent or warden of any such institutions shall in no case exceed the sum of eight thousand dollars per annum The Auditor General State Treasurer and Secretary of Welfare shall determine in each case the value of the State maintenance furnished such superintendent or warden The combined amount of cash salary and the value of the maintenance if any furnished by the State to such business manager of any such institution shall in no case exceed the sum of five thousand dollars per annum The Auditor General State Treasurer and Secretary of Welfare shall determine in each case the value of the State maintenance furnished such business manager

(b) On nomination by the Superintendent or warden from time to time to appoint such officers and employes as may be necessary

(c) Except as in this act otherwise provided to fix the salaries of its employes in conformity with the standards established by the Executive Board

(d) Subject to the approval of the Secretary of Welfare to make such by-laws rules and regulations for the management of the institution as it may deem wise

The boards of trustees on the several State institutions shall exercise the foregoing powers in the management of the following institutions

Board of Trustees of Eastern State Penitentiary of Eastern State Penitentiary at Philadelphia

Board of Trustees of Western State Penitentiary of Western State Penitentiary at Pittsburgh and of the State Penitentiary at Rockview

Board of Trustees of Pennsylvania Industrial School of Pennsylvania Industrial School at Huntingdon

Board of Trustees of State Industrial Home for Women of State Industrial Home for Women at Muncy

Board of Trustees of Pennsylvania Training School of Pennsylvania Training School at Morganza

Board of Trustees of Allentown State Hospital of Homeopathic State Hospital for the Insane at Allentown

Board of Trustees of Danville State Hospital of State Hospital for the Insane at Danville Pennsylvania

Board of Trustees of Farview State Hospital of State Hospital for the Criminal Insane at Farview

Board of Trustees of Harrisburg State Hospital of Harrisburg State Hospital at Harrisburg

Board of Trustees of Norristown State Hospital of State Hospital for the Insane of the Southeastern District of Pennsylvania at Norristown

Board of Trustees of Warren State Hospital of State Hospital for the Insane at Warren Pennsylvania

Board of Trustees of Wernersville State Hospital of State Asylum for the Chronic Insane of Pennsylvania at South Mountain

Board of Trustees of Torrance State Hospital of Western State Hospital for the Insane Torrance

Board of Trustees of Ashland State Hospital of State Hospital for Injured Persons of the Anthracite Coal Regions of Pennsylvania at Ashland

Board of Trustees of Blossburg State Hospital of Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Blossburg

Board of Trustees of Coaldale State Hospital of State Hospital of Coaldale Schuylkill County

Board of Trustees of Connellsville State Hospital of Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Connellsville

Board of Trustees of Hazleton State Hospital of State Hospital of the Middle Coal Field of Pennsylvania at Hazleton

Board of Trustees of Nanticoke State Hospital of State Hospital of Luzerne County at Nanticoke

Board of Trustees of Philipsburg State Hospital of Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Philipsburg

Board of Trustees of Scranton State Hospital of State Hospital of the Northern Anthracite Coal Region of Pennsylvania at Scranton

Board of Trustees of Shamokin State Hospital of State Hospital of the Trevorton Shamokin and Mount Carmel Coal Fields of Pennsylvania at Shamokin

Board of Trustees of Locust Mountain State Hospital of Locust Mountain State Hospital at Shenandoah

Board of Trustees of Laurelton State Village of Pennsylvania Village for Feeble-Minded Women at Laurelton

Board of Trustees of Pennhurst State School of State Institution for the Feeble-Minded and Epileptic of Eastern Pennsylvania at Pennhurst

Board of Trustees of Polk State School of State Institution for the Feeble-Minded of Western Pennsylvania at Polk

Board of Trustees of Selinsgrove State Colony for Epileptics of the State Colony for Epileptics at Selinsgrove

Section 2317 Board of Trustees of Cumberland Valley State Institution for Mental Defectives The Board of Trustees of Cumberland Valley State Institution for Mental Defectives shall when and as the Legislature shall appropriate money for the purpose cooperative with the Department of Property and Supplies as provided in this act in the erection on the property at New Cumberland Cumberland County Pennsylvania acquired by the Commission for the Selection of a Site and the Erection of a State Institution for Inebriates of a State institution for mental defectives

Upon the completion of such institution the board of trustees shall manage and control the same as provided in the preceding section of this act Provided That the superintendent of such institution shall always be a physician experienced in the treatment of mental diseases and mental defectives

ARTICLE XXIV

POWERS AND DUTIES OF THE DEPARTMENT OF PROPERTY AND SUPPLIES AND ITS DEPARTMENTAL ADMINISTRATIVE AND ADVISORY BOARDS AND COMMISSION

Section 2401 Powers and Duties Transferred Subject to any inconsistent provisions in this act contained the Department of Property and Supplies shall exercise the powers and perform the duties exercised and performed prior to the fifteenth day of June one thousand nine hundred and twenty-three by the Board of Commissioners of Public Grounds and Buildings the Superintendent of Public Grounds and Buildings the Bureau of Information the Department of Public Printing and Binding the Division of Documents the Superintendent of Public Printing and Binding the Director of Publications the Gettysburg Battlefield Memorial Commission the General George Gordon Meade Statue Commission the Robert Morris Monument Commission the General Galusha Pennypacker Monument Commission and the Camp Curtin Park Commission as hereinafter in this article provided and any powers and duties subsequently vested in and imposed upon the Department of Property and Supplies by law

Section 2402 Grounds Buildings and Monuments in General The Department of Property and Supplies shall have the power and its duty shall be

(a) Subject to the powers by this act vested in the Board of Commissioners of Public Grounds and Buildings to control and supervise the State Capitol Building and the public grounds and buildings connected with the State Capitol including the State Arsenal and the Executive Mansion and to make or supervise the making of all repairs alterations and improvements in and about such grounds and buildings including the furnishing and refurnishing of the

same and also to have general supervision over repairs alterations and improvements to all other buildings lands and property of the State except as in this act otherwise provided

(b) To employ such captains sergeants of police and police officers as may be necessary to preserve good order in the Capitol grounds and buildings and fix their compensation Provided however That the number and compensation except in this act otherwise provided of such captains sergeants and officers shall be subject to the approval of the Governor Such captains sergeants and officers shall be known as the Capitol Police

(c) To employ such help as may be reasonably necessary for the cleaning care and preservation of the Capitol grounds and buildings and the furnishings therein for operating the mechanical plants in the Capitol buildings and the Executive Mansion and for service at the Executive Mansion

(d) To contract in writing for and rent proper and adequate offices rooms or other accommodations outside of the Capitol buildings for any department board or commission which cannot be properly and adequately accommodated with offices rooms and accommodations in the Capitol buildings and in all cases in which the head of a department for such department or for a departmental administrative board or commission within such department or an independent administrative board or commission with the approval of the Executive Board has established or is about to etsablish a branch office in any city or place outside of the capital city with the approval of the Board of Commissioners of Public Grounds and Buildings to contract in writing for and rent such offices rooms and other accommodations as shall be proper and adequate for such department board or commission The department shall rent such garages or contract for such garage space as may be necessary for the accommodation of State-owned automobiles either in or outside of the capital city at such rentals or rates as it shall deem reasonable The department may also if the General Assembly shall have appropriated funds therefor lease any lands which may be necessary for use by any department board or commission in the exercise of its powers or the performance of its duties It shall be unlawful for any other department board commission or agency of the State Government to enter into any leases but the Department of Property and Supplies shall act only as agent in executing leases for departments boards and commissions the expenses of which are paid wholly or mainly out of special funds and in such cases the rentals shall be paid out of such special funds

(e) To employ and with the approval of the Governor fix the compensation except as in this act otherwise provided of such capable superintendnets of construction engineers or inspectors as may be necessary properly to supervise building repairing altering adding to or improving State buildings in cases in which the work is not being done directly by or under contract with the Department of Property and Supplies The salaries and expenses of such superintendents of construction engineers or inspectors shall be paid from specific appropriations made to the department for such salaries and expenses Such superintendents engineers or inspectors shall see that the plans and specifications prepared and adopted for such new buildings or for repairs alterations additions or improvements to existing buildings shall be faithfully carried out and shall subject to appeal to and final decision by the head of the department define determine and decide all questions of the proper interpretation of the plans and specifications which may be raised during the progress of the work

(f) Out of funds appropriated to the department therefor the purchase or condemn land with or without buildings thereon for the purpose of adding the same to any of the public lands or parks or for use as sites for or in connection with arsenals armories military reservations intermediate landing fields hospitals normal schools teachers' colleges penal or correctional institutions or other institutions of the Commonwealth whenever in the judgment of the Governor the purchase or condemnation of such land is necessary or whenever such purchase or condemnation shall have been authorized by law and an appropriation shall have been made therefor The condemnation of land hereunder shall be in the manner provided by the act approved the fifteenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred seventy-six) entitled "An act to authorize the Board of Commissioners of Public Grounds and Buildings to acquire property for the Commonwealth by proceedings in eminent domain where the purchase of such property has either been authorized by law or determined by the Board of Commissioners of Public Grounds and Buildings under existing laws and an appropriation made therefor" its amendments and supplements Except as otherwise in this act expressly provided no other department board or commission of the State Government shall hereafter exercise the right of eminent domain for any of the purposes aforesaid any other act of Assembly heretofore enacted to the contrary notwithstanding

(g) To erect or supervise the erection of all monuments which may now or hereafter be authorized by law and to maintain and care for all monuments belonging to the Commonwealth which may now or hereafter be erected

(h) Whenever loss or damage by fire or other causalty shall occur to any structure building equipment or other property owned by the Commonwealth and be reported to the department to make an examination thereof and in its discretion subject only to the approval of the Executive Board to rebuild restore or replace the property damaged or destroyed and for that purpose to have plans and specifications prepared and contracts executed and to supervise the erection construction or replacement thereof such rebuilding restoration or replacement to be in substantial accord with the original character use and purpose of the property damaged or destroyed The costs of the materials furnished and work and labor performed under such contracts shall be certified by the department to the Auditor General who shall if he finds the same correct issue his warrant against the Insurance Fund of this Commonwealth which warrant shall be paid by the State Treasurer in the manner provided by law Provided That whenever the department shall have taken such action as will involve expenditures from said fund it shall forthwith certify the probable amount of expenditure to the State Treasurer who shall forthwith take such action as is necessary to provide funds sufficient to meet the obligations so entered into

(i) To rent to individuals firms or corporations such real estate owned by the Commonwealth as is not being used in connection with the work of any department board or commission thereof upon such terms and conditions as the Secretary of Property and Supplies may prescribe with the approval of the Governor in writing Provided however That no lease executed under the authority hereby conferred shall be for a longer term than one year and so on from year to year

(j) From time to time to rent to persons associations or corporations upon such terms as shall be approved by the Board of Commissioners of Public Grounds and Buildings the auditorium in the South Office Building Number Two when it shall not be required for the Commonwealth's use

Section 2403 Standards Purchases and Inspection The Department of Property and Supplies shall have the power and its duty shall be

(a) To formulate and establish standards or specifications whenever practicable for articles materials supplies furnishings and equipment used by administrative departments independent administrative departmental administrative and advisory boards and commissions but no specification shall be fixed as a standard until it shall be approved by a majority of the departments boards and commissions using the article material or supply described in the specification

(b) To conduct such tests and inspections as may be necessary to determine whether or not articles materials supplies furnishings or equipment offered meet the requirements of the standards and specifications established

(c) To enter into contracts for supplying all stationery printing paper and fuel used in the legislative and other departments of the government and for repairing and furnishing the halls and rooms used for the meetings of the General Assembly and its committees All such contracts shall be awarded to the lowest responsible bidder below such maximum price and under such regulations as are prescribed by this act and shall be subject to the approval of the Governor the Auditor General and the State Treasurer

(d) To purchase in like manner all other furniture materials or supplies required by the legislative and other departments of the State Government except as otherwise provided in this act

(e) To distribute stationery paper and fuel to the legislative and other departments of the government and arrange for the repairing and furnishing the halls and rooms used for the meetings of the General Assembly and its committees upon requisition of the Governor or of the appropriate administrative department or independent administrative board or

commission or the proper officer of the General Assembly or of the judicial department as the case may be Provided That all requisitions for furniture materials or supplies required by any departmental administrative board or commission or officer or any advisory board or commission shall be made by the administrative department with which such departmental administrative board commission or officer or such advisory board or commission is connected And provided further That the department shall not without the consent of the Governor honor any requisition from any administrative department board or commission after the amount of any biennial appropriation for furniture stationery materials and supplies allocated to such department board or commission by the Governor shall have been expended for such department board or commission

(f) To act as the purchasing agency for any administrative department or independent administrative or department administrative board or commission which by law is authorized to purchase materials or supplies and pay for the same out of fees or other moneys collected by it or out of moneys specifically appropriated to it by the General Assembly except that all departments boards and commissions requiring perishable food-stuffs or fuel for use in State institutions may purchase such food-stuffs and fuel directly and any department board or commission having charge of a State institution which is able after competitive bidding to purchase any article for a less price f o b the institution than the price at which such article can be furnished by the Department of Property and Supplies f o b the institution may purchase such article directly All purchases made by the Department of Property and Supplies as purchasing agency under this clause shall conform to schedule unless the Board of Commissioners of Public Grounds and Buildings shall specifically authorize a departure from schedule and all purchases made directly for any State institution shall conform to the specifications contained in the schedules or if the article be not included in the schedules then to the standard specifications if any adopted by the Department of Property and Supplies for the commodity purchased unless the Board of Commissioners of Public Grounds and Buildings shall have specifically authorized a departure from such specification

(g) To collect and furnish on request market prices and such other information as will be serviceable in purchasing to any institution receiving State funds directly or indirectly

(h) To require records of all purchases made by any other department board or commission in the field to be transmitted to it monthly in such form as it may prescribe

Section 2404 Bonds and Liability Insurance The Department of Property and Supplies shall have the power and its duty shall be

(a) To procure from a corporation or corporations authorized by law to act as sureties in the Commonwealth of Pennsylvania except as in this act otherwise provided good and sufficient bonds which shall be approved by the Attorney General and filed with the State Treasurer to meet the requirements of law in the case of all State officers and employes required by statute to give surety bonds to the Commonwealth for the faithful performance of their official duties or to account for State funds in their possession

(b) To procure liability insurance covering vehicles owned by the Commonwealth and operated by State officers or employes and in its discretion excess fire insurance on State buildings and any other kind of insurance which it may be lawful for the Commonwealth or any department board commission or officer thereof to carry and for which an appropriation has been made to the department Provided That the Treasury Department may contract for insurance covering the securities of which it or the State Treasurer is custodian as provided in the Fiscal Code and that the Auditor General the Treasury Department and the Department of Internal Affairs may contract separately for surety bonds and insurance

The department shall pay for such insurance out of the moneys appropriated to it except that it shall not pay for insurance covering officers employes or property of the departments boards and commissions whose expenses are wholly paid out of funds other than the General Fund of the State Treasury and except officers employes and property of State institutions Insurance covering the officers employes and property of such departments boards and commissions shall be paid for out of the special funds appropriated to them and insurance covering the officers employes and property of State institutions shall be paid for out of the moneys appropriated for their maintenance

All automobile liability insurance procured by the Department of Property and Supplies hereunder shall protect both the Commonwealth and the State officer or employe operating the vehicle against claims for damages for injury to person or property within such limits as the department with the approval of the Executive Board shall prescribe

Section 2405 Sale of Unserviceable Property The Department of Property and Supplies shall have the power and its duty shall be to receive from the several administrative departments and independent administrative and departmental administrative boards and commissions unserviceable personal property of this Commonwealth to issue receipt therefor make a complete record thereof and if no other department board or commission is able to make use of the same presently then as soon as convenient to sell same either at public auction or private sale in the city of Harrisburg or elsewhere as may be deemed advisable Except in the case of perishable property such sales shall be advertised in not exceeding five newspapers of the Commonwealth once a week for three weeks such advertisements to state the time place and conditions of any such sale but if after such advertising the department is unable to obtain a bid for the property it may be demolished or destroyed Provided That when the unserviceable property is located at a State institution the department in its discretion may authorize such institution without advertising to obtain at least two bids in the locality where the property is located Such bids shall be referred to the department and if it believes that the property will not realize a higher net sale price if transported to the Capitol for sale the department may authorize the institution to sell the property locally to the highest bidder to take a proper receipt therefor and to transmit the proceeds to the department to be by it paid into the State Treasury through the Department of Revenue And provided further That whenever any department board or commission shall deliver to the Department of Property and Supplies any unserviceable personal property and at the same time requisition the said department to furnish new property of a similar character to replace the unserviceable property delivered as aforesaid or request said department as purchasing agency to purchase new property of a similar character the Department of Property and Supplies with the approval of the Board of Commissioners of Public Grounds and Buildings shall endeavor to exchange the unserviceable property for or an account of the purchase price of the new property about to be purchased but such unserviceable property shall not be delivered for or on account of the purchase price of any property at a lower valuation than the price which such unserviceable property would bring if sold in the open market for cash and to the extent that advertising any such unserviceable property for sale may be necessary to establish its market value the Department of Property and Supplies is authorized and directed to advertise as hereinabove provided The Department of Property and Supplies shall obtain from the person partnership or corporation to which any personal property is delivered in exchange under the authority of this section a receipt therefor describing such personal property and specifying the value at which it was taken in exchange and such receipt shall be delivered to the Auditor General attached to the requisition for the payment of the balance of the purchase price due for the new property purchaser The proceeds of sales of personal property hereunder shall be transmitted by the Department of Property and Supplies to the Department of Revenue which shall transmit it to the Treasury Department to be credited to the fund out of which the property sold was originally purchased

Section 2406 Publications The Department of Property and Supplies shall have the power and its duty shall be

(a) To edit for publication all reports bulletins and other publications of the various departments boards and commissions of the State Government

(b) With the approval of the President pro tempore of the Senate and the Speaker of the House to determine the size and character of the various publications to be printed for the use of the General Assembly Provided That the quantity of any new publication for the members and officers of the General Assembly shall be fixed by act or resolution And provided That the members and officers of the General Assembly shall receive not less than the same number of advance sheets of the laws bills calendars journals Pamphlet Laws department report and other publications as is now authorized by law which shall be distributed to the members and officers of the General Assembly only on the requisition

of the librarian of the Senate and the resident clerk of the House of Representatives

With the approval of the Governor except as in this act otherwise provided to determine the need size character quantity and method of distribution of the various publications to be printed for the use of or distribution by the several departments boards commissions and other agencies engaged in the administrative work of the State Government Provided That in the case of reports made by the several departments boards or commissions the department board or commission making the report shall be consulted with regard to the need size character quantity and method of distribution of such reports

With the approval of the Governor and of the Chief Justice of the Supreme Court of Pennsylvania to determine the size character quantity and method of distribution of the various publications to be printed for the use of the judicial department

Unless specifically authorized by act or resolution no public printing and binding shall be ordered performed or furnished by the department for the General Assembly or any department board commission or other agency of the State Government until a requisition for said work or materials has been presented to the department duly signed by the chief clerk or librarian for the Senate the chief clerk or resident clerk for the House of Representatives or the head or the person or persons who may be given such authority by the head of the department or the chief executive officer or other authorized representative of the board commission or other agency of the State Goverment making such requisition

(c) To compile and edit a State Manual which shall be published annually or biennially under such name as the department and the Governor shall determine The members and officers of the Senate and House of Representatives shall be given for distribution of said publications not less than the number that they were heretofore given at Smull's Legislative Hand Book The number to be published for the several State departments boards and commissions shall be fixed by the department with the approval of the Governor If in the judgment of the department it is deemed advisable to publish copies of said manual in addition to those herein authorized which can be sold at the cost of printing and binding the department is authorized to publish such additional copies and pay the amount realized from the sale of same to the State Treasurer though the Department of Revenue

(d) To enter into contracts for furnishing all printing used in the legislative and other departments of the Government and the printing binding and distributing of the laws journals departments reports and all other printing and binding lithographing cuts plates dies and supplies and materials incident thereto which contracts shall be given to the lowest responsible bidder below such maximum price and under such regulations as are prescribed by this act and shall be subject to the approval of the Governor Auditor General and State Treasurer

(e) To distribute all documents upon requisition of the persons entitled to make requisition therefore by causing the same to be packed in packages or boxes addressed as required in the requisition and delivered personally at the office of the department or free at the post office express or freight office indicated in the requisition Provided That the department shall not without the consent of the Governor honor any requisition from any administrative department board or commission after the amount of any biennial appropriation for documents allocated to such department board or commission shall have been expended for such department board or commission

(f) Except as in this act otherwise provided to furnish blank requisition forms to all persons entitled to make requisitions upon the department for documents stationery furniture or supplies of any character

(g) From time to time to solicit by advertising proposals for the purchase of all waste paper documents and other materials that have been accumulated and are no longer needed and the department is hereby authorized to make sale thereof by contract or contracts to the highest bidder upon such terms and conditions as it shall determine but the department shall have the right to reject any and all proposals for the sale The proceeds of any such sale shall be paid into the General Fund in the State Treasury through the Department of Revenue

(h) To publish advance sheets of the Pamphlet Laws and to transmit one copy thereof by mail to each department board and commission of the State Government to each prothonotary and county solicitor and to each law judge of the courts and to every county and public library of this Commonwealth and to each member of the General Assembly Such copies shall be furnished without charge The department shall also mail to any person who shall pay to it the sum of five dollars one copy of each such law enacted during any legislative session All moneys received hereunder shall be paid into the General Fund in the State Treasury through the Department of Revenue

(i) To copyright in the name of the Commonwealth all publications of the Commonwealth or of any department board or commission or officer thereof including the State Reports which under existing or future laws it shall be necessary to have copyrighted and such other publications as the Secretary of Property and Supplies with the approval of the Governor shall deem it advisable to copyright

(j) To distribute to the public upon payment to the department of such sum per copy as shall cover the cost of publication any documents published by the department for the Commonwealth or any department board commission or officer thereof which shall cost more than five cents per copy to publish except documents published for the Governor and the General Assembly which shall be distributed without charges as heretofore To administer this subsection the department may publish for free distribution to applicants therefor a price-list showing the publications which the department is prepared to furnish to the public and the charges for each such document All moneys collected by the department hereunder shall be paid through the Department of Revenue into the General Fund in the State Treasury except that if the cost of publishing any document sold by the department hereunder shall have been paid out of any special fund in the State Treasury the proceeds of the sale thereof shall be paid into such special fund through the Department of Revenue

Section 2407 Automobiles The Department of Property and Supplies shall upon the effective date of this act take over and thereafter assume responsibility for the maintenance and operation of all automobiles owned by the Commonwealth or any administrative department board or commission thereof except the Department of Highways

After the effective date of this act all automobiles required for use by the administrative departments boards commissions and officers of the State Government shall be purchased by the Department of Property and Supplies but in prescribing automobiles required for the use of any department board or commission having authority to purchase automobiles out of money appropriated to it the Department of Property and Supplies shall act as purchasing agency

The Department of Property and Supplies shall make or contract for the making of all repairs to automobiles owned by the Commonwealth except those operated by the Department of Highways unless in any case it shall specifically authorize any department board commission or officer to make or order the making of repairs to any specified automobiles and except emergency repairs necessarily made while any automobile is away from its garage

The Department of Property and Supplies may assign to any department board or commission such automobiles as may be required by it for full-time daily use and such automobiles shall be operated by employes of such departments boards or commissions The department shall maintain a sufficient number of automobiles not assigned to departments boards or commissions to meet the requirements of departments boards and commissions which do not require the full-time daily use of automobiles and to meet extraordinary and occasional demands of all departments boards and commissions other than the Department of Highways Such automobiles with chauffeurs shall be furnished to departments boards or commissions upon requisition of the heads of the respective departments or of the executive officers of the respective boards or commissions This paragraph shall not be construed to prohibit a State officer or employe from being reimbursed for the use of his own automobile on State business but all such reimbursements shall be made under and subject to rules of the Executive Board regulating the payment of expenses to State officers and employes

The cost of oil gasoline tires repair parts for and repairs to automobiles permanently assigned to departments boards and

commissions shall be paid out of the appropriations to such departments boards and commissions but the Department of Property and Supplies shall contract for all such oil gasoline tires repair parts and repairs except that repairs may be made by the Department of Highways and if authorized as hereinbefore provided by other departments and by boards and commissions For the use of other automobiles departments boards and commissions shall be billed by the Department of Property and Supplies upon a mileage basis at such amount per mile as the Department of Property and Supplies with the approval of the Executive Board shall determine Amounts payable for the use of such automobiles shall be paid out of the appropriations to such departments boards or commissions to the Department of Property and Supplies and shall be by it paid into the General Fund of the State Treasury through the Department of Revenue

The Department of Property and Supplies shall require every administrative department including the Department of Highways and every independent administrative and departmental administrative board or commission to report to it monthly upon forms supplied by it and with such detail as it shall require the places to and from which each automobile was operated the mileage traveled the amount of oil and gasoline purchased the names of employes of the department board or commission operating each automobile the names of the employes of the department board or commission for whom the automobiles were operated and such other information as may be necessary to enable the Department of Property and Supplies to make and keep complete records of the use and cost of operation of all State automobiles except that it shall not be necessary for the Department of the Auditor General the Treasury Department and the Department of Internal Affairs or the Pennsylvania State Police to report the places to and from which or the names of the persons by or for whom automobiles were operated

The types and number of automobiles to be purchased by the Department of Property and Supplies hereunder shall be subject to approval by the Executive Board and the use of automobiles by State officers and employes shall be subject to the rules and regulations of the Executive Board

Section 2408 Procedure for Erection of Buildings and Alterations or Additions to Existing Buildings Whenever the General Assembly shall have appropriated money to the Department of Property and Supplies or to any other department or to any administrative board or commission for the erection of new buildings or sewage or filtration plants other service systems or athletic fields or other structures or for alterations or additions to existing buildings or to such plants systems fields or structures to cost more than ten thousand dollars ($10,000) the following procedure shall apply unless the work is to be done by State employes or by inmates or patients of a State institution or State institutions to which the General Assembly has appropriated money for the foregoing purposes is by this act or by the act making the appropriation authorized to erect alter or enlarge buildings independently of the Department of Property and Supplies or under a different procedure

(a) If the appropriation is to a department other than the Department of Property and Supplies or to a board or commission such department board or commission shall notify the Department of Property and Supplies as soon as it is ready to have plans and specifications for the work prepared

(b) Promptly after such notice in such cases or promptly after any appropriation made to it becomes available the Department of Property and Supplies shall select an architect and if necessary an engineer to design the work and prepare the specifications therefor

(c) The Department of Property and Supplies shall enter into a contract with the architect and engineer if any which shall provide a date for the completion of the plans and specifications and that the plans and specifications must meet with the approval of the department board or commission for which the building is being erected altered or enlarged (unless the building is on the Capitol grounds) and in the case of Departmental administrative boards or commissions of the departments with which such boards or commissions are respectively connected that the drawings and specifications must be approved by the Department of Property and Supplies The plans and specifications must be approved by the Department of Labor and Industry and the Department of Health to the extent to which those departments respectively have jurisdiction to require the submission to them for approval of certain features of the building Such architect and engineer if any in preparing plans and specifications shall consult with the department board or commission for which the building is to be erected altered or enlarged (unless the building is on the Capitol grounds) but the Department of Property and Supplies shall insist upon the prompt completion of the plans and specifications within the time prescribed in the architect's and engineer's contracts unless it shall agree to an extension thereof

Every department board or commission whose approval of plans or specifications is required hereunder shall within sixty days after submission thereof by the architect approve or disapprove all sketches drawings specificiations and other documents and shall inform the architect of decisions in such reasonable time as not to delay him in his work

(d) Upon the completion of the plans and specifications and their approval by all necessary State agencies the Department of Property and Supplies shall invite proposals by advertisements inserted at least three times in not less than six or more than twelve newspapers of large general circulation in different parts of the Commonwealth The first and last publications of any such advertisement shall be at least ten days apart and the department shall not advertise hereunder in more than three newspapers in the same county

(e) The department may invite proposals either for completely erecting altering or adding to any building or separately for parts of the work or both Whether it shall invite proposals for part of the work and if so for what parts shall rest within the sole discretion of the department

(f) All proposals shall be accompanied by certified or bank checks in such amounts or percentage of the amounts of the proposals as shall be specified in the advertisement and shall be publicly opened and tabulated at the time and place specified in the advertisement

(g) The department shall as soon as practicable award the contracts to the lowest responsible qualified bidder but it shall have the right to reject any or all bids to waive technical defects and to accept or reject any part of any bid if in the judgment of the department the best interests of the Commonwealth shall require it

(h) No proposal for any contract shall be considered unless accompanied by a certified or bank check as prescribed by the department at the time of advertising A bidder who shall have accompanied his proposal with a certified or bank check as aforesaid and to whom a contract shall have been awarded must within ten days after such award substitue for said check a surety performance bond for not less than fifty per centum (50%) or more than one hundred per centum (100%) of the bid price of the work as shall have been prescribed by the department in its invitation for proposals and an additional bond in a sum not less than fifty per centum (50%) and not more than one hundred per centum (100%) of the contract price of the work as prescribed by the department in its invitation for proposals conditioned that the contractor will promptly pay for all material furnished and labor supplied or performed in the prosecution of the work whether or not the material or labor enter into and become component parts of the building Such additional bond shall be held by the Department of Property and Supplies for the use of every party who whether as subcontractor or otherwise has furnished material or supplied or performed labor in the prosecution of the work as above provided and who has not been paid therefor and among other things shall provide specifically that any such party may bring a suit thereon in the name of the Commonwealth for his their or its own use prosecute the same to final judgment for such sum or sums as may be justly due and have execution thereon Provided however That the Commonwealth shall not be liable for the payment of any costs or expenses of any such suit Each surety bond required hereunder shall have as surety a surety company authorized to tranact business in this Commonwealth or two individual sureties approved by the Department of Justice

(i) No contract shall be valid or effective unless a certified copy thereof detail break-down sheet of the work and contract price of the work involved shall have been filed in the offices of the Auditor General the State Treasurer and the department board or commission for which the work is to be done promptly after the execution of the contract

(j) The enforcement of all contracts provided for by this section shall be under the control and supervision of the Department of Property and Supplies In the event that the Department of Property and Supplies and the contractor cannot agree on any of the general conditions of the contract and on

the specifications such disagreement shall be subject to decision by the Department of Justice and its decision shall be final

(k) The Department of Property and Supplies shall examine all bills on account of the contracts entered into under the provisions of this section and if they are correct the department shall certify that the materials have been furnished or that the work or labor has been performed in a workmanlike manner and in accordance with the contract approve the bills and issue its requisition therefor or forward its certificate to the proper department board or commission as the case may be

(l) The Department of Property and Supplies shall have the right to engage the services of any consulting or supervising engineer or engineers whom it may deem necessary for the proper designing of or inspection or supervision of buildings erected altered or enlarged by the department hereunder

(m) Changes in the plans or specifications or both may be made after their approval only with the consent of all of the departments boards and commissions whose approval of the original plans or specifications or both was necessary hereunder

(n) If the appropriation is to a department other than the Department of Property and Supplies or to a board or commission the Department of Property and Supplies shall award and enter into the contract as agent for the department board or commission to which the appropriation was made

Section 2409 Method of Awarding Contracts for Stationery Paper Fuel Repairs Furnishings and Supplies The Department of Property and Supplies shall on or before the first day of February in each year notify the Governor the several administrative departments the independent administrative departmental administrative and advisory board and commissions the chief clerks of the Senate and House of Representatives and the proper officers of the judicial department respectively to furnish lists of all furniture and furnishings stationery supplies repairs alterations improvements fuel and all other articles that may be needed by their respective departments boards or commissions or the Senate or the House of Representatives for the fiscal year beginning the first day of June next following excepting only perishable foodstuffs and fuel for State institutions and repairs or alterations which are not to be made by the Department of Property and Supplies

Upon receipt of such lists the Department of Property and Supplies shall consolidate and classify the articles named therein taking care that there shall be full descriptions given with make and number of goods when possible and proper maximum price fixed and shall prepare annual semi-annual or quarterly schedules thereof as deemed for the best interests of the Commonwealth Whenever deemed necessary it shall have plans designs and specifications prepared of any furniture or furnishings repairs alterations and improvements paying for the preparation of the same out of the funds appropriated to the department

The department shall state in the schedules that the work or articles for which the plans designs and specifications are prepared are to be done or furnished in accordance therewith and that the plans designs or specifications will be found in its office for inspection and copies of the same shall be furnished to the successful bidders The schedules shall state that bids will be received on one or more of the items of any classifications of the schedules In such schedules the form of proposal shall be given and all other information which the department shall consider necessary for the bidder In preparing the lists or schedules the department shall in all cases give preference to goods of American production or manufacture The quantities given in the schedules shall be the estimated maximum quantities that are likely to be required during the term of contract but the schedules shall in all cases provide that the goods shall be furnished in greater or less quantity and at such times as the needs of the departments boards commissions and the Senate and House shall require

The schedules shall also provide whenever practicable a per diem penalty or forfeiture after a stated time for the failure of contractor to finish or furnish the work or materials contracted for which penalty or forfeiture shall be deducted by the Auditor General from the amount of the contractor's bill before settlement is made when so directed to do by the department

The department after conferring with the heads of the various departments boards commissions and the chief clerks of the Senate and House shall have the power to make such changes in the schedules as may be deemed proper and may standardize any or all articles therein

When the schedules have been finally prepared they shall be printed in pamphlet form as the schedules of stationery paper supplies fuel furniture furnishings repairs alterations improvements and other matters and things needed for the public grounds and buildings the Senate and House of Representatives the several departments boards and commissions of the State Government and the Executive Mansion

The department shall not less than six weeks prior to the termination of schedule contracts now existing or that may be made in the future advertise the opening of bids for the annual semiannual or quarterly schedules by advertising inserted for at least three days the first and last publication to be at least ten days apart in not less than six or more than twelve newspapers of extensive general circulation in different parts of the Commonwealth not more than three of which shall be published in any one county invite sealed proposals for contracts to furnish all stationery supplies paper and fuel used by the Senate and House of Representatives the several departments boards and commissions of the State Government and the Executive Mansion and for repairing altering improving furnishing or refurnishing and all other matters or things required for the public grounds and buildings legislative halls and rooms connected therewith the rooms of the several departments boards and commissions and the buildings connected with the State Capitol and the Executive Mansion The advertisement shall contain a reference to the schedules so printed and as briefly as practicable invite bids for the furnishing of articles named in the schedules and give notice of the time and place where such bids will be received and when they will be opened

All proposals shall be delivered to the department on or before twelve o'clock meridian on the day set by the department following the date of the last advertisement and each bid shall be in duplicate one of which shall be marked "Duplicate Bid" Each bid together with the proper certified or bank check as provided for in this act shall be encolsed in an envelope securely sealed and shall be mailed or delivered to the department which shall retain all envelopes unopened until the time fixed for the opening thereof

The department shall on the date fixed for opening of bids at twelve o'clock meridian open and publish said proposals and as soon thereafter as practicable award the contracts to the lowest responsible bidder on each of the items of the several classifications of the schedules The department shall have the right to reject any or all bids The bids when opened shall be tabulated and shall be subject to examination by bidders A record of all bids shall be made by the department in a book kept for that purpose

When no proposal has been received or if for any reason the department shall reject all proposals the department shall advertise again for proposals giving at least fifteen days' notice of the time of receiving the same which proposals shall be opened awarded and approved in like manner as heretofore provided

No proposal for any contract shall be considered unless such proposal is accompanied by a certified or bank check to the order of the State Treasurer in one-fourth the amount of the estimated contract or by a bond in such form and amount as may be prescribed by the department Any such bond shall be conditioned for the faithful performance of the terms of the contract if awarded and shall have as surety one surety company authorized to act as surety in this Commonwealth or two individual sureties approved by the Department of Justice

A bidder who shall have accompanied his proposal with a certified or bank check as aforesaid and to whom a contract shall have been awarded may within ten days after such award substitute for said check a bond as herein prescribed otherwise said check shall be retained in lieu of a bond.

In the event that any contractor shall fail to fulfill or comply with the terms of any contract such contract shall be awarded to the next lowest responsible bidder and the department shall request the Department of Justice to bring suit against the failing contractor or his sureties to recover the loss sustained by the Commonwealth by the reletting

All contracts awarded shall be severally void unless first approved by the Governor the Auditor General and the State Treasurer and when so approved together with all checks or bonds given for their faithful performance be filed with the department which shall keep a record of the same and shall within twenty days after the award certify copies of all said

contracts to the Auditor General The bonds and certified checks of all unsuccessful bidders shall be returned to such bidders as soon as practicable after contracts have been awarded and approved but not later than sixty days after the date of opening the proposals

The enforcement of all contracts provided for by this act and of all similar contracts heretofore entered into and now in force shall be under the control and supervision of the department

The department shall receive the contractor or contractors the articles mentioned in the schedules Articles contracted for must be furnished promptly It shall be the duty of the department to reject all articles not up to the standard requird and if a contractor shall fail to exchange them for articles that meet the requirements prescribed or shall fail to deliver any article within a reasonable time the department may go into the open market and purchase articles to take the place of those adjudged to be of inferior quality or which have not been delivered and deduct the expense including any excess in price over that called for in the contract from the amount due the contractor from the Commonwealth If the amount due said contractor is not sufficient to meet such expenses and excess price paid for the articles purchased the department may proceed against the contractor or his sureties under the bond aforesaid by proper action through the Department of Justice

In all cases where a lump sum contract containing a provision for partial payments on account of materials delivered and work done is entered into by the department a percentage to be fixed by the department of the amount due as set forth in the contract shall be withheld from the contractor by the Auditor General until the department shall certify that the contract has been fully complied with

The department shall examine all bills on account of contracts entered into under the provisions of this section and if they are correct the department shall certify that the materials have been furnished or that work or labor has been performed in accordance with the contract and approve the bills When so approved the bills shall be audited settled and paid by the Auditor General and State Treasurer in the manner provided by law

It shall be the duty of the department when the articles named in the schedules are received from the contractors to care for them properly in storage rooms and the department shall be held responsible for their safekeeping

The Board of Commissioners of Public Grounds and Buildings shall provide suitable storage rooms for the furniture stationery supplies and fuel that may be procured

Whenever the Governor the heads of the departments the executive officers of the independent administrative boards and commissions the chief clerks of the Senate and House of Representatives or the proper officers of the judicial department shall require any portion of the stationery supplies fuel furniture furnishings repairs alterations improvements and other matter or things appearing in the schedules for which contractors have been awarded by the board a requisition giving number and description of the item needed shall be made on the department which shall cause the article to be delivered taking a proper receipt therefor

Whenever any administrative department or any independent administrative or departmental administrative board or commission shall call upon the department to purchase for it as purchasing agency any article named in the schedules if the department has such article on hand it may deliver the same to such department board or commission and forthwith as purchasing agency for such department board or commission purchase another article to replace the article so delivered such replacement to be paid for out of the appropriation available to the department board or commission for the purchase of the article

In the event that requisitions are made upon the department for any article of furniture furnishings stationery supplies fuel or any other matter or thing the want of which was not anticipated at the time of the making of the schedules the department may in its discretion invite proposals from at least two responsible bidders unless the article can be procured from only one source and when one proposal shall be invited such proposal or proposals together with such requisition or requisitions shall be submitted to the Board of Commissioners of Public Grounds and Buildings for approval or disapproval at its next meeting Provided however That the department may in its discretion purchase in the open market without inviting any proposal any such article costing less than fifty dollars but all such purchases shall be reported to the Board of Commissioners of Public Grounds and Buildings at its next meeting

Section 2410 Method of Awarding Contracts for Public Printing and Binding All contracts for public printing and building shall be for terms of not less than one or more than four years

The department shall have the right to divide such printing and binding into as many classes and enter into as many contracts therefor as it shall deem proper and advisable in carrying out the provisions of this act and to make classifications and prepare specifications schedules and contracts and to specify in any contract for printing the machinery and equipment which must be owned or leased before the contract will be awarded to a bidder

Not less than two months prior to the termination of any contract now existing or the termination or expiration of any contract hereafter entered into the department shall advertise for proposals for public printing and binding which advertisements shall be published for at least three days the first and last publications to be at least ten days apart in one or more newspapers of general circulation published in Philadelphia Pittsburgh Harrisburg and five other places within the Commonwealth Such advertisement shall specify the special qualifications if any as to machinery and equipments

All proposals shall be submitted upon blanks furnished by the department on or before the time fixed for opening proposals and each proposal shall be in duplicate one of which shall be marked "Duplicate Proposal" Each proposal shall be accompanied by a certified or bank check to the order of the State Treasurer in such amount as shall be determined by the department and designated in the advertisement

The Secretary of Property and Supplies shall open all proposals received publicly and shall proceed publicly to award the contract or contracts for which bids were asked to the lowest responsible qualified bidder or bidders below the maximum price or prices fixed in the schedule or schedules prepared by the department and if any such bidder refuses or neglects to accept a contract awarded to him within ten days then such contract may be awarded to the next lowest responsible qualified bidder and so on until such contract shall be awarded and accepted Provided however That the department shall have the right to reject any or all bids and when all bids shall be so refused the department shall advertise again for proposals giving at least ten (10) days' notice thereof by advertisement and said proposals shall be opened awarded and approved in like manner as hereinbefore provided And provided further That all contracts awarded shall be severally void unless first approved by the Governor the Auditor General and the State Treasurer

The certified or bank checks of all unsuccessful bidders to whom no contracts were awarded shall be returned to the makers thereof but any bidder to whom a contract has been awarded and who has neglected or failed to enter into the contract or contracts awarded to him in the manner and upon the terms herein provided shall be liable to the Commonwealth for the difference between the amount of his bid and the bid of the person or persons to whom said contract shall afterwards be awarded and in addition thereto all costs and expenses necessarily incurred by reason of his neglect or failure and as liquidated damages therefor there shall be retained by the Commonwealth out of the amount of said certified or bank check the amount required to reimburse the Commonwealth for such loss

No contract shall be entered into with any contractor until after such contractor shall have satisfied the department that he is the owner or lessee of sufficient machinery and equipment properly and promptly to perform and execute any orders given to him under the proposed contract and has furnished a sufficient bond to the Commonwealth in such form and amount as may be prescribed by the department conditioned for the faithful performance of the terms of the contract and shall have as surety a surety company authorized to act as surety in this Commonwealth said bond and the terms thereof to be approved by the Attorney General

No public printing and binding shall be performed for any department board commission or other agency of the State Government or any officer thereof unless authorized in writ-

ing by the department and no printing or binding whatsoever shall be done by the contractor at the expense of the Commonwealth except upon such written order or authorization and the contractor shall not proceed with any work until he shall have received from the department a written order and full instructions therefor

The rates of compensation for the public printing and binding for all objects of charge against the Commonwealth by the contractor shall be according to the schedules set out in the specifications furnished by the department and incorporated in the contract and no printing and binding or other work or material whatsoever shall be done or furnished by the contractor that is not set forth in the schedules or specifications incorporated in the contract unless authorized in writing by the department and the price therefor designated by it and if the contractor shall proceed with any such printing and binding without such authorization in writing the department shall have the right to condemn such unauthorized work whereupon the contractor shall not be entitled to receive any compensation whatsoever therefor or the department if it shall accept such unauthorized printing and binding shall fix a reasonable price therefor which said price shall in no case exceed the lowest rate or rates at which the same can be obtained elsewhere by said department and said contractor shall be bound by the rate or rates so fixed by said department and shall in no case recover any additional sum or amount

There shall be provided by the department and incorporated in every contract made hereunder provision for delivery of all printing binding and other work done by the contractor the time when delivery must be made and reasonable penalties for delay in such delivery

The department may award contracts for emergency public printing and binding from time to time as the necessity arises by securing competitive bids without advertising therefor but every such contract shall be void unless approved by the Governor the Auditor General and the State Treasurer

Section 2411 Preparation of Plans and Specifications in Anticipation of Requests for Appropriations The Department of Property and Supplies shall when specifically authorized by law have the power out of funds appropriated to it for the purpose to cause plans and specifications for and estimates of the cost of State buildings or alterations or additions to the same to be prepared prior to the meeting of the General Assembly

Section 2412 Qualification of Bidders In every case in which the Department of Property and Supplies is authorized by this act to invite proposals it may in its discretion furnish to every prospective bidder a questionnaire calling upon the bidder to furnish information relative to his financial status experience equipment and integrity and require such questionnaire properly filled out and verified by oath or affirmation to be attached to the bidder's proposal

Whenever a questionnaire is furnished and required hereunder the department may consider the information therein contained in determining which is the lowest responsible bidder

Section 2413 Board of Commissioners of Public Grounds and Buildings The Board of Commissioners of Public Grounds and Buildings shall have the power and its duty shall be

(a) To assign rooms in the State Capitol to the Governor the General Assembly and the officers and committees thereof the Supreme and Superior Courts and the judges and officers thereof and as far as possible to the several administrative departments boards and commissions of the State Government

(b) Whenever the Department of Property and Supplies shall have leased offices rooms or accommodations outside the Capitol buildings for the use of the administrative departments boards or commissions to assign such rooms to such administrative departments boards or commissions as cannot be adequately accommodated in the Capitol buildings

(c) To approve or disapprove proposed leases for branch offices rooms and accommodations outside the capital city and to assign such offices rooms and accommodations if and when leased

(d) To approve or disapprove proposed purchase by the Department of Property and Supplies as purchasing agency of articles other than those on the department's schedules when a similar article is included on such schedules and to approve or disapprove departures from specifications contained in the schedules or from standard specifications for articles not included in the schedules by departments boards or commissions having charge of State institutions

Section 2414 General Galusha Pennypacker Monument Commission The General Galusha Pennypacker Monument Commission shall have the right from time to time to meet for the purpose of considering and studying the work of the department with regard to the Monument of General Galusha Pennypacker now being constructed in Logan Square Philadelphia and to make recommendations and render advice to and approve or disapprove the plans of the department with regard to the erection maintenance and care of such monument

Section 2415 Capitol Police The Capitol Police shall have the power and their duty shall be

(a) To enforce good order both in the Capitol buildings and on the grounds

(b) To protect the property of the Commonwealth in the Capitol grounds and buildings

(c) To exclude all disorderly persons from the premises of the State Capitol

(d) In the performance of their duties to adopt whatever means may be necessary

(e) To exercise the same powers as are now or may hereafter be exercised under authority of law or ordinance by the police of the city of Harrisburg

(f) To shoot any dogs or cats wandering at large in the buildings or upon the grounds connected with the State Capitol unless the same are in leash or under the complete control of the owner

(g) To order off said grounds and out of said buildings all vagrants loafers trespassers and persons under the influence of liquor and if necessary remove them by force and in case of resistance carry such offenders before an alderman and

(h) To arrest any person who shall damage mutilate or destroy the trees plants shrubberry turf grass-plots benches buildings or structures or commit any other offense within the Capitol grounds and buildings and the Executive Mansion and carry the offender before the proper alderman and prefer charges against him under the laws of the Commonwealth

ARTICLE XXV

POWERS AND DUTIES OF THE DEPARTMENT OF REVENUE

Section 2501 Powers and Duties in General The Department of Revenue shall exercise such powers and perform such duties as are vested in and imposed upon it by The Fiscal Code and other applicable laws

Section 2502 Enforcement of Vehicle Code In connection with the collection of motor license fees fees for titling automobiles and operators' license fees and the issuance of certificates of title and motor and operators' licenses the Department of Revenue shall enforce the laws regulating the use of vehicles on the highways of this Commonwealth

The Secretary of Revenue may designate the person in charge of the work to which this section refers as the Commissioner of Motor Vehicles

ARTICLE XXVI

POWERS AND DUTIES OF THE BOARD OF GAME COMMISSIONERS AND ITS ENFORCEMENT OFFICERS

Section 2601 Powers and Duties in General The Board of Game Commissioners shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

Section 2602 Enforcement of Game Laws The Board of Game Commissioners shall have the power and its duty shall be

(a) To protect propagate and preserve the game furbearing animals and protected birds of the Commonwealth and to enforce by proper action and proceedings the law relating to the same

(b) To appoint such number of game protectors as the Governor shall approve except as in this act otherwise provided receive such compensation as the Governor shall approve to assist the board in the proper discharge of its duties and such number of deputy game protectors as the Governor shall approve Deputy game protectors shall not receive any compensation for services rendered or expenses incurred in the performance of their duties unless specifically employed

for special duties by written order of the secretary of the board

The secretary of the board shall be the Chief Game Protector and shall have the direction supervision and control of the other game protectors

Section 2603 Special Hunters' Licenses The Board of Game Commissioners shall have the power to issue special deer licenses special licenses to persons of known scientific attainment agents of public public museums teachers of ornithology breeds taxidermists and fur dealers and other special licenses upon such terms and conditions and upon payment of such fees as may from time to time be provided by law

Section 2604 State Game Refuges and Farms The Board of Game Commissioners shall have the power to acquire lands with or without mineral reservations by purchase lease or gift and to establish and maintain State Game Refuges and Game Farms for the protection and propagation of game as may now or hereafter be authorized by law

Section 2605 Powers of Game Protectors Each member of the Board of Game Commissioners the executive sceretary of the board each game protector and each deputy game protector shall have the power

(a) To enforce all the laws relating to game or other wild birds or wild animals and to go upon any property outside of buildings posted or otherwise in the performance of his duty

(b) To execute all warrants and search warrants for the violation of the laws relating to game or other wild birds or wild animals

(c) To serve subpoenas issued for the examination investigation and trial of all offenses against the laws relating to game or other wild birds or wild animals

(d) To carry firearms or other weapons concealed or otherwise in the performance of their duties

(e) To arrest without warrant any person found in the act of viloating any provisions of the laws relating to game or other wild birds or wild animals or in pursuit immediately following such violations or any person whom they have reason to suspect as being an unnaturalized foreign born resident when such person has in possession a firearm or a dog of any kind

(f) To call upon any citizen of this Commonwealth for assistance in making arrests

(g) To search without warrant and examine any person or any boat conveyance vehicle game bag game coat or other receptacle for game or any camp tent or cabin in the presence of any person stopping at or belonging to such camp tent or cabin or any roster when he has reason to believe and has stated to the suspected person or persons in charge his reason for believing that any of the laws relating to game or other wild birds or wild animals has been violated

(h) To secure and execute search warrants and in pursuance thereof to enter any building enclosure or car and to break open any apartment chest locker box trunk crate basket bag package or container and to examine the contents thereof

(i) At any time in any manner or for any purpose to seize and take possession of all birds or animals which have been caught taken or killed or had in possession or under control or which have been shipped or are about to be shipped contrary to the law of this Commonwealth

(j) To seize all guns shooting or hunting paraphernalia traps dogs boats decoys or other appliances used in violation of any of the laws relating to game or other wild birds or wild animals when making an arrest or found in the execution of a search warrant

(k) To administer any oath required by the provisions or relative to any violation of any law relating to game found in a camp or in possession or under control or other wild birds or wild animals and where game is found in a camp or in possession or under control of any individual or hunting party to question such person or persons under oath relative to the taking ownership or possession of the same

ARTICLE XXVII

POWERS AND DUTIES OF THE BOARD OF FISH COMMISSIONERS AND ITS ENFORCEMENT OFFICERS

Section 2701 Powers and duties in General The Board of Fish Commissioners shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

Section 2702 Enforcement of Fish Laws The Board of Fish Commissioners shall have the power and its duty shall be

(a) To administer and enforce the laws of this Commonwealth relating to the encouragement promotion and development of the fishery interests and the protection propagation and distribution of fish

(b) To make rules and regulations not inconsistent with law for the enforcement of the laws relating to the protection propagation and distribution of fish and for the angling catching or removal of fish in or from any waters artificial or otherwise wholly within this Commonwealth or in waters lying between this Commonwealth and any other State or in the waters of such part of any lake of more than five thousand acres lying between this Commonwealth and any other State or foreign country as is within the jurisdiction of this Commonwealth

(c) To appoint as many citizens of this Commonwealth as fish wardens as the Governor may approve and to designate one of such wardens as chief warden who shall act in that capacity at the pleasure of the board and shall perform such duties as the board may prescribe The chief warden shall have the direction and control of the other wardens under the supervision of the board All fish wardens shall hold office during the pleasure of the board and shall receive except as in this act otherwise provided such compensation for their services and be allowed such expenses except as in this act otherwise provided as the board with the approval of the Governor shall determine

(d) Upon the written application of a properly organized fish protective association or upon the written application of any association or individual owning or leasing waters to appoint one or more special fish wardens for the county in which the application is made The board may also appoint special fish wardens to act anywhere within the Commonwealth All special fish wardens appointed under the authority of this section may exercise the powers of their appointment until the thirty-first day of May next succeeding the date of their appointment and no longer They shall not be entitled to any salary compensation or expenses for their services from the Commonwealth unless detailed by writing for duty by the Commissioner of Fisheries in which case they shall receive such compensation and reasonable expenses as the board with the approval of the Governor may determine

(e) Except as in this act otherwise provided to obtain and transmit to the Department of Property and Supplies for publication information respecting the laws relating to the protection of fish and the extent and conditions of the fisheries of the Commonwealth

Section 2703 Hatching Stations and Distribution of Fish The Board of Fish Commissioners shall have the power and its duty shall be

(a) To control and manage all hatching stations and fish cultural establishments belonging to the Commonwealth or which may be hereafter established

(b) To make free distribution or planting of the fish produced at the State fish hatcheries or otherwise acquired in the following order or preference First to the public waters of the Commonwealth within the State forests Second to the public school authorities and to persons connected with institutions of learning who may apply for the same for educational purposes or for scientific research and to persons applying for fishing culture for aquarium purposes and show ponds Third to the waters within this Commonwealth the bed and banks of which are the subject of private ownership upon a written application of one or more of the owners or lawful occupants thereof Fourth to the waters within this Commonwealth the bed and banks of which are the subject of private ownership but whose owners are nonresidents and unknown or whose owners by habit and custom permit the public to fish therein The Commissioner of Fisheries may distribute and plant fish without an application therefor

(c) To set aside such small streams and lakes as the department may judge best as nursery streams or lakes in which fishing shall be prohibited at all times in the year but before setting aside such streams or lakes the department shall give public notice of closing such streams or stations by publishing the prohibition and the duration thereof in two newspapers of general circulation published in the county or counties where such stream or lake is located once a week for three consecutive weeks Notice of such closing shall be

posted at the outlet of the stream or lake so closed and at intervals of three hundred yards along the bank thereof

Section 2704 Fishways The Board of Fish Commissioners shall have the power and its duty shall be

(a) To require any person association or corporation now or hereafter erecting or maintaining a dam in the waters of this Commonwealth to erect therein such chutes slopes fishways gates or other devices as the board may deem necessary to enable the fish to ascend or descend the waters at all seasons of the year or to make necessary repairs to any such chutes slopes fishways gates or other devices and to prosecute any person association or corporation refusing or neglecting to erect devices or make repairs as required by the written order of the board If after the lapse of three calendar months from the date of such notice the persons owning or maintaining said dam neglects fails or refuses to erect or place or maintain unchanged open and in good order and repair any appliances as directed by the board the board is authorized to enter upon such dam and erect such chute slope fishway or gate or make such repairs as may have been directed as aforesaid The cost thereof shall be charged against the person owning or maintaining such dam by the board and may be recovered by civil suit in the name of the Commonwealth

Provided however that in lieu of requiring the erection of such chutes slopes fishways gates or other devices at any dam where the same is not deemed by the board to be practicable or advisable for the ascending or descending of fish the board is empowered to enter into an agreement with the owner lessee or operator of such dam to pay to the board annually or at other stated periods a sum of money which shall be not less than four and one-half per centum (4½%) per annum upon the estimated cost of the erection of such chutes slopes fishways gates or other devices except that in cases where the amount so calculated would be equal to or exceed the sum of four thousand dollars ($4,000) per annum then the annual payment shall in all such cases be four thousand dollars ($4,000) per annum to be expended by the board for the purpose of stocking with food fish the waters of the pool above said dam and for the purpose of propagating rearing and distributing the fish actually placed in said waters and the acquisition of the necessary facilities therefor

(b) To require by notice in writing any person association or corporation owning or maintaining a raceway flume or inlet pipe leading to a water wheel turbine pump or canal to place and maintain a bar rack of not less than one-half inch or more than one and one-half inch space between the bars in or near such raceway flume or inlet pipe sufficient to prevent fish from entering therein and to prosecute any person refusing or neglecting to comply with such order for a period of one month If one month after such notice shall have been given the person association or corporation owning or operating such raceway flume or inlet pipe shall not have placed such bar rack as may have been directed the board is authorized to enter upon such raceway flume or inlet pipe and place such bar rack as shall have been required the cost of which shall be charged against such owner or operator and may be recovered by the board by civil suit in the name of the Commonwealth

Section 2705 Special Licenses The Board of Fish Commissioners shall have the power to issue boat and net licenses seine licenses propagation licenses and any other special licenses under such conditions and upon payment of such fees as may from time to time be authorized by law

Section 2706 Powers of Fish Wardens Every member of the Board of Fish Commissioners every fish warden and every special fish warden shall have power

(a) To enforce all the laws of the Commonwealth relating to fish

(b) To execute all warrants and search warrants for the violation of the fish laws

(c) To serve subpoenas issued for the examination investigation and trial of all offenses against the laws relating to fish

(d) To carry firearms or other weapons in the performance of his duties and to stop or halt by pointing or discharging firearms any person violating or believed to be violating any of the laws of the Commonwealth the enforcement of which is charged to such officers and any such officer shall at all times be privileged to protect himself in the performance of his duty

(e) To search without warrant any boat conveyance vehicle fish-box bag coat basket or other receptacle for fish when he has reason to believe that any provision of any law of this Commonwealth relating to fish has been violated

(f) To seize and take possession of any kind and all fish which may have been caught taken or killed at any time in any manner or for any purpose or had in possession or under control or which have been shipped or are about to be shipped contrary to the laws of this Commonwealth Fish so seized shall be disposed of in any manner as the Commissioner of Fisheries may direct

(g) To enter upon any land or water in the performance of his duty

(h) To demand and secure proper assistance in case of emergency

(i) To purchase fish for the purpose of securing evidence

ARTICLE XXVIII

POWERS AND DUTIES OF THE PUBLIC SERVICE COMMISSION OF THE COMMONWEALTH OF PENNSYLVANIA

Section 2801 Powers and Duties in General The Public Service Commission of Pennsylvania shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the said commission

Section 2802 Public Service Company Law The Public Service Commission of the Commonwealth of Pennsylvania shall have the power and its duties shall be

(a) To administer and enforce the act approved the twenty-sixth day of July one thousand nine hundred and thirteen entitled "An act defining public service companies and providing for their regulation by prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a Public Service Commission for the regulation aforesaid prescribing and defining the powers and duties of such commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracts or other facilities of said companies providing for the ascertainment by the commission of the expense and damage resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the commission its officers counsel and employes prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determination by the courts of common pleas and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders subject to an appeal to the Supreme Court prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains' by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act approved the fourth day of June one thousand eight hundred and eighty-three entitled 'An act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals' and an act entitled "To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloaded within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars' approved the twenty-fourth day of May Anno Domini one thousand nine

hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An act to provide for the incorporation and regulation of certain corporations approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act' as amended and supplemented

(b) To certify to the Sanitary Water Board any question of fact regarding the purity of water supplied to the public by any public service company over which it has jurisdiction when any such question arises in any controversy or other proceeding before it and upon the determination of such question by the Sanitary Water Board to incorporate the findings of the board thereon in its decision upon the controversy or other proceeding out of which the question arose

Section 2803 Elevated and Underground Railways The Public Service Commission of the Commonwealth of Pennsylvania shall have the power and its duty shall be to exercise the powers and perform the duties heretofore by law vested in and imposed upon the board consisting of the Governor the Secretary of the Commonwealth and the Attorney General by the act approved the twentieth day of June one thousand nine hundred and one (Pamphlet Laws five hundred and seventy-seven) entitled "An act providing that no company hereafter formed for the purpose of construction and operation of a passenger railway either elevated or underground or partly elevated or party underground with incidental surface rights shall be incorporated except where the same shall be located upon streets in thickly populated regions and until the necessity for such railway shall have been passed upon by a board consisting of the Governor the Secretary of the Commonwealth and the Attorney General after notice" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter no letters patent shall be issued to any company nor shall any corporation be otherwise created for the construction of an elevated or underground or partly elevated and partly underground passenger railway except the same shall be located upon over under across through or along a street road or highway in a thickly populated locality where the surface travel is congested nor unless and until the necessity for the construction and operation of said railway shall have been passed on and approved by a board consisting of the Governor the Secretary of the Commonwealth and the Attorney General after thirty days' public notice published as shall be prescribed by said board"

ARTICLE XXIX

INTERPRETATION AND EFFECTIVE DATE

Section 2901 Constitutionality It is the intention of the General Assembly that if this act cannot take effect in its entirely because of the judgment of any court of competent jurisdiction holding unconstitutional any part or parts thereof the remaining provisions of the act shall be given full force and effect as completely as if the part or parts held unconstitutional had not been included herein. It is the intention of the General Assembly that if any court of competent jurisdiction shall hold unconstitutional any provisions of this act transferring to a department board commission or officer the powers and duties heretofore exercised and performed by a department board or commission abolished by this act the provisions abolishing such department board or commission shall thereby become inoperative and that in such event such department board or commission shall not be abolished but shall continue as prior to the passage of this act and shall exercise its powers and perform its duties as heretofore The remaining provisions of this act shall in any such case be given full force and effect

Section 2902 Continuation of Existing Laws The provisions of this act so far as they are the same as those of existing law shall be construed as a continuation of such laws and not as new enactments

Section 2903 Enumeration of Powers of Departments Boards and Commissions Whenever in this act the powers and duties of a department board commission or officer are enumerated and defined such enumeration and definition shall not be construed to be in derogation or limitation of the powers and duties heretofore exercised and performed by such department board commission or officer unless

(a) Any power or duty as enumerated and defined is clearly inconsistent with the exercise of a power or the performance of a duty heretofore exercised or performed

(b) There is a specific statement that a power or a duty heretofore exercised or performed shall not be exercised or performed by such department board commission or officer or that such power or duty shall be exercised in a different manner

Section 2904 Repealed Laws not Revived The repeal by this act of any provisions of law shall not revive any law heretofore repealed or superseded

Section 2905 Effective Date This act shall take effect on the first day of June one thousand nine hundred thirty-three

Section 2906 Existing Officers to Continue Exception All appointive administrative officers holding office when this act becomes effective whose offices are not abolished by the act the members of all independent administrative boards and commissions and unless expressly otherwise provided in this act the appointive members of departmental administrative boards and commissions and advisory boards and commissions which are not abolished by this act shall continue in office until the term for which they were repectively appointed shall expire or until they shall die resign or be removed from office

The terms of the members of the State Aeronautics Commission now holding office shall expire upon the effective date of this act

ARTICLE XXX

REPEALER

Section 3001 Acts and Parts of Acts Specifically Repealed The following acts and parts of acts are hereby specifically repealed

Section six of the act approved the nineteenth day of February one thousand nine hundred and twenty-six (Pamphlet Laws sixteen) entitled "A supplement to the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled 'An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws' providing for the registering of federal permits also regulating under permit through a Pennsylvania Alcohol Permit Board created in the Department of Welfare the manufacture production distillation development use in manufacture denaturization redistillation recovery reuse holding in bond holding in storage by bailees for hire sale at wholesale and transportation for hire of any alcohol or alcoholic liquid by certain persons also providing for fees and the disposition thereof also authorizing the inspection of the records of permittees and purchasers of said alcohol or alcoholic liquid also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act"

Excepting sections one two two hundred and one two hundred and two two hundred and three two hundred and six two hundred and nine two hundred and ten two thousand nine hundred and four three thousand and one and three thousand and two thereof the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes

of certain departments boards and commissions shall be determined"

Excepting so much of section one thereof as amends sections two hundred and one two hundred and two and two hundred and three of the amended act the act approved the first day of June one thousand nine hundred and thirty-one (Pamphlet Laws three hundred fifty) entitled "An act to amend the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" repealing certain sections adding certain new sections creating new administrative agencies modifying the provisions regulating contracts for public work and purchases and generally further reorganizing the conduct of the administrative work of the Commonwealth"

In so far as the sections of said act approved the seventh day of June one thousand nine hundred twenty-three and of said act approved the thirteenth day of April one thousand nine hundred and twenty-seven not repealed by the foregoing provisions of this section are supplied by or inconsistent with the provisions of this act they are hereby repealed

Section 3002 All other acts or parts of acts inconsistent herewith are hereby repealed This act shall not repeal or modify any of the provisions of any act of Assembly amendatory of law in force at the time of the passage of this act or otherwise adopted at the session of the General Assembly of one thousand nine hundred and thirty-three whether such acts were adopted prior to the passage of this act or shall be adopted subsequent to the passage of this act nor shall this act repeal any such act or part thereof in force at the time of the passage of this act which is amended by any act of Assembly adopted at the session of the General Assembly of one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE BILL NO. 22 MADE SPECIAL ORDER

Mr. TURNER. Mr. Speaker, I move that this bill be made a special order of business on third reading and final passage on Monday evening, April 3, 1933, at 9.30 o'clock.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 1414, as follows:

An Act to amend section one of the act approved the twenty-fourth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws six hundred fifty-three) entitled "An act regulating the operation of certain boats upon lakes wholly within the Commonwealth by requiring the use of lights on all boats at certain hours" eliminating the provision requiring boats and floats at rest to have lights thereon

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-fourth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws six hundred fifty-three) entitled "An act regulating the operation of certain boats upon lakes wholly within the Commonwealth by requiring the use of lights on all boats at certain hours" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no person shall operate or move [or have at rest] upon the waters of any lake wholly within the Commonwealth any boat or float [except boats or floats moored or fastened to the shore of such lake] during the period from one (1) hour after sunset to one (1) hour before sunrise and at any other time when there is not sufficient light to render clearly discernible any other boat or float upon the waters of such lake at a distance of two hundred feet ahead upless there shall be displayed on such boat or float a light or lights clearly discernible in all directions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1476, as follows:

An Act providing for the deferring of sentences in certain cases pending the mental examination of defendants authorizing trial judges and the Department of Welfare to require psychiatrists employed by county and state mental hospitals to examine certain such defendants without additional compensation except expenses payable by counties providing for the commitment of defendants to certain institutions where the reports show the same to be advisable and providing for the payment by individuals counties or the Commonwealth of the cost of admission care and discharge of such defendants

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in case of the conviction of any person for any offense the trial judge may on his own initiative or on the application of the district attorney the defendant or counsel for the defendant or other person acting for the defendant defer sentence until the report of a mental examination of the defendant can be secured to guide the judge in determining what disposition shall be made of the defendant

Section 2 The trial judge shall have power to require such mental examination and report thereon to be made by a psychiatrist employed by the State Bureau of Mental Health or by a psychiatrist employed in any state hospital or in any mental hospital maintained by the county Such report when furnished to the judge shall be available to counsel for defendant and to the district attorney

The psychiatrist making such examination shall not be entitled to any compensation for making such examination and report but shall be paid by the county his actual expenses on bills approved by the trial judge

Section 3 If the report of the examination by the psychiatrist shows that the defendant though not insane is so mentally ill or mentally deficient as to make it advisable for the welfare of the defendant or the protection of the community that he or she be committed to some institution other than the county prison wrokhouse or a penientiary the trial judge shall have power by virtue of this act to commit such defendant to any state or county institution provided for the reception care treatment and maintenance of such cases or similar mental cases in lieu of a sentence to a county prison workhouse or penitentiary where required by a relevant act of assembly or by law and to direct the detaining of the defendant in such institution until further order of the court The trial judge shall at the time of such commitment make an order upon the defendant or such person or persons responsible for the support of the defendant or upon the county or the Commonwealth as may be proper in such case for the cost of admission care and discharge of such defendant

Section 4 Nothing contained in this act shall be construed to conflict with or repeal any portion of the Mental Health Act of one thousand nine hundred and twenty-three and the amendments thereto

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1933, as follows:

An Act to amend section two of an act approved the twenty-first day of April one thousand nine hundred twenty-seven (Pamphlet Laws three hundred twenty-seven) entitled "An act relating to the extradition of persons charged with crime and to make uniform the law with reference thereto" by giving the Governor of this State authority to deliver up certain imprisoned persons for the purpose of trial for murder in the demanding state and providing for their return in case of acquittal

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act approved the twenty-first day of April one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred twenty-seven) entitled "An act relating to the extradition of persons charged with crime and to make uniform the law with reference thereto" is hereby amended to read as follows

Section 2 Criminals to be Delivered Upon Requisition Subject to the qualifications of this act and the provisions of the Constitution of the United States controlling and acts of Congress in pursuance thereof it is the duty of the Governor of this State to have arrested and delivered up to the executive authority of any other state of the United States any person charged in that State with treason felony or other crime who has fled from justice and is found in this State

Provided if the executive authority of any other state or district requests the extradition of any person charged in that state with murder and that person is imprisoned in a penal institution or jail of this State for a term less than imprisonment for life the Governor of this State may deliver him or her up to the executive authority of the demanding state or district for the purpose of trial in said state or district Provided however that the person so delivered up is to be returned to this State to serve the balance of his or her term of imprisonment in the event of his or her acquittal in the demanding state

Section 2 This act shall become effective immediately upon its passage and approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 1026 as follows:

An Act to provide for contribution among tortfeasors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That contribution shall be enforcible among those who are jointly or severally liable for a tort where as between them such liabilities are either all primary or all secondary

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1800, as follows:

An Act providing for the control and eradication of white pine blister rust providing for the destruction of trees plants and bushes infected with the white pine blister rust authorizing the Department of Forests and Waters to remove appraise and pay for healthy host plants necessarily destroyed declaring certain plants and bushes to be a public nuisance authorizing the Department of Forests and Waters to set aside fruiting currant and gooseberry and white pine growing distrists as control areas authorizing the collection of the expense of destroying the plants from owners failing to destroy and providing penalties for its violation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this Act should be known as "The Pennsylvania White Pine Blister Rust Act of 1933"

Section 2 For the purpose of this Act the following terms shall be construed respectively to mean

(a) The singular and plural forms of any word or term in this act shall be interchangeable and equivalent within the meaning of the act

(b) The word "person" shall include corporations companies societies associations partnerships or any individual or combination of individuals When construing and enforcing the provisions of this act the act omission or failure of any officer agent servant or other individual acting for or employed by any person as above defined within the scope of his employment or office shall in every case be deemed to be the act omission or failure of such person as well as that of the officer agent servant or other employe

(c) Cultivated Black Currants Plants roots cuttings or scions of Ribes nigrum L

(d) Currants and Gooseberries Plants roots cuttings or scions belonging to the genera Ribes L and Grossularia (Tourn) Mill

(e) White Pine Blister Rust Control Area An area established by State authority wherein the planting and possession of currant and gooseberry plants is prohibited for the purpose of protecting the white pines on such area from damage by white pine blister rust The Department shall have power to use in the administration of this act unemployed persons who may be designated by the State Emergency Relief Board and who are compensated from funds appropriated to or available for expenditure by said Board

(f) Fruiting Currant and Gooseberry Control Area An area established by State authority wherein the planting or possession of white pines is prohibited for the purpose of protecting fruiting currants and gooseberries in such areas from damage by the white pine blister rust

(g) White Pine Plants of any species belonging to the genus Pinus which bear their needles in clusters of five

(h) White Pine Blister Rust The fungous disease caused by Cronartium ribicola Fischer

Section 3 The fungous disease commonly known as the white pine blister rust caused by the organism Cronartium ribicola Fischer is hereby declared to be a dangerous forest pest in all its stages and it shall be the duty of the Department of Forests and Waters to enforce the measures hereinafter specified for the control of this pest

Section 4 The Department of Forests and Waters may cooperate with the Pennsylvania Department of Agriculture the United States Department of Agriculture and with counties townships institutions and persons for the suppression and control of white pine blister rust

Section 5 Any white pines currants or gooseberries within the State which are found to be infected with white pine blister rust are hereby declared a public nuisance and any such diseased plants and any and all wild plants of the general Ribes and Grossularia may be destroyed worthwith by order of the Department of Forests and Waters through its agents Any currants gooseberries or white pines not infected with white pine blister rust may be destroyed by the Department of Forests and Waters through its agents where necessary in carrying out the purposes of this Act

Section 6 The Department of Forests and Waters is hereby authorized and empowered to establish and to designate fruiting currant and gooseberry control areas and white pine blister rust control areas It is further authorized and empowered to promulgate by letter publication poster or other means information concerning these control areas In designating fruiting currant and gooseberry control areas the Department of Forests and Waters in cooperation with the Department of Agriculture shall use due care to fix their boundaries so as to include areas where currants and gooseberries are grown on a commercial scale and where their value for this purpose is clearly greater than the use of the area for the production of white pine In designating white pine blister rust control areas the Department of Forests and Waters shall use due care to fix their boundaries so as to protect white pines on such areas from damage by white pine blister rust It shall be the duty of every land owner within such designated areas to carry out such control measures as are ordered by the Department of Forests and Waters including the removal and destruction of any or all wild and cultivated currants and gooseberries or white pines No currants or gooseberries shall be planted within such white pine blister rust control areas without written permission from the Department of Forests and Waters No white pines shall be planted within such fruiting currant or gooseberry control areas without written permission of the Department of Forests and Waters If the owner fails to destroy the above named plants within the time specified by the Department or Forests and Waters the Department of Forests and Water shall cause said plants to be destroyed The expense thereof shall be collected from the owner by instituting in the name of the Commonwealth an action of assumpsit in the Court of Common Pleas of any county through which the defendant can be served with process All moneys recovered less any expenses incurred in litigation including the fees of special attorneys if any employed therein shall be paid into the general fund of the State Treasury

Section 7 (a) If cultivated currants gooseberries or white pines which are not infected with white pine blister rust are destroyed by specific order of the Department of Forests and Waters or its agents the owner may be compensated therefor the damages to be appraised by the Department of Forests and Waters or its agents at and not to exceed the actual value of the material destroyed and paid to said owner by the State Treasurer upon authorization of the Department of Forests and Waters Provided That any and all wild currants and gooseberries are hereby declared noxious weeds and no compensation shall be paid therefor

(b) In lieu of any damages for any trees or bushes destroyed under this Act the Department of Forests and Waters may offer and the owner may accept forest planting stock to be furnished from the State Forest Nurseries

Section 8 The Department of Forests and Waters through its agents shall have the right to enter upon any private or public lands to determine the presence or absence of white pine blister rust in any of its stages and to carry out measures for its control

Section 9 Any person hindering the performance of duty by any agent of the Department of Forests and Waters shall be subject to the penalty imposed for other violations of this Act in Section twelve

Section 10 The Department of Forests and Waters in cooperation with the Department of Agriculture is hereby authorized and empowered to prohibit and prevent or regulate the entry into or movement within the State from any part thereof to any other part of any white pines or plants of genus Ribes or Grossularia when such plants are to be shipped into blister rust control areas

Section 11 Any person violating any of the provisions of this Act shall upon conviction in a summary proceeding before any magistrate alderman or justice of the peace be sentenced to pay a fine not exceeding one hundred dollars and in default of payment of such fine and costs be imprisoned in the county jail one day of each dollar of fine and costs unpaid

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1565, entitled:

An Act to amend that portion of section one relating to Lehigh County of the act approved the tenth day of May one thousand nine hudred and twenty-one (Pamphlet Laws four hundred fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided in Lehigh County

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the portion of section one relating to Lehigh County of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution" is hereby amended to read as follows

The County of Lehigh shall elect three members and shall be divided into districts as follows

The City of Allentown shall constitute the first district and elect two members The territory annexed to the City of Allentown since the passage of the act to which this is an amendment shall constitute a part of the city district

The residue of the County of Lehigh not included in the first district shall constitute the second district and elect one member

On the question,

Will the House agree to the section?

Mr. ROTH. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 2, line 2, by inserting after the word "into" the following "two."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend that portion of section one relating to Lehigh County of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution" rearranging the legislative districts in Lehigh County

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1025, as follows:

An Act giving courts of common pleas jurisdiction of actions for injuries to or breaches of contracts or covenants relative to lands situate without the Commonwealth or estates or interests in such lands

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the several courts of common pleas shall have jurisdiction of actions to recover damages for injuries to lands situate without the Commonwealth or to estates or interests in such lands and of actions whether or not based upon privity of estate to recover damages for breaches of contracts or of covenants relating to such lands estates or interests

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 1810, as follows:

An Act to repeal the act approved the twelfth day of June one thousand nine hundred and seven (Pamphlet Laws five hundred twenty-seven) entitled "An act establishing precautionary regulations to prevent forest fires on lands in which oil wells and gas wells are situated and dimish danger therefrom making certain violations thereof misdemeanors and prescribing punishment for the same and in other cases affixing penalties and declaring liabilities for damages"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the twelfth day of June one thousand nine hundred and seven (Pamphlet Laws five hundred twenty-seven) entitled "An act establishing precautionary regulations to prevent forest fires on lands in which oil wells and gas wells are situated and diminish danger therefrom making certain violations thereof misdemeanors and prescribing punishment for the same and in other cases affixing penalties and declaring liabilities for damages" is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 1806 as follows:

An Act to eliminate reckless and irresponsible drivers from the public highways and to protect the safety of users of the public highways by providing in certain cases for the suspension and revocation of operator's licenses and privileges (whether resident or non-resident) and for the establishment of ability to respond in damages for injury to property and persons including injuries resulting in death caused by the use or operation of motor vehicles (including unlicensed operators and unregistered motor vehicles) conferring powers and imposing duties upon the Department of Revenue the Insurance Commissioner insurance carriers and clerks of the courts requiring certain provisions in motor vehicle liability insurance policies and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall in no respect be considered as a repeal of any of the provisions of the Vehicle Code but shall be construed as supplemental thereto

Section 2 Whenever the Department of Revenue shall revoke or suspend an operator's license or privilege or shall suspend the operating privilege of a non-resident as may now or hereafter be provided by law such license or privilege shall not be renewed or restored unless and until the holder of said license or privilege furnished proof of financial responsibility as hereinafter required Provided That this section shall not apply to any suspension for a term or period of less than three calendar months

Section 3 Such operator's license or privilege shall remain suspended or revoked and shall not at any time thereafter be restored nor shall any such license or privilege be hereafter issued to such person or persons until he shall have given proof as hereinafter required of his ability to respond in damages for any liability thereafter incurred resulting from the operation thereafter of a motor vehicle for personal injury to or death of any one person in the amount of a least five thousand dollars in any one accident for a least ten thousand dollars for personal injury to or death of two or more persons in any one accident Provided however That this provision shall also apply to any person who shall by final order or judgment have been convicted of or pleaded guilty to or forfeited any bail for his appearance for trial for operating a motor vehicle upon any public highway without being licensed to do so or for operating an unregistered motor vehicle upon any public highway

Section 4 It shall be the duty of the clerk of every court of record in which any such final judgment or order is rendered or entered to forward immediately to the department a certified copy of such final judgment or order which shall be prima facie evidence of the conviction plea or other action stated therein In the event that such person is a non-resident of this State the department shall transmit a copy of such certified copy certified to by it to the official in charge of the issuance of operator's licenses or privileges of the resident State of such non-resident

Section 5 Proof of ability to respond in damages required under this act may be evidenced by filing with the department a written certificate or certificates of any insurance carrier or carriers duly authorized to do such business within this State that it has issued to such person a motor vehicle liability policy or policies in the form hereinafter prescribed which at the date of the certificate or certificates is or are in full force and effect and such certificate or certificates shall certify that said motor vehicle policy or policies therein cited shall not be cancelled or shall not expire except hereinafter provided and the department shall be notified in writing by said insurance carrier of the cancellation or expiration of any motor vehicle liability policy certified under the provision of this act at least fifteen days before the effective date of such cancellation or expiration and such policy shall continue in full force and effect until the cancellation or expiration date specified in such notice and unless such person shall file as aforesaid another certificate or certificates in lieu of those expired or cancelled such person's license or privilege shall again be suspended by the department

Section 6 The department shall upon request furnish any person a certified abstract of the operating record of any person subject to the provisions of this act which abstract shall disclose whether or not the operators' license or privilege of such person has been suspended or revoked whether or not proof of financial responsibility herein required has been furnished and the name and address of the insurance carrier or carriers whose policy or policies is or are in force at the time of said request The department shall collect a fee of two dollars for such certified abstract

Section 7 Any operator whose license or privilege shall have been suspended or revoked or whose policy or insurance when same is required under this act shall have been cancelled or terminated and has not filed a certificate or certificates in lieu thereof shall immediately return to the department his said license or privilege If any person shall wilfully fail to return said privilege or license as provided herein the department shall forthwith direct any peace officer to secure possession thereof and return the same to the department Any person wilfully failing to return such license or privilege shall be guilty of a disdemeanor and upon conviction shall be sentenced to pay a fine or not more than one hundred dollars and in addition may be imprisoned in the county jail for a term not exceeding ninety days and such penalty shall be in addition to any penalty imposed by the Vehicle Code of this State

Section 8 The department shall require proof of financial responsibility as herein required for and during a term of three years from the date when such proof has been filed with and accepted by the department

Section 9 The department may relieve any person from complying with this act at any time within said three year period if such person has become permanently incapacitated from operating a motor vehicle

Section 10 Nothing in this act contained shall be held to apply to or affect policies of automobile insurance against liability which may now or hereafter be required by any other

law of this State and such policies if endorsed to conform with the requirements of this act shall be accepted as proof of financial responsibility when required under this act

Section 11 Any person who shall forge or without authority sign or utter any evidence of ability to respond in damages as required by this act and any person who shall violate any provision of this act for which no penalty is otherwise provided shall be guilty of a misdemeanor and shall be sentenced to pay a fine of not more than one hnudred dollars and in addition may be sentenced to the county jail for a term of not exceeding ninety days

Section 12 Motor vehicle liability policy as used in this act shall be taken to mean a policy of liability insurance issued by an insurance company authorized to transact business in this State and shall insure the person therein named as insured against loss from the liability imposed by law upon such insured for injury to or the death of any person other than such insured and for damage to the property other than the property of said insured and occurring while such insured is personally in control as driver of such motor vehicle within the continental limits of the United States of America to the amount or limit of five thousand dollars exclusive of interest and costs on account of injury to or death of any one person in any one accident of ten thousand dollars exclusive of interest and costs on account of the injury or death of two or more persons in any one accident or a binder pending the issuance of any such policy or an endorsement to an existing policy as hereinafter provided Provided however That this section shall not be construed as preventing any insurance carrier from granting in a motor vehicle liability policy any coverage in excess of or in addition to the coverage herein provided for or from embodying in such policy any agreement or provision or stipulation not contrary to the provisions of this act and otherwise contrary to law And provided further That separate concurrent policies may be issued by one or several carriers covering respectively (a) personal inqury or death as aforesaid and (b) property damage as aforesaid

Section 13 No motor vehicle liability policy shall be issued or delivered in this State until a copy of the form of policy shall have been approved by the Insurance Commissioner. The Insurance Commissioner shall approve any form of policy issued by an insurance carrier authorized to do business in Pennsylvania which specifies the name address and business of the insured the coverage afforded by the policy the premium charged therefor the policy period and the limits of liability and contains an agreement that the insurance thereunder is provided in accordance with the coverage required by this act as respects personal injury or death or property damage or both

Section 14 Every such motor vehicle liability policy shall be subject to the following provisions whether or not contained therein

(a) The liability of the said insurance carrier shall become absolute whenever loss or damage covered by such policy occurs and the satisfaction by the insured of a final judgment for such loss or damage shall not be a condition precedent to the right or obligation of the carrier to make payments on account of such loss or damage Provided always That the insurance carrier shall have the right to settle any claim covered by the policy and if such settlement is made in good faith the amount thereof shall be deductible from the limits of liability specified in the policy

(b) No such policy shall be cancelled or annulled as respects any loss or damage by any agreement between the carrier and the insured after the said insured has become responsible for such loss or damage and any such cancellation or annullment is null and void

(c) The policy may provide that the insured or any other person covered by the policy shall reimburse the insurance carrier for payment made on account of any loss or damage claim or suit involving a breach of the terms provisions or conditions of the policy and further if the policy shall provide for limits in excess of the limits specified in this section the insurance carrier may plead against any plaintiff with respect to the amount of such excess limits of liability any defense or defenses which it may be entitled to plead against the insured and any such policy may further provide for the prorating of the insurance thereunder with other applicable valid and collectible insurance

(d) The policy the written application therefor if any and any rider or endorsement shall not conflict with the provisions of this act and shall constitute the entire contract between the parties

(e) The insurance carrier shall upon request of the insured deliver to the insured for filing or at the request of the insured file direct with the department an appropriate certificate in conformity with the provisions of this act

(f) Any carrier authorized to issue motor vehicle liability policies may pending the issue of such a policy execute an agreement to be known as a "binder" or may in lieu of such a policy issue an endorsement to an existing policy Every such binder or endorsement shall be subject to the provisions of this section and shall be construed to provide indemnity or insurance in like manner and to the same extent as a motor vehicle liability policy

Section 15 If during said three year period by payment or otherwise the amount required under this act has been reduced below the amount required by this act the insured shall within fifteen days thereafter raise the amount of existing insurance to the amount required by this act and in case he refused so to do within said fifteen days his operator's license or privilege shall again be suspended by the department

Section 16 The following words as used in this act shall have the following meanings

(a) "Department" shall mean the Department of Revenue of this State

(b) The singular shall include the plural the plural shall include the singular and the masculine shall include the feminine and neuter

(c) "Person" shall include individuals (whether minors or adults) Partnerships corporations receivers assignees trustees executors and administrators but shall include the State or any political subdivision thereof or any municipality therein

(d) "Motor vehicle" shall include trailers and semi-trailers motorcycles and tractors

(e) "Operator" shall mean every person who is in actual physical control of a motor vehicle upon a highway

Section 17 The department shall make rules and regulations necessary for the administration of this act

Section 18 Nothing herein shall be construed as preventing the plaintiff in any action at law from relying for security upon the other processes provided by law

Section 19 If any subdivision or section of the act shall be deemed unconstitutional the validity of its remaining provisions shall not be affected thereby

Section 20 This act shall become effective on the first day of September one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1415, as follows:

An Act imposing penalties for improper use of food orders issued by or under the authority of the State Emergency Relief Board or any poor board or other relief agency and improper furnishing of money food and other merchandise thereon

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That when used in this act the term "Food order" shall mean any order issued by or under the authority of the State Emergency Relief Board or any poor board or other relief agency authorizing the furnishing and delivery of food to any person or persons therein named or described

Section 2 It shall be unlawful for any person whether acting for himself or for another or for any firm or corporation directly or indirectly to furnish or deliver to any person money merchandise or anything other than food on or in exchange for a food order

Section 3 It shall also be unlawful for any person whether acting for himself or for another or for any firm or corporation to furnish or deliver food on or in exchange for a food order to any person other than the original recipient of the order or in quantities or for prices other than those itemized

on the food order at the time the food is furnished or delivered

Section 4 This act shall not apply to the negotiation of a food order after food to the full amount of the order shall have been furnished thereon to the original recipient of the order

Section 5 Any person violating any of the provisions of this act shall upon summary conviction before a magistrate alderman justice of the peace mayor burgess or other officer having the powers of a committing magistrate be sentenced to pay a fine of not less than fifty dollars ($50.00) nor more than one hundred dollars ($100.00) and costs of prosecution and in default of payment thereof shall be sentenced to undergo imprisonment for not less than ten nor more than thirty days In addition to the penalties hereinbefore prescribed the defendant shall also be adjudged to pay to the board or other agency which shall have issued such food order the face amount thereof

Section 6 This act shall become effective immediately upon its passage by the General Assembly and approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 860, as follows:

An Act conferring jurisdiction on the Municipal Court of Philadelphia with respect to civil proceedings arising in magistrates' courts providing for the filing of transcripts of judgments entered by magistrates in said court and validating proceedings heretofore filed in said court

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That proceedings in civil cases before magistrates that are sought to reviewed by appeal by certiorari by petitions for appeal nunc pro tunc by petition for mandamus or otherwise to magistrates directing the allowance of appeals may be brought or instituted in the Municipal Court of Philadelphia

Section 2 All transcripts of judgments entered in civil suits by magistrates shall hereafter be filed only in the Municipal Court of Philadelphia and not in the common pleas court

Section 3 All such proceedings specified in section one of this act from magistrates heretofore filed in the Municipal Court of Philadelphia are hereby validated ratified and confirmed

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and considration of House Bill No. 1872, as follows:

An Act to amend that portion of section one relating to Luzerne County of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution" rearranging the legislative districts in Luzerne County

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the portion of section one relating to Luzerne County of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution" is hereby amended to read as follows

The boroughs of Edwardsville [Kingston] Courtdale Larksville Pringle and Plymouth and the [township] townships of Plymouth and Jackson shall constitute the fifth district and elect one member

The boroughs of [Courtdale] Dallas [Dorranceton] Duryea Exeter Forty Fort Kingston Luzerne [Pringle] Swoyersville West Pittston West Wyoming and Wyoming and the townships of Dallas Exeter Franklin [Jackson] Kingston Lake and Lehman shall constitute the sixth district and elect one member

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1458 (Senate Bill No. 398), entitled:

An Act to amend Section 1 of, and to add Section 2 to, the the act approved the twenty-fifth day of June one thousand nine hundred and thirty-one (Pamphlet Laws thirteen hundred sixty-four), entitled "An act prohibiting the use of counterfeit or spurious coins in automatic instruments or machines; and providing a penalty,' by including devices or substances other than metal, and by providing penalties for the manufacture for sale, or sale or gift or counterfeit or spurious coins for the fraudulent operation of automatic instruments or machines.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 65, as follows:

A Joint Resolution proposing an amendment to section eighteen article three of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section eighteen of article three is hereby amended to read as follows

Section 18 No appropriations shall be made for charitable educational or benevolent purposes to any person or community nor to any denominational or sectarian institution corporation or association Provided That appropriations may be made for pensions or gratuities for military services And provided further That appropriations may be made by general law for assistance to mothers having dependent children and to aged persons without adequate means of support by reason of indigency disease infirmity or other disability

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 67, as follows:

A Joint Resolution proposing an amendment to section seven article nine of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section seven of article nine is hereby amended to read as follows

Section 7 The General Assembly shall not authorize any county city borough township or incorporated district to become a stockholder in any company association or corporation or to obtain or appropriate money for or to loan its credit to any corporation association institution or individual Provided That the General Assembly may authorize any county city borough township or incorporated district to appropriate money for assistance to mothers having dependent children and to aged persons without adequate means of support by reason of indigency disease infirmity or other disability

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1681, as follows:

An Act to regulate and restrain the traffic in malt brewed and vinous beverages as herein defined providing for the licensing of the manufacture sale transportation and distribution of such beverages imposing taxes and license fees and providing for collection and distribution of revenues therefrom restricting ownership and interest in licensed places providing penalties and repealing existing acts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That SHORT TITLE This act shall be known and may be cited as the "Mild Beverage Law"

Section 2 DEFINITIONS The following words and terms as used in this act shall be construed as defined in this section

(a) The word "beverages" means any and all malt or brewed vinous liquids or fruit juices having an alcholic content in excess of one-half of one per centum by volume the manufacture and sale of which and traffic in which for beverage purposes is not prohibited by the laws of this Commonwealth or the Constitution and laws of the United States

(b) The word "person" means and includes natural persons associations parnerships and corporations

(c) The word "manufacturer" means and includes all persons associations partnerships and corporations licensed to engage in the brewing and manufacture of all malt or brewed beverages or the fermenting and production of vinous or fruit juices beverages for sale

(d) The term "wholesale distributor" means and includes persons associations partnerships and corporations licensed to engage in the purchase and resale of beverages in the original sealed packages as prepared for the market by the manufacturer but not for consumption on the premises where sold

(e) The term "retail distributor" means and includes persons associations partnerships and corporations licensed to engage in the retail sale of beverages where the consumption thereof is upon the premises of such vendor with the privilege of selling in quantities not exceeding seventy-two ounces to be carried from the premises by the purchaser thereof only however in the original containers

(f) The term "original containers" means and includes bottles casks kegs or other containers that have been securely capped or corked by the manufacturer with the name and address of the manufacturer permanently affixed to the bottle cask keg or other container or to the cap or cork used in sealing same

(g) The term "license" means and includes both the person making the application therefor and the premises upon which the privileges of the license are to be exercised and includes manufacturers' wholesale distributors' retail distributors' licenses and public service licenses

(h) The term "licensing power" means the court of quarter sessions of the several counties of this Commonwealth given the authority and power hereunder to grant and issue licenses to wholesale and retail distributors In any county where there are three or more judges learned in the law at least "three judges shall constitute the court for the purposes of this act and at least" two judges must agree upon any action taken under this act to grant refuse suspend or revoke any license

(i) "As used in this act the singular shall include the plural and the masculine gender shall include the feminine and the neuter"

Section 3 LICENSE TO SELL BEVERAGES REQUIRED It shall be unlawful for any person to produce manufacture sell or offer for sale any beverages unless a license therefor shall have been previously obtained by such person and for the place where the sale is made as hereinafter provided

Section 4 MANUFACTURERS' LICENSE A manufacturer of good repute upon application as hereinafter provided shall be licensed by the State Treasurer of the Commonwealth to produce and manufacture beverages at one or more places of manufacture and to sell and deliver the same anywhere within the Commonwealth and elsewhere but not in prohibited territory but where a manufacturer operates or conducts more than one place of manufacture he shall obtain a separate manufacturers' license for each place so operated or conducted

The application by a manufacturer for such a license shall contain (a) the names and addresses of applicant together with (b) information concerning the size capacity and equipment of all plants to be used for the purpose of such license and (c) the name of the applicant and where applicant is a partnership or association the names of the partners or members and where the applicant is a corporation the names and addresses of all officers and directors of the corporation

All such licenses to manufacture beverages shall be granted for the calendar year and where a license runs for less than the full calendar year the license fee shall be reduced one-twelfth for each full month such license was not in force during the then calendar year

Section 5 STATE TREASURER TO GRANT MANUFACTURERS' LICENSES PUBLIC SERVICE LICENSE SUSPENSION AND REVOCATION APPEALS The State Treasurer is hereby directed to issue licenses to manufacturers to produce and manufacture beverages at one or more places of manufacture anywhere within the Commonwealth which shall authorize the manufacture sale and delivery of beverages anywhere within the Commonwealth or elsewhere where such delivery is not prohibited by law

If the State Treasurer from information in his possession or that may come into his possession by remonstrance or otherwise is of the opinion that any manufacturer is conducting his or its business in an unlawful manner he shall have power to suspend for any time or to revoke the license of such manufacturer after granting a hearing Any manufacturer aggrieved by the decision of the State Treasurer in refusing suspending or revoking a license may within thirty days thereafter appeal to the court of quarter sessions of the County where the manufacturing plant is situate which shall fix a time for hearing of which notice shall be given to the State Treasurer as the court may provide The court shall hear the appeal de novo and shall make such order affirming modifying or reversing the order of the State Treasurer as to it shall appear just The action of the court shall be final

The State Treasurer is hereby directed to issue licenses to persons operating and conducting restaurant or dining services on railroad cars or coaches and to persons operating and conducting passenger service by water provided however that the applicant is a reputable person and the place to be licensed is a fit place or places for such license Such licenses shall permit the consumption of the beverages upon the licensed premises

Section 6 DISTRIBUTORS' LICENSES LICENSE YEAR Licenses to wholesale distributors and retail distributors shall be granted only by the licensing power of the proper county wherein beverages are to be sold and shall be for one year from the date fixed by rule or standing order of the licensing authority The said licensing power shall by rule or standing order fix a time at which applications for such licenses shall be heard at which time all persons applying or making objections to applications for licenses may be heard by evidence petition remonstrance or counsel

Section 7 FILING AND PUBLICATION OF APPLICATIONS FOR WHOLESALE AND RETAIL DISTRIBUTORS' LICENSES Every person intending to apply for a wholesale

or retail distributor's license as aforesaid in any city or county of this Commonwealth shall file with the clerk of the licensing power of the proper county his or its petition at least three weeks before the first day for the sessions of such licensing power at which the same is to be heard and shall at the same time pay said clerk twenty-five dollars for the expenses connected therewith Said clerk shall cause to be published three times in two newspapers of general circulation designated by the said clerk a list containing the names of all such applicants their respective residences and the place for which application is made the first publication shall be no less than fifteen nor more than twenty days before the time fixed by the licensing power for sessions of the licensing power

Section 8 APPLICATION FOR DISTRIBUTORS' LICENSES Application for wholesale and retail distributors' licenses shall contain

(a) The name and residence of the applicant and how long he has resided there and if an individual the residence of such and if an association partnership or corporation the residences of the members officers and directors

(b) The particular place for which the license is desired and a detailed description thereof and a history of any business that may have been conducted there during the past two years

(c) Place of birth of applicant and if a naturalized citizen where and when naturalized and if a corporation when and where incorporated with the names and addresses of each officer and director and that such officers and directors are citizens of the United States and that all stockholders owning ten per centum or more of the capital stock of such corporation are citizens of the United States

(d) Name of owner of premises and his residence

(e) That the applicant is not or in case of a partnership or association that the members or partners are not and in the case of a corporation that the officers and directors are not in any manner pecuniarily interested either directly or indirectly in the profits of any other class of business licensed or taxed under this act except as hereinafter temporally permitted

(f) That applicant is the only person in any manner pecuniarily interested in the business so asked to be licensed and that no other person shall be in any manner pecuniarily interested therein during the continuance of the license except as hereinafter temporarily permitted

(g) Whether applicant or in case of a partnership or association any member or partner thereof or in case of a corporation any officer or director thereof has had a license for sale of said beverages revoked during any time preceding this application and whether applicant or any of said persons during the past two years has ever been convicted for any criminal offense and if so a detailed history thereof

(h) A full description of that portion of the premises for which license is asked and if any other business is to be conducted concurrently with the sale and distribution of beverages a full history of such busines srelating the nature thereof the length of time it has so previously been conducted by the applicant or his predecessor at such location

There shall be annexed to such petition a certificate signed by at least twelve reputable qualified electors of the ward borough or township in which such beverages are to be sold setting forth that they have been acquainted with the applicant or applicants or the members of the association or partnership or the directors and officers of the corporation where the applicant is a corporation that they have good reason to believe that each and all the statements contained in the petition are true and they therefore pray that the prayer of said petitioner be granted and that the license issue

Petition must be verified by affidavit of applicant and by affidavit of owner or his authorized agent as respects information concerning the property and if any false statement is made in any part of the petition the affiant shall be deemed guilty of the crime of perjury

Section 9 SUBSTITUTED APPLICATIONS IN CASE OF DEATH Whenever an applicant for a wholesale or retail distributor's license having filed his application in due form and in due time shall die before such application has been acted upon by the licensing power it shall be lawful for said licensing power upon petition setting forth said fact to permit the substitution of another applicant in the form as required for a license to sell such beverages at the same place said licensing power specifying in the order granting such allowance a time not less than three weeks distant for hearing said substituted application Thereupon upon payment to the clerk of said licensing power of the sum of twenty-five dollars a notice of said petition of the order thereon and of the substituted application together with the date and hour of the hearing thereof shall by said clerk be published for three successive weeks in two newspapers of general circulation designated by said clerk On the day specified said licensing power shall hear said substituted application and any remonstrance or objection made to the same in like manner as is required for the original application and thereupon may grant or refuse a license to said substituted applicant

Section 10 HEARINGS TO GRANT LICENSES RESTRICTIONS Said licensing power shall hear the petition from residents of the ward borough or township in addition to that of the applicant in favor of and in remonstrance against the application for any such wholesale or retail distributor's licenses and in all cases shall refuse the same whenever in the opinion of the said licensing power having due regard to the number and character of the petitioners for and against such application that the applicant or applicants is or are not fit persons to whom such license should be granted or the place applied for is not a fit place without regard to the proximity of other places

A wholesale distributor maintaining operating or conducting more than one place of business where beverages are resold or places of his business where orders are taken for such resale shall obtain a separate license for each such place of business

Licenses shall be granted only to reputable persons or to associations partnerships and corporations whose members or officers and directors are reputable persosn

Licenses shall be granted only to individual citizens of the United States who have been residents of this Commonwealth for at least three years immediately preceding or to corporations organizd in or duly authorized to transact business in this Commonwealth

No retail distributor's license shall be granted for the sale of beverages in any drug store or pharmacy or in any grocery store or in any mercantile establishment unless there is conducted in such mercantile establishment a bona fide restaurant or dining room in which case a license may be granted for the sale of beverages in the room or space occupied by such restaurant or dining room

No wholesale distributor's license shall be granted except where the room or rooms to be occupied by such business shall be fully separated by walls from any other room or space where other business is conducted in the same building No other commodities of any kind shall be stored or sold in the room or rooms occupied for the business as a wholesale distributor

Section 11 REVOCATION AND SUSPENSION OF LICENSES After a license has been granted upon sufficient cause being shown or proof being made to the said licensing power that the licensee holding a license or any partners members officers or directors of the licensee has or have violated any of the laws of this Commonwealth relating to the sale of beverages it may upon due notice and proper hearing being given to the person so licensed suspend or revoke the said licenes The action of the court in suspending or revoking a license shall be final

Section 12 TRANSFER OF LICENSES The said licensing power is hereby authorized to transfer wholesale or retail license from one person to another or from one place to another within the jurisdiction of the licensing power as it may determine Any transfer of such license may be made during the regular sessions of such licensing power or in chambers during vacation when the applicant for said transfer shall have presented a petition setting forth all of the facts necessary for original application for such license In cases where the application is made to transfer from one place to another the application shall be advertised as herein provided for original applications for license and residents of the ward borough or township shall have the same right to remonstrate against such transfer in the same manner as against pplications for original licenses

Section 13 APPLICATIONS FOR TRANSFERS Applications for any such transfer shall be filed in the office of the clerk of the licensing power of the proper county ten days before the said petition shall be presented to the licensing power and upon expiration of the said ten days the clerk shall certify that the application for such transfer has been on file in his office for the period of time required Provided however In case of death of the licensee such transfer may be made forthwith on petition without preliminary or interlocutory order and without publication of notice

Section 14 FEE FOR LICENSE TRANSFERS Whenever any license shall hereafter be transferred under the provisions of this act no license or other fees shall be required from the persons to whom such transfer is made for the balance of the then current term except a fee of twenty-five dollars to be paid to the clerk of the licensing power for the uses herein provided

Section 15 APPEALS FROM REFUSAL TO GRANT LICENSES The licensing power upon refusal to grant a license shall within thirty days of such refusal file an opinion setting forth the reasons therefor and the person aggrieved thereby may within thirty days of the date of such opinion appeal to the Superior Court of the Commonwealth from the decision of such licensing power

Section 16 RENEWAL OF LICENSES Renewal licenses may be granted by the licensing power upon proper application without the necessity of such applicant appearing with his witnesses before the licensing power at its sessions unless remonstrances are filed Where such remonstrances are filed to the renewal of licenses the same proceedings shall be had as in the case of application for an original license

Section 17 DISPLAY OF LICENSE Every licensee shall frame his or its license under a transparent substance and display the same in a conspicuous space so that it may easily be read in his or its place of business and no license shall authorize sales until this section has been complied with

Section 18 LICENSE CONSIDERED PERSONAL PROPERTY Licenses shall have the status of personal property without however the privilege of voluntary assignment unless duly approved by the licensing power

Section 19 ALL LICENSEES TO FURNISH BOND No license shall be issued to any manufacturer wholesale distributor or retail distributor until the licensee shall have first executed a bond to the Commonwealth of Pennsylvania and a warrant of attorney to confess judgment in the penal sum hereinafter prescribed and with sufficient sureties either personal or a surety company authorized to do business in this Commonwealth Such bond shall not be accepted until approved by the State Treasurer as respects manufacturers or approved by some one designated by the licensing power as respects wholesale and retail distributors All such bonds shall be conditioned for the faithful observance of all laws of this Commonwealth relating to the traffic in and sale of beverages Such bond as respects the manufacturer shall be filed with and retained by the State Treasurer and in the case of wholesale and retail distributors by the clerk of the licensing power The penal sum in such bonds shall be as follows In the case of manufacturer two thousand dollars and in the case of wholesale or retail distributor one thousand dollars

Section 20 LICENSE FEES DISTRIBUTION OF REVENUES No license shall be issued to any manufacturer wholesale distributor or retail distributor until the licensee shall have first paid an annual license fee for such grant as follows

(a) In the case of a manufacturer one thousand dollars for each place of manufactur which shall be paid to the State Treasurer

(b) In the case of a wholesals distributor as follows In counties of the first and second classes five hundred dollars in counties of the third and fourth classes four hundred dollars and in all other counties three hundred dollars

(c) In the case of a retail distributor the license fee shall be graduated according to the population of the municipal unit in which the place of business is located as follows

I In municipalities or townships having a population of less than one thousand five hundred inhabitants seventy-five dollars

II In those having a population of one thousand five hundred and more but less than five thousand inhabitants one hundred dollars

III In those having a population of five thousand and more but less than ten thousand inhabitants one hundred and fifty dollars

IV In those having a population of ten thousand and more but less than twenty-five thousand inhabitants two hundred dollars

V In those having a population of twenty-five thousand and more but less than fifty thousand inhabitants two hundred and fifty dollars

VI In those having a population of fifty thousand and more three hundred dollars

(d) In the case of a license for the sale of beverages in dining cars the fee shall be five hundred dollars for each railroad company

(e) In the case of a license to sell the beverages in a passenger boat or water vehicle the fee shall be twenty-five dollars for each such vessel or boat

The license fees fixed by this section shall be paid within fifteen days after the license is granted and the license shall not be delivered until the license fee is paid

The fees for wholesale and retail distributors' licenses shall be paid to the county treasurer and the amount paid into the county treasury from each such license fee and the amount paid to the State Treasurer for manufacturers' licenses shall be distributed as follows

(a) Ten per centum (10%) to the Commonwealth

(b) Ten per centum (10%) to the county for general governmental purposes where the licensed place is located for the use of the county

(c) Forty per centum (40%) to the municipality or township in which the licensed place is located for the use of the municipality or township for general governmental purposes

(d) Forty per centum (40%) to the school district in which the licensed place is located for general school purposes

Remittances shall be made by the county treasurer to the Commonwealth and to municipalities townships and school districts within thirty days of the receipt of any license fee and by the State Treasurer to counties municipalities townships and school districts quarterly Any moneys received by the State Treasurer for manufacturers' licenses and deposited into the State Treasury are hereby appropriated for payment to municipalities and townships as provided by this act

Section 21 SALES BY MANUFACTURERS MINIMUM QUANTITIES No manufacturer shall sell or deliver any of such beverages except in original containers permanently marked with the name of such manufacturer nor in quantities of less than one hundred and forty-four (144) fluid ounces when in bottles or in casks or kegs of not less than three and one-half (3½) gallons each in the case of malt and brewed beverages or two (2) gallons in the case of vinous or fruit juice beverages

Section 22 SALES BY WHOLESALE DISTRIBUTORS MINIMUM QUANTITIES No wholesale distributor shall purchase receive or resell such beverages except in the original containers permanently marked as prepared for market by the manufacturer and then resell the same only in the county wherein he is licensed in no less quantities however than one hundred and forty-four (144) fluid ounces when in bottles or in casks or kegs of not less than three and one-half (3½) gallons each in the case of malt and brewed beverages and two (2) gallons in the case of vinous of fruit juice beverages Provided That no such beverage sold or delivered shall be consumed upon the premises of the wholesale distributor or in any place provided for such purpose by such distributor Provided further That such beverages when legally sold by a wholesale distributor in the county where licensed may be delivered anywhere in the county of sale and its adjacent counties except in prohibited territory

Section 23 SALES BY RETAIL DISTRIBUTORS No retail distributors shall purchase or receive any beverages except in the original containers permanently marked as marketed by the manufacturer and thereafter may break the bulk upon the licensed premises and sell or dispense the same for use and consumption only however in and upon the premises so licensed Provided however That such retail distributor may sell such beverages in quantities not exceeding seventy-two (72) ounces in the original containers to be carried from the premises by the purchaser thereof

No retail distributor shall maintain any bar at which beverages are served to customers or sell any beverages for consumption on the licensed premises except at a table in a room or rooms or place on the licensed premises at all times accessible to the use and accommodation of the general public and the windows doors or entrances of such rooms or places shall permit free and unobstructed visibility of the interior thereof A retail distributor may sell and deliver beverages in any room of an hotel occupied by a bona fide registered guest entitled to purchase the same

Section 24 UNLAWFUL SALES It shall be unlawful for any licensee or his or its servants agents or employes

(a) To sell trade or barter in beverages between the hours of twelve o'clock midnight of any Saturday and six o'clock in the forenoon of the following Monday

(b) To sell furnish or give any beverages to any person visibly intoxicated or to any insane person or to any minor

(c) To sell furnish or give any beverages to any preson on any day on which a general municipal special or primary election is being held

(d) To sell or offer to sell any beverages to any person on credit excepting the customary credits between the various classes of licensees and credits extended by an hotel to a bona fide registered guest No right of action shall exist to collect any claims for credit extended contrary to the provisions of this clause

(e) To sell offer to sell or furnish any beverage to any person on a pass-book or store order or to receive from any person any goods wares merchandise or other articles in exchange for beverages

Section 25 THINGS OF VALUE NOT TO BE OFFERED FOR THE RETURN OF CERTAIN ARTICLES It shall be unlawful for any person licensed to sell beverages to offer or give anything of value as a premium for the return of caps stoppers corks stamps or lables taken from any bottle case barrel or package containing such beverages or to offer or give anything of value as a premium or present to induce the purchase of such beverages or for any other purpose whatsoever in connection with the sale of such beverages "provided however that this section shall not apply to the return of any moneys specifically deposited for the return of the original containers to the owners thereof"

Section 26 UNLAWFUL TO FORTIFY ADULTERATE OR CONTAMINATE BEVERAGES It shall be unlawful to fortify adulterate contaminate or in any wise to change the character or purity of the beverages from that as originally marketed by the manufacturer

Section 27 TRANSPORTATION IN ORIGINAL PACKAGES It shall be unlawful to transport any beverages except in the original containers permanently marked as marketed by the manufacturer

Section 28 DELIVERY VEHICLES TO BEAR NAME AND ADDRESS OF LICENSEE It shall be unlawful for a manufacturer or wholesale distributor to deliver any beverages excepting in vehicles bearing the name and address of such license holder on each side of such vehicle in letters no smaller than four inches in height

Section 29 INTERLOCKING BUSINESS PROHIBITED (a) No manufacturer and no officer or director of any manufacturer shall at the same time be a distributor or an officer director or stockholder or creditor of any wholesale distributor or of any retail distributor nor be the owner proprietor or lessor of any place covered by such wholesale or retail distributor's liense

(b) No wholesale distributor and no officer or director of any wholesale distributor shall at the same time be a manufacturer or retail distributor or be an officer director stockholder or creditor of a manufacturer or retail distributor or be the owner proprietor or lessor of any place covered by such retail distributor's license

(c) No manufacturer or wholesale distributor or retail distributor licensed under this act shall own any stock of or have any financial interest in any other class of business licensed under this act

(d) No manufacturer or wholesale distributor shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or in any mortgage lien against the same for which a retail license is granted nor shall a manufacturer or wholesale dealer either directly or indirectly lend any moneys credit or equivalent thereof to any retail dealer in equipping fitting out or maintaining and conducting either in whole or in part an establishment or business where such beverages are licensed for sale and consumption upon the premises excepting only the usual and customary commercial credits for beverages sold and delivered

(e) No manufacturer shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or any mortgage lien against the same for which a wholesale license is granted nor shall a manufacturer either directly or indirectly lend any moneys credit or their equivalent to any wholesale dealer in equipping fitting out or maintaining and conducting either in whole or in part an establishment or business where such beverages are licensed for sale at wholesale excepting only the usual and customary commercial credits for beverages sold and delivered

The purpose of this section is to require a separation of the financial and business interests between the various classes of business authorized to be licensed by this act and no person or corporation shall by any device whatever directly or indirectly evade the provisions of this section But in view of existing economic conditions nothing contained in this section shall be construed to prohibit the ownership of property or conflicting interest existing at the date this act takes effect which is contrary to this section if such conflicting ownership or interest is eliminated on or before January one one thousand nine hundred and thirty-six

Section 30 SALE OF IMPORTED BEVERAGES No beverages imported into this Commonwealth shall be delivered in the first instance anywhere in this Commonwealth except to a licensed wholesale distributor and shall be resold and delivered only in accordance with this act by such wholesale distributor to whom delivered who shall be liable for the tax imposed thereon by this act when such beverages come to rest or storage in this Commonwealth

Section 31 STATE TAX ON BEVERAGES In addition to the license fees imposed by this act each manufacturer shall be subject to pay the State taxes imposed by this section upon all beverages manufactured in this Commonwealth when prepared for market and each wholesale distributor shall be subject to pay the State taxes imposed by this act upon all beverages imported into this Commonwealth when the same come to rest or storage in this Commonwealth Such taxes shall be at the following rates On malt and brewed beverages one dollar ($1) per barrel or equivalent and on vinous or fruit juice beverages ten cents (10c) per gallon

Manufacturers and wholesale distributors shall be liable to the Commonwealth as taxpayers for the payment of the taxes imposed by this act

Section 32 MONTHLY REPORTS AND PAYMENT OF TAX PENALTIES For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every manufacturer and wholesale distributor on or before the last day of each month to transmit to the Department of Revenue upon a form prescribed prepared and furnished by the Department a report under oath or affirmation of the beverages prepared for market or which were imported and came to rest or storage at his place of business in this Commonwealth during the preceding month Such report shall show the number of barrels or gallons prepared for market or imported during the period for which it is made and such further information as the department shall prescribe Each manufacturer shall on such report also show the number of barrels or gallons of beverages prepared for market which during such month were exported from this State and shall be entitled to a deduction of the tax on such beverages in computing the tax payable under this act

Each manufacturer and wholesale distributor at the time of making every report required by this section shall compute and pay to the department the tax due to the Commonwealth on the beverages prepared for market or imported into this State The amount of all taxes imposed under the provisions of this act for each month shall be due and payable on the last day of the next succeeding month and shall bear interest at the rate of one per centum per month or fractional part of a month from the day they are due and payable until paid

If any manufacturer or wholesale distributor shall neglect or refuse to make any report and payment as herein required an additional ten per centum of the amount of the tax shall be added by the department and collected as hereinafter provided and in addition thereto the license of such manufacturer or wholesale distributor may be suspended by the State Treasurer or the licensing power at the request of the department

Section 33 DETERMINATION AND REDETERMINATION OF TAX PENALTIES AND INTEREST (a) if the department is not satisfied with the report and payment of the tax made by a manufacturer or wholesale distributor it is authorized to make a determination of the tax due based upon the facts contained in the report or upon any information within its possession or that shall come into its possession

(b) Promptly after the date of any such determination the department shall sent by registered mail a copy thereof to such manufacturer or wholesale distributor Within thirty days after the date of any such determination such manufacturer or wholesale distributor may file with the department a petition for redetermination of such tax Every petition for redetermination shall state specifically the reason which the petitioner believes entitles him to such redetermination and shall be supported by affidavit that it is not made

for the purpose of delay and that the facts set forth therein are true It shall be the duty of the department within ninety days after the date of any determination to dispose of any petition for redetermination Notice of the action taken upon any petition for redetermination shall be given to the petitioner promptly after the date of redetermination by the department

(c) Within thirty days after notice by the department of the action taken of any such petition for redetermination filed with it the manufacturer or wholesale distributor against whom such determination was made may be petition require the Board of Finance and Revenue to review such action Every petition for review shall state specifically the reason upon which the petitioner relies and shall be in such form as the Board of Finance and Revenue shall prescribe The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true The Board of Finance and Revenue shall dispose of each such petition filed with it within ninety days after it shall have been received and in the event of the failure of said board to dispose of any such petition within ninety days the action taken by the department upon the petition for redetermination shall be deemed sustained The Board of Finance and Revenue may sustain the action taken on the petition for redetermination or it may redetermine the tax upon such basis as it shall deem to be according to law and equity Notice of the action of the Board of Finance and Revenue shall be given by mail or otherwise to the department and to the petitioner

(d) The department or any person aggrieved by the decision of the Board of Finance and Revenue or by the Board's failure to act on said petition within ninety days may within sixty days appeal to the Court of Common Pleas of Dauphin County from the decision of the Board of Finance and Revenue or from the decision of the department as the case may be in the manner provided by law for appeals in the case of tax settlements

(e) If any manufacturer or wholesale distributor shall neglect or refuse to make any report and payment of the tax required by this act the department shall estimate the tax due by such corporation and determine the amount due by him for taxes penalties and interest thereon from which determination there shall be no right of review or appeal Upon any such neglect or refusal the license of the manufacturer or wholesale distributor may be suspended or revoked by the State Treasurer or licensing power at the request of the department

Section 34 EXAMINATION OF RECORDS AND EQUIPMENT The Department of Revenue or any agent appointed in writing by it is authorized to examine the books papers records plant and equipment of any manufacturer or wholesale distributor to verify the accuracy of any report or payment made under this act or to ascertain whether or not the tax imposed by this act has been paid But any information gained by the department as the result of the reports investigations or verifications herein required to be made shall be confidential and any person divulging such information shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than one thousand dollars $1,000) and costs of prosecution or to undergo imprisonment of not more than one year or both

Section 35 RECORDS OF MANUFACTURERS AND WHOLESALE DISTRIBUTORS Each manufacturer and wholesale distributor shall maintain and keep for a period of two years such record or records of beverages manufactured or imported together with invoices bills of lading and other pertinent papers as may be required by the department

Section 36 LIEN OF TAXES All taxes penalties and interest imposed by this act due by any manufacturer or wholesale distributor shall be a lien upon the franchises and property both real and personal of such manufacturer or wholesale distributor from the date said taxes are due and payable and shall have priority over any subsequent liens or encumbrances whatsoever except the lien of other State taxes having priority by law and except also that such taxes penalties and interest shall have priority over a mortgage only if the statements thereof were filed of record as hereinafter provided prior to the recording of the mortgage

Statements of all taxes herein imposed due and unpaid together with penalties and interest thereon certified by the Secretary of Revenue or his agents may at any time be transmitted to the prothonotaries of the respective counties to be by them entered of record upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgment and execution in the same manner as such writs are ordinarily employed

Section 37 DISTRIBUTION OF REVENUES FROM TAX All taxes collected under the provisions of this act shall be paid by the Department of Revenue into the State Treasury and ten per centum (10%) of such tax shall be for the use of the Commonwealth The remaining ninety per centum (90%) of such tax shall be paid into the Beverage Fund which is hereby created and shall be paid by the State Treasurer quarterly to the county treasurers of the various counties of this Commonwealth on a ratio that the population of a county bears to the total population of the Commonwealth The county treasurer shall in turn pay three-fourths of the amount received from the State to the various municipalities and townships in the county on a ratio that the population of a municipality or township bears to the total population of the county The payments by the State shall be made on or before the last days of April July October and January for the preceding quarter of the calendar year and the reallocation and payment shall be made by the county treasurer within fifteen days of the receipt of such money from the State Treasurer Any moneys in the Beverage Fund from time to time are hereby appropriated for payment over to the several counties as herein provided except interest earned on moneys in such Fund which shall be for the use of the General Fund "all moneys so received and paid as above stated shall be for general state county and municipal governmental purposes"

Section 38 PENALTY Any person copartnership association or corporation violating any of the provisions of this act for which a specific penalty is not provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding three hundred dollars ($300) for the first offense and for any second or subsequent offense shall be sentenced upon conviction to pay a fine not exceeding five hundred dollars ($500) Any such person or the members agents servants or employes of any partnerships or associations or the officers directors agents servants or employes of any corporation responsible for any violation of any of the provisions of this act may upon a second or subsequent conviction be sentenced to imprisonment fo ra term not exceeding six months or by both such fine and imprisonment in the discretion of the court

Section 39 RULES OF COURT It shall be the duty of the licensing power in the several counties promptly after the passage of this act to fix by rule or otherwise the times and places when applications for wholesale and retail distributors' licenses may be presented so that such licenses may be promptly obtainable by all applicants meeting the necessary requirements and qualifications This provision is intended to meet such emergency as may arise promtply to regulate and license the sale and distribution of the said beverages which may have been legalized by action of Congress of the United States which become automatically legal in this Commonwealth

Section 40 CONSTITUTIONALITY The provisions of this act shall be severable and if any of the provisions shall be held to the unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 41 EFFECTIVE DATE This act shall become effective immediately upon final enactment

Section 42 REPEAL The following acts are hereby repealed

The act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-seven) entitled "An act authorizing the transfer by the judges of the several courts of the Commonwealth of licenses for the wholesale or retail of vinous spirituous malt or brewed liquors from one person to another and from one place to another" absolutely

The act approved the thirtieth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws four hundred sixty-four) entitled "An act to provide revenue and regulate the sale of malt brewed vinous and spirituous liquors or any admixture thereof by requiring and authorizing licenses

to be taken out by brewers distillers wholesalers bottlers rectifiers compounders storekeepers and agents having a store office or place of business within this Commonwealth prescribing the amount of license fees to be paid in such cases and by imposing an additional license fee on retail dealers in intoxicating liquors" and the amendments thereto so far as the same relate to beverages licensed under this act

"So much of the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled "An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverages purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws" and the amendments thereto as is inconsistent with this act and particularly with respect to the alcoholic content of beverages is repealed"

"So much of the act approved the nineteenth day of February one thousand nine hundred and twenty-six (Pamphlet Laws sixteen) as is inconsistent with this act and particularly with respect to the alcoholic content of beverages and the requirements relating to the obtaining of permits by the manufacturers of beverages in the sale distribution and transportation of such beverages is hereby repealed"

All other acts and parts of acts inconsistent with this act are hereby repealed But nothing contained in this act shall be construed to repeal any law relating to the purity or adulteration of beverages or any law relating to sanitation or any local or special law

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

STATEMENT BY MR. PHILIP STERLING

Mr. PHILIP STERLING asked and received unanimous consent to make the following statement:

Mr. Speaker. You will find beginning on page 19, and continuing through today's second reading calendar, some thirty-five or forty bills sponsored by Mr. Flynn, Mr. McClure, Mr. Steedle and myself. All of the bills come from the Joint Legislative Committee on State Finance and support recommendations made by the Committee. It was the original purpose of the Committee on State Government that these bills be reported to the House for two readings and then be returned for consideration by a sub-committee already appointed for that purpose.

However since there are so many of these bills it was later thought that much of the useless motion involved in recommitting and rereporting these bills might be avoided if the bills would permitted to remain upon the calendar without being advanced so that, Mr. Speaker, none of the bills to which I refer will be advanced on second reading this morning.

The sub-committee of the Committee on State Government will meet on Monday and consider each of the bills. Those that raise controversial questions will be returned to the committee; those that do not raise controversial questions will remain upon the calendar and be advanced in the regular course of business.

This statement is made, Mr. Speaker and members of the House, because the impression has gone out, and properly so, that the plan originally set up was to recommit all of the bills and in order that there may be no misunderstanding, every member of the House interested in any of these bills or persons not members of the House interested in the bills, will have made available to them a full opportunity to be heard on any of the measures.

The SPEAKER. The remarks of the gentleman from Philadelphia, Mr. Sterling, under consent to make a statement, will be spread upon the Journal.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1758, as follows:

An Act to repeal the act approved the eighth day of July one thousand nine hundred nineteen (Pamphlet Laws seven hundred seventy) entitled "An act creating a Division of Township Highways in the State Highway Department conferring powers and imposing duties upon officers of the State Highway Department requiring certain duties of clerks of the courts of quarter sessions and providing penalties"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the eighth day of July one thousand nine hundred nineteen (Pamphlet Laws seven hundred seventy) entitled "An act creating a Division of Township Highways in the State Highway Department conferring powers and imposing duties upon officers of the State Highway Department requiring certain duties of clerks of the courts of quarter sessions and providing penalties" and the amendments thereto be and the same is hereby repealed

Section 2 This act shall become effective immediately upon its approval by the Governor

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1263, as follows:

An Act to amend section eleven of the act approved the thirtieth day of March one thousand nine hundred and seventeen (Pamphlet Laws twenty-one) entitled "An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" as amended by permitting treatment of diseases of or injury to the eye in cases of emergency

Section 1 Be it enacted by the Senate and House of Representative sof the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eleven of the act approved the thirtieth day of March one thousand nine hundred and seventeen (Pamphlet Laws twenty-one) entitled "An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" as amended by section three of the act approved the thirteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws six hundred fifty-nine) is hereby further amended to read as follows

Section 11 Nothing in this act shall be constructed as conferring on the holder of any certificate of licensure issued by said board the title of [doctor] oculist ophthalmologist or any

other word or abbreviation indicating that he is engaged in the practice of medicine or surgery or the treatment [or diagnosis] of diseases of or injuries to the human eye except in an emergency and only as first aid or the right to use drugs or medicines in any form for the treatment or examination of the human eye The title "Doctor" or the abbreviation "Dr" shall not be used before the name of any registered optometrist without the word "optometrist" following the name

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1537, as follows:

An Act to amend clause five of section three of the act approved the thirteenth day of May one thousand nine hundred and nine (Pamphlet Laws five hundred twenty) entitled "An act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with intent to sell of adulterated misbranded or deleterious foods prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof" as amended by extending changing and limiting the provisions thereof relating to fruits used in fruit cake and the use of sulphur dioxide

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause five of section three of the act approved the thirteenth day of May one thousand nine hundred and nine (Pamphlet Laws fixe hundred twenty) entitled "An act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with intent to sell of adulterated misbranded or deleterious foods prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof" as amended by section one of the act approved the twenty-sixth day of April one thousand nine hundred and twenty-three (Pamphlet Laws eighty-eight) is hereby further amended to read as follows

Fifth If it contains any added sulphurous acid sulphur diovide or sulphites benzoate acid or benzoates except as hereafter provided or if it contains any added foric acid or borates salicylic acid or salicylates formaldehyde hydrofluoric acid or florides fluorborates uosilicates or other fluorine compounds dulcin glucin saccaharin alum compounds of copper betnapthol hydronapthol abrastol asaprol pyroligneous acid or other added ingredients deleterious to health or if in the case of confectionery it contains any of the substances mentioned in this paragraph or any mineral substance or injurious color or flavor alcoholic liquor or any other ingredient not herein mentioned deleterious to health Providing That this act shall not be construed to prohibit the use of harmless colors of any kind in confectionery or in fruits used in fruit cake when used for coloring and not for any fraudulent purpose And provided further That nothing in this act shall be construed to prohibit the use of common salt sugar pure corn syrup pure glucose wine vinegar cider vinegar malt vinegar sugar vinegar glucose vinegar distilled vinegar spices or their essential oils alcohol (except in confectionery) edible oils edible fats wood smoke applied directly as generated or proper refrigeration And provided further That in the manufacture of confectionery the use of alcohol shall be permitted as it may be found in customary alcoholic tinctures or extracts used for flavoring purposes only and as a solvent for glazes and that oil of sweet birch or methyl-salicylic ester may be used as a substitute for oil of wintergreen as a flavor And provided further That in the preparation of dried fruits and molasses sulphur dioxide either free or in simple combination may be used in the proportion of not in excess of fifteen hundred (1500) parts a million [such quantities as will not render said dried fruits or molasses deleterious to health] and when any dried fruits and molasses are used in any foods or food products or contained as a part of or as an ingredient in any good the sulphur dioxide in such dried fruits and molasses shall not exceed the proportion of fifty (50) parts a million and that sodium [benzoates] benzoate may be used in the preparation of those articles of food in which it has heretofore been generally used in quantities not exceeding one-tenth (1/10) of one per centum or benzoic acid equivalent thereto And provided further That /when] whenever any quantity of sodium benzoate is used in any article of food [or any quantity of sulphur dioxide is used in the preparation of dried fruits or molasses] the fact that sodium benzoate [or sulphur dioxide] has been used in the preparation thereof shall be plainly stated on each package of such food

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1934, as follows:

An Act providing for receipt by the Commonwealth of personal property bequeathed to the Commonwealth providing for the vesting of title in the Commonwealth of real estate devised to the Commonwealth the custody repairs leasing and sale thereof by the Department of Property and Supplies with approval of the Department of Justice and providing the payment of costs of repair of such property

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any person heretofore has or hereafter shall bequeath any personal property to the Commonwealth without attaching restrictions as to the use thereof said bequest or the proceeds thereof shall be received by the Department of Revenue and transmitted to the State Trasurer for deposit in the general fund The Department of Revenue upon the receipt thereof shall have authority to give a receipt therefor duly acknowledged to the personal representatives of said decedent

Section 2 That whenever any person heretofore has or hereafter shall devise any real estate to the Commonwealth the title to said real estate shall vest in the Commonwealth of Pennsylvania and the custody thereof until the same shall be sold and conveyed as hereinafter provided shall be in the Department of Property and Supplies Said department may dispose of said real estate upon such terms and conditions at either public or private sale as the Secretary of Property and Supplies may deem advisable and the Department of Justice may approve and in the event of said sale the Secretary of Property and Supplies is hereby authorized and directed to execute acknowledge and deliver a good and sufficient deed or other appropriate document approved by the Department of Justice conveying or transferring the title to said property The Department of Property and Supplies shall be authorized to lease said real estate upon such terms and conditions as shall be approved by the Department of Justice during the period prior to the sale thereof All moneys received from the sale or leasing of said real estate shall be paid into the general fund in the State Treasury through the Department of Revenue Said Department of Property and Supplies shall have authority to make all necessary repairs to said real estate prior to the sale thereof and the costs of said repairs shall be paid out of the appropriation to said department in the State Treasury Any such conveyance or transfer shall be free and clear of all liens and incumbrances in favor of the Commonwealth

Section 3 It shall be unlawfull for any State officer or employe or any member of the family of such State officer or employe to purchase directly or indirectly any property acquired by the Commonwealth by devise in any last will and testament

Section 4 This act shall become effective immediately upon the approval by the Governor

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1266, as follows:

An Act to provide for the issuance and acceptance of certificates from duly licensed optometrists whenever such certificates may now or hereafter be required as to ocular and visual efficiency by any law of the Commonwealth and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any optometrist duly licensed by the Board of Optometrical Education Examination and Licensure to practice optometry is hereby authorized to issue certificates of ocular and visual efficiency as may be required by any law

Section 2 Whenever a certificate of ocular or visual efficiency is required by any law of the Commonwealth a certificate of an optometrist duly licensed to practice optometry by the Board of Optometrical Education Examination and Licensure of the State of Pennsylvania shall be accepted by all persons having to do with ocular fitness or requirements provided for by any law of the Commonwealth

Section 3 If any provision or provisions of this act shall be held by any court to be unconstitutional such judgment shall not affect any other section or provision

Section 4 All acts general special or local or parts thereof are in any way in conflict or inconsistent with this act or any part thereof be and the same are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1337, as follows:

An Act to amend section one of the act approved the eleventh day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred fifty-eight) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habtit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain causes and by providing for the enforcement of this act and penalties" as amended by extending the provisions of said act to include marihuana

Section 1 Be it enacted by the Senate and House o fRepresentatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the eleventh day of July on thousand nine hundred and seventeen (Pamphlet Laws seven hundred fifty-eight) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain causes and by providing for the enforcement of this act and penalties" which was amended by section one of the act approved the twentieth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred fifty-two) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That except as limited in section two of this act the word "drug" as used in this act shall be construed to include (a) opium or (b) coca leaves or (c) Marihuana [(c)] (d) any compound or derivative of opium [or] coca leaves or marihuana or [(d)] (e) any substance or preparation containing opium [or] coca leaves or marihuana or [(e)] (f) any substance or preparation containing any compounds or derivative or opium [or] coca leaves or marihuana

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1848, as follows:

An Act providing for the regulation of aeronautics within this Commonwealth conferring powers and imposing duties upon the Department of Internal Affairs in respect thereto providing for the licensing and registration of airmen and aircraft establishing the legal status of air navigation providing for sovereignty in and ownership of space providing for lawfulness of flights regulating civil causes of action arising out of operation of aircraft fixing the status of contracts crimes and torts in by or by means of operation of aircraft imposing duties upon officers burgesses magistrates aldermen justices of the peace the courts and clerks thereof providing for denial or revocation of licenses providing for certain penalties and their disposition and repealing certain existing laws

ARTICLES

I Short Title and Preliminary Provisiosn
II Powers and Duties of Department of Internal Affairs
III Qualifications of Airmen and Aircraft Federal Licenses
IV Legal Status of Air Navigation
V Procedure for Denial or Revocation of Licenses
VI Violation Provisions Penalties and Procedure
VII Repeal and Construction of Act
VIII Effective Date

ARTICLE I

SHORT TITLE AND PRELIMINARY PROVISIONS

Section 101 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Short Title This act shall be known and may be cited as the "Aeronautical Code"

Section 102 Definitions The following words and phrases when used in this act shall for the purpose of this act have the meanings respectively ascribed to them in this section

(a) "Aeronautics" The act or practice of the art and science of transportation by aircraft and operation construction repair or maintenance of aircraft airports landing fields or air navigation facilities and including repairs packing and maintenance of parachutes

(b) "Aircraft" Any contrivance now known or hereafter invented used or designed for navigation of or flight in the air except a parachute or other contrivance designed for such navigation but used primarily as safety equipment

(c) "Civil aircraft" Aircraft not of the military or naval forces of the United States Government and aircraft not used exclusively in any governmental service of any state or country

(d) "Airman" Airman shall mean an individual (including the person in command and any pilot mechanic or member of the crew) who engages in the operation of aircraft while under way and any individual in charge of the inspecting overhauling or repairing of aircraft or parachute riggers and repairmen

(e) "Air navigation facilities" Shall include airports landing fields and water sufraces for landing aircraft and all aids to air navigation including but not confined to lights marks structures and electrical communicating systems

(f) "Airport" Any locality either of water or land which is adapted for the landing and taking off of aircraft and which

provides facilities for shelter supply and repair of aircraft or a place used regularly for receiving or discharging passengers or cargo by air

(g) "Landing field" Any locality either of water or land which is adapted for the landing and taking off of aircraft but which is not equipped with facilities for shelter supply and repair of aircraft.

(h) "Intermediate landing field" Any locality either of water or land which is adapted for the landing and taking off of aircraft is located along an airway and is intermediate to airports and landing fields connected by the airway but which is not equipped with facilities for shelter supply and repair of aircraft and is not used regularly for the receiving or discharging of passengers or cargo by air

(i) "Civil airway" A route in the navigable air space over or above the territory or waters of the State of Pennsylvania designated by the Department of Internal Affairs as a route suitable for intrastate or interstate air commerce

(j) "Department" Department of Internal Affairs of this Commonwealth

(k) "Navigable air space" Air space above the minimum safe altitudes of flight prescribed by the department

(l) "Officers" Any constable State policeman or State highway patrolman or other officer authorized to make arrests or to serve process

(m) "Nonresident" Shall apply to any person who has no regular place of abode or business within this State for a longer period than thirty (30) days of parts thereof not necessarily consecutive in the calendar year

(n) "Owner" Any person firm corporation partnership or association holding title to any aircraft or having legal right to register the same

(o) "Person" Any individual association copartnership firm company corporation or other association of individuals

(p) "Pilot" An individual who operates an aircraft in flight or while under way

(q) "Passenger" Any person riding in an aircraft but having no part in its operation

(r) "Secretary" Secretary of Internal Affairs of this Commonwealth

Section 103 Constitutional Construction The provisions of this act are severable and if any provisions thereof is held to be unconstitutional the decision so holding shall not be construed as affecting or impairing any other provision of this act or the act as a whole It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

ARTICLE II

POWERS AND DUTIES OF DEPARTMENT OF INTERNAL AFFAIRS

Section 201 Powers and Duties of Department of Internal Affairs The Department shall administer the provisions of this act and for such purposes is authorized and directed to promulgate such regulations as are necessary to execute the powers invested inits by this act and other applicable laws

It shall be the duty of the department to

(a) Provide for the examination and rating and licensing of airports landing fields and air navigation facilities available for use of aircraft

(b) Adopt rules and regulations for the issuance expiration suspension or revocation of license of airports landing fields and air navigation facilities and of such other licenses or certificates as the department deems necessary in administering the functions vested in said department under this act

(c) Establish set apart and provide for the protection of necessary air space reservations within the Commonwealth of Pennsylvania in addition to and not in conflict with air space reservations established by the President of the United States or any department of the United States or with any civil or military airway designated under the provisions of the Air Commerce Act of one thousand nine hundred and twenty-six and the amendments thereto or other act of Congress pertaining thereto

(d) Designate establish and chart civil airways within over and above the lands or waters of the Commonwealth of Pennsylvania and arrange for publication of maps of such airways utilizing facilities and assistance of existing agencies of the Commonwealth as far as practicable The department shall grant no exclusive right for the use of any civil airway airport intermediate landing field or other air navigation facility under its jurisdiction

(e) Investigate record and report the causes of accidents in civil air navigation within this Commonwealth

(f) Encourage the establishment of airports civil airways and other air navigation facilities

(g) Supervise and regulate the safety adequacy and sufficiency of all aircraft airmen airports landing fields and air navigation facilities and equipment used or to be used in private or commercial flying

(h) Adopt rules and regulations governing the instruction in flight or ground school of student flyers or mechanics and the safety adequacy and sufficiency of aircraft airmen airports landing fields and air navigation facilities and equipment used or to be used in the instruction of student flyers or mechanics

(i) Adopt rules and regulations for the markings of highways municipalities and all other aerial markings used throughout the Commonwealth

(j) Adopt rules and regulations governing the erection location and maintenance of areial beacon lights and other aerial night lighting equipment within the Commonwealth

(k) To exchange with the Department of Commerce and other state government sthrough existing governmental channels information pertaining to the civil air navigation

(l) To enforce the regulations and air traffic rules promulgated as provided hereunder through the assistance and cooperation of State and local authorities charged with the enforcement of law in their respective jurisdictions

(m) To establish by regulation the minimum safe altitudes for flight and including air traffic rules

All rules and regulations prescribed by the department under the authority of this section shall be consistent with and conform to the then current Federal legislation governing aeronautics and the regulations duly promulgated thereunder and rules issued from time to time pursuant thereto Provided That nothing in this section shall confer upon the department the power to determine schedules issuance of stock determination of public convenience or the adequacy and sufficiency of service of common carriers engaged in commercial flying within the Commonwealth

ARTICLE III

QUALIFICATIONS OF AIRMEN AND AIRCRAFT FEDERAL LICENSES

Section 301 Aircraft Construction Design and Airworthiness Federal Licenses The public safety requiring and the advantages of uniform regulation making it desirable in the interest of aeronautical progress that aircraft operating within this Commonwealth should conform with respect to design construction and airworthiness to the standards prescribed by the United States Government with respect to navigation of civil aircraft subject to its jurisdiction it shall be unlawful for any person or resident to operate or navigate any aircraft within this Commonwealth unless such aircraft has an appropriate effective license issued by the United States Government and is registered by the United States Government Provided however That this restriction shall not apply to aircraft owned by the United States Government or the possessions thereof nor to aircraft of any state or territory nor to aircraft licensed by a foreign country if similar reciprocal relations exist between the United States and such foreign country

Section 302 Qualification for Airmen Federal Licenses The public safety requiring and advantages of uniform regulation making it desirable in the interest of aeronautical progress that a person or resident engaging within this Commonwealth in navigating or operating aircraft in any form of navigation or while in charge of the inspecting overhauling or repairing of aircraft or the repairing packing and maintenance of parachutes shall have the qualifications necessary for obtaining and holding a license issued by the Department of Commerce of the United States it shall be unlawful for any person to operate or navigate or inspect overhaul or repair any aircraft or repair pack and maintain parachutes in this Commonwealth unless such person is the holder of an appropriate effective license or permit issued by the United States Government Provided however That this restriction shall not apply to those persons operating aircraft owned by the United States Government or the possessions thereof or aircraft of any state or territory or aircraft licensed by a foreign country if similar reciprocal relations exist between the United States and such foreign country

Section 303 Possession and Display of Licenses The certificate of the license required for the person operating such

aircraft and the certificate of the license required for aircraft and such other licenses or certificates as may be issued by the department shall be kept in such places and exhibited to such persons at such time and under such circumstances as shall be required by the regulation of the department

Section 304 Nonresidents The provisions of this act in so far as they relate to registration and license shall not apply to aircraft owned and operated within this Commonwealth by nonresidents of this Commonwealth for a period not to exceed thirty (30) days in the calendar year Provided That the owner or pilot can show satisfactory proof he has complied with the laws relating to registration and license of airmen and aircraft in the state territory district or country of which he is a resident And further provided That a nonresident owner or airman cannot engage within this Commonwealth in the carrying of passengers merchandise or property for hire or reward by means of civil aircraft or in any commercial flying for hire or reward unless he has complied with the provisions of this act governing registration and license as if he were a resident of this Commonwealth

ARTICLE IV

LEGAL STATUS OF AIR NAVIGATION

Section 401 Ownership of Space The ownership of the space over and above the lands and waters of this Commonwealth is declared to be vested in the owner of the surface beneath but such ownership extends only so far as is necessary to the enjoyment of the use of the surface without interference and is subject to the right of passage or flight of aircraft Flight through the space over and above land or water at a sufficient height and without interference to the enjoyment and use of the land or water beneath is not an actionable wrong unless said flight results in actual damage to the land or water or property thereon or therein or use of the land or water beneath

Section 402 Lawfulness of Flight Flight in aircraft over the lands and waters of this Commonwealth is lawful unless at such low altitude as to interfere with the then existing use to which the land or water or the space over the land or water is put by the owner or unless so conducted as to be dangerous or damaging to persons or property lawfully on the land or water beneath The landing of an aircraft on the lands or waters of another without his consent is unlawful except in the case of a forced or emergency landing For damage caused by a forced or emergency landing the owner lessee and operator of the aircraft shall be liable as provided in section four hundred three

Section 403 Damage to Persons and Property on the Ground The owner and the pilot or either of them of every aircraft which is operated over the lands or waters of this Commonwealth shall be liable for injuries or damage to persons or property on or over the land or water beneath caused by the ascent descent or flight of aircraft or the dropping or falling of any object therefrom whether such owner was negligent or not unless the injury was caused in whole or in part by the negligence of the persons injured or of the owner lessee or bailee of the property damaged in accordance with the rules of law applicable to torts on land in this Commonwealth

As used in this section "owner" shall include a person having full title to aircraft and operating it through servants and shall also include a bona fide lessee or bailee of such aircraft whether gratuitously or for hire but "owner" as used in this section shall not include a bono fide bailor or lessor of such aircraft whether gratuitously or for hire or a mortgagee conditional seller trustee for cerditors of such aircraft or other persons having a security title only nor shall the owner of such aircraft be liable when the pilot thereof is in possession thereof as a result of theft or felonious conversion

The person in whose name an aircraft is registered with the United State Department of Commerce shall be prima facie the owner of such aircraft within the meaning of this section

The injured person or owner lessee or bailee of the damaged property shall have a lien on the aircraft causing the injury to the extent of the damage caused by such aircraft or objects falling therefrom

Section 404 Jurisdiction over Crimes and Torts All crimes torts and other wrongs committeed by or against a pilot or passengers while in flight over or above the lands and waters of this Commonwealth shall be governed by the laws of this Commonwealth and the question whether damage occassioned by or to an aircraft while over this Commonwealth constitutes a tort crime or other wrong by or against the owner or such aircraft shall be determined by the laws of htis Commonwealth

Section 405 Jurisdicition over Contracts All contractual and other relations entered into by pilots or passengers while in flight over or above the lands or waters of this Commonwealth shall be governed by the laws applicable to similar relations entered into on the lands of this Commonwealth

Section 406 Liability to Passengers The liability of the owner or pilot of an aircraft carrying passengers for injury or death to such passengers shall be determined by the rules of law applicable to torts on the lands or waters of this Commonwealth arising out of similar relationships

Section 407 Collision of Aircraft The liability of the owner of one aircraft to the owner of another aircraft or to pilots or passengers on either aircraft for damage caused by collision on land or in the air shall be determined by the rules of law applicable to torts on the lands or waters of this Commonwealth

ARTICLE V

PROCEDURE FOR DENIAL OR REVOCATION OF LICENSES

Section 501 Procedure for Denial or Revocation of Licenses The licenses of airports landing fields air navigation facilities and such licenses or certificates that the department may under the authority of this act issue shall be denied or revoked only after the applicant or licensee shall have been accorded a hearing or opportunity for a hearing thereon Within ten (10) days after notice that application for registration and license or certificate revoke the applicant or holder may file a written request with the department for a public hearing The secretary of the department upon receipt of the request shall arrange forthwith

(1) For a public hearing to be held within twenty (20) days after such receipt in such place as the secretary deems most practicable and convenient and

(2) Give the applicant or holder at least ten (10) days' notice of the hearing unless an earlier hearing is consented to by him

Notice may be served personally upon the applicant or holder or sent him by resistered mail The decision of the department if in accordance with law shall be final

ARTICLE VI

VIOLATION PROVISIONS PENALTIES AND PROCEDURE

Section 601 Violation Provisions It shall be unlawful for any person to commit any of the following acts

(a) To operate or navigate aircraft while under the influence of intoxicating liquor or narcotic drug or habit producing drug or permit any person who may be under the influence of intoxicating liquor or narcotic or habit producing drug to operate or navigate any aircraft owned by him or in his custody or control

(b) To operate or navigate aircraft while in possession of any Federal license or to display or cause or permit to be displayed such license knowing the same to have been cancelled revoked suspended or altered

(c) To lend to or knowingly to permit the use of by one not entitled thereto any Federal airman's and aircraft license issued to the person or lending or permiting the use thereof

(d) To display or to represent as one's own any Federal airman's or aircraft license not issued to the person so displaying the same

(e) Tampering with or making use of or navigating any aircraft without the knowledge or consent of the owner or custodian thereof

(f) To use a false or fictitious name or to give a false or fictitious address in any application or form required under the provisions of this act or the rules and regulations of the department adopted pursuant to this act or knowingly make any false statement or report or knowingly conceal a material fact or otherwise commit a fraud in any application

Penalty Any person violating any of the provisions of subsections (b) (c) (d) or (f) of this section shall upon summary conviction before a burgess alderman magistrate or justice of the peace be sentenced to pay a fine of not less than fifty ($50.00) dollars nor more than two hundred ($200.00) dollars and the cost of prosecution or undergo imprisonment for not

more than thirty (30) days or suffer both such fine and imprisonment

Any person violating any of the provisions of sub-sections (a) or (e) of this section shall be guilty of a misdemeanor and shall upon conviction thereof in a court of quarter sessions be sentenced to pay a fine of not less than one hundred ($100.00) dollars nor more than five hundred ($500.00) dollars and the costs of prosecution or undergo imprisonment for not more than one (1) year or suffer both such fines and imprisonment

Section 602 Summary Offenses Any person violating any of the provisions of this act unless such violation is by this act or other law of this Commonwealth declared to be a misdemeanor or any of the rules and regulations adopted by the department pursuant to this act shall upon conviction thereof in any summary proceeding before any magistrate alderman or justice of the peace be sentenced to pay a fine of not less than fifty ($50.00) dollars and not more than two hundred ($200.00) dollars and in default of the payment of such fine and costs to undergo imprisonment in the county jail for a period not exceeding thirty (30) days

Section 603 Proceedings by Warrant Served as Now Provided by Law Proceedings under this act may be commenced by warrant and served as now provided by law

All information charging violations of any of the provisions of this act except in cases where the offense is designated a misdemeanor or felony shall be brought within thirty (30) days after the commission of the alleged offense and not thereafter except that where an information is filed against a person prima facie guilty of an offense and it subsequently appears that a person other than the person named in the information was the offender an information may be filed against such other person within thirty (30) days after his or her identity shall have been established

Section 604 Arrests on View Any officer may arrest when displaying a badge or other sign of authority upon view any person violating any of the provisions of this act and such officers shall forthwith make and file with the burgess magistrate alderman or justice of the peace before whom the arrested person is taken an affidavit setting forth in detail the offense complained of

If the defendant is unable to give bail as provided in this act for a hearing or for his appearance at court the burgess magistrate alderman or justice of the peace shall accept as bail any article of sufficient value or if the defendant is the owner thereof shall hold in custody the aircraft found in his possession and the court burgess magistrate alderman or justice of the peace after the trial of the defendant or when bail according to law has been given shall make such order as to the disposition of such aircraft or other articles accepted as bail as shall seem just and proper

Section 605 Appeal from Summary Conviction Any person convicted in any summary proceeding under this act shall have the right of appeal as in other cases of summary conviction

Section 606 Report of Convictions (a) Every burgess magistrate alderman and justice of the peace of this Commonwealth shall keep a full report of every case in which a person is charged with violation of any provision of this act and in the event that such person is convicted or that his bail is forfeited an abstract of such report shall be sent forthwith by the burgess magistrate alderman or justice of the peace to the department but this requirement shall not be deemed to make such a court a court of record

(b) Abstracts required by this section shall be made upon forms prepared by the department and shall include all necessary information as to the parties to the case the nature of the offense the date of hearing the plea the judgment the amount of the fine or forfeiture and other information deemed necessary and every such abstract shall be certified by the burgess magistrate alderman or justice of the peace as a true abstract of the record of the court

(c) Each clerk of any court of record of this Commonwealth shall also within ten (10) days after final judgment of conviction under any of the provisions of this act send to the department a certified copy of such judgment of conviction Certified copies of the judgment shall also be forwarded to the department upon conviction of any person of manslaughter or other felony in the commission of which an aircraft was used The department shall keep such records in its offices for at least three (3) years and they shall be open to the inspection of any person during reasonable business hours

(d) Failure refusal or neglect to comply with any of the provisions of this section shall constitute misconduct in office and shall be ground for removal therefrom

Section 607 Disposition of Fines and Forfeitures All fines and forfeitures collected under the provisions of this act for violations of the same and all bail forfeited shall be paid to the State Treasurer and sworn statements of all fines and penalties so collected shall also be made upon blanks furnished by the department by the burgess magistrate alderman justice of the peace or other officer imposing or receiving the same to the department and such reports shall be made monthly Any burgess magistrate alderman justice of the peace or other officer who shall fail to make such monthly reports and returns or pay the same to the State Treasurer shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred ($500.00) dollars or suffer imprisonment for not more than sixty (60) days

Section 608 Registration Number Prima Facie Evidence In any proceeding for the violation of the provisions of this act or the rules and regulations of the department adopted pursuant to this act the Federal license number or identification mark displayed on such craft shall be prima facie evidence that the owner of such aircraft was operating the same If at any hearing or proceeding the owner shall testify under oath or affirmation that he was not operating the said aircraft at the time of the alleged violation of this act and the rules and regulations of the department shall submit himself to an examination as to who at that time was operating such aircraft and reveal the name of the person if known to him or if the information is made in a county other than that of his own residence shall forward to the burgess magistrate alderman or justice of the peace an affidavit setting forth these facts then the prima facie evidence arising from the Federal license number or identification mark shall be overcome and removed and the burden of proof shifted

Section 609 Liability for Costs Not Paid by Defendant Whenever any officer whose duty it is to enforce the provisions of this act shall in good faith bring suit for any violation of such provisions and for any legal cause shall fail to receive the costs of record such costs shall be a charge upon the proper county and shall be audited and paid as are costs of like character in said county

Section 610 Admissibility of Certified Copies of Records as Evidence Any certified copies or certified photostatic copies of any records books papers documents determinations rulings or orders of the department when certified under the seal of the department shall be acceptable as evidence in the courts of this Commonwealth with the same force and effect as the originals in all cases where such original records books papers documents determinations rulings or orders of the department would be admitted as evidence

ARTICLE VII
REPEALS AND CONSTRUCTION OF ACT

Section 701 Repeals The following acts of Assembly are hereby repealed

(a) The act approved the twenty-fifth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws seven hundred fifty-three) entitled "An act concerning aeronautics and establishing the legal status of air navigation providing for sovereignty in and ownership of air space imposing liability for injury or damage caused by aircraft fixing jurisdiction over and liability for contracts executed and torts and crimes committed during the operation of aircraft and repealing inconsistent legislation

(b) The act approved the twenty-fifth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws seven hundred twenty-four) entitled "An act to regulate aeronautics providing for the licensing registration rating control and regulation of aircraft airmen airports landing fields intermediate landing field and air navigation facilities conferring powers and imposing duties upon the State Aeronautics Commission in respect thereto providing for the acquisition maintenance and operation of intermediate landing fields and air navigation facilities by the Commonwealth providing for the enforcement of the provisions of this act and imposing penalties" as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws eight hundred forty-seven)

Section 702 Construction of Act The provisions of this act shall not effect any act done liability incurred or right ac-

crued or vested or affect any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such repealed laws

ARTICLE VIII
EFFECTIVE DATE

Section 801 Time of Taking Effect The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. McKAY. Mr. Speaker, I move that this bill be recommitted to the Committee on Aeronautics, for the purpose of further study.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1594, as follows:

An Act creating a Legislative Finance Bureau and providing for the appointment of a chief thereof by the General Assembly defining the powers and duties of said Bureau and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there is hereby established a Legislative Finance Bureau the chief of which shall be elected by the Senate and House of Representatives in joint session for a term of four years

The person elected shall be qualified by experience knowledge and ability to collect classify analyze correctly and interpret facts as to public finance and accounts including revenues and expenditures

If any vacancy shall occur in the office of the chief of the Legislative Finance Bureau when the Legislature is not in session the President Pro Tempore of the Senate and the Speaker of the House of Representatives shall fill the vacancy by making an appointment for a term to expire when a successor is elected for a full term of four years by the Senate and House of Representatives next convening in joint session In case the President Pro Tempore and the Speaker fail to agree on an appointment to fill a vacancy each of them shall forthwith nominate one person for the vacancy and the persons so nominated shall draw lots and the person thus selected shall be appointed for a term as above provided

The chief of the Legislative Finance Bureau shall receive an annual salary of five thousand dollars

The chief of the Legislative Finance Bureau may appoint as an assistant a person learned in the law and fix his salary Such appointee shall make such legal studies and researches prepare such legislation and perform such other duties as the chief of the Legislative Finance Bureau may prescribe The chief of the Legislative Finance Bureau shall also appoint and fix the salary of such stenographers and clerks for the Legislative Finance Bureau as may be deemed necessary

The Department of Property and Supplies shall upon the request of the chief of the Legislative Finance Bureau provide adequate office room furniture printing and supplies for the Legislative Finance Bureau

Section 2 The Legislative Finance Bureau shall investigate for the Legislature at the seat of government or elsewhere all matters relating to the receipt disbursement and application of public funds and shall upon the request of either of the presiding officers or the Chairman of the House Committees on Appropriations or Ways and Means or State Government or the Senate Committee of Appropriations or Finance make to the General Assembly at the beginning of or during each regular and special session a report in writing on such subjects as may be required accompanied by drafts of legislation where deemed necessary It may also make other reports to either or both Houses concerning such other matters relating to the receipt disbursement and application of public funds and legislation as he may think advisable and during any session furnish to any member of the House or Senate any information in his possession In such regular report or in special reports at any time when the General Assembly is in session it shall make recommendations looking to greater economy or efficiency in public expenditures It shall keep well versed in the financial affairs of the State government and collect classify and digest such data and information and keep the same available as he deems of value for the information of the General Assembly when in session It shall extend such aid and assistance to any agency created by the Legislature as may be requested

Section 3 It is hereby declared that the duties and powers of the Legislative Finance Bureau are separate and distinct from the duties imposed upon and the powers granted to the Auditor General the State Treasurer the Budget Secretary or any other officer of the Commonwealth

Section 4 All departments boards and commissions of the government of this Commonwealth and each State-owned institution and agency receiving State appropriations shall on request furnish to the Legislative Finance Bureau pertinent information regarding the activities financial transactions and methods of business The chief of the Legislative Finance Bureau shall for the purpose of securing such information have access to and the right to examine any property books documents papers or records of any department or commission institution or agency of the Commonwealth

Section 5 The sum of forty thousand dollars ($40,000) or so much thereof as may be necessary is hereby specifically appropriated to the Legislative Finance Bureau for the two fiscal years beginning the first day of June one thousand nine hundred and thirty-three for the payment of the salaries of the chief and employes of the Legislative Finance Bureau for postage supplies and traveling and incidental expenses necessarily incurred in the work of said Bureau Payments from said appropriation shall be made upon requisition in the usual manner

Section 6 This act shall take effect on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair is informed that the members do not have on their files bills beyond Printer's No. 390. Therefore we will consider only those bills that are filed.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 1694 (Senate Bill No. 591), entitled:

An Act to further amend section one of an act, approved the thirty-first day of May, one thousand eight hundred ninety-three (Pamphlet Laws, one hundred eighty-eight), entitled "An act designating the days and half days to be observed as legal holidays, and for the payment, acceptance and protesting of bills, notes, drafts, checks and other negotiable paper on such days," by authorizing bank holidays during State and national financial crises.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 1491 (Senate Bill No. 598), entitled:

An Act to amend sections one hundred and sixty-four, one hundred and sixty-five, and one hundred and sixty-six of the act, approved the thirty-first day of March, one thousand eight hundred and sixty (P. L. 382), entitled "An act to consolidate, revise and amend the penal laws of this Commonwealth," by making unlawful the counterfeiting, altering and uttering of scrip and possession of materials for falsely making the same.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1844 (Senate Bill No. 682), entitled:

An Act authorizing and regulating the issue and sale of preferred stock by banks and trust companies

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1684 (Senate Bill No. 155), as follows:

An Act for the protection of the public health and to prevent fraud and deception in the manufacture sale offering for sale exposing for sale and having in possession with intent to sell of adulterated or deleterious ice cream custard ice cream French ice cream French custard frozen custard sherbet ice and fruit ice including coated ice cream and the coating thereof fixing standards for ice cream custard ice cream French ice cream French custard frozen custard sherbet ice and fruit ice and to prevent the sale of imitation ice cream and defining said imitation ice cream providing penalties for the violation thereof and providing for the enforcement thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purpose of this act "ice cream" is defined as any frozen sweetened milk product which is agitated during the process of freezing and includes every frozen milk product which contains more than five per centum (5%) by weight of total milk solids or skim milk solids and which in any manner simulates the texture or characteristics of ice cream no matter under what coined or trade name it may be sold Ice cream shall be made from a combination of one or more of the following ingredients viz cream milk condensed milk sweetened condensed milk dried milk skimmed milk condensed skimmed milk sweetened condensed skimmed milk or dried skimmed milk and with or without one or more of the following ingredients butter water sugar flavor stabilizer harmless color which does not conceal damage or inferiority any one and all of which ingredients shall be wholesome edible material and the finished products shall contain not less than ten per centum (10%) of butter fat by weight except when fruits or nuts or both are used for flavoring when it shall contain not less than eight per centum (8%) of butter fat by weight

For the purpose of this act "custard ice cream" "French ice cream" "French custard" and "frozen custard" shall conform to the definition and standards hereinbefore defined for "ice cream" no matter under what trade or coined name it may be sold or offered for sale and furthermore it shall contain not less than five (5) dozen clean wholesome egg yolks or the equivalent of such egg yolks in any wholesome form for each ninety (90) pounds of finished product

For the purpose of this act "sherbet" is defined as any frozen sweetened fruit flavored product containing five per centum (5%) or less by weight of total milk solids or skim milk solids the process of manufacture of which is similar to the process of manufacture of ice cream no matter under what trade or coined name it may be sold or offered for sale It shall be made from milk or milk products including ice cream mix with one or more of the following ingredients viz sugar water stabilizer or harmless color which does not conceal damage or inferiority and fruit or fruit flavoring material and the finished product (except vanilla and chocolate flavors) shall contain not less than thirty-five hundredths of one per cetum (0.35%) of harmless organic acid as determined by titration with standard alkali and calculated as lactic acid and derived in whole or in part from the fruit or fruit flavoring material or by the addition of citric tartaric or lactic acid

"Sherbet" when sold or offered for sale under any coined or trade name shall be plainly and distinctly marked as "a sherbet" in addition to the said coined or trade name designation and in juxtaposition thereto

For the purpose of this act "ice" or "fruit ice" is hereby defined as any frozen sweetened fruit flavored product the process of manufacture of which is similar to the process of manufacture of ice cream no matter under what trade or coined name it may be sold or offered for sale and shall contain no milk solids whatscever It shall be made from one or more of the following ingredients viz sugar water stabilizer harmless color which does not conceal damage or inferiority fruit or fruit flavoring material and the finished product shall contain not less than thirty-five hundredths of one per centum (0.35%) of harmless organic acid as determined by titration with standard alkali and calculated as lactic acid and derived in whole or in part from the fruit or fruit flavoring material or by the addition of citric tartaric or lactic acid

For the purpose of this act "imitation ice cream" "ice cream substitute" or "coated imitation ice cream" is defined as any frozen sweetened product containing milk solids manufactured in a manner similar to the process of manufacturing ice cream hereinbefore defined and which contains less that the per centum of butter fat as hereinbefore adopted for ice cream or more than five per centum (5%) of total milk solids or skim milk solids

For the purpose of this act an "ice cream plant" shall mean any place premises or establishment where ice cream sherbet ice fruit ice or similar frozen products are manufactured prepared or processed for distribution or sale

Section 2 It is unlawful for any person association partnership or corporation by himself herself itself or themselves or by his or their agents servants or employes to sell offer for sale expose for sale or have in possession with intent to sell ice cream custard ice cream French ice cream French custard frozen custard sherbet ice or fruit ice including coated ice cream and the coating thereof which is adulterated within the meaning of this act or to sell offer for sale or expose for sale or have in possession with intent to sell any imitation ice cream ice cream substitute or coated imitation ice cream as defined in this act

Section 3 Ice cream custard ice cream French ice cream French custard frozen custard sherbet ice and fruit ice and the coating thereof shall be deemed to be adulterated within the meaning of this act

First If it contains boric acid formaldehyde saccharin or any other added substance or compound that is deleterious to health

Second If it contains salts of copper iron oxide ochres or any coloring substance deleterious to health Provided That this paragraph shall not be construed to prohibit the use of harmless coloring matter when not used for fraudulent purposes

Third If it contains any deleterious flavoring matter or flavoring matter not true to name

Fourth If it contains any fats oils or paraffin other than milk fats added to or blended or compounded with it Provided however That chocolate ice cream and the coating of coated ice cream may contain cocoa butter

Fifth If it is an imitation ice cream ice cream substitute or coated imitation ice cream as defined in this act

Sixth If it is offered for sale from any container compartment or cabinet which contains any article other than ice cream custard ice cream French ice cream French custard frozen custard sherbet ice or fruit ice

Seventh If it falls below the standards or any of them fixed for the particular product by the definition thereof con-

tained in this act or is falsely labeled or labeled contrary to the provisions of this act

Section 4 It is unlawful for any person association partnership or corporation to sell offer for sale expose for sale or have in possession with intent to sell any ice cream custard ice cream French ice cream French custard frozen custard sherbets ices or fruit ices in any container which is falsely labeled or branded as to the name of the manufacturer thereof or to misrepresent in any way the place of manufacture thereof

It is unlawful for any person to use or cause or allow to be used any equipment cabinet can or other container belonging to one manufacturer for the purpose of preserving or holding any ice cream custard ice cream French ice cream French custard frozen custard sherbet ice or fruit ice manufactured by another manufacturer or for any person manufacturer or employe or agent of any manufacturer to knowingly supply or place or deposit ice cream custard ice cream French ice cream French custard frozen custard sherbet ice or fruit ice of one manufacturer in any equipment cabinet can or other container belonging to another manufacturer It is unlawful for any person other than the owner to remove erase obliterate cover or conceal any manufacturer's or owner's name insignia device or distinguishing mark which may appear or be placed on any ice cream equipment cabinet can or other container

Section 5 Every ice cream plant shall be maintained and operated with strict regard for the purity and wholesomeness of the ice cream sherbet and ice produced therein The entire establishment and its appertaining premises including fixtures furnishings machinery apparatus implements utensils receptacles and all equipment used in the production keeping storing handling or distributing shall be maintained and operated in a clean sanitary manner All equipment and utensils used in the production of ice cream custard ice cream French ice cream French custard frozen custard sherbet ice and fruit ice shall be thoroughly sterilized The clothing habits and conduct of the employes shall be conducive to and promote cleanlines and sanitation There shall be proper suitable and adequate toilets and lavatories and equipment for cleansing constructed maintained and operated in a clean and sanitary manner

Section 6 It shall be the duty of every person copartnership association and corporation whether resident or non-resident of this Commonwealth operating an ice cream plant to apply to the Department of Agriculture for a license to do so and to register with the department each and every brand or product produced or manufactured in such plant on or before the first day of July one thousand nine hundred and thirty-three and thereafter before the first day of January of each succeeding year and pay to the department at the time such application fro registration and license is filed an annual license fee as follows For each ice cream plant producing annually not in excess of one hundred thousand (100,000) gallons ten dollars ($10.00) in excess of one hundred thousand (100,000) gallons and not in excess of two hundred and fifty thousand (250,000) gallons fifty dollars ($50.00) and in excess of two hundred and fifty thousand (250,000) gallons one hundred dollars ($100.00)

The license fee from the first day of July one thousand nine hundred and thirty-three to the first day of January one thousand nine hundred and thirty-four shall be one-half of the above amounts The application for a license and registration amounts The application for a license and registration shall be made on a form to be supplied by the department The application shall have attached thereto to the affidavit of the person or of some member or officer of the association copartnership or corporation applying therefor stating the facts set forth therein are true and correct

From and after the first day of July one thousand nine hundred and thirty-three it shall be unlawful for any person to operate an ice cream plant unless the same is duly licensed in accordance with the provisions of this act

Upon approval of application for registration and license and payment of required license fee and also approval of sanitary conditions in an ice cream plant the Department of Agriculture shall issue to each applicant a license or certificate of registration which shall expire at the end of each calendar year and which will authorize the operation of said plant for the calendar year or portion thereof for which a license or certificate of registration shall be issued

Section 7 The Department of Agriculture is hereby authorized to revoke any license for cause and where it shall be properly ascertained that the ice cream plants are not operated in a proper and sanitary condition as hereinbefore provided

Section 8 The Department of Agriculture is charged with the enforcement of the provisions of this act

The department is authorized to adopt and promulgate such rules and regulations as are necessary for the proper enforcement of the provisions of this act

Section 9 Any person association partnership or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00) or in the case of an individual or the officers and members of an association partnership or corporation to undergo an imprisonment of not less than thirty (30) days nor more than sixty (60) days or both

All fines and penalties imposed and recovered for the violation of any of the provisions of this act shall be paid to the Department of Agriculture and when so collected and paid shall thereafter be paid into the State Treasury through the Department of Revenue for the use of the Commonwealth

Section 10 Nothing contained in this act shall be construed to apply to ice cream and similar frozen products manufactured and sold by social fraternal charitable educational religious or beneficial organizations

Section 11 The act approved the twentieth day of March one thousand nine hundred and twenty-three (Pamphlet Laws twenty-five), entitled "An act for the protection of the public health and to prevent fraud and deception in the manufacture sale offering for sale and having in possession with intent to sell of adulterated or deleterious ice cream including coated ice cream and the coating thereof fixing a standard of butter-fat for ice cream providing penalties for the violation thereof and providing for the enforcement thereof" and the amendments thereto are hereby repealed

All other acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 12 This act shall take effect on the first day of M[illegible] one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be trasncribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1446 (Senate Bill No. 138), entitled:

An Act to amend section sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Phamplet Laws, four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highway of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work

of improvement of State Highway to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended, fixing the time within which proceedings to assess damages for land taken for the changing, widening or relocation of highways.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1315 (Senate Bill No. 65), as follows:

An Act concerning townships of the second class and amending revising consolidating and changing the law relating thereto

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Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the laws relating to townships of the second class are hereby amended consolidated revised and changed as follows

ARTICLE I

Preliminary Provisions

Section 101 Short Title This act shall be known and may be cited as "The Second Class Township Law" This act shall take effect on the first day of July one thousand nine hundred and thirty-two

Section 102 Definitions The word "township" or "townships" as used in this act shall mean a township of the second class unless the context indicates otherwise

Section 103 Excluded Provisions This act does not include any provisions and shall not be construed to repeal any acts relating to

(a) The procedure for the collection of municipal and tax claims by liens

(b) The method of incurring or increasing bonded indebtedness

(c) Election officers and conduct of elections

(d) Poor districts

(e) Boards of Health

(f) Public schools and school districts

(g) Constables

(h) Justices of the peace

(i) State roads State-aid roads and private roads

(j) Township reward

(k) Validations of elections bonds ordinances and acts of corporate officers

(l) Free non-sectarian libraries

Section 104 Saving Clauses The provisions of this act so far as they are the same as those of existing laws are intended as a continuation of such laws and not as new enactments The repeal by this act of any act of Assembly or part thereof shall not revive any act or part thereof heretofore repealed or superseded nor affect the existence or class of any township heretofore created The provisions of this act shall not affect any act done liability incurred or right accrued or vested or affect any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such repealed laws All resolutions regulations and rules made pursuant to any Act of Assembly repealed by this act shall continue with the same force and effect as if such act had not been repealed Any person holding office under any Act of Assembly repealed by this act shall continue to hold such office until the expiration of the term thereof subject to the conditions attached to such office prior to the passage of this act

Section 105 Constitutional Construction The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 106 Construction of References Whenever in this act reference is made to any act by title such reference shall also apply to and include any codification wherein the provisions of the act referred to are substantially re-enacted

Section 107 How Act Applies This act shall apply to all townships of the second class within the Commonwealth as now existing or hereafter created established or re-established

Section 108 Saving Clauses Where Class of Township Changed Whenever any township of the second class is designated a township of the first class or whenever any townsh ip of the first class is reestablished as a township of the second class or whenever any township is divided all liabilities incurred rights accrued or vested obligations issued or contracted and all suits and prosecutions pending or to be instituted to enforce any right or penalty accrued or punish any offense committed prior to such change of class or division and all resolutions rules and regulations shall continue with the same force and effect as if no such change or division had been made

Section 109 Exception as to Taxation This act does not provide a complete system for the assessment and collection of township taxes but the taxation provisions herein contained shall be construed as supplementary to the general local taxation laws All acts and parts of acts relating to taxation in townships of the second class not inconsistent with this act in force prior to the passage of this act which are not reenacted or specifically repealed by this act shall remain in force as to such townships in the same manner as prior to the passage of this act

Section 110 Legal Advertising Whenever under the provisions of this act notice is required to be published in one newspaper such publication shall be made in a newspaper of general circulation as defined by the Newspaper Advertising Act approved May sixteenth one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand seven hundred and eighty-four) printed in the township if there is such a newspaper and if not then in a newspaper circulating generally in such township If such notice is required to be published in more than one newspaper it shall be published in at least one newspaper of general circulation defined as aforesaid printed if there be such a newspaper or circulating generally as above provided in the township When such notice relates to any proceeding or matter in any court or the holding of an election for the increase of indebtedness or the issue and sale of bonds to be paid by taxation such notice shall also in counties of the second third fourth and fifth classes be published in the legal newspaper if any designated by the rules of court of the proper county for the publication of legal notices and advertisements unless such publication be dispensed with by special order of court Provided however That ordinances auditors' statements summaries of auditors' statements or advertisements inviting proposals for public contracts and for bids for materials and supplies shall be published only in newspapers of general circulation defined as aforesaid.

ARTICLE II

CLASSIFICATION AND CREATION OF TOWNSHIPS OF THE SECOND CLASS

(a) Classification of Townships

Section 201 The townships now in existence and those to be hereafter created are divided into two classes Townships of the first class shall be those having a population of at least three hundred inhabitants to the square mile which have heretofore fully organized and elected their officers and are now functioning as townships of the first class or which may hereafter be created townships of the first class in the manner provided by the laws relating to townships of the first class All townships not townships of the first class shall be townships of the second class A change from one class to the other shall hereafter be made only as provided by this act or the laws relating to townships of the first class

(b) Creation of Townships

Section 205 Manner in Which Townships May be Created The courts of quarter sessions may upon the presentation of petitions as hereinafter provided create new townships

(a) Out of parts of two or more townships of the second class located in the same county

(b) By the division of a township of the second class into two townships

(c) By the consolidation of two or more townships of the second class located in the same county

Section 206 Petitions Petitions for the creation of townships in the manner hereinbefore provided shall be signed either (a) by the owners of real property representing at least twenty-five per centum of the assessed valuation of the township or each of the townships affected by such creation division or consolidation as the case may be or (b) by registered voters equal in number to at least twenty-five per centum of the highest total vote cast for candidate for any office in the township or townships affected as the case may be at the last preceding municipal elecion Such petition shall be sworn to and subscribed by at least three of the signers (c) Petitions for the consolidation of townships may also be presented when signed by a majority of the supervisors of each of the townships proposed to be consolidated and sworn to and subscribed by at least one supervisor from each such township Such petitions shall set forth the name of any proposed new township and shall specify the reasons for such creation division or consolidation Each such petition shall be accompanied by an accurate map or plot prepared by an engineer showing the lines of any new township proposed to be erected out of parts of two or more townships and the lines of the existing townships as affected by such creation or the lines of any township and the division line in case where a township is divided or the lines of the new township where two or more townships are to be consolidated and the present division lines between such townships Where natural marks are on such lines they shall also be shown

Section 207 Confirmation Nisi of Petition Notice of Filing Upon the presentation of any such petition the same shall be confirmed nisi and the court shall by its order require such notice to be given by the petitioners to the residents and supervisors of the townships affected as it deems proper

Section 208 Exceptions Confirmation Absolute of Petition Within thirty days after the filing of such petition any taxpayer of the township or townships affected as the case may be may file excepions to such petition questioning the sufficiency of the number of signers or the legality of any signatures or the accuracy or sufficiency of the map or plot attached thereto The court upon the filing of any exceptions shall fix a day for hearing of which such notice shall be given as the court may direct At such hearing the court shall hear all parties interested and their witnesses If the exceptions in the opinion of the court are sustained and the court deems the petition or map or plot amendable it may permit either the petition or the map or plot or both to be amended and when so amended it shall confirm the same absolutely but if it shall deem the same not amendable it shall dismiss the petition

Section 209 Elections When any petition is confirmed absolutely the court shall order an election held on the question of the creation division or consolidation of such township or townships which shall be held on the day of the next general or municipal election occurring at least sixty days after such order of court Such election shall be held at the regular polling places in the township or townships affected as the case may be At any such election all of the qualified electors of the township or townships affected by such creation division or consolidation shall have the right to vote The ballot at any such election shall be furnished by the county commissioners and the question to be placed thereon shall be framed and printed on the ballots as provided by the election laws of the Commonwealth

Section 210 Notice of Election The constable of the township or townships affected as the case may be or if there be no constable then one of the supervisors designated by the court shall give at least fifteen days' notice of the time and place of holding such election by posting not less than six printed handbills in at least six public places in each of such townships The notice of election shall contain a statement of the township or townships to be affected thereby whether it is proposed to make a division or a consolidation or create a new township and the court may prescribe the form of the notice and include therein such other matters as the circumstances of the individual case may render desirable

Section 211 Return of Election Decree The election officers after the polls have been closed shall count the ballots and certify the number of votes cast for and against such creation division or consolidation to the clerk of the court of quarter sessions who shall tabulate and compute the same and lay the result before the court If it shall appear that a majority of the votes cast in such township or in each of the townships affected are in favor of the creation of a new township or the division of a township or the consolidation of two or more townships as the case may be the court shall order and decree the new township agreeably to the name and lines set forth in the petition and the government of the new township shall be organized and become effective on the first Monday of January succeeding such election If a majority of the votes cast in any such township or in any of the townships affected are against the creation division or consolidation of such township or townships no further action shall be had upon said proceedings No new proceeding shall be considered for a period of two years

Section 212 Boundary Monuments All angles and corners in the lines of any such new township not fixed by public highways natural boundaries or monuments shall be marked by stone monuments placed at such angles or corners unless it is impractical to do so in which case the court shall direct how the same shall be marked and for cause shown the court may direct other monuments to be placed on said lines The cost of such monuments and the placing thereof shall be paid by the new township and it shall be the duty of the supervisors thereof to cause said monuments to be put in place not later than one year after the new township is formed

Section 213 Classification of Old and New Townships The parts of a township remaining after the division of a township or the parts remaining of townships out of which parts have been taken for the creation of a new township shall remain townships of the second class The new township created shall also be a township of the second class unless and until by subsequent proceedings in accordance with laws relating to townships of the first class and having the required population it shall be created a township of the first class

Section 214 Costs When a new township is created as hereinbefore provided the cost of the proceedings shall be paid by the new township and where any petition is dismissed or a majority of the electors of any one or more townships shall vote against the creation division or consolidation of any such township the cost of the proceedings shall be paid by the petitioners

Section 215 Property Rights and Liabilities where Townships Consolidated After the consolidation of two or more townships the rights privileges and franchises of each of the townships and all property real personal and mixed and all debts due on whatever account and other things in action belonging to each of such townships shall be vested in the new township The title to real estate vested in either of such townships shall not revert or be in any way impaired by reason of such consolidation All rights of creditors or liens shall be preserved and all debts and liabilities of either of such townships shall attach to such new township and be in force against it

Section 216 Adjustment of Indebtedness when Township Created or Divided (a) Where any township is created out of parts of two or more townships or where a township is divided the supervisors of the new township and of the existing township or townships affected shall make a just and proper adjustment and apportionment of all property both real and personal including funds and taxes as well as indebtedness if any to and between the new township and the old township or townships In making such adjustment and apportionment of the property and indebtedness the new and the old township or townships shall be entitled respectively to share in a division of the property indebtedness funds and taxes in proportion that the assessed valuation of the land or lands remaining in the township or townships bears to the assessed valuation of the lands in the new township taken from such township or townships The adjustment and apportionment if made shall be reduced to writing and duly executed and acknowledged by the supervisors of the townships affected and shall be filed in the office of the clerk of the court of quarter sessions of the county

(b) In case the supervisors of such townships cannot make such amicable apportionment and adjustment of real property and indebtedness within six months after the election for the creation of such townships then any one or more supervisors of any of the townships affected may present a petition to the court of quarter sessions of the county setting forth the facts. Whereupon the court shall appoint three disinterested commissioners taxables of the county but not residing in any of the townships affected who shall give due

notice to the supervisors of all of the townships affected and shall hold hearings and make a report to the court making an apportionment and adjustment of all the property funds and taxes as well as indebtedness to and between the new township and the existing township stating the amount of indebtedness that shall be assumed by the new township and the existing township or townships

(c) The commissioners shall give at least five days' notice of the filing of their report to the supervisors of the townships interested Unless exceptions are filed thereto within thirty days by any township the same shall be confirmed by the court absolutely

(d) Any sum awarded by the report to a township shall be a legal and valid claim in its favor against the other townships charged therewith Any property real or personal given and adjudged to any township shall be the property of the township to which it is given and adjudged

(e) The commissioners shall be allowed ten dollars for each day actually spent by them in the performance of their duties, together with their actual necessary expenses All costs and expenses of such petitioning shall be apportioned by the court to and between the townships affected as it shall deem proper

(f) In case exceptions are filed to the report of such commissioners the court shall dispose of the same taking testimony if deemed advisable and the decision of the court thereon shall be final and binding on the townships unless an appeal is taken within thirty days to the Superior or Supreme Court as in other cases

(c) Reestablishment of Townships of the Second Class

Section 225 Because of Loss of Population Townships of the first class no longer having a population of three hundred to the square mile may be reestablished as townships of the second class in the manner provided by laws governing townships of the first class

Section 226 By Vote of Qualified Electors A township of the first class may irrespective of population be reestablished a township of the second class in the manner hereinafter provided

The board of commissioners of such township on its own initiative may or within fifteen days after the receipt of a petition signed by at least twenty-five per centum of the qualified electors of such township shall pass a resolution and record it on its minutes submitting the question of whether such township of the first class shall be reestablished a township of the second class to the qualified electors of such township

At the general or municipal election occurring at least ninety days after the passage of such resolution the question whether such township of the first class shall be reestablished a township of the second class shall be submitted to the voters of the township and the county commissioners shall cause to be printed on separate ballots to be used in such township at such election a proper question framed in accordance with the election laws of the Commonwealth

The election officers shall compute the votes cast at the election and make return thereof to the clerk of the court of quarter sessions of the county wherein such township is situate who shall compute the same and certify the result thereof to the county commissioners and the board of township commissioners of such township If a majority of the votes cast at any such election shall be in favor of the reestablishment of such township as a township of the second class the government of the township of the second class shall be organized and become effective on the first Monday of January next succeeding such election at which time the terms of the officers of the township of the first class shall cease and terminate and the officers appointed by the court for such township as hereinafter provided shall take office If a majority of the votes cast at any such election shall be in favor of remaining a township of the first class no further proceeding shall be had for a period of two years after which proceedings de novo may be had

(d) Officers for New Townships

Section 235 Whenever a new township is created out of parts of two or more townships or by the division of a township or by the consolidation of townships or as the result of the annulment of the charter of a borough or when a township is reestablished the court of quarter sessions shall appoint the elective officers for the new township and fix the polling place or places in such new township The officers so appointed shall hold their offices until the first Monday of January following the next municipal election occurring at least ninety days after such appointments At such municipal election an assessor and a tax collector shall be elected for regular four-year terms if such election occurs in the year when such officers are elected for regular terms and if not then such officers shall be elected for terms of two years each and their successors shall be elected for four-year terms At said first municipal election one supervisor and one auditor shall be elected for terms of six years each one supervisor and one auditor for termsof four years each and one supervisor and one auditor for terms of two years each All such officers shall take office on the first Monday of January next following their election

(e) Certificate of Creation of Townships to be Furnished to State Departments

Section 240 When a township of the second class is created or reestablished the clerk of the court of quarter sessions shall certify such creation or reestablishment to the Secretary of Internal Affairs of the Commonwealth The clerk shall be allowed a fee of one dollar for his services to be paid as part of the costs of the proceedings

The clerk of the court of quarter sessions shall also certify to the State Department of Highways the creation or reestablishment of all such townships within thirty days after the establishment of such township For each such certificate furnished the clerk shall receive a fee of one dollar to be paid by the State Treasurer upon warrant of the Auditor General The failure or neglect of any clerk to furnish such certification to the Department of Highways shall be deemed a misdemeanor and upon conviction such clerk shall be sentenced to pay a fine of not more than fifty dollars

ARTICLE III

TOWNSHIP LINES AND BOUNDARIES

Section 301 Center Line of Navigable Stream as Boundary Whenever any township is bounded by the nearest margin of any navigable stream and the opposite township borough or city as the case may be is also bounded by the nearest margin of the same stream the middle of such stream shall be the boundary between such townships or township and any other borough or city Nothing contained in this section shall be construed to repeal any local or special law providing to the contrary

Section 302 Petition to Alter or Ascertain Township Lines and Boundaries The courts of quarter sessions may upon the presentation of a petition (a) alter the lines of two or more adjoining townships so as to suit the convenience of the inhabitants thereof (b) cause the lines or boundaries of townships to be ascertained and established and (c) ascertain and establish disputed lines and boundaries between two or more townships or between townships and cities or boroughs When any such petition is presented the court may require the petitioners to file a bond in a sufficient sum to secure the payment of all costs of the proceeding

Section 303 Appointment and Report of Commissioners Upon application by petition to the court for any of the purposes set forth in the last preceding section the court shall appoint three impartial citizens one of whom shall be a civil engineer to inquire into the prayer of the petition After having given notice to parties interested as directed by the court the commissioners shall hold a hearing and view the said lines or boundaries and they or any two of them shall make a plot or draft of the lines and boundaries proposed to be altered or ascertained and established if the same cannot be fully designated by natural lines or boundaries The commissioners or any two of them shall make report to the court together with their opinion of the same Upon the filing of any such report the same shall be confirmed nisi

Section 304 Exceptions and Procedure Exceptions to any such report may be filed by any person interested within thirty days after the filing of the report and the court may thereupon fix a day for the hearing of such exceptions of which hearing such notice shall be given as the court shall direct After hearing the court shall have power to sustain such exception or to dismiss them and confirm the report or refer the report back to the same or new commissioners with like authority to make another report on which like legal proceedings may be had Where no exceptions are filed within thirty days after the filing of the report the court shall confirm the same absolutely When any report is confirmed absolutely the court shall enter a decree altering or ascertaining

and establishing the lines and boundaries as shown in said report

Section 305 Monuments Whenever any such township line or boundary is altered or ascertained and established the court shall cause the same to be marked with stone monuments placed at intervals not exceeding fifteen hundred feet

Section 306 Pay of Commissioners Civil Engineer and Chaincarriers Costs The pay of commissioners appointed to alter or ascertain and establish township lines shall be ten dollars the pay of the civil engineer shall be twenty dollars and the pay of chaincarriers shall be five dollars for each day necessarily employed and five cents per mile for each mile necessarily traveled in the discharge of their duties The court shall by its order provide how the costs and expenses of any such proceeding including the furnishing and placing of monuments shall be paid and may assess them against any township and/or municipalities interested

Section 307 Adjustment of Indebtedness Whenever the boundaries of any township have been altered or ascertained and established upon application of the supervisors commissioners or the authorities of any school district or poor district the court of common pleas sitting in equity may adjust the taxes debts and expenses for township municipal poor and school purposes between the townships municipalities poor and school districts affected

ARTICLE IV

ELECTION OF OFFICERS VACANCIES IN OFFICE

(a) General Provisions

Section 401 Township Officers to be Electors No person shall be eligible to any township office unless he is an elector of the township for which he is chosen

Section 402 Officers to be Elected The electors of each township shall elect (a) three township supervisors (b) one township assessor (c) three township auditors and (d) one tax collector

(b) Election of Officers

Section 410 Supervisors At each municipal election the qualified electors of each township shall elect one township supervisor to serve for a term of six years from the first Monday of January next following his election

Section 411 Auditors At each municipal election the qualified electors of each township shall elect one township auditor to serve for a term of six years from the first Monday of January next following his election

No auditor shall at the same time hold any other elective or appointive township office

Section 412 Assessor At the municipal election in the year one thousand nine hundred and thirty-three and at the municipal election every four years thereafter the qualified electors of each township shall elect one township assessor to serve for a term of four years from the first Monday of January next following his election

Section 413 Election Assessors Saved The provisions of the preceding section relating to the election of assessors shall not repeal nor affect the provisions of any act providing for the election of assistant or registry assessors for the performance of duties relating to elections nor authorize the election of assessors for taxation purposes in counties having boards for the assessment and revision of taxes

Section 414 Tax Collector At the municipal election in the year one thousand nine hundred and thirty-three and at the municipal election every four years thereafter the qualified electors of each township shall elect one tax collector to serve for a term of four years from the first Monday of January next succeeding such election

Section 415 Temporary Election Schedule Notwithstanding the provisions of preceding sections relating to the terms of township officers and the dates when such terms shall commence it is hereby provided that all tax collectors and assessors elected in the year one thousand nine hundred and thirty-three shall commence their respective terms of office on the first Monday of December one thousand nine hundred and thirty-three and continue in office until the first Monday of January one thousand nine hundred and thirty-eight The supervisor and auditor elected in the year one thousand nine hundred and thirty-one shall commence their respective terms of office on the first Monday of December one thousand nine hundred and thirty-one and continue in office until the first Monday of January one thousand nine hundred and thirty-four The supervisor and auditor elected in the year one thousand nine hundred and thirty-three shall commence their respective terms of office on the first Monday of December one thousand nine hundred and thirty-three and continue in office until the first Monday of January one thousand nine hundred and forty the supervisor and auditor elected in the year one thousand nine hundred and thirty-five shall commence their respective terms of office on the first Monday of December one thousand nine hundred and thirty-five and continue in office until the first Monday of January one thousand nine hundred and forty-two

The purpose of the schedule in this section and its interpretation shall be to temporarily modify the preceding sections relating generally to the terms of office and dates when such terms shall commence in townships such terms under laws in force prior to the passage of this act commencing and ending on the first Monday of December

(c) Vacancies in Office

Section 420 Supervisors If the electors of any township shall fail to choose a township supervisor or if any person elected to such office shall neglect or refuse to serve therein or if a vacancy shall occur in the office by death resignation or otherwise the two remaining supervisors may appoint a successor to fill the office for the unexpired term When a vacancy is so filled the supervisors shall within fifteen days thereafter certify such appointment to the clerk of the court of quarter sessions

If the two remaining supervisors in the event of a vacancy as aforesaid shall be unable to agree on such appointment for a period of thirty days after such vacancy occurs the court of quarter sessions shall upon the presentation of a petition signed by a supervisor and not less than ten voters who are owners of real estate in the township appoint a person to fill the vacancy for the unexpired term

Section 421 Auditors When a vacancy occurs in the office of township auditor in any township by reason of death resignation removal from the township or otherwise the court of quarter sessions shall upon the petition of electors appoint a suitable person to fill such vacancy for the unexpired term of the person whose place he is appointed to fill

Section 422 Assessor Vacancies in the office of assessor in townships shall be filled in the manner provided by law

Section 423 Tax Collector If the electors of any township of the second class shall fail to choose a tax collector or if any person elected to such office shall fail to give the required bond and take the required oath or if a vacancy shall occur in the office by death resignation or otherwise the county commissioners upon presentation of a petition of any citizen who is a resident of the township setting for the facts appoint a person to fill the vacancy for the unexpired term of the person whose place his is appointed to fill or a corporation duly qualified and legally authorized to transact a fiduciary business in the Commonwealth of Pennsylvania and whose principal place of business is located in the county where said township is located

If a corporation be so appointed it shall give such bond as the county commissioners may fix to be approved by the court of quarter sessions

In cases when the person elected to the office shall fail to qualify the county commissioners before making the appointment shall declare the office vacant

Whenever a vacancy exists in the office of tax collector and no person resident within the township can be found within thirty days to accept the appointment to fill such vacancy the authorities authorized to levy and assess taxes in the township may petition the county commissioners for the appointment of the county treasurer as tax collector

Where the county treasurer is so appointed he shall have authority to appoint a deputy to assist in the collection of the taxes set forth in the duplicates delivered to him The county treasurer shall be entitled to retain for his own use the commissions payable for the collection of said taxes and for the payment of his deputy and shall not be required to pay the same over to the county If the county treasurer so appointed shall fail to file bond the county commissioners upon petition may appoint any suitable resident of the county to perform the duties of tax collector for the unexpired term

ARTICLE V

Township Officers

(a) General Provisions

Section 501 Oath of Office Every person elected or appointed to any township office in any township shall before

entering upon the duties of his office take and subscribe an oath or affirmation before some person having authority to administer oaths to support the Constitution of the United States and of this Commonwealth and to perform the duties of his office with fidelity A copy of such oath or affirmation shall within ten days thereafter be filed with the township secretary

Section 502 Bonds When any officer or employe of any township is required to give bond for the faithful performance of his duties and such bond is required to be executed by a surety company the township may pay the premium on such bond

Section 503 Penalty for Failure to Perform Duties If any township officer refuses or neglects to perform his duties the court of quarter sessions upon complaint in writing by twenty-five citizens owners of real estate residing in the township or district may issue a rule upon such officer to show cause why his office should not be declared vacant and another appointed in his stead Such rule shall be made returnable not less than two weeks from its date of issue Upon hearing and proof that the facts alleged in the complaint are true the court may declare the office vacant and appoint another in his stead to hold office during the term of the officer deposed

Section 504 Road Complaints If such complaint shall allege that the public roads and highways of any township are not maintained in accordance with law the court may appoint three persons who shall examine said highways and report to the court their findings In all such cases the complainants shall first enter security in such sum as the court may fix to pay all costs

(b) Township Supervisors Township Superintendent and Roadmasters

Section 510 Supervision of Road Affairs The general supervision of road affairs in every township shall be in the hands of three qualified electors of the township who shall be styled township supervisors

Section 511 Organization Meeting Appointment of Secretary and Treasurer The supervisors of each township shall meet at a convenient time and place on the first Monday in January of each year The township supervisors shall organize as a board by electing one of their number as chairman The board shall appoint a treasurer and a secretary who shall be the same person and who may or may not be a member of the board except where the board selects a trust company or a banking institution to act as treasurer in which case it may elect an individual as secretary

Section 512 Monthly Meetings Quorum Rent and Expenses The township supervisors shall meet for the transaction of business at least once each month at a time and place to be fixed by the board but they shall not be paid for more than sixteen meetings in any one year Two members shall constitute a quorum Necessary expenses incurred in such meetings including office rent stationery light and fuel shall be paid out of the township road funds

Section 513 Minutes and Records The board of township supervisors shall keep minutes of its proceedings and such other books as they may find necessary in the performance of their duties All such books shall be open for the inspection of any taxpayer or any representative of the Department of Highways at all reasonable times and shall be submitted to the township auditors when they meet to audit the accounts of the treasurer and other township officers The township supervisors shall deliver such books papers and accounts to their successors

Section 514 Road Districts Superintendents and Roadmasters The board of township supervisors immediately after their organization shall divide the township into one or more road districts They shall employ a superintendent for the entire township or a roadmaster for each district Township supervisors may require such superintendents or roadmasters to give bond with approved security for the faithful performance of their duties The superintendent or roadmasters shall be subject to removal by the board of supervisors The supervisors shall fix the wages to be paid either per hour per day per week semi-monthly or monthly to the superintendent or roadmasters and laborers for work on the roads and bridges

This section shall not prohibit the township supervisors from being employed as superintendents or roadmasters In such case they shall not be required to employ a superintendent or roadmasters

No roadmaster or superintendent shall be the husband father brother son stepson father-in-law or son-in-law of a township supervisor

Two or more townships may join and appoint the same person as superintendent

Section 515 Compensation of Supervisors Supervisors shall receive from the township road funds as compensation not less than two dollars and fifty cents nor more than four dollars for each meeting which they attend The amount of the compensation for attending meetings shall be determined by the township auditors The township auditors shall also allow to the supervisors reasonable compensation for making a semi-annual inspection of the roads and bridges The compensation of supervisors when overseeing or working on roads shall be fixed by the township auditors and shall be not less than three nor more than six dollars per day but no supervisor shall receive compensation as a superintendent or roadmaster for any day he receives compensation for attending a meeting of supervisors unless such meeting is held during the night-time

Section 516 Powers and Duties of Supervisors Township Superintendents and Roadmasters The township supervisors or the supervisors acting as superintendent or roadmasters shall

(a) Have the general care and superintendence of the improvement of the highways and bridges in the township except as otherwise specially provided

(b) Cause such highways and bridges to be kept in repair and resonably free from all obstructions and give the necessary directions therefor

(c) Inspect all highways and bridges during the months of April and October of each year

(d) Divide the township into as many sections as may be necessary for the maintenance and repair of the highways and the opening of highways obstructed by snow

(e) Employ or hire such persons not disqualified for being roadmaster or superintendent teams and implements as may be necessary for the maintenance and repair of highways and bridges and the removal of obstructions caused by snow and provide for the organization and supervision of the persons so employed and work on the roads themselves when directed to do so by the board of supervisors Records shall be kept and reports made and filed giving the names of persons employed including supervisors superintendent or roadmasters dates on which work was done with compensation paid to each person and the capacity in which he is employed

(f) Construct and keep in repair all sluices and culverts and keep the waterways bridges and culverts open

(g) Cause loose stones lying in the beaten track of every highway to be removed Stones so removed shall be conveyed to some place from which they will not work back or be brought back into the track by other implements used in repairing or maintaining such highways

(h) Attend road meetings and conventions when directed to do so by the board of supervisors

(i) Perform such other duties and have such other powers as may be imposed or conferred by law or the rules and regulations of the Department of Highways

The roadmasters or superintendent or supervisors acting in either capacity shall

(j) Report monthly to the board of supervisors which report shall contain the matter in the form to be prescribed by the Department of Highways

(k) Inspect all highways and bridges at such times as the township supervisors shall direct except during the months of April and October

(l) When authorized to do so by general or special order of the township supervisors to do or cause to be done all work necessary to carry out the responsibilities imposed upon the township supervisors by sub-sections (a) (b) (e) except the hiring of persons teams and/or implements (f) (g) and (i) of this section

Section 517 Road Contracts The board of township supervisors may make a contract for the improvement and keeping in repair of not more than ten miles of road No such contract shall extend over a period of more than four years nor shall it be given unless approved of and signed by at least two members of the board of township supervisors Every contractor for road work shall give bond for the amount of such contract and sign specifications furnished by the township supervisors for the building and care of such contract roads

Section 518 Annual Reports to State Department of Highways The board of township supervisors shall annually on or before the first day of February in each year make a sworn statement to the State Department of Highways on blanks furnished to them by the Department of the whole amount of tax levied during the preceding year for road purposes and the total amount of road taxes collected during the year They shall specify in such report the amount expended for maintenance or repairs of roads for opening and building new roads and for macadamizing or otherwise permanently improving roads the number of miles of roads thus made and the total number of miles of township roads in the township Such report shall also contain the names and addresses of the chairman members and secretary and treasurer of the board and such other matters and things as the State Department of Highways may require

Section 519 Applications for County Road Aid Whenever the owners of the majority of the assessed valuation of real property within any township desire any principal road or highway with the township to be improved and maintained at the joint expense of the county and township they may petition the supervisors of the townships for said improvement and require them to make application to the county commissioners for such improvement and maintenance in accordance with the provisions of existing law

In all cases where the township supervisors refuse to act upon or unduly delay action on any petition for the improvement and maintenance of any road or highway as herein provided any citizen taxpayer of the township or county may by petition present the facts of the matter to the court of quarter sessions requesting the court to order such action thereon as the case may require If after due hearing had before said court it shall appear that the truth of the matters alleged in the petition are sustained the court shall make an order directing the township supervisors to forthwith act upon said application or applications and that the said application or petition for the improvement be forthwith forwarded to the county commissioners

Section 520 Penalty Interest in Contracts and Purchases It is unlawful for any township supervisor superintendent or roadmaster to be interested directly or indirectly in any purchase made or contract relating to roads and bridges except as provided for in this act or to furnish any materials therefor Any such person knowingly violating the provisions of this section shall be guilty of a misdemeanor Upon conviction thereof any such person shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or to be imprisoned for a term not exceeding six months or both and shall forfeit his office

Section 521 Penalty Violation of Act Generally Any township supervisor township superintendent roadmaster or contractor employed to work on the roads bridges and highways of any township who shall violate any of the provisions of this act other than those for the violation of which specific penalties are provided or who shall fail neglect or refuse to carry out the provisions of this act shall upon conviction in a summary proceeding be sentenced to pay a fine of not more than fifty dollars All such fines shall be paid to the township treasurer for the use of the road fund

(c) Township Treasurer

Section 530 Bond The treasurer appointed by the board of township supervisors if an individual shall give bond with at least two sufficient sureties or a surety company to be approved by the auditors of the township conditioned that the treasurer shall well and truly account for and pay over all moneys collected or received for the township and all moneys paid by the State and received by him only upon a written order signed by two members of the board of supervisors for the delivery to his successor in office of all books papers and documents for the payment to him of any balance of money belonging to the township that may remain in his hands and for the faithful performance of the duties of his office

Section 531 Compensation The township treasurer shall receive as compensation for his services a certain percentage on all moneys received and paid by him which rate shall be settled by the supervisors of the townships with the approbation of the township auditors

In no case shall the combined amount paid to the secretary and treasurer exceed two per centum of the money paid out by the treasurer except when the amount would be less than ten dollars ($10.00) and the calculation of such maximum compensation shall not include any percentage upon money paid out by the treasurer for the repayment of loans notes certificates or other evidences of indebtedness or other borrowed moneys

Section 532 Duties The township treasurer shall receive all moneys due the township and deposit the same promptly upon receipt thereof in a bank banking institution or trust company in the name of the township He shall keep distinct accounts of all sums received from taxes and other sources which accounts shall at all times be open to the inspection of the supervisors of the township He shall pay out all moneys received by him only on orders drawn by the supervisors of the township All orders shall be on blanks prepared and furnished by the State Department of Highways He shall annually state his accounts and lay the same together with the vouchers before the township auditors for settlement

Section 533 Use of Special Funds Penalty Whenever any moneys are collected in or received by any township for any special purpose and are paid into the hands of the treasurer of such township it shall be unlawful for such treasurer to apply such moneys or any part thereof to any purpose other than that for which such moneys were collected Every such misapplication shall be a misdemeanor Upon conviction of such offense the treasurer shall be punished by a fine of not less than the amount so misapplied or by imprisonment for not less than three months and not more than one year

Section 534 Penalty for Failure to Perform Duties If any township treasurer shall neglect or refuse to perform any of the duties of his office upon conviction in a summary proceeding he shall be fined in a sum not exceeding one hundred dollars and shall be disqualified from holding the office

Section 535 Depositories of Township Funds The township supervisors may on the first Monday of January of each year or as soon thereafter as is practicable designate by resolution a depository or depositories for township funds Such designation shall be valid for a period of one year or until such time as another depository or other depositories shall be designated by similar action of the township supervisors

Such depository or depositories shall be banks banking institutions or trust companies located in the Commonwealth

The township treasurer shall upon the designation and qualification of such depository or depositories immediately transfer thereto the township funds and shall thereafter keep such deposits solely in such depository or depositories in the name of the township

No township treasurer complying with the provisions of this section nor his surety or sureties shall be chargeable with losses of township funds caused by the failure or negligence of such depository or depositories

(d) Township Secretary

Section 540 Duties and Compensation The secretary in each township shall be clerk to the board of supervisors He shall keep a record of the proceedings of said officers and shall receive such compensation therefor as shall be fixed by the township auditors The combined amount paid to the secretary and treasurer shall not exceed two per centum of the money paid out by the treasurer except where the same would amount to less than ten dollars ($10.00) and the calculation of such maximum compensation shall not include any percentage upon moneys paid out by the treasurer for the repayment of loans notes certificates or other evidences of indebtedness or other borrowed moneys

Section 541 Books Furnished by Department of Highways The secretary shall provide a suitable book or books for the purpose of entering therein all matters of which he is required to keep a record Such books shall be furnished by the State Department of Highways

Section 542 Books Open to Inspection The minute book and other records and documents of every township shall be open to the inspection of any taxpayer thereof his her or its agent upon request therefor

(e) Township Auditors

Section 545 Meeting Duties Quorum Surcharges Compensation The auditors of townships shall meet annually on the day following the day which is fixed by this act for organization of the township supervisors and shall audit settle and adjust the accounts of the supervisors superintendents

roadmasters treasurer and tax collector of the township Two auditors shall constitute a quorum

Any officer whose act or neglect has contributed to the financial loss of any township shall be surcharged by the auditors with the amount of such loss

Each auditor shall receive five dollars per diem for each day necessarily employed in the duties of his office to be paid out of the funds of the township

Section 546 Subpoenas Oaths Perjury The auditors of each township may issue subppenas to obtain the attendance of the officers whose accounts they are required to adjust their executors and administrators and of any persons whom it may be necessary to examine as witnesses and to compel their attendance by attachment in like manner as any court of common pleas may in cases pending before them and may also compel production of all books vouchers and papers relative to such accounts Such subpoena and attachment shall be issued by a justice of the peace and be served by a constable or auditor of the township

The auditors of each township may administer oaths and affirmations to all persons brought or appearing before them whether accountants witnesses or otherwise All persons guilty of swearing or affirming falsely on such examination shall be guilty of perjury

Section 547 Completion Publication and Filing of Auditors' Statement The auditors shall complete their audit settlement and adjustment within as short a time as possible They shall within ten days thereafter publish by advertisement in at least one newspaper of general circulation printed in the township or county or by posting at least five copies in public places in the township a concise itemized statement of the receipts and expenditures of the several officers for the preceding fiscal year They shall also within ten days thereafter file a copy of such statement with the secretary and another copy of such statement with the clerk of the court of quarter sessions When any two offices are exercises by the same person only one statement shall be required

Section 548 Cancelling Orders The auditors shall cancel all orders and vouchers presented to them which they find have been paid by writing the word "audited" on the face thereof

Section 549 Penalty for Failure to Perform Duty Any auditor neglecting or refusing to comply with the preceding provisions of this article shall pay a penalty of one hundred dollars to be recovered by summary proceeding upon the complaint of any taxpayer Any penalty recovered shall be paid into the treasury of the township

Section 550 Employment and Compensation of Attorney The auditors in case of a disagreement with any officials or board of officials whose accounts they are required to audit may employ an attorney Such attorney shall not be employed until reasonable effort to reach an agreement has been made and only after notice of their intention so to do has been given to said official or board of officials The compensation for such attorney shall be fixed by the auditors and shall not exceed the sum of ten dollars per day nor total in any case more than thirty dollars unless when an appeal is taken to the court in which case the court shall fix the additional compensation for the attorney The compensation for said attorney shall be paid out of the township treasury by a warrant drawn by the auditors upon the treasurer of the township

Section 551 Balances Due to be Entered as Judgements Any balance in any report of the auditors against any officer of the township shall constitute a surcharge against such officer as fully as if expressly stated in said report to be a surcharge and the amount of any balance and of any express surcharge if unappealed from within thirty days shall be entered by the prothonotary as a judgement against such officer and in favor of the township The auditors shall direct the clerk of the court of quarter sessions to certify the amount of every balance or surcharge contained in any such report from which no appeal has been taken to the court of common pleas for entry thereof by the prothonotary as a judgement

Section 552 Collection of Surcharge and Charges by Taxpayers Bond Any auditor or taxpayer of the township may enforce the collection thereof for the benefit of the township by action or execution upon filing in the court of common pleas a bond (in the case of a taxpayer) with one or more sureties conditioned to indemnify the township from all costs which may accrue in the proceedings undertaken by such taxpayer subject however to all rights of appeal from the report of auditors hereinafter granted

Section 553 Appeals from Report The township or any taxpayer thereof on its behalf or any officer whose account is settled or audited by the township auditors may appeal from any settlement or audit of the township auditors to the court of common pleas within thirty days after the settlement has been filed in the court of quarter sessions

Section 554 Taxpayers Appeal Bond No appeeal by a taxpayer or officer shall be allowed unless the appellant shall enter into recognizance to prosecute the same with effect and to pay all costs accruing thereon in case if the appellant be a taxpayer he shall fail to obtain a final decision more favorable to the township than that awarded by the auditors or in case the appellant be an officer he shall fail to obtain a final decision more favorable to the officer than that awarded by the auditors

Section 555 Intervention by Taxpayers Bond Whenever an appeal has been taken from the report of the auditors by the township or by any person charged or surcharged in such report with any sum of money any taxpayer of the township may intervene in such appeal and either prosecute the same on its behalf or defend it against the appeal of the person so charged No taxpayer shall intervene unless he shall file in the court of common pleas a bond with one or more sufficient sureties conditioned to indemnify the township against all costs accruing by reason of such intervention

Section 556 Consolidation of Appeals When more than one appeal from the report of the auditors is taken whether by the township an officer or officers thereof or by a taxpayer or taxpayers the court shall upon petition of any party interested direct the several appeals to be disposed of in a single proceeding

Section 557 Testimony and Argument Any person interested may order the appeal upon the argument list and evidence may be taken before any person authorized to administer oaths upon rule for that purpose served upon the opposite party

Section 558 Framed Issues Whenever any matter of fact is in dispute the court of common pleas is authorized to frame an issue for the trial thereof

Section 559 Report Prima Facie Evidence Burden of Proof The accounts of the officer or officers in question may be investigated de novo The figures and facts found and stated by the auditors in their report of audit shall be taken as prima facie correct as against any such officer and the burden shall be upon each officer whose accounts are in question to establish the validity of the credits which he claims

Section 560 Findings Judgement After hearing the court shall file its finding of fact and law and enter judgement in accordance therewith and the judgement so entered may be enforced by any appropriate proceedings by the party prevailing

Section 561 Costs In all cases of appeal from the report or audit of township auditors to the court of common pleas the costs shall abide the event of the suit as in other cases

Section 562 Appeals From Lower Courts Any person interested may except to the rulings of the court and may appeal therefrom to the Superior or Supreme Court as in other cases

Section 563 Counsel Fees When an appeal is taken from the township auditors' report or settlement of the account of any township officer and such appeal results favorably to the appellants in such a manner that money is recovered for any township the court hearing such appeal shall make an order to pay a counsel fee which it deems just and reasonable to the counsel representing such appeal out of the funds so recovered

(f) Tax Collector

Section 570 Powers Duties and Liabilities The tax collector of townships shall collect all county township school poor and other taxes levied within townships by authorities empowered to levy taxes He shall in addition to the powers duties and responsibilities enumerated in this act have all the powers perform all the duties be subject to all the obligations and responsibilities as are now vested in conferred upon or imposed upon collectors of the several classes of taxes hereinbefore mentioned

Section 571 Oath and Bond The collector of taxes of townships shall before he enters upon the duties of his office take and subscribe an oath of office and file the same in the office of the court of quarter sessions and shall annually enter into a bond to the Commonwealth in not more than the amount of taxes charged and assessed in the duplicates with at least two sufficient sureties or one bonding company The bond shall

be approved by the court of quarter sessions and shall be filed in the office of the clerk of said court The condition of the bond shall be that the collector shall well and truly pay over or account for the whole amount of taxes charged and assessed in the duplicates which shall be delivered to him This bond does not cover the collection and payment over of school taxes Where the county treasurer is appointed as tax collector if the condition of his bond as county treasurer does not secure the payment over and accounting of moneys other than county moneys the county commissioners shall fix the amount of the special bond to be given by the county treasurer for payment over and accounting of other than county taxes

(g) Assessor

Section 575 The assessors of townships shall have all the powers perform all the duties be subject to all the obligations and responsibilities and receive the compensation as is provided for by existing laws relating to taxation

(h) Township Solicitor

Section 580 Election The board of supervisors on the first Monday of January in any year or as soon thereafter as practicable may elect by a vote of a majority of the members and fix the compensation of one person learned in the law who shall be styled the township solicitor and who shall serve for the term of one year

Section 581 Solicitor to Have Control of Law Matters The law matters of the township shall be under superintendence discretion and control of the township solicitor and no official or official body of the township except as herein otherwise provided shall employ an additional counsel without the assent or ratification of the board of supervisors

Section 582 Duties of Solicitor The township solicitor shall prepare such bonds obligations contracts leases conveyances and assurances to which the township may be a party as may be directed by resolution he shall commence and prosecute all actions brought by the township for or on account of any of the estates rights trusts privileges claims or demands as well as defend all actions or suits against the township or any officer thereof wherein or whereby any of the estates rights privileges trusts ordinances or accounts of the township may be brought in question before any court in the Commonwealth and shall do every professional act incident to the office which he may be authorized or required to do by the board of supervisors or by any resolution He shall whenever required furnish the board of supervisors or any of them with his opinion in writing upon any question of law which may be submitted by any of them in their official capacities

(i) Township Engineer

Section 585 Election of Township Engineer The township supervisors may t any time appoint by a vote of a majority of them a township engineer who shall be a registered civil engineer and fix his compensation

Section 586 Duties Preparation of Plans The township engineer shall perform such duties as the township supervisors shall prescribe as to the construction reconstruction maintenance and repair of all streets roads pavements sewers bridges culverts and other engineering work He shall prepare plans specifications and estimates of all such work undertaken by such township and shall whenever required furnish the township supervisors with reports information or estimates on any township engineering work or on questions submitted by any of them in their official capacity

Section 587 Certificate of Commencement and of Completion of Municipal Improvements Where a township engineer is employed he shall immediately after the completion of any municipal improvement the cost of which in whole or in part is to be paid by the owners of the abutting property make certificate in which he shall state the day or time on which the particular improvement was completed and shall file the same with the township secretary who shall enter the said said purposes and the said day or time mentioned in said certificate shall be conclusive on all parties as to the time the said work was completed The time of completion of the work referred to in this section and in other parts of this act shall be taken to mean the time of the completion of the whole contract for the improvement He shall also furnish to the township secretary a certificate showing the time at which any such particular improvement was commenced and such certificates shall be conclusive evidence of the time when the said improvement was begun and an entry of such date shall be made by said secretary in the book aforesaid

(j) Township Police

Section 590 Petition for Appointment of Police Upon the petition of not less than twenty-five taxpayers of any township or of two or more adjacent townships to the court of quarter sessions representing that the safety of the citizens and the security of property makes it necessary for the appointment of one or more electors who shall be residents of the county of which the said township or townships are a part to act as policemen the court shall consider said petition and if satisfied of the reasonableness and propriety of said application shall direct the supervisors of said township to appoint one or more qualified electors who shall be residents of the county of which the said township or townships are a part to act as policemen and to serve at the will of said supervisors

The court shall fix the number of policemen the compensation of such policemen and shall limit the term of service of said policemen as it may deem proper Where such policemen are appointed for two or more townships the court shall fix the amount of compensation which shall be paid by each of such townships Such compensation shall be paid from township funds

Section 591 Powers Each policeman so appointed shall possess and exercise all the powers of policemen of cities of this Commonwealth

The keepers or persons in charge of jails lockups or station houses shall receive all persons arrested by such policemen for the commission of any offense against the laws of this Commonwealth within said township

Section 592 Shield Each policeman when on duty shall wear a shield or badge with the words "township police" and the name of the township or townships for which he was appointed inscribed thereon

Section 593 Equipment The township supervisors may with the approval of the court provide such policeman with a uniform and equipment and for means of transporation and the maintenance of the same the cost thereof to be paid out of the funds of the township or townships

Section 594 Certain Compensation Prohibited It shall not be lawful for any township policeman to charge or accept any fee or other compensation in addition to the salary paid to him as a policeman for any service rendered or performed by him pertaining to his office or duties except public rewards and the legal mileage allowed to constables for traveling expenses

ARTICLE VI

STATE AND COUNTY ASSOCIATIONS OF TOWNSHIP OFFICERS

(a) County Associations

Section 601 County Associations of Supervisors County associations of township supervisors auditors and other persons officially charged with the construction and maintenance of the public roads or streets may be formed Such associations when formed shall hold annual or semi-annual conventions at the county seats of the respective counties or some other suitable place within the county for the purpose of considering and discussing questions and subjects pertaining to the best methods for the construction improvement and maintenance of the public highways and bridges

Section 602 Who to Attend Compensation and Mileage The supervisors of townships auditors and the secretary of the board of township supervisors when not a member of the board shall attend such conventions whenever possible Each township supervisor auditor and secretary attending such convention shall receive a certificate signed by the presiding officer and acting secretary of the convention attesting his presence at the convention Such certificate shall entitle him to collect from the township treasurer the sum of three dollars per day for each day's attendance and mileage at the rate of four cents per mile traveled to be computed by the route usually traveled from his place of residence to the place where the convention is held No township supervisor auditor or secretary shall be paid for more than two day's attendance in any one year

Section 603 Officers of County Association The officers of the association shall consist of a president two vice-presidents a secretary and a treasurer none of whom shall be interested directly or indirectly in the promotion or sale of road material

and equipment and all of whom except the secretary shall be members of the association and shall hold office for one year or until their successors are chosen If desirable the secretary may be a person not a regular member of the association and may be paid for his service such compensation not exceeding ten dollars per annum as the other officers may determine Every township supervisor and auditor attending such convention may vote in the election of officers

Section 604 County to Pay Expenses The county treasurer shall on warrants of the county commissioners pay to the treasurer of such association from the county funds the necessary expenses incurred for the holding of such annual or semi-annual convention including the necessary expenses of the secretary The total sum thus paid by any county shall not exceed one hundred and twenty-five dollars a year

Within thirty days after every such convention the treasurer of such association shall file with the county commissioners an itemized statement under oath showing when and where such convention was held the number of townships supervisors auditors and township secretaries present and all the expenses connected with such convention together with proper voucher for all such exepenses and no payment shall be made to the treasurer of such association until he has presented to the county commissioners an itemized and verified statement of expenses

(b) State Association

Section 610 State Association Authorized The formation of a State association of township supervisors is hereby authorized The association shall hold annual meetings at such time and place within the Commonwealth as it may designate for the purpose of discussing various questions and subjects pertaining to the duties of township supervisors and for the purpose of devising uniform economical and efficient methods of administering the affairs of townships

Section 611 Delegates Each county association of township supervisors shall elect one township supervisor for each ten townships or fraction thereof within said county as a delegate to each annual meeting of said State association

Section 612 Expenses and Mileage The expenses of the delegates attending the annual meeting shall not exceed six dollars per day for each delegate for not more than three days together with the actual mileage at the prevailing rate of railroad fare and shall be paid by the respective county associations

Section 613 Limit on Meeting Expenses The expenses of the annual meeting including expenses of committees printing and stenographers shall be paid pro rata by the respective county associations and shall not exceed fifteen dollars for each county association

Section 614 Itemized Statement Filed With County Treasurer Within thirty days after each annual meeting of the State association the treasurer of the respective county association shall file with the county commissioners an itemized statement under oath setting forth where and when the annual meeting of the State association was held the number of delegates from the respective association in attendance and the expenditures due from the county association for such annual meeting and the county commissioners shall draw their warrant on the county treasurer and pay to the treasurer of the respective county association out of the county funds the amount expended by the county association under the provisions of this subdivision Provided however That in all counties having controllers said accounts shall be audited by the controller

ARTICLE VII

GENERAL POWERS

Section 701 Suits Property Townships of the second class may

I Sue and be sued by the name of the townships of.....

II Purchase hold lease let and convey such real and personal estate as the purposes of the township shall require Such real and personal estate shall be taken and held only for the benefit of the inhabitants of the township and for such objects and purposes as township rates and levies are authorized by law to be paid for

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors They shall have power

I Lighting To light and illuminate the streets highways and other public places of the township with electric light gas or other illuminating medium and to provide for defraying the cost charges and expenses thereof and for such purposes to enter into contracts or agreements with any person copartnership association or corporation for a period not exceeding five years for the purpose of securing and maintaining a supply of light

II Contracts and Tax Levy for Lighting On the petition of the owners of a majority of the lineal feet frontage along any street highway or portion thereof within the township to enter into contract with electric gas or other lighting companies to light and illuminate said streets and highways and other public places in villages with electric light gas light or other illuminant

The township supervisors shall levy for the maintenance of said lights an annual tax upon all the property including factories and places of business abutting upon the said streets and highways in the district benefited thereby based upon the assessment for county purposes Such taxes shall be collected in the same manner as other taxes The collector of taxes shall receive the same commission as on the road tax No such tax shall be levied against any farm land but vacant lots between built-up sections whether tilled or untilled shall not be deemed to be farm lands The township treasurer shall receive all such taxes collected for lighting the streets and highways shall keep the same in a separate account and pay out the same only upon orders signed by the chairman of the township supervisers attested by the secretary The treasurer shall make a report to the auditors of the township annually

III Contracts and Tax Levy for Fire Purposes On the petition of the owners of a majority of the lineal feet frontage along any highway or portion thereof in any village within the township to enter into contract with water companies for the placing of fire hydrants along said highway for the protection of property from fire

The supervisors shall levy for the maintenance of such fire hydrants and for the purchase of hose et cetera an annual tax upon the property abutting upon said highway in the district benefited thereby based upon the assessment for county purposes Such tax shall be collected in the same manner as other taxes The collector shall receive the same commission as on the road tax

The township treasurer shall receive all such taxes collected for fire protection and keep the same in a separate account and pay the same out only upon orders signed by the chairman of the board of supervisors attested by the secretary The treasurer shall make a report to the auditors of the township annually

IV Fire Protection From Adjacent Municipalities To appropriate moneys to fire companies located therein to secure fire protection for the inhabitants of the township To enter into contracts with the proper authorities of near or adjacent cities boroughs or townships for the furnishing to such townships of fire protection by the fire department of such near or adjacent cities boroughs or townships and to make appropriations therefor Provided That such contracts before being entered into by township supervisors shall be first approved by the township auditors

V Watering Troughs To erect watering troughs along the highways at an expense not exceeding twenty dollars and to keep the same in repair

VI Memorial Day Appropriations To appropriate moneys for the expenses of Memorial Day services

VII Road Bulletins To subscribe for not more than three publications the main subject-matter of which pertains to good roads and road building Such publication shall be for the joint use of the supervisors superintendents and roadmasters of the township

VIII Garbage Regulations To provide for the care and removal of ashes garbage and other refuse material including the imposition and collection of reasonable fees and charges therefor

IX Traffic Lights and Signals To provide for and to expend township road moneys for the erection maintenance and operation of traffic lights and traffic signals whenever deemed necessary for the protection of the traveling public

X Road Supplies To purchase such timber material equipment machinery road-drags tools and implements as shall be necessary for making and repairing roads and bridges to employ sufficient number of laborers to make and repair the same and to lease or lend such machinery road-drags tools and implements to school districts and other townships

boroughs or cities to contract to construct reconstruct improve or maintain driveways on lands owned or occupied by coterminus school districts and to contract for the construction reconstruction and improvement of roads for the township

XI Appropriations for Forestry To appropriate moneys from their respective treasuries to any forest protection association cooperating in forest work with the State Department of Forests and Waters or to be expended in direct cooperation with said Department of Forests and Waters in forest work and to purchase or take by gift any forest lands for recreational purposes

XII Nuisances To prohibit accumulations of garbage and rubbish on private and public property and the carrying on of any offensive manufacture or business and to remove any nuisance or dangerous structure on public or private grounds after notice to the owner to do so and in his default to collect the cost of such removal together with a penalty of ten dollars from the owner by summary proceedings In the exercise of the powers herein conferred the township may institute proceedings in courts of equity

XIII Insurance To expend out of the public funds of the township such amount as may be necessary to secure workmen's compensation insurance for its employes including volunteer firemen killed or injured while going to returning from or attending fires in said township or territory adjacent thereto to make contracts of insurance with any fire insurance company duly authorized by law to transact business in the Commonwealth of Pennsylvania on any building or property owned by such township to make contracts with any insurance company insuring any public liability of the township and to make contracts of group insurance for the benefit of its employes

XIV Armories To appropriate money or convey land either independently or in connection with any county city town borough or township to the Commonwealth of Pennsylvania for the purpose of assisting the Armory Board of the Commonwealth of Pennsylvania in the erection of armories for the use of the National Guard and to furnish water light or fuel free of cost to the Commonwealth for use in any armory of the National Guard and to do all things necessary to accomplish the purposes of this clause

XV National Guard To take by right of eminent domain for the purpose of appropriating to themselves for the use of the National Guard of Pennsylvania such public lands easements and public property as may be in their possession or control and used or held by them for any other purpose Such right however shall not be exercised as to any street or highway or wharf but all other public easements and property may be appropriated and used for the purposes herein provided any limitation of the use thereof by the township either by donation dedication appropriation statute or otherwise to the contrary notwithstanding

XVI Acquisition of Lands to Assist Armory Board To acquire by purchase or by gift or by the right of eminent domain any land for the use of the National Guard of Pennsylvania and to convey such lands so acquired to the Commonwealth of Pennsylvania to assist the Armory Board in the erection of armories The proceedings for the condemnation of lands under the provisions of this act and for the assessment of damages for property taken injured or destroyed shall be taken in the same manner as is provided by this act for the condemnation of lands for public purposes in townships The power conferred by this clause shall not be exercised to take any church property graveyard cemetery or any dwelling house or the curtilage of the same in the actual occupancy of the owner

XVII Burial Plots of Ex-Service Men To purchase plots of ground in any cemetery or burial ground for the interment of such deceased service men as shall hereafter die within such township or shall die beyond such township and shall have a legal residence within such township at the time of their death and whose bodies are entitled to be buried by the county Such plots of ground shall be paid for out of the treasury of such township

XVIII Display of Flags To display the flag of the United States the Commonwealth or of any county city borough or township on any public building of the township

XIX Care of Memorials To maintain and keep in good order and repair at the expense of the township and it shall be their duty so to do any soldiers monument gun or cartridge or other similar memorials when there is not in existence any person body or organization to care for and maintain the same and when such memorials were not erected by the government of the United States the Commonwealth of Pennsylvania any other state or by the commissioners of any county and to receive from persons or organizations funds for such purposes

ARTICLE VIII
CONTRACTS

Section 801 Power to Make Contracts Each township shall have power to make such contracts as may be necessary for carrying into execution the provisions of this act

Section 802 Letting Contracts All purchases of materials equipment and/or machinery for the construction reconstruction and improvement of roads and bridges involving an expenditure in excess of two hundred dollars shall be by contract in writing It shall be unlawful for the supervisors to evade the provisions of this section by making two or more contracts for small amounts which should have been in one If the auditors find there has been any such evasion they shall refuse to approve the same

All such contracts and contracts for the construction reconstruction and improvement of roads and bridges shall be valid only when approved by the Department of Highways of the Commonwealth

A record of all purchases of material equipment and/or machinery for road purposes involving an expenditure of less than three hundred dollars shall be kept by the supervisors and furnished to the Department of Highways in the annual report

Section 803 Bonds for Protection of Labor and Materialmen It shall be the duty of every township to require any person copartnership association or corporation entering into a contract with such township for the construction erection installation completion alteration repair of or addition to any public work or improvement of any kind whatsoever where the amount of such contract is in excess of five hundred ($500) dollars before commencing work under such contract to execute and deliver to such township in addition to any other bond which may now or hereafter be required by law to be given in connection with such contract an additional bond for the use of any and every person copartnership association or corporation interested in a sum not less than fifty per centum (50%) and not more than one hundred per centum ($100%) of the contract price as such township may prescribe having as surety thereon one or more surety companies legally authorized to do business in this Commonwealth conditioned for the prompt payment of all material furnished and labor supplied or performed in the prosecution of the work whether or not the said material or labor enter in and become component parts of the work or improvement contemplated Such additional bond shall be deposited with and held by the township for the use of any party interested therein Every such additional bond shall provide that every person copartnership association or corporation who whether as subcontractor or otherwise has furnished material or supplied or performed labor in the prosecution of the work as above provided and who has not been paid therefor may sue in assumpit on said additional bond in the name of the township for his their or its use and prosecute the same to final judgement for such sum or sums as may be justly due him them or it and have execution thereon Provided however That the township shall not be liable for the payment of any costs of expense of any suit

Section 804 Separate Specifications for Branches of Work In the preparation of specifications for the erection or alteration of any public building when the entire cost of such work exceeds one thousand dollars the architect engineer or person preparing such specifications shall prepare separate specifications for the plumbing heating ventilating and electrical work and the township shall receive separate bids upon each of such branches of work and award the contract for the same to the lowest responsible bidder

Section 805 Workmen's Compensation Insurance All contracts executed by any township which shall involve the construction or doing of any work involving the employment of labor shall contain a provision that the contractor shall accept in so far as the work covered by any such contract is concerned the provisions of the Workmen's Compensation Act of one thousand nine hundred and fifteen and any supplements or amendments thereto and that the said contractor will

insure his liability thereunder or file with the township with the contract is made a certificate of exemption from insurance from the Bureau of Workmen's Compensation of the Department of Labor and Industry

Every officer of a township who shall sign on behalf of the said township any contract requiring in its performance the employment of labor shall require before the said contract shall be signed proof that the said contractor with whom the contract is made shall have accepted the Workmen's Compensation Act of one thousand nine hundred and fifteen and any supplements or amendments thereto and proof that the said contractor has insured his liability thereunder in accordance with the terms of the said act or that the said contractor has had issued to him a certificate of exemption from insurance from the Bureau of Workmen's Compensation of the Department of Labor and Industry

Any contract executed in violation of the provisions of this section shall be null and void

Section 806 Engineers and Architects Not to be Interested in Contracts It shall be unlawful for any architect or engineer in the emplay of a township and engaged in the preparation of plans specifications or estimates to bid on any public work at any letting of such work in such township

I shall also be unlawful for the officers of a township charged with the duty of letting any public work to award a contract to any such architect or engineer in the employ of the township

It shall not be lawful for any architect or engineer in the employ of a township to be in any wise interested in any contract for public work in such township nor receive any remuneration or gratuity from any person interested in such contract

Any person or persons violating these provisions or any one of them shall forfeit his office and shill be guilty of a misdemeanor and on conviction therof shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo imprisonment of not less than six months or both in the discretion of the court

ARTICLE IX

TAXATION FINANCE ROAD FUND

Section 901 Fiscal The fiscal year in townships shall commence on the first Monday of January in each year All receipts disbursements contracts and purchases shall be chargeable to and entered as of record in the fiscal year in which made

Section 902 Annual Budget The board of township supervisors of townships of the second class shall annually before their organization meeting in January or as soon thereafter as practicable make a written estimate of the amount of money required for the ensuing year beginning on the first Monday of January which shall be filed with the treasurer Such estimates for the purpose of aiding the board in determining how much road tax to levy shall specify

(a) The amount of money necessary for the maintenance repair and improvement of highways including sluices

(b) The amount of money necessary for the repair and construction of culverts and bridges

(c) The amount of money necessary for the purchase hire repair and custody of tools implements and machinery

(d) The amoount of money necessary for the payment of debts or other miscellaneous purposes

The supervisors may by resolution transfer moneys from one fund to another except from the fund allocated for the payment of debts

Section 903 Temporary Indebtedness Whenever the township highway funds have been exhausted the board of supervisors may borrow on the credit of the township money in anticipation of taxes to be collected for the current fiscal year or township reward to be received as shown by agreements issued and issue a certificate of indebtedness payable on a certain date not exceeding one year from the date of issue to the end that work may be performed in proper season and in accordance with rules and regulations prescribed

Section 904 Sale of Bonds and Securities Advertisements When any township shall borrow money and issue bonods or other securities therefor except in the case of the giving of notes for temporary loans as may be authorized by law the authorities thereof shall sell the same to the highest responsible bidder after public notice by advertisement once a week for three weeks in at least one newspaper of general circulation published in the county in which such township shall be situated No bid for such bonds or securities at less than their par value shall be accepted but where bonds and securities shall have been heretofore or shall hereafter be advertised for sale as provided in this section and no bids have been received then it shall be lawful for such township to sell the same at private sale for not less than par and accrued interest

Section 905 General and Special Tax Levies The board of township supervisors may by resolution levy taxes upon all property and upon all occupations or upon property alone within the township made taxable for township purposes as ascertained by the last adjusted valuation for county purposes and at the rate hereinafter specified to wit

One An annual road tax not later than the fourth Monday of March of each year not exceeding seven mills except where necessary to pay existing indebtedness and interest thereon in which case two additional mills may be levied where the board of supervisors by a majority action upon due cause shown may petition the court of quarter session for the right to levy additional millage and after such public notice as the court may direct and hearing the court may order a greater rate than nine mills but not exceeding seven additional mills to be levied Such annual road tax shall include all levies for road purposes and for the payment of bonds and certificates of indebtedness issued and all other debts incurred for road purposes Not less than ten per centum of the annual road tax shall be set aside by the respective townships and used for the payment of existing indebtedness incurred for road purposes for the pavment of which indebtedness no provision has been made All road tax shall be collected in cash

Two A tax for the purpose of building and maintaining a lockup after obtaining the assent of the electors of the township in the manner provided in this act

Three Upon the receipt of a petition of a majority of the owners of real estate of the township requesting it an annual tax not exceeding five mills for the purpose of lighting the streets and highways in the manner provided by the general powers of this act and of defraying the cost charges and expenses thereof

Four An annual tax so long as neccesary not exceeding fifty per centum of the rate of assessment for road purposes for the purpose of procuring a lot and erecting a building thereon for a townhouse and for the payment of indebtedness incurred in connection therewith Provided The total indebtedness for the payment of which any such tax shall be levied shall not exceed one-half of one per centum of the assessed value of real estate in the township

Five A tax not exceeding two mills and not exceeding the amounts hereinafter limited for the purpose of purchasing and maintaining fire apparatus and to provide with the assent of the electors of the township as hereinafter provided a suitable place for the housing of the same and to make appropriations to fire companies for the purchase and maintenance of fire apparatus but the total expenditure for the purchase of fire apparatus by the township together with the amount of appropriation to one or more fire companies from such taxes shall not for the first fiscal year exceed in all the sum of seven thousand five hundred dollars nor shall any new fire apparatus be thereafter purchased by the township or by any fire company from appropriations made by the township without the consent of the electors as hereinafter provided nor shall the total expenditure by the township in any fiscal year for the purpose of maintenance and operation together with the appropriations to any one or more fire companies exceed forty-five hundred dollars

Whenever the assent of the electors is required as hereinbefore provided the same shall be expressed at an elction to be held at the place time and under the same regulations as provided by the law for the holding of municipal elections At such election the election officers shall receive ballots from the electors which shall be prepared in the manner prescribed by the general election law In receiving and counting and in making return of the votes cast the election officers shall be governed by the laws regulating municipal elections and the returns shall be computed by the court as now provided by law for municipal elections

The taxes authorized to be levied by this section shall be levied upon the last adjusted valuation for county purposes which valuation shall be furnished to the township supervisors by the county commissioners If any further adjustment of valuation is made by the county commissioners after any tax is so levied and before said tax is payable such ad-

justed valuation shall be certified to the township supervisors and to the township collector of taxes by the commissioners and the tax shall be collected on the basis of such adjusted valuation

This article does not include the levy of any taxes upon particular districts or parts of any township for particular purposes

Section 906 Tax Rate to be Expressed in Dollars and Cents Whenever the supervisors of any township shall by resolution fix the rate of taxation for any year at a mill rate such resolution also include a statement expressing the rate of taxation in dollars and cents on each one hundred dollars of assessed valuation of taxable property

Section 907 Special Levies Ordered by Court to Pay Debts In addition to the levies hereinbefore provided for when it is shown to the court of quarter sessions that the debts due by any township exceed the amount which the supervisors may collect in any year by taxation the court after ascertaining the amount of indebtedness of any such township may be a writ of mandamus direct the township supervisors by special taxation to collect an amount sufficient to pay the same If the amount of such indebtedness is so large as to render it inadvisable to collect the same in any one year taking into consideration other necesseary taxation the court may direct the same to be levied and collected by annual instalments and may order such special taxes to be levied and collected during such successive years as may be required for payment of the same

Section 908 Appeals to Court to Reduce Budget and Tax Rate

(a) Taxpayers whose property valuation as assessed for taxable purposes within the township shall amount to twenty-five per centum or over of the total valuation as assessed for taxable purposes within the township may within fifteen days after the board of township supervisors have completed the formation of the budget and determined the amount of the tax levy for the district petition the court of common pleas of the county in which such township is located to examine into the necessity therefor and the reasonableness of the valuation items in the budget of the township and to reduce the proposed tax levy Each such petition shall be accompanied by the affidavit of one of the petitioners that the proceedings have not been instituted for the purpose of delay and that the facts set forth in the petition are true and correct to the best of their knowledge and belief The petitioner shall also file bond in the amount of five hundred dollars ($500) with good and sufficient surety to be approved by the court conditioned upon the payment of the costs if the court shall assess the costs upon the petitioners

Immediately upon the filing of such petition the petitioners shall serve a copy of the petition and the specifications of objections upon the president or secretary of the board of township supervisors

(b) Upon the filing of such petition the court shall fix a day for a hearing not less than fifteen (15) nor more than thirty (30) days after such petition has been filed Notice of such hearing shall be given to all interested parties in such manner as the court shall direct On such hearing it shall be the duty of the court to examine into the necessity for and the reasonableness of the various items of the budget and the amount of the proposed levy The court shall thereupon make an order approving the budget and levy or reducing or eliminating any one or more of the items of the budget and reducing the levy

If no appeal shall be taken from such order as herein provided the budget and levy shall remain as constituted by the court

(c) The board of township supervisors of such township or any freeholders who shall have signed the petition may appeal to the Supreme Court within thirty (30) days after the entry of the order by the court of common pleas Such appeal shall be taken and prosecuted in the same manner and form and with the same effect as is provided in other cases of appeal to the Supreme Court The record which shall be certified to the Supreme Court shall contain all that was before the court of common pleas

(d) Neither the filing of any such petition nor the taking of such appeal act as a superedeas

However any contract agreement or undertaking which relates to or is dependent upon an item of the budget which has been attacked in the petition and which shall be entered into by the township during the pendency of such proceedings shall be subject to such reduction or cancellation as shall become necessary as the result of the order of the court of common pleas or the Supreme Court

Each levy of taxes which shall be made during the pendency of such proceedings shall likewise be subject to revision in accordance with such order

(e) The budget and tax law levy as approved or revised by the court of common pleas or if an appeal shall have been taken by the Supreme Court shall be the budget and tax levy for such township Any contract agreement or undertaking which relates to an item of the budget which has been attacked in the petition and which shall be entered into during the pendency of such proceedings shall be cancelled or made to conform to such budget

If such final order reduces the levy the supervisors shall revise the tax duplicates in conformity with such order

Section 909 Duplicates Abatements and Penalties The township supervisors shall make or cause a duplicate to be made designating the amount of road tax levied against each taxpayer of the township and also duplicates for all other taxes levied and assessed under the provisions of this act and shall deliver the same on or before the first day of May of each year to the township collector together with a warrant for the collection of the same which taxes shall be collected as follows Namely—To all taxpayers who pay their taxes to the collector before June first of each year an abatement of five per centum shall be made All taxes paid to the collector between June first and October first of each year shall be paid in full and to all taxes remaining unpaid on the first of October in each year the collector shall add five per centum as penalty for such delinquency and shall collect said penalty in addition to the tax levied

Section 910 Public Notice of Issuing Duplicate Where any duplicate of taxes assessed is issued and delivered to the collector of taxes he shall give public notice as soon thereafter as conveniently can be done by at least ten written or printed notices to be posted in as many public places in different parts of the township Such notice shall state that the duplicate has been issued and delivered to him

Section 911 Tax Notices Each tax collector of the several townships within thirty days after receiving the tax duplicate shall notify every taxable whose name shall appear on such duplicate Such notice shall contain the rate of taxation the valuation of the property of such taxable the occupation valuation of such taxable and the full amount of taxes for which said taxable shall be liable for the current year Such notice shall further state that such taxes are payable shall designate a place and time when they shall be paid and shall further state the time within which an abatement of tax will be allowed when full amount of tax will be collected and when an additional percentage will be added as a penalty Such notice shall be mailed to the last known post-office address of each of said taxables

Section 912 Compensation of Tax Collector The compensation of the tax collector shall be two per centum on all road and other taxes collected during the period a discount is allowed and five per centum on all such taxes collected thereafter

Section 913 Accounts Statements and Settlements of Tax Collector The tax collector shall keep correct accounts of all moneys collected marking "paid" on his duplicate at the name of each taxable with the amount of tax and the date on which paid The collectors shall on the first day of each month make a true statement in writing to the secretary of the board of supervisors of all taxes collected during the previous month giving names of taxables and amount collected from each and the total amount received The collector shall pay over on the first day of each month to the treasurer all moneys collected during the previous month and take his receipt for same A complete settlement of all taxes for each year shall be made by the collector of taxes with the treasurer not later than the first day of July of the year succeeding the one in which the taxes are levied In the settlement of such taxes the tax collector shall be allowed a credit for all unpaid taxes which have been returned or for which liens have been filed as provided by law Unless such settlement is made the tax collector shall not be entitled to the duplicate for any succeeding year during his term and the supervisors shall appoint a tax collector in his stead to collect such taxes Any tax collector who neglects or refuses to comply with the provisions of this section shall

be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than one hundred dollars or to be imprisoned for a term not exceeding one year or both

Section 914 Compensation of Tax Collector Paid by Order Expenses The compensation due a tax collector for taxes collected and paid over to the treasurer shall be paid on order drawn by the board of supervisors and said collector shall be paid in the same manner such actual printing and postage expenses as shall be incurred by him in performing his duties The amount of such expenses shall be adjusted by the boards of supervisors

Section 915 Exonerations The supervisors shall at all times make abatements or exonerations for uncollectible occupation taxes mistakes indigent persons unseated lands et cetera as to them shall appear just and reasonable The township secretary shall enter in a book or books to be kept for that purpose the names of all persons abated or exonerated together with the reason why the amount of the tax and date when made and give to the collector a certificate directed to the treasurer stating the nature of the tax and the amount exonerated in order to make settlement accordingly

Section 916 Auditors to Settle Tax Accounts The accounts of the collector of taxes shall be settled by the township auditors The tax collector shall state a separate account for each different tax collected by him

ARTICLE X

EMINENT DOMAIN ASSESSMENT OF DAMAGES AND BENEFITS

(a) General Provisions Relating to Eminent Domain

Section 1001 Scope of Article Whenever under the provisions of this act the right of eminent domain and/or the ascertainment and assessment of damages and benefits in viewer proceedings is provided for and vested in a township the proceeding shall be as set forth in this article

Section 1002 Restrictions as to Certain Property In addition to the restrictions made by other provisions of this act in particular cases no township shall exercise right of eminent domain as against land now occupied by any building which was used during the Colonial or Revolutionary period as a place of Assembly by the Council of the Colony of Pennsylvania the Supreme Executive Council of the Commonwealth of Pennsylvania or the Congress of the United States or as against the land occupied by any fort redoubt or blockhouse erected during the Colonial or Revolutionary period or any building used as headquarters by the Commander-in-Chief of the Continental Army or as against the site of any building fort redoubt blockhouse or headquarters which are preserved for their historic associations and not for private profit The Colonial and Revolutionary period shall be taken as ended on the third day of September one thousand seven hundred and eighty-three

Section 1003 Possession of Property Upon Tender of Bond Whenever in any conemnation proceedings any township has tendered a bond to secure the payment of damages and the same has been accepted or if the acceptance has been refused and the bond has been filed in and approved by the court the township shall have the right to immediate possession of the property

Section 1004 Notice to Quit Possession Procedure If the owner lessee or occupier shall refuse to remove his personal property or give up possession the township may serve written notice upon such owner lessee or his agent or the occupier to remove his personal property and give up possession of such property within sixty days from the date of the service of such notice

If the owner lessee or occupier shall refuse to remove his personal property and give possession upon proof of the service of the notice a writ or habere facias possessionem shall forthwith issue directing the sheriff to give to the township possession

Section 1005 Bond of Township Without Surety Sufficient Whenever any court shall order any township to enter security for the payment of damages for the taking injury or destruction of land property or materials by right of eminent domain the bond of the township shall be taken without sureties

Section 1006 Value of Land Not to be Assessed as Benefits Exception In all cases of the appropriation of land for public use other than for roads or streets it shall not be lawful to assess any portion of the damage done to or value of the land so appropriated against the other property adjoining or in the vicinity of the land so appropriated

Section 1007 Viewers' Report Viewers or juries of view appointed by any court to assess damages and benefits due to the taking injury or destruction of private property in and by the construction or enlargement of any public work highway or improvement shall make their reports within a time which the court shall fix when appointing them but if any of the viewers or juries of view shall for any reason appearing sufficient to the court be unable to file its report within the period so fixed the court may either before or after the expiration of the time fixed extend the time for the filing of such report

Section 1008 Plans of Properties Condemned to be Furnished to Viewers In all proceedings to assess damages for the taking injury or destruction of private property for public use the township taking injuring or destroying property for such purpose shall furnish the board of viewers with a correct plan of all properites affected showing all buildings or other structures thereon their width length elevation and cubical contents names of all owners tenants or occupiers thereof the topography of the land and the grades and widths of all highways running through or abutting on said properties and all other data necessary for a proper determination of the amount of damages caused by the taking injuring or destruction of said private property

Said plans shall be prepared and ready for the use of the viewers at their first meeting and copies thereof shall be furnished to all owners tenants and occupiers of the property and all other parties affected thereby without charge

Section 1009 Condemnation Petition to Specify Liens Exception In all proceedings instituted for the condemnation and appropriation of land and property by the exercise of the right of eminent domain excepting proceedings to ascertain damages and benefits by reason of township street or sewer improvements the petition for the appointment of viewers therein shall contain allegations specifying any judgments mortgages or other claims (hereinafter designated "liens") which are liens upon the land and property sought to be appropriated or condemned as aforesaid

Section 1010 Findings of Facts as to Liens Testimony shall be taken in said proceedings to ascertain the amounts of said liens and the dates of the entry of the same and the amounts of said liens and the dates of entry thereof shall be found as facts by the viewers in said proceedings Certified lists of liens from the courts of the Commonwealth and the United States shall be prima facie evidence of the existence dates amounts dates of entry and places of record of said liens and unless modified or overcome by oral or documentary evidence shall be conclusive upon the parties thereto as to items just specified

Section 1011 Reports of Viewers as to Liens Appeals Distribution to Lien Creditors Discharge of Liens Where it appears that liens exist as aforesaid which are liens upon property sought to be condemned and appropriated as aforesaid a report of the facts found as aforesaid shall be made to the court having jurisdiction of the proceeding which report shall be subject to exceptions in manner to be regulated by the Supreme Court by general rule prescribed amended and published from time to time and upon the findings in relation to said liens being finally found by said court having jurisdistion of said proceedings said court shall make an order directing the payment and distribution of the amount found to be payable as compensation to the parties entitled thereto first to the owners of said liens then to the owners of the property appropriated as aforesaid however That the parties interested shall have the right of appeal from said order of distribution to the Superior or Supreme Courts of the Commonwealth as shall be determined by the amount distributed to said parties respectively in manner now provided by law Payment in accordance with said order of distribution shall absolutely discharge the party making said payment from all claims of whatsoever nature by any person firm corporation or claimant as against said property when the payment thereof shall be evidenced by a receipt of record in said proceedings and in said receipt and on the record thereof any claimant may reserve the right to pursue the owner of

said property for any balance due upon his lien against any other property or assets of the said owner

Section 1012 Vesting Title Upon payment of the compensation for land or property appropriated as aforesaid in accordance with said order of distribution title to the land or property appropriated shall vest in the taker thereof in accordance with provisons of the law under which such appropriation is made and all claims for compensation shall be deemed paid and satisfied as herein provided

Section 1013 Competency of Evidence as to Market Value of Property In all proceedings arising from the exercise of the right of eminent domain it shall be competent for all witnesses called when duly qualified to state their opinion as to the market value of the property before the exercise of the right of eminent domain and as unaffected by it and its market value immediately after the exercise of the right of eminent domain and as affected thereby

(a) To state in detail and costs all the elements of benefit or damage which they have taken into consideration in arriving at their opinion

(b) In arriving at their opinion as to the market value immediately after the exercise of the right of eminent domain to add to their opinion of the market value before such exercise the cost or value of all the elements of benefit or advantage and to deduct therefrom all disadvantage or damage in order to arrive at the market value after such exercise of the right of eminent domain and as affected thereby

(c) In all proceedings to assess damages or benefits for the opening of any street alley or other highway to take into consideration as one of the elements of advantage or disadvantage the cost of street improvement

In all claims for damages against a township arising from the exercise of the right of eminent domain it shall be competent for the party or parties claiming damages to offer in evidence as a declaration against interest the value of the property affected as assessed for the purpose of taxation

Section 1014 Proceedings Where Assessments by Viewers Waived In any proceeding to ascertain the damage caused to any owner of lands by reason of the appropriation of a right of way or easement by any township where the owner and township cannot agree upon the amount of damage done the parties may by agreement waive the right to have such damages assessed and the owner may file his claim in the court of common pleas of the county and rule the defendant to plead there to within fifteen days from the service of such rule upon the township and the suit shall be proceeded with as if an award of viewers had been filed and an appeal had been taken therefrom

Either party to such an action may on motion have the jury visit and view the premises over or through which the proposed right of way or easement may extend

Section 1015 Appeals in Eminent Domain Proceedings Payment of Money Into Court In all cases of damages assessed against any township for property taken injured or destroyed by the construction or enlargement of its works highways or improvements whether such assessment shall have been made by viewers or otherwise than upon trial in court and an appeal is not provided for an appeal may be taken by either party to the court of common pleas of the county wthin thirty days from the filing of the report

Any such appeal taken shall be signed by the party taking the same or by his agent or attorney and shall be accompanied by an affidavit of the party appellant or of the agent or attorney that the same is not for the purpose of delay but because the affiant firmly believes that injustice has been done

When no such appeal is taken and judgment is entered and the party to whom damages have been awarded refuses to accept payment of such award or judgment then it shall be lawful for such township upon petition to the court after notice as ordered by court to pay the amount of the award and costs into the court The court upon such payment shall order the satisfaction of the award or judgment

(b) Procedure of the Exercise of Eminent Domain and for the Assessment of Damages and Benefits

Section 1020 Petition for Viewers Time of Meeting Except as is in this act otherwise provided in case the compensation for damages or benefits accruing from the exercise of the right of eminent domain and/or from the erection and construction of public improvements have not been agreed upon the court of common pleas or any law judge thereof in vacation on application thereto by petition by the township or any person interested shall appoint three viewers from the board of viewers of the county and appoint a time not less than twenty nor more than thirty days thereafter when the viewers shall meet upon the line of the improvement and view the same and the premises affected thereby

Section 1021 When Viewers May be Appointed The viewers provided for in the preceding section may be appointed before or after the entry appropriation or injury of any property or materials for constructing such improvements

Section 1022 Notice of Meeting of Viewers Except when otherwise in this act provided the viewers shall give at least ten days' notice of the time of their first meeting by publication in one or more newspapers of the county and by handbills posted upon the premises or otherwise as the court shall direct

Section 1023 Swearing Viewers Hearings Schedules of Damages and Benefits The viewers having been sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning all matters to be submitted to them and in relation to which they are authorized to inquire and having viewed the premises and examined th property shall hear all parties interested and their witnesses and shall determine the damages for property taken injured or destroyed if any and to whom the same are payable and having determined the damages together with the benefits they shall prepare a schedule thereof

Section 1024 Assessment of Damages and Benefits. The damages may be paid in whole or in part by the township or may be assessed in whole or in part upon the property benefited In the latter case the viewers having first determined the damages apart from the benefits shall assess the total cost of the improvement or so much thereof as may be just and reasonable upon the property peculiarly benefited including in the assessment all parties for which damages have been allowed and shall report the same to the court The total assessment for benefits shall not exceed the total damages awarded or agreed upon

Section 1025 Assessment Awards In proceedings to assess damages and benefits if the property is both benefited and damaged by such improvements the excess of damages over benefits or the excess of benefits over damages or nothing in case the benefits and damages are equal shall be awarded to or assessed against the several owners of property affected thereby

Section 1026 Separate Reports of Damages and Benefits The preceding section shall not prevent the viewers from making a separate report of the damages and benefits respectively In such event if the damages to the property of any person be greater than the benefits or if the benefits be greater than the damages or if the damages and benefits be equal in either case the viewers shall strike a balance and carry the difference forward to another column so that the assessment shall show what amount is to be received or paid by the property owner and the difference only shall be collectible of or paid to such property owner. Appeals taken from the report of the board of viewers shall be from such net amount only

Section 1027 Notice when Schedules Will Be Exhibited The viewers shall give notice to all parties to whom damages are allowed or upon whom assessments for benefits are made of a time not less than ten days thereafter and of place where the viewers will meet and exhibit their schedule and hear all exceptions thereto

Section 1028 Service of Notices Such notices shall be given in the manner provided by law for the service of a summons in a personal action if the parties can be found in the township or upon an adult person residing upon the property affected by the assessment in case the owner or reputed owner cannot be found and to all others by publication in the newspaper or newspapers in which the first notices of the view were published and by posting conspicuously on the premises The board of supervisors may by resolution provide by whom the notice shall be served and posted and fix the compensation for such service.

Section 1029 Report of Viewers Plan of Improvements After making whatever changes are necessary the viewers or a majority thereof shall report to the court showing the damages and/or benefits allowed and assessed in each case and file therewith a plan to be prepared or secured by the viewers showing the improvement the properties taken injured or destroyed and properties benefited

Section 1030 Notice of Filing of Report When the report is filed notice thereof shall immediately be given by publication once in the newspapers publishing the notice hereinbefore provided for in this article Such notice shall state the date of filing of the report contain a schedule of the damages allowed and benefits assessed and shall state that unless exceptions be filed thereto or an appeal to the court of common pleas is taken therefrom within thirty days from the date of filing the report will be confirmed absolutely

Section 1031 Township to Pay Costs of Proceedings The cost of the proceedings including court costs except the compensation of the viewers shall be paid by the township

Section 1032 Bond of Township Except when in this act otherwise provided in all cases where the parties have not agreed upon the damages claimed or where by reason of the absence or legal incapacity of the owner no such agreement can be made the township may tender sufficient security to the party entitled to damages or to the attorney or agent of any person absent or to the agent or officer of a corporation or to the guardian or committee of any one under legal incapacity

Section 1033 Condition of Bond Notice of Filing in Court The condition of the security shall be that the township shall pay or cause to be paid such amount of damages as the party shall be entitled to receive after the same shall have been agreed upon by the parties or assessed in the manner provided for by this articele In case the party claiming damages refuses to accept the security tendered the township shall give the party or his agent attorney guardian or committee a written notice of the time when the same will be presented in court

Section 1034 Filing Bond Recovery Thereon If approved by the court the security shall be filed for the benefit of those interested and recovery may be had thereon for the amount of damages assessed. If the damages be not paid they may be collected by execution on the judgment in the issue framed to try the question Upon the approval of the security township may proceed with the improvement

Section 1035 Exceptions to Report of Viewers Within thirty days after the filing of any report any party interested may file exceptions to the same and the court shall confirm modify or change the same or change the assessments made therein or refer it back to the same or new viewers

Section 1036 Confirmation of Report of viewers When the report is filed the prothonotary shall mark it confirmed nisi In case no exceptions are filed thereto or no appeal taken he shall enter a decree that the report is confirmed absolutely

Section 1037 Effect of Exceptions on Confirmation of Report When exceptions are filed which affect the entire report the same shall not be confirmed absolutely as to any part thereof until the exceptions have been finally disposed of when the exceptions do not affect the entire report the court shall confirm the assessments to which exceptions have not been taken

Section 1038 Appeals from Confirmations After Exceptions Within three months after the confirmation of any report following the filing of exceptions thereto any party interested may appeal from the decree of the court below to the Superior or Supreme Court as the case may be

Section 1039 Effect of Appeals When any appeal is taken from the action of the court confirming any viewers' report or part thereof if the appeal affects the entire report it shall have the effect of suspending the absolute confirmation thereof until the appeal is finally disposed of but where the appeal is to matters which do not affect the entire report or any other assessment such appeal shall affect only the particular assessment for which the appeal is taken

Section 1040 Filing Assignments of Error Et Cetera In order to determine whether any appeal affects the entire report or any particular assessment the appellant shall file in the court below before or at the time of filing his writ of certiorari a copy of his specifications or assignments of error or grounds of appeal Upon failure so to do the township or any party interested may by notice or rule upon the appellant cause such specifications assignments of error or grounds of appeal to be filed

Section 1041 Certificate of Judge of the Court Below Upon the request of the township or any party interested the court below or any judge thereof in vacation shall certfiy whether the appeal affects the entire report and said certificate shall be conclusive Where the court or judge certifies that the appeal will affect the entire report no further proceedings shall be taken in the court below until after the final action of the appellate court but where the court or judge certifies that the appeal will affect only a particular assessment then the confirmation of all other assessments shall be final

Section 1042 Effect of Affirmation of Decree of Court Below If on any appeal the action of the court below is affirmed the date of the decree or judgement of the appellate court shall be taken as the day on which the report was finally confirmed

Section 1043 Consolidation of Appeals Where any appeal is taken to the Supreme Court and an appeal is also taken to the Superior Court and the appeals in both cases are substantially the same the Superior Court may certify to the Supreme Court to be heard with the other appeals from the same report

The Supreme Court shall consolidate all such appeals and hear them as one case Where several appeals are taken from the confirmation of the same report either to the Superior or Supreme Court and the grounds of the appeal are similar the appellate court may consolidate the appeals

Section 1044 Appellants May Unite in Appeals Effect Thereof Several parties may unite in a single appeal either to the Superior or Supreme Court where the grounds of appeal are similar but the uniting of the appellants shall not unite the amounts or change the jurisdiction When the appeal if taken by each appellant singly would be to the Superior Court then the appeal shall be to that court but if the appeal of any one appellant would be to the Supreme Court then the joint appeal shall be to that court If an appeal has been taken to the Supreme Court any other party without regard to the amount involved if the grounds of appeal are similar may appeal to the same court and join in such appeal

Section 1045 Appeals From Reports of Viewers for Jury Trial Within thirty days after any report of viewers is filed in court any party whose property is taken injured or destroyed or against whom benefits are assessed may appeal to the court of common pleas and demand a trial by jury Where an appeal is so taken as to a portion of the report the portion not appealed from shall be confirmed absolutely at the expiration of thirty days after the report is filed in court

Section 1046 Reasons for Appeals to be Stated The appeal as provided in the last preceding section shall state the grounds upon which it is taken and shall be signed by the appellant or by his agent or attorney and shall be accompanied by an affidavit that it is not taken for the purpose of delay but because the appellant believes that injustice has been done

Section 1047 Costs Upon the trial of any such appeal in case the party appellant does not obtain a verdict more favorable than was the report of the viewers as finally confirmed the appellant shall not recover any ocsts

Section 1048 Notices Appeals from the Court Below The court of common pleas shall order what notices shall be given in connection with such proceedings and may by rule or otherwise prescribe the form of pleadings After verdict and final judgment either party may within three months appeal to the Superior or Supreme Court

Section 1049 Appeals to the Wrong Court Should any appeal under this article be made to the wrong court such court shall certify the appeal to the court to which it should have been taken

Section 1050 Appeals Not to Prevent Filing Liens No appeal taken under this article shall prevent the filing of liens by any township for any assessment made by any such report but upon the final termination of the issue the court shall make such order as to the lien filed as shall appear right and proper

Section 1051 Discontinuance of Proceedings If any township shall repeal any resolution or discontinue any proceeding providing for any improvements prior to the entry upon taking or injury to any property or materials the township shall not be liable to pay damages which have been assessed but all costs upon any such proceeding shall be paid by the township together with any actual damage sustained by reason of such proceeding

Section 1052 Assessments to Bear Interest All assessments for benefits costs and expenses shall bear interest at the expiration of thirty days after they shall have been finally ascertained and shall be payable to the treasurer of the township

Section 1053 Damages to Bear Interest The amount of damages allowed in a report of viewers for the taking injury or

destruction of property by the exercise of the right of eminent domain shall as finally confirmed bear interest at the rate of six per centum per annum from the date of the filing of the report

ARTICLE XI

ROADS STREETS AND HIGHWAYS

(a) Laying Out Roads Under the General Road Law

Section 1101 Except as otherwise in this act provided or except as otherwise provided by local or special legislation all roads wholly within or partly within townships shall be laid out widened changed or vacated by the courts of quarter sessions as heretofore in the manner provided by the general road law and the amendments additions and supplements thereto All damages and benefits occasioned by such laying out and the subsequent opening thereof or by any such widening changing or vacation shall be assessed collected and paid in the manner provided by the general road law and the amendments additions and supplements thereto

(b) Certain Roads Declared to be Public Roads

Section 1105 Every road not of record which has been used for public travel and maintained and kept in repair by the expenditure of township funds for a period of twenty-one years and upwards shall be deemed to be public road of the width of at least thirty-three feet notwithstanding the fact that there is no public record of at least the laying out of such road or a dedication thereof for public use In all such cases the lawful laying out and opening or dedication of such roads of the width hereinbefore specified shall be conclusively presumed

(c) Opening and Repairing Roads Detours Et Cetera

Section 1110 Opening Repairing and Closing Roads Public roads or highways in townships shall as soon as may be practicable be effectually opened and constantly kept in repair All public roads or highways shall at all seasons be kept reasonably clear of all impediments to easy and convenient traveling at the expense of the township

The Supervisors of any township may temporarily close any township road when in their opinion excessive or unusual conditions have rendered such road unfit or unsafe for travel and immediate repair because of the time of year or other conditions is impracticable The road or portion of road so closed shall be properly marked at its extremities and a means of passage for the customary users of such road shall whenever possible be provided

Any one using such road or portion thereof after the same has been properly closed and marked without permit from the supervisors shall be subject to a penalty of not more than one hundred dollars to be recovered in a summary proceeding and penalties so recovered shall be payable to the treasurer of the township wherein the offense was committed to be expended in the repair of the roads of the township

Section 1111 Time Within Which Roads to be Opened Whenever proceedings have been heretofore or may hereafter be begun in any court of quarter sessions for the opening and laying out of any public road in any township such public road shall be physically opened upon the ground for use by the public within the period of five years next after the entry of the final decree confirming said road and not thereafter

In the event that the proceeding for the opening and laying out of a public road referred to in this section shall have been completed and a final decree confirming said road shall have been made and such proposed road shall not have been physically opened upon the ground and shall have remained unopened to public use for a continuous period of five years next after the entry of the final decree confirming said road then such proceedings shall be deemed to be void and of no effect and the land proposed to be taken shall revert to the owners of the land as in the case of the vacation of a public road free of any easement or right of the public to use the same

Section 1112 Detours Except in the case of emergencies wherein the safety of the public would be endangered no public road or highway in any township shall be closed to vehicular traffic except upon order of the authorities having charge of the maintenance of such highways nor for a longer period than is necessary for the purpose for which such order is issued Provided however That no public road or highway shall be closed to vehicular traffic when the same has been designated as a detour by the State Department of Highways unless the written consent of the State Department of Highways has first been obtained or unless the authorities having jurisdiction over said road or highway shall by resolution duly recorded on their minutes declare such closing neccessary for the protection of the public safety

When any public road or highway shall be closed as hereinbefore provided it shall be the duty of the supervisors authorizing the closing to immediately desiginate or lay out a detour on which they shall erect or cause to be erected and maintained while such detour is in use legible signs at each public road intersection thoughout its entire length indicating the direction to the main highway During the period when such detour is in use it shall be the duty of the authorities closing the main highway to maintain such detour in safe and passable condition It shall also be the duty of the authorities closing the main highway and maintaining the detour to immediately remove all detour signs when the highway originally closed is opened for traffic Said supervisors shall as soon as possible repair the road designated as a detour and place same in a condition at least equal to its condition when designated as a detour Whenever necessary in the creation of a detour as aforesaid the authorities responsible for laying out the detour may enter into agreement with the owners of private lands covering the acquisition of right-of-way privileges over private property for the period when the main highway shall be closed to traffic In the exercise of the rights conferred by this section the authorities responsible are hereby empowered to pay for the neccessary maintenance subsequent repair and land rental out of such funds as are available for the construction and/or maintenance of the highways in their charge

Any person who shall wilfully remove deface destroy or disregard any barricade light danger sign detour sign or warning of any other character whatsoever erected or placed under authority of this section or who shall drive on over or across any highway which has been closed by proper authority shall upon conviction therof in a summary proceeding before amagistrate alderman or justice of the peace be sentenced to pay a fine of not less than twenty-five dollars nor more than one hundred dollars and the costs of prosecution and in default of the payment thereof shall be imprisoned one day for each dollar of fine and costs unpaid Provided however That persons who have no outlet due to the closing of a highway may drive on over or across such highway with the consent in writing of and subject to such conditions as may be prescribed by the authorities responsible for the closing or their agents or contractors without being subject to the penalties imposed by this section

In addition to the penalties herein provided the authorities responsible for the maintenance of a highway which has been closed to vehicular traffic or their agents or contractors may in an action at law recover damages from any person or persons who have damaged a highway by driving on over or across same when it is closed to vehicular traffic in accordance with the provisions of this act

All fines collected under the provisions of this section shall be paid by the officer receiving the same to the treasurer of the township in which the offense was committed

(d) Changing Vacating or Altering Roads by Agreement With Property Owners

Section 1115 Whenever the supervisors of any township deem it advisable to construct change or alter any part of any public road under their supervision within this Commonwealth or to vacate any abondoned portion of a State highway not vacated by the Department of Highways and can agree with the property owners affected by such change alteration or vacation they may change alter or vacate such part of such public road as contemplated in such agreement without the formality of a view

No such change or alteration of any part of any public road shall be made the costs and expenses of which including damages to such township shall exceed five hundred dollars A petition setting forth the facts regarding such change alteration or vacation accompanied by a map or draft of the same shall be presented to the court of quarter sessions for approval before such actual change alteration or vacation is made whereupon the new location approved by the court shall be taken to be the public road and the old location shall be vacated or the abandoned State highway shall be vacated as the case may be

(e) Elimination of Curves

Section 1120 Any township may acquire by purchase or by the right of eminent domain any such property and lands situate along or adjacent to any township highway as in the opinion of the supervisors of such township may be necessary to eliminate dangerous curves and widen narrow roads or highways for the better protection and safety to the traveling public

Upon any such purchase or condemnation the supervisors may from time to time abate or remove or cause to be abated or removed any such dangerous curve or curves or widen such narrow highway to the extent of the property and land so acquired

The proceedings for the condemnation of such property and lands under the provisions of this section and for the assessment of damages for property taken injured or destroyed shall be taken in the manner provided by this act for the condemnation of land by townships

This section shall not be construed to repeal any acts or parts of acts providing a method of procedure for the widening of township roads

(f) Acquisition of Unobstructed Views at Curves and Intersections

Section 1125 Any township may acquire by purchase or by the right of eminent domain a free and unobstructed view down and across such lands located at or near the intersection of any two highways or a highway and a railroad or railway or any curve in any highway as may be necessary to assure at free and unobstructed view in all directions at such crossings and to so prevent the use of such lands for any purpose or in any manner which may interfere with or obstruct the vision of any person or persons traveling upon any such highway

Upon any such condemnation the township having had such view condemned may from time to time abate or remove or cause to be abated or removed any obstruction to such view over and across such lands

The proceedings for the condemnation of such view over and across such lands under the provisions of this act and for the assessment of damages for property taken injured or destroyed shall be taken in the manner provided in this act

Upon the condemnation of a view over and across any such lands the owner of such lands may make every such use thereof as will not interfere with a free and unobstructed view at such dangerous crossing or curve and unless specially provided for in such condemnation proceedings such condemnation shall not be construed to prevent the owner thereof from using such land for pasture or the growing of grass oats wheat or other crops which will not obstruct the vision more than wheat

(g) Relocation Alteration and Vacation of Roads in or Near State Parks

Section 1130 Agreements to Relocate Alter and Vacate Roads Whenever a public road or highway within a park or public grounds title to which park or public grounds is vested in the State of Pennsylvania is laid out located relocated altered or vacated in such manner that a public road or highway approaching leading into or contiguous to such park or public grounds shall become either useless inconvenient or burdensome such public road or highway approaching leading into or contiguous to such park or public grounds may be altered relocated or vacated by the township supervisors charged with the duty of maintaining such roads or highways in whole or in part for the purpose of making it convenient and suitable as an approach to the roads and highways within said park or public grounds upon the consent and agreement of (a) the commissioners or officials charged with the care and management of said park or public grounds (b) the township supervisors charged with the duty of maintaining said roads or highways approaching leading into or contiguous to said park or public grounds and (c) the property owners owning the majority of the frontage of land abutting upon the relocated portion of the road or highways approaching leading into or contiguous to said park or public grounds

Section 1131 Agreement to be Filed in Court Effect of Filing The filing of the consent and agreement of commissioners or officials charged with the care and management of such park or public grounds the township supervisors and of the property owners in the court of quarter sessions of the county or counties in which the altered relocated or vacated road or highway is situate shall have the same force and effect as the filing and the approval and absolute confirmation by the court of quarter sessions of a report of viewers appointed in accordance with the general road law and shall have the same force and effect as though said viewers had laid out located relocated altered or vacated such road or highway in accordance with the agreement filed as aforesaid and the report of said viwers had been filed approved and absolutely confirmed by the court

The filing of said agreement in the court of quarter sessions shall be conclusive as to the question of the necessity for the laying out location relocation alteration or vacation of said roads or highways as contained in the said agreement and that the portion or portions of said road or highway abandoned or vacated were useless inconvenient and burdensome

Section 1132 Altered and Relocated Roads Declared Township Roads Such road or highway when altered or relocated shall be maintained and repaired in the same manner as other township roads are maintained and repaired

Section 1133 Assessment of Damages The owner of any land through which any public road or highway may be so located may apply by petition to the court of quarter sessions of the proper county setting forth the injury which he or she may have sustained by reason of the relocation of the said public road or highway and the proceedings relative to the assessment and payment of damages of said landowner shall be in accordance with the provisions of this act for eminent domain proceedings

(h) Grading Paving or Macadamizing Streets or Highways upon Petition of Property Owners

Section 1135 Petition of Property Owners Any township may grade pave or macadamize with brick stone or other suitable materials any public street or highway or part thereof (not less than one thousand feet) laid out and opened in the township No street or highway or any part thereof shall be graded paved or macadamized under the provisions of this section except upon the petitions of owners of property representing a majority in number of feet front of the properties abutting on the street or highway or part thereof proposed to be paved nor unless there shall be at least ten separate improved dwellings or places of business in each one thousand feet of highway to be so improved

Section 1136 Assessment of Cost by Foot Front Rule The cost and expense of any such improvement may be collected from the owners of the real estate abutting on such street or highway or part thereof by an equal assessment on the feet front Such assessment shall be estimated by the person in charge of the work or by other competent authority designated by the township supervisors

Section 1137 Collection of Assessments All such assessments for grading paving or macadamizing shall be filed with the secretary of the board of supervisors The secretary shall give thirty days' written or printed notice that the assessments are due and payable to each party assessed either by service on the owner or agent or left on the assessed premises If the assessments or any of them remain unpaid at the expiration of said thirty days they shall be placed in the hands of the township solicitor for collection The solicitor shall collect the same together with five per centum additional as attorney's commission and interest from the completion of the improvement by a municipal claim filed against the delinquent owner in like manner as municipal claims are now collected When an owner has two or more lots against which there is an assessment for the same improvements all such lots shall be embraced in one claim

Section 1138 Owner Defined The term "owner" as used in sub-division (h) of this act means all individuals corporations public or private copartnerships and associatons having any title or interest in the property assessed If the owner to whom notice is required to be given is a non-resident of the township and his her or their place of residence is unknown or if the ownership of the property cannot be ascertained the notice shall be posted on the premises and a copy left with the occupant if there be one

(i) Dedicated Roads Streets and Drainage Facilities

Section 1140 Plans of Dedicated Roads and Streets No person shall construct open or dedicate any road street lane or alley or any drainage facilities in connection therewith for public use or travel in any township without first submitting

plans thereof to the township supervisors for their approval Such plans shall be prepared in duplicate in accordance with such rules and regulations as may be prescribed by the supervisors and shall show the profiles of such roads streets lanes or alleys the course structure and capacity of any drainage facilities and the method of drainage of the adjacent or contiguous territory and also any other or further details that may be required under the rules or regulations adopted by the township supervisors Before acting upon any such plans the supervisors may in their discretion arrange for a public hearing after giving such notice as they may deem desirable in each case The township supervisors are authorized to alter such plans and to specify any changes or modifications of any kind which they in their discretion may deem necessary with respect thereto and may make their approval of such plans subject to any such afterations changes or modifications Any plans when so approved shall be signed in duplicate on behalf of the township by such officer as the supervisors may designate and an approved duplicate copy shall be filed in the township office where the same shall be available to public inspection No road street lane or alley or any drainage facilities in connection therewith shall be opened constructed or dedicated for public use or travel except in strict accordance with plans so approved by the supervisors or with further plans subsequently approved by them in the same manner and/or until such plan and the approval thereof has been recorded as hereinafter provided

Section 1141 Appeals Where Supervisors Refuse Approval In any case where the township supervisors shall refuse to approve any plans submitted to them in accordance with this sub-division any person aggrieved by the action of the supervisors may within thirty days after such action appeal therefrom by petition to the court of quarter sessions of the county which court shall hear the matter de novo and after hearing may enter a decree affirming may appear just in the premises The court shall designate the manner in which notices of the hearing of any such appeal shall be given to all parties interested. The decision of the court shall be final

The action of the township supervisors or the court on appeal in approving any such plans and an approved reversing or modifying the action of the supervisors as duplicate copy of such plans shall be recorded by the person applying for such approval in the office of the recorder of deeds of the county

Section 1142 No Responsibility on Township Where Plans Not Approved If any road street lane or alley or any drainage facilities in connection therewith shall be opened constructed or dedicated for public use or travel except in strict accordance with plans approved as herein provided neither the township supervisors nor any public authorities shall place construct or operate any sewer drain water pipe or other facilities or do any work of any kind in or upon such road street lane or alley and neither the township supervisors nor any public authorities shall have any responsibility of any kind with respect to any such road street lane alley or drainage facilities notwithstanding any use of the same by the public Provided however That nothing herein contained shall prevent the laying of trunk sewers drains water or gas mains if required by engineering necessity for the accommodation of other territory

Section 1143 Entry on Lands by Supervisors The township supervisors and their representatives and workmen may enter upon any land and property and maintain marks and monuments so far as the supervisors deem necessary in carrying out their powers and duties hereunder

Section 1144 Penalty Any person copartnership or corporation who or which shall construct open or dedicate any road street lane or alley or any drainage facilities in connection therewith for public use or travel in any township without having first complied with the provisions of this subdivision of this act and of any resolutions of the township authorities adopted pursuant hereto shall be guilty of a misdemeanor and upon conviction thereof such person or the members of such copartnership or the officers of such corporation responsible for such violation shall be sentenced to suffer imprisonment not exceeding two years or pay a fine not exceeding one thousand dollars or both in the discretion of the court.

Section 1145 Effect of Approval of Plans No Approval of plans by a township shall obligate or require any such township to construct reconstruct maintain repair or grade such roads until and unless authorized and ordered so to do by the proper court pursuant to the provisions of existing law in that regard

Section 1146 Powers of State and Counties Preseerved Nothing contained in this subdivision shall be held to restrict or limit the State Department of Highways or any county in the exercise of any of its duties powers and functions under the provisions of any act of Assembly now in force or hereafter to be enacted.

(j) Entry on Private Property to Secure Road Material and to Open Ditches and Drains

Section 1150 Power to Enter on Lands When road material cannot be conveniently obtained by contract at reasonable prices the supervisors of townships may enter upon any land or enclosure within their township lying near the road and dig gather and carry upon the road any stones sand gravel or other road material which they think necessary to make maintain or repair the road In exercising such right they shall do no unnecessary damage to the owners of the land and shall repair any breaches of fences which they make

Section 1151 Viewers to Fix Damages Whenever the supervisors and the owners of any such materials cannot agree upon the price to be paid therefor the value of such materials shall be assessed by viewers to be appointed and to make report as provided in this act in the case of eminent domain proceedings

Section 1152 Power to Open Drains and Ditches The township supervisors may enter upon any lands or enclosures and cut open maintain and repair such drains or ditches through the same as in their judgement are necessary to carry the water from the roads streets lanes or alleys

If any person shall stop fill up or injure any such drain or ditch or shall divert or change the course thereof without the authority of the supervisors such person shall for every such offense pay a penalty of not more than twenty-five dollars together with the cost of restoring such drain or ditch to be covered in a summary proceeding The penalty and moneys so recovered shall be paid to the township treasurer

(k) Highways Crossings Railroads Special Uses of Highways

Section 1155 Railroad Crossings Every township constructing a highway across a railroad shall construct the same above or below the grade thereof unless permitted by the Public Service Commission to construct the same at grade

Any such crossing of a railroad by a highway or any vacation of any highway crossing a railroad shall be constructed only in the manner prescribed by and under the jurisdiction of the Public Service Commission The compensation for damages to the owners of adjacent property taken injured or destroyed shall be ascertained fixed and paid in the manner prescribed in the Public Service Commission Law

Section 1156 Highway Permits No railroad or street railway shall hereafter be constructed upon any township highway nor shall any railroad or street railway crossings nor any gas pipe water pipe electric conduits or other piping be laid upon or in nor shall any telephone telegraph or electric light or power poles or any coal tipples or any other obstructions be erected upon or in any portion of a township highway except under such conditions restrictions and regulations and subject to the payment of such fees for permits as may be prescribed and required by the State Highway Department not exceeding the reasonable cost of issuing the permit and expense of inspecting the work authorized by such permit upon completion thereof All fees so collected for permits shall be paid into the State Treasury and shall be credited to the special fund in the State Treasury into which motor vehicle registration and license fees are now paid and all such permit fees in said fund from time to time are hereby specifically appropriated to the State Highway Department for expenditure for the same purpose and in like manner as that for which the moneys now in said fund may be expended

(l) Guideposts and Index Boards

Section 1160 Duty of Supervisors to Erect The supervisors of townships shall erect posts at the intersection of all public roads and at one of the angles where any public road crosses another public road and shall firmly fix thereon boards or metal signs with index hands pointing to the direction of such roads providing that if a building tree trolley pole telephone pole or telegraph pole is so erected that it can be used in place of a post and permission has been secured from the owner thereof such building tree or pole may be used in place

of a post On such boards and signs shall be inscribed in large and legi characters the name of the town villiage or place to which ch roads lead and the distance thereto computed in miles Provided Where any public highway intersects or crosses a State highway application for a permit shall be made by the supervisors to the State Department of Highways for the erecting of such signs

Section 1161 Penalty for Destroying Et Cetera It shall be unlawful for any person to wilfully destroy remove injure or deface any guidepost or sign or index board erected upon or near any public street road or bridge by the authorities of any township or erected with the consent of the authorities having jurisdiction over such street road or bridge by any club association or other organized body for the direction guidance or safety of travelers Any person violating this section shall upon conviction in a summary proceeding be sentenced to pay a fine of not less than ten dollars and not more than twenty-five dollars with all costs of prosecution together with the value of such sign so destroyed removed or defaced All fines and moneys imposed and collected shall be paid to the township treasurer In default of payment of said fine costs and expenses he shall undergo an imprisonment in the county jail for not less than five nor more than sixty days

(m) Protection of Highways From Snowdrifts

Section 1165 Any township which is responsible for the maintenance of any public road or highway shall have authority to enter upon private property adjacent to such public road or highway and place thereon a snow fence at any point as may be deemed necessary to within a limit of one hundred (100) feet from the right-of-way line of such public road or highway in order to eliminate snow drifting on the traveled portion of the public road or highway.

No such snow fence shall be placed prior to November first nor shall the same remain in place after April first of the succeeding year unless the written consent of the owner is obtained agreeing to an extension of time for the removal of said snow fence.

If the supervisors shall not be able to enter into an agreement with the owner of adjacent property occupied by such snow fence as to the amount of damages sustained as a result of said fence being placed and removed the owner may petition the court of common pleas of the county for the appointment of viewers to ascertain the amount of damage incurred in such case in the manner provided in this act for eminent domain proceedings Such damages if any when ascertained shall be paid by the township Any funds available to the respective authorities for the construction and maintenance of public roads or highways under their supervision shall be available for the payment of such damages

Whenever any highways in townships are so located as to render them liable on account of high wind during the winter season to be so filled with snow as to make them impassable and in the judgment of the supervisors such drifts of snow can be avoided by the removal of any fence erected along either side of such highway and replacing the same by a fence constructed of posts wire and boards or rail combined such supervisors may agree with the owners of such fences upon a plan for the erection of a fence constructed of posts wire and board or rail combined The township may pay the owners of such fences a sum not to exceed the first cost of the wire used in the construction of such fences. The wire used in the construction of such fences shall be without barbs This section shall not apply to any stone wall hedge or ornamental fence

(n) Grades of Highways

Section 1170 In the construction or repair of any highway in any township it shall be unlawful to raise such highway above the ordinary grade thereof when a drain or culvert shall be constructed under such highway or when such highway shall be constructed or repaired over such drain or culvert This section shall not be construed in any manner to interfere with the work of the State Department of Highways in the reconstruction or improvement of any State highway or State-aid highway or when a township improves a township road under the direction plans and specifications of the State Department of Highways

(o) Trees and Shrubbery Within Limits of Highway

Section 1175 Saving Trees and Shrubbery Where any highway in any township passes through or along forested lands wild lands or uncultivated lands no trees growing within the limits of such highway at a distance beyond fifteen feet on either side of the center line thereof and which measure four inches or over in diameter at a point two feet from the surface of the ground shall be cut down or destroyed by the supervisors or roadmasters employed by them or any other person without first obtaining the consent of the abutting owners

Whenever any highway running through improved or cultivated lands has been opened and there are growing along the roadsides and within the road limits shrubs or trees not interfering with public travel no supervisors or roadmasters or other persons in their employ shall remove cut injure or destroy or in any other manner interfere with such shrubs or trees If such removal or cutting is absolutely necessary for the purpose of maintaining the highway at its highest efficiency the supervisors or roadmasters or other persons in their employ may so cut or remove such shrubs or trees after notifying the abutting property owners and entering into an agreement with them relating to the removal cutting or interference with said shrubs or trees

Section 1176 Court Orders for Removal In either of the cases set forth in the preceding section if the consent or agreement of the abutting property owners cannot be obtained the board of supervisors may appeal to a judge of the court of common pleas The judge shall inquire into the facts of the case and after hearing all parties in interest shall make such order as seems just having due regard for the demand for road improvement as well as for the preservation of the trees or shrubs From such order there shall be no appeal

Section 1177 Logs and Cordwood Property of Owner All logs cordwood branch wood or other forms of wood which shall be derived from the destruction or removal of any trees growing along the highways shall be surrendered to and remain the property of the abutting owners

Section 1178 Brush and Refuse The supervisors may clear out brush and other refuse from along the sides of the road to the legal width thereof All such clearing and removal of brush and refuse shall be confined to growth that is within the limits hereinbefore described and to the removal of branches that in any way interfere with public travel No other injury by fire cutting abrasion or otherwise shall be done to the standing timber

Section 1179 Penalty If any supervisors roadmaster or persons in their employ or any other person shall cut down kill or injure any living tree growing at a distance beyond fifteen feet on either side of the center line thereof and of a size four inches in diameter or greater at a point two feet from the surface of the ground or shall violate any other provision of the preceding sections of this suubdivision he shall in a summary proceeding be subject to a penalty of not more than five dollars for every tree so cut injured or destroyed with costs of suit Such fines shall be paid to the township treasurer If any defendant upon conviction for any offense fails or refuses to pay the fine and costs imposed or does not give bond with approved surety to pay the same within ten days he shall be committed to the county jail for not more than thirty days or until he has paid the fine and costs in full

Section 1180 Removal of Obstruction Nothing in this subdivision of this act shall be so construed as to prevent the supervisors or roadmasters or other persons in their employ from removing such roadside trees which may be thrown down by the wind or lodged in such position as to be a menace to public travel or which by reason of any other cause may become a source of danger to the public Every such act of removal shall be made with due regard to the circumstances of the case so as to preserve the true intent and purpose of this subdivision

(p) Obstructions and Nuisances

Section 1185 If any person shall stop or obstruct any public road or highway in any township or shall commit any nuisance thereon by felling tree making fences turning the road or in any other way and shall not on notice given by the township supervisors forthwith remove the obstruction or nuisance and repair the damages done to such road such person upon conviction in a summary proceeding shall for every such offense pay a penalty of not more than twenty-five dollars Nothing in this section shall debar an indictment for any such nuisance as in case of misdemeanor at common law

(q) Opening Making mending and Repairing Highways and Bridges by Contracts with Taxpayers

Section 1190 Taxpayers' Rights Any one or more taxpayers of any township may acquire the right to furnish all the materials and labor necessary for opening making amending and repairing the public highways and bridges of such township in manner and under the conditions set forth in this subdivision of this act

Section 1191 Petition to Court To acquire such right such taxpayers shall before the beginning of the township fiscal year present to the court of quarter sessions a petition setting forth that he she or it or they are the owners of property assessed and taxed for road purposes in such township the approximate number of miles of public road in such township and the ability of the petitioner or petitioners to lay out open make amend and repair the public highways and bridges of such township wholly at his her its or their own expense for the ensuing township fiscal year and to pay the other expenses of such township as hereinafter provided without any right against or claim upon such township for or by reason of the materials labor or money so furnished

Section 1192 Bond of Petitioners The petitioners shall with the petition present a bond to the township in a sum equal to five hundred dollars for each mile of public road in the township with one or more sufficient sureties to be approved by the court conditioned for the faithful performance of said petitioner or petitioners of his her its or their duty and to save the township harmless from any loss or claim by reason of failure so to perform said duty

Section 1193 Notice to Supervisors and Auditors Notice of the intention of presenting the petition and bond and of the time when said petition and bond will be presented to the court shall be given to the supervisors and auditors of the township at least ten days before the same are presented

Section 1194 Contracts Stipulations When the petition bond and proof of the notice required in the preceding section are presented to the court the same shall be ordered filed and the court being satisfied of the good faith of the petitioners and the sufficiency of the petition bond and notice shall order and direct the supervisors on behalf of the township to enter into a contract with the petitioner or petitioners In such contract the petitioner or petitioners shall bind him her or itself or themselves

First To open make amend and repair the public highways and bridges of the township for the ensuing fiscal year in a lawful and workmanlike manner wholly at the expense of the petitioner or petitioners and without creating thereby any claim upon or right against the township for or by reason of the materials labor or money for persons employed

Second To indemnify and save harmless the township from all claim damage cost or expense of whatever kind for or by reason of any act or omission of said petitioner or petitioners whereby any claim suit or other demand may be set up or recovered against the township

Third To pay within sixty days from the beginning of the fiscal year to the following officers of such township the following sums to be received by said officers in full for all demands against such township for their respective services as such officers of the township for the fiscal years for which the said contract is made which shall be in lieu of the compensation otherwise in this act provided for such officers namely to each township secretary the sum of fifty dollars to each of the audiors of such township the sum of twenty-five dollars to an attorney to be elected by such supervisors as counsel for the township the sum of fifty dollars to each supervisor the sum of two hundred and fifty dollars

Section 1195 No Road Tax to be Levied In consideration of the obligations set out in the preceding section to be assumed and performed by the petitioner or petitioners the supervisors on behalf of such township shall stipulate that the township will not assess levy or collect any tax for road purposes during the fiscal year for which such contract is made

Section 1196 Inspections by Supervisors The supervisors shall view and inspect the making and repairing of the roads in such townships at least once during every month and satisfy themselves that the petitioners have fully complied with their contract before final settlement and expiration of contract If at any time the supervisors shall see that any portions of the roads need repair they shall notify the petitioners to repair the same In case said petitioners fail to repair said road within five days after notice the supervisors are empowered to purchase such materials and employ such men as may be necessary to repair such road and charge the same to the petitioners

ARTICLE XII

Boundary Roads and Highways

(a) Opening Repairing and Improving on Division Line of Townships

Section 1201 Roads Between Two Townships Roads or highways laid out on a line which divides two townships shall be opened made clear and in repair at the joint and equal charge of such townships Any township necessarily incurring more than its due proportion of such charge may recover the excess so incurred from the other township

When any public road is laid on the line of two townships if the commissioners or supervisors of an adjoining township neglect or refuse to join with the supervisors of the township in opening or repairing such road the supervisors of the township shall open amend and repair the road and are authorized to collect a just proportion of the cost of the opening and repairing of such road from the township so neglecting or refusing to join in such opening amending or repairing The commissioners or supervisors so neglecting or refusing shall be liable to a penalty of not less than four dollars and not exceeding fifty to be recovered in a summary proceeding All such penalties when recovered shall be paid into the township road fund

(b) Maintenance of Roads Between Townships and Cities or Boroughs

Section 1205 Whenever any road or street is on the boundary line between any township and a city or borough such road or street shall be maintained the township and the city or borough For the purpose of maintaining any such road or street the authorities of any such township are hereby directed to enter into agreements with such city or borough providing the manner in which the same shall be maintained and providing for the division of the cost of maintenance between the city or borough and township If any such city or borough and township shall fail or refuse to enter into any such contract or if the city or borough and township cannot agree any taxpayer or the corporate authorities of the township may present a petition to the court of quarter sessions of the county setting forth the facts and the court after hearing of which such notice shall be given to all parties interested as the court may direct shall make an order directing the manner of such maintenance and the division of the cost of maintenance between the city or borough and the township The action of the court shall be final

(c) Highway the Center Line of Which Is the Dividing Line Between Townships and Boroguhs or Cities in the Same County

Section 1210 Whenever the centre line of any highway constitutes the dividing line between a township and any city or borough located in the same county the supervisiors of the township may jointly with the county enter into a contract with the city or borough providing for the grading curbing and macadamizing or paving of such highway

Such alteration or improvement shall be constructed and subsequent repairs shall be made under the supervision of the proper authorities of the city or borough in compliance wth the laws governing the construction of such alterations or improvements in such city or borough and with plans and specifications to be agreed upon in writing between the supervisors of the township and the city or borough and the commissioners of the county

The cost of any alteration or improvement shall be borne one-half by the city or borough and one-half by the county and township in equal portions

The cost of repairs shall be borne one-half by the city or borough and one-half by the township or by the county and township in equal portions or such other portions as are agreed upon in the joint contract of the township with the county

(d) Highway the Centre of Which is the Dividing Line Between Townships and Cities in Adjacent Counties

Section 1215 Whenever the centre line of any highway constitutes a dividing line between a township and a city located in an adjacent county it shall be lawful for the township

supervisors to enter into a contract with the county in which it is located and the city providing for the grading curbing macadamizing or paving of the roadway of said highway the cost thereof to be borne one-half by the city and one-half by the township and the county in which such township shall be situated in equal portions

The said alteration or improvement shall be constructed and subsequent repairs shall be made under the supervision of the proper authorities of the said city in compliance with existing laws governing such construction or improvement in such city and in further compliance with plans and specifications to be agreed upon in writing between such city and the commissioners of the county and the township supervisors of the said township The cost of repairs shall be borne one-half by the city and one-half by the township or by the county and township in equal portions of such other proportions as may be agreed upon by the county and township

In all cases in which it shall be found impossible to enter into such contract or agreement as is provided for in this section or where either the city or the township or the county in which such township is situated shall refuse to enter into such contract or agreement it shall be lawful for the township to present its petition to the court of common pleas of either county setting forth the facts and circumstances including the condition of the highway from which the necessity of desirability for the grading curbing macadamizing or paving of the roadway appears and the estimated cost thereof and that the terms of the said contract as provided for in this section cannot be agreed upon by the said city and the county or township or either or any of them or that either such city or the county or township or any or either of them refuses to enter into such contract Such petition may pray that such court may after hearing all the parties concerned make its order or decree defining the nature and character of the improvement reasonably necessary or desirable to be made to the roadway and requiring the parties hereinabove specified to enter into a contract or contracts for the making and constructing of the same as herein provided for A copy of the said petition duly certified shall be served upon the city or the county and township concerned other than the petitioner with notice of such day as may be fixed by the court for a hearing Thereupon either or both of the parties served with such notice shall be entitled on or before such date to file in the said court its answer to the said petition setting forth its version of the facts or such other matters in relation thereto as may be deemed necessary or proper by it The said court upon the date so fixed or at such other times as it may appoint shall hear the evidence of the parties or it may refer the matter to a master who shall hear the testimony of the parties and report his findings in the same manner and under the same pocedure as provided by the rules in equity in similar cases to the said court which may reject confirm or modify the same and may make iits decree or order directing the making of such alterations or improvements to the roadway as may be deemed reasonably necessary or desirable and providing for the sharing of the cost of such improvements one-half by the city and one-half by the county and township in equal portions The said order or decree may further provide that the repairs to such alterations and improvements subsequently required shall be borne one-half by the city and one-half by the county or township in equal portions or such other proportions as between the county and the township as such court may find to be legal and proper and thereupon the said grading curbing macadamizing or paving of the roadway of such highway shall proceed in accordance with the decree or order of the said court in the same manner as if the contract or agreement in this section had been entered into and duly executed

(e) Improvement of Streets Where More Than One-Half of Width is in Township Assessment of Property Outside Limits

Section 1220 Whenever any street alley or highway more than one-half the width of which is within the limits of any township shall divide the said township from any other municipality or township located within the same county such street alley or highway may be improved by the township within which the greater width is located in the same manner as if the said street alley or highway were entirely located within the limits of said township

The property abutting on the side of said street alley or highway which is located outside the limits of the township making such improvements shall for a depth of one hundred and fifty feet plus one-half the width of said street alley or highway from its center line be assessed for any and all municipal improvements to or on the said street alley or highway in the same manner as such property would be assessed under the laws of the Commonwealth if it were entirely located within the limits of such city borough or township

(f) Assessment of Property Outside Limits for Street Improvement Where Street Entirely Within Township

Second 1225 Whenever any street or alley entirely within the limits of any township shall divide such township from any other municipality or township located in the same county the property on the side of the street or alley opposite the line of such township shall for a depth of one hundred and fifty feet be assessed for municipal improvements on such streets or alleys on which property shall abut Such assessment shall be made in the same manner and in the same proceeding as is used for the assessment of property within such township for such improvement

ARTICLE XIII

Bridges and Viaducts

(a) Over Creeks Rivulets Gullies Canals and Railroads

Section 1301 Power to Make and Maintain Bridges The supervisors of townships in making and repairing the roads shall make and maintain within their township sufficient bridges over all small creeks rivulets deep gullies canals and railroads where the same is necessary for the ease and safety of travelers

Such bridges over canals or railroads shall not obstruct the railroad or canal over which it is built Nothing in this section shall release railroad or other companies or the Commonwealth from the requirements of existing laws

Section 1302 Damages In the construction and maintenance of such bridges all damages shall be awarded and benefits assessed as part of the proceeding to lay out open make or repair the road of which the bridge is a part

(b) Over Streams Railroads and Canals on Township Boundaries

Section 1305 Bridges on Division Line of Townships Where a small creek on a railroad or canal over which a bridge is necessary is on the boundary line of two townships the bridge shall be built and maintained at the joint and equal expense of the townships by their respective commissioners or supervisors in the manner directed by this act in the case of public roads which may be the division line of townships

Section 1306 Bridges Between Townships and Municipalities Whenever a creek railroad or canal over which a bridge is necessary is on the division line of a township and a municipality the township shall unite with such municipality in the construction and maintenance of such bridge and pay an equal share of the expenses incident thereto

Section 1307 Where Bridge Over Railroad or Canal If a bridge is built over a railroad or canal such bridge shall not obstruct the railroad or canal over which it is built Nothing in said sections shall release railroad or other companies or the Commonwealth from the requirements of existing laws

(c) Maintenance Repair and Rebuilding of Bridges Built by County

Section 1310 Whenever a bridge or part thereof has been built by the county or the whole or part of the money necessary to build it has been furnished by the county and the bridge has not been entered on record as a county bridge such bridge shall be maintained kept in repair and rebuilt when necessary by the township or townships in which or on the boundary line of which it is located without rendering the county liable for the same

(d) Effect of Approval of Department of Highways

Section 1315 Whenever authority has been given by the State Department of Highways to township supervisors under existing laws or laws that may hereafter be enacted for the construction repair alteration or maintenance of any township bridge it shall not be necessary for such township supervisors to procure permits from any other department consenting to the construction repair alteration or maintenance

of such bridge This section shall not repeal or modify any of the provisions of the Act of the twenty-sixth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred seventy-four) known as The Public Service Company Law nor the Act of the twenty-fifth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and fifty-five) entitled "An act providing for the regulation of dams or other structures or obstructions as defined herein in along across or projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of this Commonwealth vesting certain powers and duties in the Water Supply Commission of Pennsylvania for this purpose and providing penalties for the violation of the provision hereof" except as hereinabove provided

ARTICLE XIV

Sidewalks

Section 1401 Power of Supervisors to Establish Width and Location of Sidewalks Consents in Certain Cases The supervisors of any township upon the request of any landowner whose land fronts upon a public highway within said township may establish the width grade and location for a sidewalk along one or both sides of said highway along the lands of such owner The width of the walk on each side of said highway shall not be less than six feet for roads fifty feet in width or less and for roads over fifty feet in width shall be ten feet in width When said sidewalks are so established such landowner shall pay for and keep the same in repair

In case the street or highway is a State Highway or a county road the written consent of the Department of Highways or the county commissioners as the case may be shall first be obtained

Section 1402 Construction of Sidewalks Upon Petition of Property Owners The township supervisors may construct sidewalks of board plank or cement or other suitable material along the highways through towns and villages in such townships upon the petition of owners of property representing a majority in number of feet front of the properties abutting on the highways where such sidewalks are to be constructed Whenever any such petition is filed with the supervisors the owner of the property shall be given notice by the supervisors to construct such sidewalk and in case of the failure of the owner to complete such sidewalk within a period of thirty days after the receipt of such notice the supervisors may construct such sidewalk as herein provided Whenever any sidewalks are constructed by the supervisors the expense of the construction of such sidewalk shall be paid by the abutting property owners in proportion to their frontage If such owners fail to so pay the expenses of the construction of such sidewalk the township supervisors may recover the amount by action of assumpsit or may file municipal liens therefor against the abutting properties in the manner provided by law for the filing and collection of municipal liens

Section 1403 Power to Establish Grades and Width of Sidewalks Supervisors of townships may regulate by resolution the grade and width of sidewalks constructed along the highways in such townships and shall have general supervision over the same and may establish a grade or grades for footways or sidewalks which grade or grades may be separate and apart from the grade or grades established for the cartway or roadway.

ARTICLE XV

Sewers and Drains

(a) Establishing and Cnstructing Sewer and Drainage System: Sewer Connections and Rates Disposal of Sewage Assessment of Cost of Construction

Section 1501 Power to Establish and Construct Sewers and Drains Sewer Rentals Townships may establish and construct a system of sewers and drainage locating the same as far as practicable along and within the lines of the public roads of the towiships as seems advisable to the board of supervisors The supervisors may permit and where necessary for the public health require adjoining and adjacent property owners to connect with and use the same All persons so connecting shall pay in addition to the cost of making such connection a monthly or annual rate prescribed by a resolution of the board of supervisors Such monthly or annual rate shall constitute a lien until paid against the property so connecting with such system and the amount thereof may be recovered by due process of law

Nothing in this section shall be construced to repeal or modify any of the provisions of the Public Service Company Law

Section 1502 Notice of Contemplated Construction Protests by Property Owners No sewer system of sewers or drains shall be constructed under the provisions of this subdivisin unless a resolution of the board of supervisors authorizing the same shall be published in a newspaper of general circulation published in the county in which the township is situated once a week for three successive weeks If within twenty days after the last publication or at any time during the period of publication taxpayers of the township whose property valuation as assessed for taxable purposes within the township shall amount to fifty per centum of the total property valuation as assessed for taxable purposes within the township shall sign and file in the office of the prothonotary of the court of common pleas of the county in which the township is located a written protest against the construction of such sewer sewer system or drain then the construction authorized by such resolution shall not be undertaken or proceeded with

Section 1503 Location of Sewers on Private Property Where it is reasonably impracticable in the judgment of the supervisors in any part of such system to carry such sewers or drains along the lines of public road they may locate and construct so much of the same as is necessary through private lands

Section 1504 Treatment Works and Facilities Therefore Eminent Domain The supervisors shall make the necessary provision for the disposition of the sewage and drainage within or for carrying the same beyond the limits of the township and to this end they are hereby authorized to enter into contracts with other municipalities and other corporations or persons to purchase acquire enter upon taken appropriate occupy and use such lands rights and interests therein within the corporate limits of other townships or boroughs as shall be necessary for the proper location construction maintenance use and operation of sewer mains drains or treatment works including such lands rights and interests therein as shall be necessary for future additions to and enlargements of such sewerage facilities and as may be necessary to carry out the plans and specifications upon which a permit has been issued by the Secretary of Health in accordance with the provisions of the Act of April twenty-second one thousand nine hundred and five (Pamphlet Laws two hundred and sixty) entitled "An act to preserve the purity of the waters of the State for the protection of public health" and of "The Administrative Code"

Section 1505 Entry on Lands to Mark Sewer Routes Damages In the event of inability to agree with the owners either for the land necessary for so much of the line of sewers and drains as are not located upon public roads or for so much land as is required for the disposition of the sewage the supervisors may enter upon said land and mark thereon the route and width necessary for the construction of the line of sewers or drains or the boundaries of so much land as is necessary for disposition of such sewage and occupy the said land for such purposes For all damage done or suffered or which accures to the owner or owners of such land by reason of the taking of the same the funds of the township raised by taxation shall be pledged and deemed as security Such damages shall be determined by viewers in the manner provided in this act for eminent domain proceedings

Section 1506 Enforcement of Judgement for Damages The damages as awarded when the report is finally confirmed shall be entered as a judgement and if the same is not paid within thirty days after the entry thereof execution to enforce the collection thereof may be issued as in' other cases of judgement against townships

Section 1507 Cost of Construction How Paid The cost of construction of any such system of sewers or drains constructed by the authority of this subdivisions of this act shall be charged upon the properties accommodated or benefited thereby to the extent of such benefits in the manner hereinafter provided

Section 1508 Sewer Districts Township to Pay Non-Assessable Portion of Cost Whenever a sewer system is constructed by a township for the accommodation of a certain portion only of the township the supervisors of such township may constitute the territory accommodated into a sewer district or divide it into several sewer districts In every such case of division into several districts the supervisors shall make an estimate of the proportion of the cost of the sewer system which should equitably be charged on each of said districts

and declare and establish such apportionment by resolution No district shall be charged with more than its due proportion of the cost of the main sewers pumping stations et cetera used jointly by more than one district the aggregate amount charged on property in any such district shall not exceed the amount of such estimate Where the whole of the township is accommodated by the system it may also be treated as a single district or divided into districts and be subject to the foregoing provisions

Any amount not legally chargeably upon properties benefited shall be paid out of the general township fund

Section 1509 Manner of Assessment The charge for any such sewer construction in any township shall be assessed upon the properties accommodated or benefited in either of the following methods

(a) By an assessment pursuant to a resolution of the board of supervisors of each lot or piece of land in proportion to its frontage abutting on the sewer allowing such reduction in the case of properties abutting on more than one sewer as the resolution may specify No assessment by frontage shall be made on properties of such a character as not to be lawfully subject to such manner of assessment and each abutting property shall be assessed with not less than the whole amount of the benefit accuring to it and legally assessable or

(b) By an assessment upon the several properties abutting on the sewer in proportion to benefits The amount of the charge on each property shall be ascertained as hereinafter provided

When a township is divided into sewer districts the assessment in each district may be different methods

Section 1510 Procedure for Assessment of Benefits In all cases where the board of supervisors shall select the method provided by subdivision (b) of the foregoing section they shall petition the court of common pleas for appointment of viewers to assess benefits In all cases where they shall neglect for a period of three months after the completion of the sewer system to either ordain assessments by frontage or present petition for appointment of viewers taxpayers of the township whose property valuation as assessed for taxable purpose within the township shall amount to fifty per centum of the total property valuation as assessed for taxable purposes within the township may present a petition to the court of common pleas of the proper county for the appointment of viewers to assess benefits and in all cases where such taxpayers shall within three months of the adoption of a resolution levying an assessment under the method provided by subsection (a) of said foregoing section by petition state to said court that such assessment insufficiently represents the benefits accuring to abutting properties they may include in such petition a prayer for the appointment of viewers to assess benefits In either case the court shall thereupon appoint three disinterested persons from the board of county viewers neither of whom shall be a resident of that portion of the township which is accommodated by the sewer in question and the viewers so appointed shall proceed as provided in this act for proceedings for the assessment of damages and benefits by viewers The aggregate of the assessments in any sewer district shall not exceed the amount charged to such district for its share of the cost of the sewer construction unless the same shall by petition of taxpayers whose property valuation as aforesaid shall amount to fifty per centum of the total property valuation as assessed for taxable purposes within the township presented within three months after the adoption of a resolution providing for an assessment by frontage be stated to insufficiently represent the amount of benefits to such properties in which case the proceedings by taxpayers authorized above shall be applicable Upon the filing of such a petition by taxpayers as aforesaid for appointment of viewers any assessment made by the supervisors and any proceedings thereunder shall be null and void

Section 1511 Liens for Assessments Costs of Proceedings After the amount of the assessment charged upon the several properties has been established either by resolution making assessments according to frontage or by confirmation of any report of viewers in whole or in part it shall be the duty of the township supervisors to file municipal liens for the assessments covered by such resolution or confirmation within the time and in the manner provided by law the same to be subject in all respects to the general law providing for the filing and recovery of municipal liens The amounts of all assessments shall be payable to the township treasurer for the use of the township The supervisors shall also make out bills for the amounts charged against each property which shall be forthwith sent to all property owners residing in the township and mailed to all such owners residing elsewhere whose address is known

The costs of publication of notices in proceedings before viewers shall be paid by the township upon presentation of bills approved by the court

(b) Contracts With Individuals or Corporations for Construction and Maintennce of Sewer and Drainage Systems

Section 1515 In any case where under the authority of section one thousand five hundred and one of this act a system of sewage and drainage covering any township in whole or in part shall have been approved and authorized by resolution the supervisors may enter into a contract with any responsible individual or individuals or corporation for the construction of such system of sewage or drainage at the expense of such individual or individuals or corporation He they or it shall be entitled under such contract to exercise all the powers of the township in the construction maintenance and operation of such system of sewage or drainage with the right to collect such charges in connection therewith as the supervisors prescribe in as full manner as the same might have been collected by the township or the supervisors In such contract the supervisors shall reserve to the township the right at any time or after a prescribed time to itself take possession of such system of sewage and drainage and its appurtenances at a price and upon terms to be fixed in the contract

Nothing in this section shall be construced to repeal or modify any of the provisions of the Public Service Company Law

(c) Sewers and Drains in Streets or Alleys or Other Private Property Assessment of Cost of Construction According to Benefits

Section 1520 Subject to the provisions of section one thousand five hundred and two townships may construct sewers and drains in any street or alley or through or on or over private property The costs damages and expenses of the construction of any such sewers or drains shall be assessed of any such sewers or drains shall be assessed upon the properties accommodated or benefited in either of the following methods

(a) By an assessment pursuant to a resolution of the township board of supervisors of each lot or piece of land in proportion to its frontage abutting on the sewer allowing such reduction in the case of properties abutting on more than one sewer as the resolution may specify No assessment by frontage shall be made on properties of such a character as not to be lawfully subject to such manner of assessment and each abutting property shall be assessed with not less than its proportion aforesaid of the entire cost and expense of such construction

(b) By an assessment upon the several properties abutting on the sewer in proportion to benefits the amount of the charge on which property shall be ascertained and the rights of taxpayers conferred in connection therewith as provided in section one thousand five hundred and ten of this act

(d) Sewers Under State and County Highways

Section 1525 Consents Necessary Townships may construct sewers and drains in and under any county or State highway or State-aid highway within the township boundaries In case of the construction of sewers upon county highways the consent of the county commissioners of the county shall first be obtained and in case of the construction of sewers upon any State highway or State-aid highway the consent of the Secretary of Highways shall first be obtained

Section 1526 Assessment of Cost Whenever sewers have been or shall be laid or constructed by any township in and under such highways such township many ascertain levy and collect the costs and expenses of the construction thereof from the abutting property holders by viewers in accordance with the provisions of this act relating to the assessment of damages and benefits of viewers

(e) Connecting with Sewer of Adjoining Municipality

Section 1530 Agreements for Connections Appointment of viewers Any township may by agreement connect with an existing sewer owned by any adjacent municipality for sewage purposes in the following manner

An application shall be made by the board of supervisors to the court of quarter sessions setting forth that fact If the

court shall be of the opinion that such conection can be made without impairing the usefulness of the existing sewer it shall appoint three viewers who shall view the premises and investigate the facts of the case and shall assess the proportionate part of the expense of building the original sewer upon such township and shall fix the proportion of the expense for repairs which the municipality and the township shall thereafter bear and determine all other questions liable to arise in connection therewith

Section 1531 Report of Viewers The viewers shall report to the court the result of their investigation which report shall be confirmed within thirty days unless exceptions thereto are filed After confirmation of such report or the disposal of any exceptions any party interested may appeal from the decision of the court of quarter sessions to the Superior Court

Section 1532 Notice of Contemplated Construction Protests by Property Owners No sewer system of sewers or drain shall be constructed under the provisions of this subdivision unless a resolution of the board of supervisors authorizing the same shall be published in a newspaper of general circulation published in the county in which the township is situated once a week for three successive weeks If within twenty days after the last publication or at any time during the period of publication taxpayers of the township whose property valuation as assessed for taxable purposes within the township shall amount to fifty per centum of the total property valation as assessed for taxable purposes within the township shall sign and file in the office of the prothonotary of the court of common pleas of the county in which the township is located a written protest against the construction of such sewer sewer system or drain then the construction authorized by such resolution shall not be undertaken or proceeded with

(f) Acquisition of Sewer System

Section 1535 Any township in which any person firm or corporation is maintaining sewers and culverts with the necessary inlet and appliances for surface and under-surface and sewage drainage may become the owner of such sewers culverts inlet and appliances by paying therefor the actual value of the same at the time of the taking by the township

In case the supervisors of the township cannot agree with the owners of such sewers as to the price to be paid therefor the supervisors may enter upon and take possession of such sewers culverts inlets and appliances For all damage done or suffered or which accrues to the owner or owners of such sewer by reason of the taking of the same the funds of the township raised by taxation shall be pledged and deemed as security such damages to be determined by viewers in the manner provided by this act for eminent domain proceedings If any sewer or sewer system is acquired by purchase under the provisions of this section the cost of such acquisition may be distributed or assessed in the same manner as if such sewer or sewer system had been constructed by such township under the provisions of this act

(g) Joint Sewers and Drains

Section 1540 Agreements for Joint Sewers Townships may enter into agreements with municipalities or other townships for the purpose of building sewers including trunk-line sewers or drains and sewage-disposal plants Such agreement shall provide for the joint maintenance of the same

Section 1541 State Permt No such sewer or plant shall be constructed until plans and specifications have been submitted to the State Department of Health and approved in accordance with provisions of the Act of April twenty-second one thousand nine hundred and five (page two hundred and sixty) entitled "An act to preserve the purity of the waters of the State for the protection of the public health"

ARTICLE XVI

Water Supply and Waterworks

Section 1601 Contracts With Water Companies and Municipalities The supervisors of any township may by contract with any private corporation or any adjacent municipality owning a waterworks system provide for a supply of water for public and private uses to be delivered into the lines of the township at or near the boundary thereof or to be delivered through lines owned by such company or municipality within such township or any part thereof

Section 1602 Water Lines and Connections Townships supervisors shall have full power by contract to lay water lines and to regulate the making of connections therewith or to contract or enter into agreements with any private water company or municipality for the laying of water lines within the limits of such township or any part thereof

Section 1603 Expenditure of Township Moneys Water Rents The township supervisors are authorized to expend moneys of the township for the purpose of providing such water lines and connections and for the purpose of providing a supply of water for private and public use They may provide for the collection of water rents from users of such water or may enter into contracts or agreements with private corporations and municipalities supplying such water for the collection by such private corporations and municipalities of water rents from such users

Section 1604 State Permit The supervisors of any township may by resolution provide regulate and protect any system of distribution of water for private and public use after a certified copy of the plans and surveys for such system with a description of the sources from which it is proposed to derive the supply are filed with the Department of Health and a written permit for the construction of such system obtained from the Secretary of Health in accordance with existing law

Section 1605 Occupation of Highways In providing for regulating protecting and extending its system of distribution of water the township may occupy public highways but no highway under the jurisdiction of the State Department of Highways shall be occupied until a permit therefor has been obtained from the Department of Highways of the Commonwealth nor any highway under the jurisdiction of the county until a permit therefor has been obtained from the county commissioners

Section 1606 Joint Maintenance of Works With a Borough Any township may unite with a borough in the construction or acquisition and maintenance of works for the supply of water The construction of such waterworks shall be commenced only after plans for such waterworks have been filed with the State Secretary of Health and a permit issued in accordance with the Act of Assembly of April twenty-second one thousand nine hundred and five (page two hundred sixty) entitled "An act to preserve the purity of the waters of the State for the protection of the public health" and after a permit has been issued by the Water and Power Resources Board for the construction of any dam in accordance with the Act of the twenty-fifth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred fifty-five) entitled "An act providing for the regulation of dams or other structures or obstructions as defined herein along across or projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of this Commonwealth vesting certain powers and duties in the Water Supply Commission of Pennsylvania for this purpose and providing penalties for the violation of the provisions hereof"

Section 1607 Commission of Waterworks Whenever any township unites with a borough in the construction or acquisition and maintenance of waterworks the supervisors of such township after the passage of a resolution to that effect may join with the councils of such boroughs now authorized by the General Borough Law so to join and apply to the court of common pleas for the appointment of a commission of waterworks Such commission shall be composed of citizens of each of the boroughs and townships so uniting

Section 1608 Public Service Company Law Saved Nothing contained in this article shall be construed to repeal or to supersede any of the provisions of the Public Service Company Law

Section 1609 Water Districts Application of Taxpayers Whenever the taxpayers of any section of a township whose property valuation as assessed for taxable purposes within such section shall amount to fifty per centum of the total property valuation as assessed for taxable purposes within such section shall by petition so request the supervisors of such township shall constitute such section into a water district or divide it into several water districts In every such case of division into several districts the supervisors shall make an estimate of the proportion of the cost of the water system which should equitably be charged on each of said districts and declare and establish such apportionment by resolution No district shall be charged with more than its due proportion of the cost of the main pipe

lines pumping station et cetera used jointly by more than one district the aggregate amount charged on property in any such district shall not exceed the amount of such estimate

Any amount not legally chargeable upon properties benefited shall be paid out of the general township fund

Section 1610 Manner of Assessment The charge for any such water system construction in any township shall be assessed upon the properties accommodated or benefited in either of the following methods

(a) By an assessment pursuant to a resolution of the board of supervisors of each lot or piece of land in proportion to its frontage abutting on the mains allowing such reduction in the case of properties abutting on more than one main as the resolution may specify No assessment by frontage shall be made on properties of such a character as not to be lawfully subject to such manner of assessment and each abutting property shall be assessed with not less than the whole amount of the benefit accruing to it and legally assessable or

(b) By an assessment upon the several properties abutting on the mains in proportion to benefits The amount of the charge on each property shall be ascertained as hereinafter provided

When there is more than one district the assessment in each district may be by different methods

Section 1611 Procedure for Assessment of Benefits In all cases where the board of supervisors shall select the method provided by subdivision (b) of the foregoing section they shall petition the court of common pleas for appointment of viewers to assess benefits In all cases where they shall neglect for a period of three months after the completion of the water system to either ordain assessments by frontage or present petition for appointment of viewers taxpayers of the district or districts affected whose property valuation as assessed for taxable purposes within the district shall amount to fifty per centum of the total property valuation as assessed for taxable purposes within the township may present a petition to the court of common pleas of the proper county for the appointment of viewers to assess benefits and in all cases where such taxpayers shall within three months of the adoption of a resolution levying an assessment under the method provided by subsection (a) of said foregoing section by petition state to said court that such assessment insufficiently represents the benefits accruing to abutting properties they may include in such petition a prayer for the appointment of viewers to assess benefits In either case the court shall thereupon appoint three disinterested persons from the board of county viewers neither of whom shall be a resident of that portion of the township which is accommodated by the water system in question and the viewers so appointed shall proceed as provided in this act for proceedings for the assessment of damages and benefits by viewers The aggregate of the assessments in any water district shall not exceed the amount charged to such district for its share of the cost of the water system construction unless the same shall by petition of taxpayers whose property valuation as aforesaid shall amount to fifty per centum of the total property valuation as assessed for taxable purposes within the districts affected presented within three months after the adoption of a resolution providing for an assessment by frontage be stated to insufficiently represent the amount of benefits to such properties in which case the proceedings by taxpayers authorized above shall be applicable Upon the filing of such a petition by taxpayers as aforesaid for appointment of viewers any assessment made by the supervisors and any proceedings thereunder shall be null and void

Section 1612 Liens for Assessments Costs of Proceedings After the amount of the assessment charged upon the several properties has been established either by resolution making assessments according to frontage or by confirmation of any report of viewers in whole or in part it shall be the duty of the township supervisors to file municipal liens for the assessments covered by such resolution or confirmation within the time and in the manner provided by law the same to be subject in all respects to the general law providing for the filing and recovery of municipal liens The amounts of all assessments shall be payable to the township treasurer for the use of the township The supervisors shall also make out bills for the amount charged against each property which shall be forthwith sent to all property owners effected residing in the township and mailed to all such owners residing elsewhere whose address is known

The costs of publication of notices in proceedings before viewers shall be paid by the township upon presentation of bills approved by the court

ARTICLE XVII
PUBLIC BUILDINGS

Section 1701 Lockup The Board of supervisors of townships may after obtaining the assent of the electors of the township expressed by vote at an election to be held at the place time and under the same regulations as provided for the holding of municipal elections build and maintain a suitable place for the purpose of incarcerating criminals disorderly suspicious and intoxicated persons until they can be dealt with according to law The ballots to be deposited by the electors shall be prepared in conformity with the general election law In reaching and counting and in making returns of the votes cast the inspectors judges and clerks of said election shall be governed by the laws regulating municipal elections and the vote shall be counted by the court as provided by the general law governing municipal elections The board of supervisors shall direct the constable of the township to issue a proclamation ten days prior to the date of the municipal election that the qualified electors will vote "For or against building a lockup" Such building when erected shall be under the care of the board of supervisors

Section 1702 Town Hall The supervisors of townships may procure a suitable lot of ground and erect a suitable building thereon for a townhouse in which to hold elections store road machinery hold meetings of township officers and community activities and for other township uses For the purpose of procuring a lot of ground and erecting a town hall the supervisors may borrow money at a rate of interest not exceeding six per centum and issue bonds therefor

Section 1703 Unloaders and Warehouses Townships may purchase or lease land adjacent to the tracks or right of way of any railroad or street railway within or without the limits of such township and erect thereon suitable unloaders warehouses or other buildings as may be necessary for unloading handling and storing road materials and supplies

Section 1704 Appropriation of Property Townships may enter upon and appropriate private property and also land heretofore granted or dedicated to public or other use within the limits of such township and which is no longer used for the purpose for which the same was granted or dedicated for the erection thereon of a town hall hose house lockup and such other public buildings as are necessary for public purposes No land or property used for any cemetery burying ground public or parochial school educational or charitable institution seminary or place of public worship shall be taken or appropriated by virtue of any power contained in this section

Section 1705 Resolution of Supervisors Whenever the supervisors desire to acquire enter upon take use and appropriate private property or lands for public buildings they shall declare such intention by a resolution duly enacted

Section 1706 How Damages are Assessed The compensation and damages arising from such taking using and appropriating of private property for such purposes shall be considered ascertained determined awarded and paid in the manner provided in this act for eminent domain proceedings

Section 1707 Use of Public Land Acquired for Other Purposes Whenever the supervisors desire to take any lands heretofore granted or dedicated to a use or purpose for which they are no longer used they shall pass a resolution declaring such intention and shall thereupon petition the court of common pleas for leave to file the bond of such township for the purpose of securing any persons or persons who may be injured by the taking of such lands The court shall thereupon direct notice to be given by publication in at least two newspapers of the county If no exceptions are filed to the bond on or before the day fixed in the notice the court shall approve the same The court may increase the amount of the bond and hear and determine all exceptions that are filed against the approval thereof Upon the approval of such bond the supervisors may enter upon and take such lands for the purposes of erecting public buildings The bond which shall be in the name of the Commonwealth for the use of any person or persons who are entitled to damage by reason of the taking of the lands shall remain on file for their use and benefit

In case the compensation for damages accruing from any such appropriations has not been agreed upon by the parties in interest the same may be assessed by viewers in accordance with the provisions of this act for the assessment of damages in eminent domain proceedings

ARTICLE XVIII

LICENSES AND LICENSE FEES

(a) Transient Retail Merchants

Section 1801 Transient Retail Merchants to be Licensed Every person whether principal or agent entering into beginning or desiring to begin a transient retail business in any township for the sale of any goods wares or merchandise whatsoever and who hires leases occupies or uses any room apartment store shop building railway car or other place or structure for the exhibition and sale of such goods wares or merchandise shall take out a license for the same from the supervisors of the said township Provided however That nothing herein contained shall apply to farmers selling their own produce or to any sale of goods wares or merchandise donated by the owners thereof the proceeds whereof are to be applied to any charitable or philanthropic purpose

Section 1802 Amount and Payment of License Fee Penalty The amount of such license in any township shall be the sum of twenty-five dollars ($25) per month or fractional part thereof to be paid to the township treasurer Said license shall be renewed monthly during the continuance of said sale and upon failure of said person or persons so to secure such license he she or they shall in a summary proceeding be fined in a sum not less than one hundred dollars ($100) nor more than two hundred dollars ($200) and in default of payment of said fines shall be imprisoned in the jail of the county for a period not exceeding thirty (30) days

Section 1803 Mercantile License Law Saved Nothing herein contained shall be construed to relieve any person partnership or corporation from the duty of taking out a license or from the payment of any license tax imposed or authorized by any other statue of this Commonwealth

(b) Restrictions

Section 1811 Agents for Licensed Dealers Not to be Licensed It shall be unlawful for any township to levy any license fee or mercantile tax upon any persons taking orders for merchandise by sample from dealers or merchants for individuals or companies who pay a license or mercantile tax at their chief places of business Nothing in this section shall authorize any person to sell by retail to others than dealers or merchants

Section 1812 Insurance Agents and Brokers Not to be Licensed It shall be unlawful for any township to impose or collect any license fee upon insurance companies or their agents or insurance brokers authorized to transact business under the Insurance Laws of the Commonwealth

Section 1813 License Fees on Residents Not to Exceed Those on Nonresidents It shall be unlawful for any township to impose by resolution or exact or collect under the provisions of any resolution heretofore or hereafter enacted any license tax or fee upon or from any manufacturer or the agent representative or employe or any manufacturer who is a resident of the Commonwealth for soliciting orders for or for selling any goods merchandise or wares manufactured within this Commonwealth that is not or cannot legally be imposed upon or exacted or collected from any manufacturer or dealer or the agent representative or employe of any manufacturer who is a nonresident of the Commonwealth for soliciting orders for or for selling any goods merchandise or wares manufactured without the Commonwealth

ARTICLE XIX

Parks Playgrounds Gymnasiums Public Baths Swimming Pools Indoor Recreation Centers and Forests

Section 1901 Designation and Acquisition of Lands The township supervisors of any township may designate and set apart for use as parks playgrounds playfields gymnasiums public baths swimming pools or indoor recreation centers any lands or buildings owned by such township and not dedicated or devoted to other public use Such township may in such manner as may be authorized or provided by law for the acquisition of lands or buildings for public purposes in such township acquire lands or buildings therein for use as parks playgrounds playfields gymnasiums public baths swimming pools or indoor recreation centers or if there be no law authorizing such acquisition the township supervisors may acquire lands or buildings for such purposes by gift or purchase or may lease lands or buildings in such township for temporary use for such purposes

Section 1902 Park and Recreation Boards The authority to supervise and maintain parks playgrounds playfields gymnasiums public baths swimming pools or indoor recreation centers may be vested in any existing body or board or in a park board or recreation board as the township supervisors may determine The local authorities of any such township may equip operate and maintain the parks playgrounds playfields gymnasiums swimming pools public boths or indoor recreation centers as authorized by this act Such local authorities may for the purpose of carrying out the provisions of this act employ play leaders recreation directors supervisors superintendents or any other officers or employes as they deem proper

Section 1903 Appointment of Park and Recreation Boards If the township supervisors shall determine that the power to equip operate and maintain parks playgrounds playfields gymnasiums public baths swimming pools or recreation centers shall be exercised by a park board or recreation board they may establish in said township such park board or recreation board which shall possess all the powers and be subject to all the responsibilities of the respective local authorities under this act Either such boards when established shall consist of five persons The members of such boards shall be appointed by the supervisors and shall serve for terms of five years or until their successors are appointed except that the members of such board first appointed shall be appointed for such terms that the term of one member shall expire annually thereafter Members of such board shall serve without pay Women shall be eligible for appointment Vacancies in such board occuring otherwise than by expiration of term shall be for the unexpired term and shall be filled in the same manner as original appointments

Section 1904 Officers of Board The members of a park board or recreation board established pursuant to this act shall elect their own chairman and secretary and select all other necessary officers to serve for a period of one year and may employ such persons as may be needed as authorized by this act Such boards shall have power to adopt rules and regulations for the conduct of all business within their jurisdiction

Section 1905 Joint Municipal Acquisitions Any township may jointly with any one or more townships boroughs and cities acquire property for and operate and maintain any parks playgrounds playfields gymnasiums public baths swimming pools or indoor recreation centers

Section 1906 Bond Issues The township supervisors may issue bonds for the purpose of acquiring lands or buildings for parks playgrounds playfields gymnasiums swimming pools public baths or indoor recreation centers and for the equipment thereof

Section 1907 Cost of Maintenance Annual Tax Levies All expenses incurred in the operation of such parks playgrounds playfields gymnasiums swimming pools public baths or indoor recreation centers established as herein provided shall be payable from the treasury of such township The local authorities of such township having power to appropriate money therein may annually appropriate and cause to be raised by taxation such tax not to exceed two mills on the dollar of the assessed valuation of taxable property in such township for the purpose of maintaining and operating parks playgrounds playfields gymnasiums public baths swimming pools and recreation centers.

Section 1908 Right of Acquisition of Forest Lands Townships may acquire by purchase gift or lease and hold tracts of land covered wth forest or tree growth or suitable for the growth of trees and administer the same under the direction of the Secretary of Forests and Waters in accordance with the practices and principles of scientific forestry for the benefit of the township Such tracts may be of any size suitable for the purpose and may be located within or without the township limits

Section 1909 Approval of Secretary of Forests and Waters Before the passage of any resolution for the acquisition of land to be used as township forests the township supervisors shall submit to the Secretary of Forest and Waters and secure his approval of the area and location of such land

Section 1910 Resolution and Notice Whenever the township supervisors deem it expedient to acquire any lands for forests

they shall so declare by a resolution wherein shall be set forth all facts and conditions relating to the proposed action which proposed resolution shall be advertised once a week for three weeks prior to its passage

Section 1911 Appropriation for Acquisition All money necessary for the purchase of such tracts shall be appropriated in the same manner as appropriations for township purposes and such fund may be provided from the current revenue or by the proceeds of a sale of bonds in accordance with existing law

Section 1912 Control of Forests by Secretary of Forests and Waters Upon the acquisition of any forests or lands suitable for forests the township supervisors shall notify the Secretary of Forests and Waters who shall make such rules for the government and proper administration of the same as may be necessary and the secretary shall publish such rules declare the uses of the forest in accordance with the intent of this article and make such provision for its administration maintenance protection and development as shall be necessary or expedient The rules governing the administration of such forests shall have for their main purpose the producing of a continuing township revenue by the sale of forest products

Section 1913 Appropriation for Maintenance All moneys necessary to be expended for the administration maintenance protection and development of such forests shall be appropriated and applied as is now done for township purposes All revenue and emoluments arising from such forests shall be paid into the township treasury to be used for general township purposes

election

Section 1914 Use of Township Forests as Outing Grounds Township forests may be used by the public as general outing or recreation grounds subject to the rules governing their administration

Section 1915 Disposition of Township Forests Procedure Ordinance Submission of Question Whenever the township supervisors deem it expedient to alienate any forest or part thereof they shall so declare by a resolution wherein shall be set forth all the facts and conditions relating to the proposed action which proposed resolution shall be advertised once a week for three weeks prior to its passage No resolution shall be effective in legalizing such alienation until it has been approved by a majority vote of the people at the next ensuing

Section 1916 Appropriation of Moneys to Forestry Organizations The supervisors of any township may appropriate moneys from their respective treasuries to any forest protection association cooperating in forest work with the State Department of Forests and Waters or to be expended in direct cooperation with said Department of Forests and waters in forest work

Section 1917 Approval of Electors for Acquisition of Land The township supervisors hereby are authorized on behalf of the township to accept the title to lands which may be donated to the township for any of the purposes mentioned in this article of this act but none of the other powers conferred upon them by sections one thousand nine hundred and one to one thousand nine hundred and sixteen inclusive shall be exercised by them except after the approval thereof by the electors of said township at an election for the purpose held on a regular municipal election day of which election notice was given by publication in a newspaper of general circulation in the county in which the township is located and by at least twenty hand bills posted in as many public places in the township said publication and posting to be at least ten days before the day of the election

ARTICLE XX

ACTIONS BY AND AGAINST TOWNSHIPS

Section 2001 Supervisors to Bring and Defend Suits All suits by a township shall be brought and conducted by the township supervisors In all suits against a township process shall be served upon and defence made by the township supervisors

Section 2002 Right of Taxpayers to Inquire Into Judgements Any taxpayer of any township may inquire into the validity of any judgement or defend the township in any suit or judgement upon filing a petition with the court of common pleas of the county in which suit is pending or judgement exists accompanied by an affidavit that the taxpayer believes that injustice will be done to the township in such suit or judgement Whenever it is deemed necessary the court may order such taxpayer to file a bond with one or more sureties to be approved by court to save harmless the township from all costs that may accrue in such proceeding subsequent to the filing of such petition

Section 2003 Appeals by Taxpayers Whenever a judgement is rendered by any justice of the peace or alderman against any township and a right of appeal is given to such township and for ten days immediately after the rendition of such judgement the township officials neglect to perfect an appeal any taxpayer of such township may take an appeal in behalf of the township from such judgement to the court of common pleas of the county within the time prescribed for the taking of such appeal

Section 2004 Affidavit and Bail by Taxpayers In taking the appeal the taxpayer shall make an affidavit that the same is not taken for the purpose of delay but because he verily believes that injustice has been done The taxpayer shall pay the costs of the appeal and enter sufficient bail for the payment of all costs before the justice of the peace or alderman and all costs in the court of common pleas

Section 2005 Taxpayers Parties to Suits Upon the filing of such appeal in the court of common pleas of the county the taxpayer shall be made a party to the suit and shall have the right to defend such township therein

Section 2006 Recovery of Municipal Claims In addition to the remedies provided by law for the filing of liens for the collection of municipal claims all townships may proceed for the recovery and collection of municipal claims by action of assumpsit against the person or persons who were the owner or owners of the property at the time of the completion of the improvement notwithstanding the fact that there was a failure on the part of any such township or its agents to enter any such municipal claim as a lien against the property assessed for the improvement and for the recovery of which the action of assumpsit was brought Any such action in assumpsit shall be commenced within three years after the completion of the improvement from which said claim arises

This action shall extend to all municipal claims where improvement was heretofore made where the action of assumpsit has been instituted under the provisions of prior acts of Assembly and where the claim is not barred by the statute of limitations affecting actions of debt or assumpsit

ARTICLE XXI

REPEALS

Section 2101 The following acts and parts of acts are hereby repealed as respectively indicated

(1) Sections one and three of the act approved the fourteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred and sixty-six) entitled "An act to regulate the remuneration of policemen and constables employed as policemen throughout the Commonwealth of Pennsylvania and prohibiting them from charging or accepting any fee or other compensation in addition to their salary except as public rewards and mileage for traveling expenses" so far as the same relates to townships of the second class

(2) The act approved the nineteenth day of April one thousand nine hundred and one (Pamphlet Laws eighty-two) entitled "An act making it lawful for any municipality in which a corporation created and existing under and by virtue of the laws of this Commonwealth have constructed and are maintaining or may hereafter construct and maintain sewers culverts conduits and pipes with the necessary inlets and appliances for surface under surface and sewage drainage to become the owner of such sewers culverts conduits and pipes with the necessary inlets and appliances aforesaid providing the amount to be paid for the same and the manner of ascertaining such amount in case of disagreement between the municipality and the corporation owning the same" as far as it relates to townships of the second class

(3) The act approved the fifth day of June one thousand nine hundred and thirteen (Pamphlet Laws four hundred and nineteen) entitled "An act to authorize the display of the State county city borough or other municipal flags on public buildings in the Commonwealth" so far as it relates to townships of the second class

(4) The act approved the fifth day of April one thousand nine hundred and seventeen (Pamphlet Laws forty-seven) entitled "An act authorizing supervisors of townships of the second class by authority of the court to appoint policemen

defining their powers and duties providing for their compensation and requiring the keepers or persons in charge of jails lockups and station-houses to receive persons arrested by such policemen" absolutely

(5) The act approved the tenth day of May one thousand nine hundred and seventeen (Pamphlet Laws one hundred and fifty-eight) entitled "An act to authorize counties cities boroughs towns townships school districts and poor districts to require a bond to protect labor and material-men and providing for suits thereon by laborers and material-men furnishing labor and material in and about the erection alteration addition and repair of public buildings" so far as it relates to townships of the second class

(6) The act approved the twenty-eighth day of June one thousand nine hundred and seventeen (Pamphlet Laws six hundred and fifty) entitled "An act to amend an act approved the eleventh day of June one thousand nine hundred and fifteen entitled 'An act to amend an act approved the fourteenth day of April one thousand nine hundred and fifteen entitled "An act providing for the payment of judgments and mortgages and other claims which are liens on property affected by public improvements or appropriated by the exercise of the right of eminent domain" ' excepting proceedings to ascertain damages and benefits by reason of municipal street or sewer improvements" so far as it relates to townships of the second class

(7) The act approved the sixth day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and forty-seven) entitled "An act requiring all counties cities boroughs townships school districts and other municipalities and incorporated districts to sell any bonds or other securities issued by them to the highest responsible bidder after due public notice" so far as it relates to townships of the second class

(8) The act approved the eleventh day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and seventy-seven) entitled "An act to amend an act entitled 'A supplement to an act entitled "An act relating to roads highways and bridges" approved the thirteenth day of June Anno Domini eighteen hundred and thirty-six' approved the fifth day of May one thousand nine hundred and eleven so as to provide for the construction change or alteration of parts of public roads in counties boroughs or townships without the formality of a view where the costs and expenses to such county borough or township including damages shall not exceed three hundred dollars" so far as it relates to townships of the second class

(9) The act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto" and the amendments thereto so far as relates to townships of the second class excepting sections four hundred and thirty-two four hundred and thirty-three four hundred and thirty-four four hundred and thirty-five four hundred and thirty-six four hundred and thirty-seven and four hundred and thirty-eight and the amendments to said sections which shall not be repealed hereby

(10) The act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand and seventy-three) entitled "An act relating to bridges in townships of the second class" absolutely

(11) The act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand and eighty-three) entitled "An act requiring all persons contracting with the Commonwealth or any department or officer thereof or any municipal corporation division or subdivision of the Commonwealth to accept the provisions of the State Workmen's Compensation Act and to insure the said contractor's liability thereunder or secure an exemption from insurance in accordance with the terms of the said act in respect to such contract" so far as it relates to townships of the second class

(12) The act approved the first day of May one thousand nine hundred and nineteen (Pamphlet Laws ninety-three) entitled "An act providing for the relocation alteration and vacation of public roads and highways approaching leading into or contiguous to parks and public grounds title to which parks and public grounds is vested in the State of Pennsylvania and providing remedies therefor" so far as it relates to townships of the second class

(13) The act approved the eighth day of May one thousand nine hundred and nineteen (Pamphlet Laws one hundred and thirty) entitled "An act requiring prothonotaries and clerks of courts to furnish to the Secretary of Internal Affairs copies of orders of court relative to the creation consolidation division and partition of cities boroughs and townships and fixing the fee of such officers for such services" so far as it relates to townships of the second class

(14) The act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and thirteen) entitled "An act providing a method whereby highways the center line of which constitutes a dividing line between a city and a township in an adjacent county may be altered or improved and the cost thereof apportioned between the city county and township and providing the procedure to be followed where such city and the township or the county in which such township is situated do not or cannot agree with respect to the method of such alterations or improvements or the apportionment of the cost thereof" so far as it relates to townships of the second class

(15) The act approved the seventh day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred and thirty-two) entitled "An act authorizing boroughs and townships to establish separate grades for sidewalks and cartways or roadways" so far as it relates to townships of the second class

(16) The act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and eighty-one) entitled "An act authorizing the several boroughs and townships to appropriate moneys for the support of county associations of boroughs and townships" so far as it relates to townships of the second class

(17) The act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and ninety-seven) entitled "An act authorizing a State association of township supervisors and township commissioners and providing for the payment of the expenses thereof by the respective counties" so far as it relates to townships of the second class

(18) The act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and twenty-eight) entitled "An act fixing the confirmation of the reports of viewers or portions thereof in proceedings to assess damages or benefits incident to public improvements where no exceptions are filed or appeals taken" so far as it relates to townships of the second class except road views in such townships

(19) The act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and eighty-four) entitled "An act to amend sections one two three five six and seven of an act approved the eighth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred and eighty-four) entitled 'An act empowering cities of the second and third classes boroughs and counties to acquire maintain and operate playgrounds playfields gymnasiums public baths swimming pools and indoor recreation centers authorizing school districts to join in the maintenance and operation of said activities and authorizing the issue of bonds and the levy of taxes for such purposes' by extending the provisions thereof so as to include townships" so far as it relates to townships of the second class

(20) The act approved the twelfth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and forty-four) entitled "An act authorizing counties cities boroughs towns and townships to acquire lands by purchase gift or condemnation and to convey such lands to the Commonwealth for use of the National Guard" so far as it relates to townships of the second class

(21) The act approved the twenty-sixth day of April one thousand nine hundred and twenty-three (Pamphlet Laws ninety) entitled "An act authorizing counties cities boroughs and townships to appropriate moneys for forest work" so far as it relates to townships of the second class

(22) The act approved the twenty-sixth day of April one thousand nine hundred and twenty-three (Pamphlet Laws one hundred and five) entitled "An act to amend section one of the act approved the twenty-third day of May one thousand nine hundred and seven (Pamphlet Laws two hundred and twenty-five) entitled 'An act providing for the payment of the premiums on bonds of county city borough school-district

and township employes' extending the provisions thereof to officers" so far as it relates to townships of the second class

(23) The act approved the third day of May one thousand nine hundred and twenty-three (Pamphlet Laws one hundred and thirty-six) entitled "An act authorizing cities boroughs towns and townships to purchase burial plots for certain deceased service men" so far as it relates to townships of the second class

(24) The act approved the twenty-second day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred and fifteen) entitled "An act requiring supervisors and commissioners of townships to apply for county aid in the construction and maintenance of roads upon application therefor by property owners" so far as it relates to townships of the second class

(25) The act approved the twenty-fourth day of May one thousand nine hundred and twenty-three (Pamphlet Laws four hundred and forty-two) entitled "An act to provide for the licensing of transient retail merchants in cities boroughs and townships and providing a penalty for the failure to obtain such license" so far as it relates to townships of the second class

(26) The act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred and one) entitled "An act authorizing the State Highway Department the Public Service Commission counties cities boroughs and townships to purchase or condemn by the right of eminent domain free and unobstructed view over and across lands at certain highway railroad and railway intersections and curves so as to prevent and permit removal of interference with and obstruction of the vision of users of highways and providing for the use of such lands in such manner as not to interfere with a free and unobstructed view" so far as it relates to townships of the second class

(27) The act approved the twenty-ninth day of June one thousand nine hundred and twenty-three (Pamphlet Laws three hundred and ninety-seven) entitled 'An act authorizing a State association of township supervisors and township commissioners and providing for the payment of the expenses thereof by the respective counties'" so far as it relates to townships of the second class

(28) The act approved the seventeenth day of March one thousand nine hundred and twenty-five (Pamphlet Laws thirty-eight) entitled "An act for the promotion of the safety of the traveling public by authorizing counties and townships to purchase or condemn by the right of eminent domain property and lands along highways so as to eliminate dangerous curves and widen narrow highways" so far as it relates to townships of the second class

(29) The act approved the first day of April one thousand nine hundred and twenty-five (Pamphlet Laws one hundred) entitled "An act relating to township roads prescribing the time within which approved township roads must be physically opened invalidating proceedings for opening of roads unopened within the prescribed time and providing for the revision of any land proposed to be taken therefor" so far as it relates to townships of the second class

(30) The act approved the twenty-seventh day of April one thousand nine hnudred and twenty-five (Pamphlet Laws three hundred and five) entitled "An act authorizing counties cities boroughs incorporated towns townships and school districts to make contracts of insurance with mutual fire insurance companies duly authorized to transact business in the Commonwealth of Pennsylvania" so far as it relates to townships of the second class

(31) The act approved the twenty-seventh day of April one thousand nine hundred and twenty-five (Pamphlet Laws three hundred and ten) entitled "An act to provide for the preparation of plans for the use of viewers owners tenants and occupiers of property and all other parties affected in proceedings for the assessment of damages for the taking injury or destruction of private property for public use and the furnishing of copies thereof to parties affected thereby" so far as it relates to townships of the second class

(32) The act approved the twenty-ninth day of April one thousand nine hundred and twenty-five (Pamphlet Laws three hundred and fifty-one) entitled "An act providing for the clerk of the court of quarter sessions of the several counties of this Commonwealth to certify to the Department of Highways the establishment of all new townships and boroughs within said county fixing fee for such certification and providing penalty" so far as it relates to townships of the second class

(33) The act approved the thirtieth day of April one thousand nine-hundred and twenty-five (Pamphlet Laws three hundred and seventy-one) entitled "An act providing for the care and maintenance by cities boroughs incorporated towns tnd townships of any soldiers' monument gun or carriage or other similar memorial where there is no person body or organization in existence to care for and maintain the said memorials" so far as it relates to townships of the second class

(34) The act approved the first day of May one thousand nine hundred and twenty-five (Pamphlet Laws four hundred and twenty-eight) entitled "An act providing for the improvement of certain streets alleys and highways on the boundary lines of cities boroughs and townships and the assessment of properties abutting thereon but lying outside the limits of such cities boroughs or townships" so far as it relates to townships of the second class

(35) The act approved the second day of May one thousand nine hundred and twenty-five (Pamphlet Laws four hundred and ninety-four) entitled "An act authorizing municipalities to spend money for the purpose of insuring volunteer firemen against death or injuries while going to or returning from or attending fires" so far as it relates to townships of the second class

(36) The act approved the sixth day of May one thoustnd nine hundred and twenty-five (Pamphlet Laws five hundred and forty-six) entitled "An act to amend section one of the act approved the tenth day of May one thousand nine hundred and seventeen (Pamphlet Laws one hundred fifty-eight) entitled "An act to authorize counties cities boroughs towns townships school districts and poor districts to require a bond to protect labor and material-men and providing for suits thereon by laborers and material-men furnishing labor and material in and about the erection alteration addition and repair of public buildings" so far as it relates to townships of the second class

(37) The act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred forty-five) entitled "An act to prevent unfair discrimination against Pennsylvania manufacturers by making it unlawful for any municipality to levy license taxes or fees against such manufacturers that are not levied against non-resident manufacturers" so far as it relates to townships of the second class

(38) The act approved the twenty-fourth day of March one thousand nine hundred and twenty-seven (Pamphlet Laws fifty-six) entitled "An act to amend sections one two and three as amended section four and sections five six and seven as amended of an act approved the eighth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred eighty-four) entitled 'An act empowering cities of the second class and third classes boroughs and counties to acquire maintain and operate playgrounds playfields gymnasiums public baths swimming pools and indoor recreation centers authorizing school districts to join in the maintenance and operation of said activities and authorizing the issue of bonds and the levy of taxes for such purposes' as extended to townships by further extending the provisions of this act so as to include the acquiring maintaining and operation of parks" so far as it relates to townships of the second class

(39) The act approved the twentieth day of April one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred fifty) entitled "An act making it unlawful for any architect or engineer in the employ of the Commonwealth or of any county municipality borough township or other subdivision of the Commonwealth and engaged in the preparation of plans specifications or estimates to bid on any public work or to be interested in contracts for public work making it unlawful for the officers of the Commonwealth or any county municipality borough township or other subdivision of the Commonwealth to award the contract to any such architect or engineer in the employ of the Commonwealth and fixing penalties" so far as it relates to townships of the second class and engineers and architects employed by such townships

(40) The act approved the twenty-third day of April one thousand nine hundred and twenty-seven (Pamphlet Laws

three hundred seventy-five) entiled "An act to amend section four of an act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred ninety-seven) entitled 'An act authorizing a State association of township supervisors and township commissioners and providing for the payment of the expenses thereof by the respective counties' increasing the amount townships may contribute for the expenses of the annual meeting" so far as it relates to townships of the second class

(41) The act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred ten) entitled "An act permittin townships of the first and second classes to connect for sewage purposes with existing sewers owned by adjacent municipalities and prescribing the procedure for so doing" so far as it relates to townships of the second class

(42) The act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred sixty) entitled "An act authorizing municipalities to acquire by gift or bequest and to operate and maintain motor ambulances" so far as it relates to townships of the second class

(43) The act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws seven hundred thirty-eight) entitled "An act requiring counties cities boroughs towns townships school districts and poor districts when fixing rates of taxation in mills to express such rates also in dollars and cents" so far as it relates to townships of the second class

(44) The act approved the thirteenth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws nine hundred ninety-two) entitled "An act prohibiting cities boroughs towns and townships to increase or diminish the salary compensation or emoluments of elected officers after their election" so far as it relates to townships of the second class

(45 The act approved the twenty-eighth day of March one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred six) entitled "An act to amend section one of the act approved the tenth day of May one thousand nine hundred and seventeen (Pamphlet Laws one hundred fifty-eight) entitled 'An act to authorize counties cities boroughs towns townships school districts and poor districts to require a bond to protect labor and material-men and providing for suits thereon by laborers and material-men furnishing labor and material in and about the erection alteration addition and repair of public buildings' as amended extending the provisions of said act to roads and bridges and machinery" so far as it relates to townships of the second class

(46) The act approved the fourth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred forty-nine) entitled "An act providing for the maintenance of roads and streets on the boundary line between cities or boroughs and townships and the procedure in such cases" so far as it relates to townships of the second class

(47) The act approved the eleventh day of April one thousand nine hundred and twenty-nine (Pamphlet Laws five hundred eighteen) entitled "An act to amend the act approved the sixth day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred forty-seven) entitled 'An act requiring all counties cities boroughs townships school districts and other municipalities and incorporated districts to sell any bonds or other securities issued by them to the highest responsible bidder after due public notice' providing for private sales where no bids are received" so far as it relates to townships of the second class

(48) The act approved the twenty-second day of April one thousand nine hundred and twenty-nine (Pamphlet Laws six hundred thirty) entitled "An act providing for the payment of counsel fees out of moneys recovered for counties townships boroughs school districts or poor districts upon appeals from the county auditors' settlements of the account of public officers" so far as it relates to townships of the second class

(49) The act approved the twenty-fifth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws seven hundred seventy-seven) entitled "An act fixing the time when interest shall begin to run on the amounts fixed in reports of viewers for the taking injury and destruction of property by the right of eminent domain" so far as it relates to townships of the second class except road views in such townships

(50) The act approved the twenty-fifth da of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand three hundred sixty-four) entitled "An act to amend clause eight of section three hundred eight-one and clause four of section three hundred eighty-six as amended of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred forty) entitled 'An act concerning townships and revising amending and consolidating the law relating thereto' by authorizing townships to lend or lease road machinery to and to contract to build and maintain driveways on lands of school disericts" so far as it relates to townships of the second class

All other acts and parts of acts inconsistent with this act are repealed This act shall not repeal or modify any of the provisions of the Public Service Company Law nor the act entitled "An act to preserve the purity of the waters of the State for the protection of the public health" approved the twenty-second day of April one thousand nine hundred and five nor the act of the twenty-fifth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred fifty-five) entitled "An act providing for the regulation of dams or other structures or obstructions as defined herein in along across or projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of this Commonwealth vesting certain powers and duties in the Water Supply Commission of Pennsylvania for this purpose and providing penalties for the violation of the provisions hereof" except as modified by section one thousand three hundred and fifteen herein nor any law relating to the Board of Commissioners of Navigation for the River Delaware and its navigable tributaries nor shall this act repeal or modify any of the provisions of any act of Assembly amendatory of law in force at the time of the passage of this act or otherwise adopted at the Session of the General Assembly of one thousand nine hundred and thirty-three whether such acts were adopted prior to the passage of this act or shall be adopted subsequent to the passage of this act nor shall this act repeal any such act or part thereof in force at the time of the passage of this act which is amended by any act of Assembly adopted at the Session of the General Assembly of one thousand nine hundred and thirty-three

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

TIME EXTENDED ON BILL

Mr. BLUMBERG. Mr. Speaker, I move that the time on House Bill No. 1188, Printer's No. 171, entitled:

An Act exempting shoe repairing machinery and tools and the appurtenances thereto, leased, loaned, hired or conditionally sold, from levy or sale on execution or distress for rent.

on page 50 of today's calendar, bills on third reading postponed, be extended five days.

The motion was agreed to.

RECONSIDERATION OF HOUSE BILL No. 810

Mr. BLUMBERG. Mr. Speaker, I move that the vote by which House Bill No. 810, Printer's No. 315, entitled:

An Act to amend section thirteen of the act approved the seventeenth day of May, one thousand nine hundred and seventeen (P. L. 208), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words 'drug' and 'poison'; and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law; and providing for the purchase of samples of drugs for determining their quality, strength, and purity;" as amended removing liver products from the provision which prohibits the sale of medicines containing substances of glandular origin except by registered pharmacists and assistants

was defeated on final passage on Wednesday, March 29, 1933, be reconsidered.

Mr. NEGLEY. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Blumberg, vote on the final passage of this bill?

Mr. BLUMBERG. I voted "no," Mr. Speaker.

The SPEAKER. How did the gentleman from Butler, Mr. Negley, vote on the final passage of this bill?

Mr. NEGLEY. I voted "no," Mr. Speaker.

On the question,

Will the House agree to the motion?

Mr. WITKIN. Mr. Speaker and members of the House, there appears to have been a general misunderstanding concerning the purport of this bill. I have had at least twenty-five or thirty members of this House tell me they misunderstood the purpose for which this bill stood. If the motion to reconsider is passed I will then move that the bill be placed on the postponed calendar and trust that between now and next week everybody will have had an opportunity to find out just what this bill does, because it benefits the farmer and the general merchant in your community instead of hurting them. I will ask you to vote to reconsider this bill and will then make a motion to place it on the postponed calendar and I am sure it will meet with your approval after you digest it.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. WITKIN. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL RECOMMITTED

Mr. TERRY. Mr. Speaker, I move that House Bill No. 1684, Senate Bill No. 155, Printer's No. 250, entitled:

An Act for the protection of the public health and to prevent fraud and deception in the manufacture, sale, offering for sale, exposing for sale, and having in possession with intent to sell, of adulterated or deleterious ice cream, custard ice cream, french ice cream, french custard, frozen custard, sherbet ice and fruit ice, including coated ice cream and the coating thereof; fixing standards for ice cream, custard ice cream, french ice cream, french custard, frozen custard, sherbet, ice and fruit ice, and to prevent the sale of imitation ice cream and defining said imitation ice cream; providing penalties for the violation thereof, and providing for the enforcement thereof,

on page 44 of today's calendar, bills on second reading be recommitted to the Committee on Public Health and Sanitation.

The motion was agreed to.

TIME EXTENDED ON BILL

Mr. LONG. Mr. Speaker, I move that the time on House Bill No. 1371, Printer's No. 287, entitled:

An Act to further amend sections three, five and six of the act approved the tenth day of June, one thousand eight hundred and ninety-three (P. L. 419), entitled "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections"; by increasing the number of signers to nomination papers, changing the time for filing same and changing the time for filing objections thereto.

on page 52 of today's calendar, bills on final passage postponed, be extended five days.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 859, entitled:

An Act providing means of attaching or appropriating judgments held by residents against non-resident defendants

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178

Baker,	Haines,	McGrail,	Shellenberger,
Baldi,	Hamilton,	McGregor,	Shettel,
Barnhardt,	Harmuth,	McKay,	Shortz,
Bechtel,	Harris,	McKinney,	Shreiner,
Beech,	Hart,	Melchiorre,	Shugarts,
Bennett,	Heffernan,	Meredith,	Sinwell,
Bernhard,	Hefferon,	Merrell,	Snyder,
Blumberg,	Heffner,	Metzler,	Sowers,
Boyd,	Hermansen,	Mohn,	Spann,
Brancato,	Hester,	Moore,	Stank,
Brennan,	Hewitt,	Mumford,	Steedle,
Brown, W. L.,	Himes, L. R.,	Myers,	Sterling, P.,
Brownfield,	Hoffman,	Negley,	Stevens,
Cannon,	Holmes, J. L.,	Nothnagle,	Stevenson,
Caputo,	Hoopes,	O'Connor,	Stiteler,
Carson,	Horst,	O'Keefe,	Stone,
Chervenak,	Hough,	O'Neill,	Storb,
Conner,	Howard,	O'Rourke,	Stott,
Cooke,	Hutton,	Patterson,	Surface,
Cordier,	Jaffe,	Peelor,	Tahl,
Craig,	Jones,	Pennock,	Terry,
Dane,	Kane, J. J.,	Perry, D. R.,	Turner,
Davies,	King,	Perry, J. J.,	Wagner,
DeFrehn,	Kinney,	Peters,	Walker, G. E.,
Denning,	Labar,	Powell,	Walker, W. A.,
Downey, G. E.,	Laubach,	Price,	Wall,
Downey, J.,	Lenahan,	Quinn,	Wasserman,
Dunmire,	Lewis,	Raub,	Way,
Dwyer,	Long,	Rectenwald,	Weidemann,
Ederer,	Lord,	Reed,	Welsh,
Emhardt,	Lose,	Reilly,	Westrick,
Eroe,	Lovett, J. E.,	Rice,	White,
Evans,	Lovett, W. S.,	Roan,	Wike,
Fitzgerald,	Lynch, J. R.,	Root,	Williams, G. W.,
Flanagan,	Male,	Royle,	Williams, J. J.,
Flinchbaugh,	Malina,	Ruby,	Wilson, L. M.,
Flynn,	Maloney,	Ruth,	Wilson, T. B.,
Forrest,	Marcks,	Sarig,	Witkin,
Furman,	Mason,	Sautter,	Wood,
Gallagher,	McBride,	Schrock,	Woodside,
Gartner,	McCandless,	Schwab,	Wright,
Gillette,	McClure,	Schwartz,	Yeakel,
Green,	McCreary,	Scorza,	Zimmerman,
Greenstein,	McElwee,	Scott,	Talbot,
Griffith,	McGinnis,	Sheffer,	Speaker.
Habbyshaw,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

TIME EXTENDED ON BILL

Mr. STEEDLE. Mr. Speaker, I move that the time on House Bill No. 902, Printer's No. 142, entitled:

An Act to amend the title and sections one and three of the act approved the fourteenth day of April, one thousand nine hundred and thirty-one (P. L. 38), entitled "An act regulating the removal or dismissal of policemen and firemen in cities of the second class A"; extending the provisions of said act to cities of the second class.

on page 52 of today's calendar, bills on final passage postponed, be extended five days.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order

The House proceeded to the third reading and consideration of House Bill No. 1180, entitled:

An Act to amend section one of article one of the act approved the second day of June, one thousand eight hundred and ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the antharcite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," by extending the provisions of the act to all anthracite mines or collieries that employ five or more persons, and authorizing the mine inspectors to enter and inspect all mines employing from two to five persons for the purpose of determining whether or not the mine is generally safe.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181

Andrews,	Hamilton,	McGrail,	Shortz,
Baker,	Harmuth,	McGregor,	Shreiner,
Baldi,	Harris,	McKay,	Shugarts,
Barnhardt,	Hart,	McKinney,	Simon,
Bechtel,	Heffernan,	Meredith,	Sinwell,
Beech,	Hefferon,	Merrell,	Snyder,
Bennett,	Heffner,	Metzler,	Sowers,
Bernhard,	Hermansen,	Mohn,	Spann,
Boyd,	Hester,	Moore,	Stank,
Brancato,	Hewitt,	Mumford,	Steedle,
Brennan,	Himes, L. R.,	Munley,	Sterling, P.,
Brown, J. E.,	Hoffman,	Myers,	Sterling, R. B.,
Brownfield,	Holmes, J. B.,	Negley,	Stevens,
Carey,	Holmes, J. L.,	Nothnagle,	Stevenson,
Carson,	Hoopes,	O'Connor,	Storb,
Chervenak,	Horst,	O'Keefe,	Stone,
Conner,	Hough,	O'Neill,	Stott,
Cooke,	Howard,	Patterson,	Surface,
Cordier,	Hutton,	Peelor,	Tahl,
Craig,	Jaffe,	Pennock,	Terry,
Cramer,	Jones,	Perry, D. R.,	Turner,
Davies,	Kane, J. J.,	Perry, J. J.,	Wade,
DeFrehn,	King,	Peters,	Walker, G. E.,
Denning,	Kinney,	Powell,	Walker, W. A.,
Downey, G. E.,	Labar,	Powers,	Wall,
Downey, J.,	Lane,	Price,	Wasserman,
Dunmire,	Laubach,	Rectenwald,	Way,
Dwyer,	Lenahan,	Reed,	Weidemann,
Ederer,	Lewis,	Reilly,	Welsh,
Emhardt,	Long,	Rhodes,	Westrick,
Eroe,	Lord,	Rice,	White,
Evans,	Lose,	Roan,	Wike,
Fitzgerald,	Lovett, J. E.,	Root,	Williams, G. W.,
Flanagan,	Lynch, J. R.,	Roth,	Williams, J. J.,
Flinchbaugh,	Male,	Ruby,	Wilson, L. M.,
Flynn,	Malina,	Ruth,	Wilson, T. B.,
Forrest,	Maloney,	Sarig,	Witkin,
Gallagher,	Marcks,	Sautter,	Wood,
Gartner,	Mason,	Schrock,	Woodside,
Gillette,	McBride,	Schwab,	Wright,
Gorman,	McCandless,	Schwartz,	Yeakel,
Green,	McClure,	Scott,	Yourishin,
Greenstein,	McCreary,	Sheffer,	Zimmerman,
Griffith,	McElwee,	Shellenberger,	Talbot,
Habbyshaw,	McGinnis,	Shettel,	Speaker.
Haines,			

NAYS—0

The majority required by the constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1407, entitled:

An Act to amend sections ten, eleven and thirteen of the act, approved the twelfth day of July, one thousand nine hundred and nineteen (P. L. 933), entitled "An act to regulate the practice of architecture in the Commonwealth of Pennsylvania by providing for the examination and registration of architects by a State Board of Examiners; defining the power and duties of said board of examiners; and providing penalties for the violation of this act," fixing the fee for renewal certificates, and extending the powers of the board as to revocation and suspension of certificates.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180

Andrews,	Greenstein,	McGinnis,	Shettel,
Baker,	Griffith,	McGrail,	Shortz,
Baldi,	Habbyshaw,	McGregor,	Shreiner,
Barnhardt,	Haines,	McKay,	Simon,
Bechtel,	Hamilton,	McKinney,	Sinwell,
Beech,	Harmuth,	Melchiorre,	Snyder,
Bennett,	Harris,	Meredith,	Sowers,
Bernhard,	Hart,	Merrell,	Spann,
Boyd,	Heffernan,	Metzler,	Steedle,
Brancato,	Hefferon,	Moore,	Sterling, P.,
Brennan,	Heffner,	Mumford,	Sterling, R. B.,
Brown, J. E.,	Hermansen,	Munley,	Stevens,
Brown, W. L.,	Hester,	Myers,	Stevenson,
Brownfield,	Hewitt,	Negley,	Stiteler,
Caputo,	Hoffman,	Nothnagle,	Storb,
Carey,	Holmes, J. L.,	O'Connor,	Stott,
Carson,	Hoopes,	O'Keefe,	Surface,
Chervenak,	Horst,	O'Neill,	Tahl,
Cohen,	Hough,	Patterson,	Terry,
Conner,	Howard,	Peelor,	Turner,
Cordier,	Hutton,	Pennock,	Wade,
Craig,	Jaffe,	Perry, D. R.,	Wagner,
Cramer,	Jones,	Perry, J. J.,	Walker, G. E.,
Dane,	Kane, J. J.,	Peters,	Walker, W. A.,
Davies,	King,	Powers,	Wall,
DeFrehn,	Kinney,	Price,	Wasserman,
Denning,	Labar,	Raub,	Way,
Downey, G. E.,	Lane,	Rectenwald,	Weidemann,
Duffy,	Laubach,	Reed,	Welsh,
Dunmire,	Lenahan,	Reilly,	Westrick,
Dwyer,	Lewis,	Rice,	White,
Ederer,	Long,	Roan,	Wike,
Emhardt,	Lord,	Root,	Williams, G. W.,
Eroe,	Lose,	Royle,	Williams, J. J.,
Evans,	Lovett, W. S.,	Ruby,	Wilson, L. M.,
Fitzgerald,	Lynch, J. R.,	Ruth,	Wilson, T. B.,
Flanagan,	Lynch, M.,	Sarig,	Witkin,
Fleisher,	Malina,	Sautter,	Wood,
Flinchbaugh,	Maloney,	Schrock,	Woodside,
Flynn,	Marcks,	Schrope,	Wright,
Forrest,	Mason,	Schwartz,	Yeakel,
Gallagher,	McBride,	Scorza,	Yourishin,
Gartner,	McCandless,	Scott,	Zimmerman,
Gillette,	McClure,	Sheffer,	Talbot,
Gorman,	McCreary,	Shellenberger,	Speaker.
Green,	McElwee,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1157, entitled:

An Act to amend section three of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 831), entitled "An act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Com-

monwealth; prescribing the qualifications, defining the powers and duties and fixing the compensation of such examiners; providing for the appointment and removal of inspectors of anthracite mines; prescribing their qualifications, and regulating their salaries and terms of office: and abolishing the terms of office of the present mine inspectors of the anthracite mines," by defining the term "coal miners."

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. YOURISHIN. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1730, entitled:

An Act providing for the ascertainment and assessment of damages for coal underlying property condemned for highway purposes

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows ,viz:

YEAS—183

Andrews,	Greenstein,	McElwee,	Sheffer,
Baker,	Griffith,	McGinnis,	Shellenberger,
Baldi,	Habbyshaw,	McGrail,	Shenkel,
Barnhardt,	Haines,	McGregor,	Shettel,
Bechtel,	Hamilton,	McHenry,	Shreiner,
Beech,	Harmuth,	McKay,	Shugarts,
Bennett,	Harris,	McKinney,	Simon,
Bernhard,	Hart,	Melchiorre,	Sinwell,
Blumberg,	Heffernan,	Merrell,	Snyder,
Boyd,	Hefferon,	Metzler,	Sowers,
Brancato,	Heffner,	Mohn,	Spann,
Brennan,	Hermansen,	Moore,	Stank,
Brown, W. L.,	Hester,	Mumford,	Steedle,
Brownfield,	Hewitt,	Munley,	Sterling, R. B.,
Cannon,	Himes, L. R.,	Myers,	Stevens,
Caputo,	Hoffman,	Negley,	Stevenson,
Carey,	Holmes, J. B.,	Nothnagle,	Stiteler,
Carson,	Hoopes,	O'Connor,	Stone,
Chervenak,	Horst,	O'Keefe,	Stott,
Conner,	Hough,	O'Neill,	Surface,
Cooke,	Howard,	Patterson,	Tahl,
Cordier,	Hutton,	Peelor,	Terry,
Craig,	Jaffe,	Pennock,	Turner,
Dane,	Jones,	Perry, D. R.,	Wade,
Davies,	Kane, J. J.,	Perry, J. J.,	Wagner,
DeFrehn,	Kane, L. P.,	Peters,	Walker, W. A.,
Denning,	King,	Powell,	Wall,
Downey, G. E.,	Kinney,	Powers,	Wasserman,
Downey, J.,	Lane,	Price,	Way,
Duffy,	Laubach,	Quinn,	Weidemann,
Dunmire,	Lenahan,	Rectenwald,	Welsh,
Dwyer,	Lewis,	Reed,	Westrick,
Ederer,	Long,	Reilly,	White,
Emhardt,	Lord,	Rhodes,	Wike,
Eroe,	Lose,	Rice,	Williams, G. W.,
Evans,	Lovett, J. E.,	Roan,	Williams, J. J.,
Fitzgerald,	Lovett, W. S.,	Roth,	Wilson, L. M.,
Fleisher,	Lynch, M.,	Royle,	Witkin,
Flinchbaugh,	Male,	Ruby,	Wood,
Flynn,	Malina,	Sarig,	Woodside,
Forrest,	Maloney,	Sautter,	Wright,
Furman,	Marcks,	Schrock,	Yeakel,
Gallagher,	Mason,	Schrope,	Yourishin,
Gartner,	McBride,	Schwab,	Zimmerman,
Gillette,	McCandless,	Schwartz,	Talbot,
Gorman,	McClure,	Scott,	Speaker.
Green,			

NAYS—0

The majority required by the Constitution having voted in in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1358 (Senate Bill No. 362), entitled:

An Act validating certain proceedings and elections of municipalities had and held pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred and seventy-four (P. L. 65), entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176

Andrews,	Griffith,	McGregor,	Shortz,
Baker,	Habbyshaw,	McHenry,	Shreiner,
Baldi,	Haines,	McKay,	Simon,
Barnhardt,	Hamilton,	McKinney,	Sinwell,
Bechtel,	Harmuth,	Melchiorre,	Snyder,
Beech,	Harris,	Meredith,	Sowers,
Bennett,	Hart,	Merrell,	Spann,
Blumberg,	Heffernan,	Metzler,	Steedle,
Boyd,	Hefferon,	Moore,	Sterling, P.,
Brancato,	Heffner,	Mumford,	Sterling, R. B.,
Brennan,	Hermansen,	Myers,	Stevens,
Brown, J. E.,	Hester,	Negley,	Stevenson,
Brownfield,	Hewitt,	Nothnagle,	Stone,
Cannon,	Hoffman,	O'Connor,	Storb,
Caputo,	Holmes, J. B.,	O'Keefe,	Stott,
Carson,	Holmes, J. L.,	O'Rourke,	Surface,
Chervenak,	Hoopes,	Patterson,	Tahl,
Cohen,	Horst,	Peelor,	Terry,
Conner,	Hough,	Pennock,	Turner,
Cooke,	Hutton,	Perry, D. R.,	Wade,
Cordier,	Jaffe,	Perry, J. J.,	Wagner,
Cramer,	Jones,	Peters,	Walker, G. E.,
Dane,	Kane, L. P.,	Powell,	Walker, W. A.,
Davies,	King,	Price,	Wall,
DeFrehn,	Kinney,	Quinn,	Wasserman,
Denning,	Labar,	Reed,	Way,
Downey, J.,	Lane,	Reilly,	Weidemann,
Duffy,	Laubach,	Rhodes,	Welsh,
Dunmire,	Lenahan,	Rice,	Westrick,
Dwyer,	Long,	Roan,	White,
Ederer,	Lord,	Root,	Wike,
Emhardt,	Lose,	Roth,	Williams, G. W.,
Eroe,	Lovett, J. E.,	Ruby,	Williams, J. J.,
Evans,	Lovett, W. S.,	Ruth,	Wilson, L. M.,
Flanagan,	Lynch, M.,	Sarig,	Wilson, T. B.,
Fleisher,	Male,	Sautter,	Witkin,
Flinchbaugh,	Malina,	Schrock,	Wood,
Flynn,	Marcks,	Schrope,	Woodside,
Forrest,	Mason,	Schwartz,	Wright,
Furman,	McBride,	Scorza,	Yeakel,
Gartner,	McCandless,	Scott,	Yourishin,
Gillette,	McClure,	Sheffer,	Zimmerman,
Gorman,	McCreary,	Shellenberger,	Talbot,
Green,	McElwee,	Shettel,	Speaker.
Greenstein,	McGinnis,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 74, as follows:

An Act to amend section one thousand two hundred and seven of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Departmentof Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous recepts making an appropriation and providing for refunds" as amended providing for the reimbursement from fines penalties and forfeited bail collected of counties for costs imposed on them as the result of prosecutions under this act and for the adjustment of the accounts of counties by the Auditor General

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand two hundred and seven of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making a appropriation and providing for refunds" as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws seven hundred fifty-one) entitled "An act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled 'For the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forefeitures fees and miscellaneous receipts making an appropriation and providing for refunds' by further regulating the registration and titling of motor vehicles trailers and semi-trailers their operation on the highway the licensing of operators and the suspension of licenses making certain changes in fees modifying penalties and procedure for enforcement and affecting the powers duties and rights of political subdivisions of the Commonwealth and their officers the Department of Highways the Department of Revenue and the courts" is hereby further amended to read as follows

Section 1207 Disposition of Fines and Forfeitures Reimbursement of Counties for Costs

(a) All fines and penalties collected under the provisions of this act for violations of the same and all bail forfeited shall be paid to the department and transmitted to the State Treasury and credited to the "Motor License Fund" except those for the reimbursement of Counties as hereinafter provided and except those collected for violations of the provisions of sections nine hundred and three (903) nine hundred and five (905) one thousand and two (1002) one thousand and eleven (1011) one thousand and fifteen (1015) one thousand and eighteen (1018) one thousand and twenty (1020) one thousand and twenty-six (1026) one thousand and twenty-eight (1028) of this act committed within cities boroughs incorporated towns and townships which fines and penalties and all bail forfeited shall be paid to the treasurer of the city borough incorporated town or township wherein the violation occurred to be used by such city borough incorporated town or township for the construction repair and maintenance of the highways thereof Provided That all fines and penalties collected and all bail forfeited for violations of the provisions of section one thousand and sixteen (1016) committed within cities boroughs and incorporated towns shall be paid to the treasury of the city borough or incorporated town wherein the violation occurred to be used by such city borough incorporated town for the construction repair and maintenance of the highways thereof Provided further That the Commonwealth shall be liable to the several counties of this Commonwealth for the repayment to them out of the fines penalties and forefeited bail collected by counties of all costs which are imposed upon said counties by verdicts of juries or payable by said counties by operation of law as the result of criminal prosecutions brought under the provisions of this act The Auditor General shall annually for the calendar year adjust the accounts of each county relative to fines penalties and forfeited bail collected adjusting and deducting therefrom the costs imposed upon such county and certify the amount due if any by each such county to the Department of Revenue for collection and payment into the Motor License Fund In no event shall the amount paid to any county for costs exceed the amount of fines penalties and forfeited bail collected by such county

(b) Sworn statements of all fines and penalties so collected and all bail forfeited shall also be made by the magistrate or other officer imposing or receiving the same to the secretary upon forms furnished by the department such reports shall be made monthly not later than the tenth (10th) day of the following month

Penalty Any magistrate or other officer who shall fail to make such monthly reports and returns or either of them shall be guilty of a misdemeanor in office and upon conviction thereof in a court of quarter sessions shall be sentenced to pay a fine of five hundred ($500.00) dollars and costs of prosecution or undergo imprisonment for not more than sixty (60) days or suffer both such fine and imprisonment

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—177

Baker,	Harmuth,	McKay,	Shettel,
Baldi,	Harris,	McKinney,	Shortz,
Barnhardt,	Hart,	Melchiorre,	Shreiner,
Bechtel,	Hartman,	Meredith,	Shugarts,
Beech,	Heffernan,	Merrell,	Sinwell,
Bennett,	Hefferon,	Metzier,	Snyder,
Bernhard,	Heffner,	Mohn,	Sowers,
Blumberg,	Hermansen,	Mumford,	Spann,

Boyd,	Hester,	Munley,	Stank,
Brancato,	Hewitt,	Myers,	Steedle,
Brennan,	Hoffman,	Negley,	Sterling, P.,
Brown, W. L.,	Holmes, J. B.,	Nothnagle,	Sterling, R. B.,
Cannon,	Hoopes,	O'Connor,	Stevens,
Caputo,	Horst,	O'Keefe,	Stevenson,
Carey,	Hough,	O'Neill,	Stiteler,
Chervenak,	Howard,	O'Rourke,	Storb,
Conner,	Hutton,	Patterson,	Stone,
Cooke,	Jaffe,	Peelor,	Surface,
Cordier,	Jones,	Pennock,	Tahl,
Cramer,	Kane, L. P.,	Perry, D. R.,	Terry,
Dane,	King,	Perry, J. J.,	Turner,
Davies,	Kinney,	Peters,	Wade,
DeFrehn,	Labar,	Powell,	Wagner,
Denning,	Lane,	Powers,	Walker, G. E.,
Downey, J.,	Laubach,	Price,	Wall,
Duffy,	Lenahan,	Rectenwald,	Wasserman,
Dunmire,	Lewis,	Reed,	Way,
Dwyer,	Long,	Reilly,	Weidemann,
Ederer,	Lord,	Rhodes,	Welsh,
Emhardt,	Lose,	Rice,	Westrick,
Eroe,	Lovett, J. E.,	Roan,	White,
Evans,	Lynch, J. R.,	Root,	Wike,
Flanagan,	Lynch, M.,	Roth,	Williams, G. W.,
Fleisher,	Malina,	Ruby,	Williams, J. J.,
Flinchbaugh,	Maloney,	Ruth,	Wilson, L. M.,
Flynn,	Marcks,	Sarig,	Wilson, T. B.,
Forrest,	Mason,	Sautter,	Witkin,
Furman,	McBride,	Schrock,	Wood,
Gartner,	McClure,	Schrope,	Woodside,
Gillette,	McCreary,	Schwab,	Wright,
Green,	McElwee,	Schwartz,	Yeakel,
Greenstein,	McGinnis,	Scorza,	Yourishin,
Griffith,	McGrail,	Sheffer,	Zimmerman,
Habbyshaw,	McGregor,	Shellenberger,	Talbot,
Haines,	McHenry,	Shenkel,	Speaker.
Hamilton,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. The Chair requests the gentleman from Monroe, Mr. Rhodes, to preside over this body.

(MR. CHESTER H. RHOADS IN THE CHAIR)

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1086, entitled:

An Act to amend section one of the act, approved the twenty-eighth day of April, one thousand eight hundred and ninety-nine (P. L. 117), entitled, "An act making it unlawful for any person to hold himself out or advertise himself as a lawyer, attorney-at-law or counsellor-at-law in any county of the State of Pennsylvania, unless duly admitted to practice by a court of record of any county in this Commonwealth, and providing a penalty therefor," as amended, by defining and prohibiting certain acts related to the practice of law by persons, partnerships, associations and corporations not duly and regularly admitted to practice law.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

NAYS—176

Baker,	Habbyshaw,	McKinney,	Shettel,
Baldi,	Haines,	Melchiorre,	Shortz,
Barnhardt,	Hamilton,	Meredith,	Shreiner,
Bechtel,	Harris,	Merrell,	Shugarts,
Beech,	Hart,	Metzler,	Simon,
Bennett,	Heffernan,	Mohn,	Sinwell,
Bernhard,	Hefferon,	Mumford,	Snyder,
Blumberg,	Heffner,	Munley,	Sowers,
Boyd,	Hermansen,	Myers,	Spann,
Brancato,	Hester,	Negley,	Steedle,
Brennan,	Hewitt,	Nothnagle,	Sterling, P.,
Brown, J. E.,	Hoffman,	O'Connor,	Stevens,
Brown, W. L.,	Holmes, J. L.,	O'Keefe,	Stevenson,
Brownfield,	Hoopes,	O'Neill,	Stiteler,
Caputo,	Horst,	O'Rourke,	Storb,
Carey,	Hough,	Patterson,	Stone,
Carson,	Hutton,	Peelor,	Stott,
Cohen,	Jaffe,	Pennock,	Surface,
Conner,	Jones,	Perry, D. R.,	Tahl,
Cooke,	Kane, J. J.,	Perry, J. J.,	Terry,
Cordier,	King,	Peters,	Turner,
Craig,	Kinney,	Powell,	Wade,
Cramer,	Labar,	Powers,	Wagner,
Davies,	Laubach,	Price,	Walker, W. A.,
DeFrehn,	Lenahan,	Rectenwald,	Wall,
Denning,	Lewis,	Reed,	Wasserman,
Downey, J.,	Long,	Reilly,	Way,
Duffy,	Lord,	Rhodes,	Weidemann,
Dunmire,	Lose,	Rice,	Welsh,
Ederer,	Lovett, J. E.,	Roan,	Westrick,
Emhardt,	Lynch, J. R.,	Roth,	White,
Eroe,	Lynch, M.,	Ruby,	Wike,
Evans,	Male,	Ruth,	Williams, J. J.,
Flanagan,	Maloney,	Sarig,	Wilson, L. M.,
Fleisher,	Marcks,	Sautter,	Wilson, T. B.,
Flinchbaugh,	Mason,	Schrock,	Witkin,
Flynn,	McBride,	Schrope,	Wood,
Forrest,	McCandless,	Schwab,	Woodside,
Furman,	McClure,	Schwartz,	Wright,
Gartner,	McCreary,	Scorza,	Yeakel,
Gillette,	McElwee,	Scott,	Yourishin,
Gorman,	McGinnis,	Sheffer,	Zimmerman,
Green,	McGregor,	Shellenberger,	Talbot,
Greenstein,	McHenry,	Shenkel,	Speaker.
Griffith,	McKay,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 648

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 29, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate, recalling from the Governor House Bill No. 648, Printer's No. 89, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

BILL LAID ON TABLE

Mr. O'ROURKE. Mr. Speaker, I move that this bill together with the message be laid upon the table.

The motion was agreed to.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair, at the request of the Chief Clerk, desires to announce that House Bill No. 22, has been placed on the desks of the members. Please preserve them as no more will be printed.

(SPEAKER GROVER C. TALBOT IN THE CHAIR)

ADJOURNMENT

Mr. HOWARD. Mr. Speaker, I move that this House do now adjourn until Monday evening, April 3, 1933, at 9 o'clock. The motion was agreed to, and (at 12.15 P. M.) the House adjourned until Monday, April 3, 1933, at 9 o'clock.

The motion was agreed to, and (at 12.15 P. M.) the House adjourned until Monday, April 3, 1933, at 9.00 o'clock P. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1933 **130th of the General Assembly**

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SENATE

MONDAY, April 3, 1933

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

PRAYER

The Chaplain, Rev. George P. Donehoo, offered the following prayer:

Almighty God, our Heavenly Father, we thank Thee for this beautiful day, for the serenity of the sunshine and quietness of the mountains. We beseech Thee tonight that Thou wouldst give everyone of us true serenity of soul, that nothing can disturb, neither defeat nor victory may ruffle, the depths of our souls, that we may have freedom from anxiety, and that the storm, tempest and sunshine may leave the depths of our souls undisturbed in order that we may be the captains of our own souls.

We thank Thee tonight for the honor and for the great privilege that the presiding officer of this Senate had given to him. We thank Thee that a man of the serenity of life and evenness of disposition which is his blessed possession is in command of the soldiers of this State. We thank Thee for what he is and for what this State will be because he is in command. Bless him as presiding officer of this Senate tonight, and we rejoice with him in his honor and in the great honor he himself has bestowed on this Commonwealth.

All these blessings we ask in Thy Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TRAINER, the further reading was dispensed with, and the Journal was approved.

PETITIONS

FAVORING ENACTMENT OF SENATE BILL No. 689

The Chair cleared his table and laid before the Senate petitions from

Grosser Brothers Department Store, Johnstown,
Johnstown City Council, Johnstown.

favoring the enactment of Senate Bill No. 689.

Which were referred to the Committee on Appropriations.

PROTESTING AGAINST THE REPEAL OR MODIFICATION OF THE "SUNDAY LAWS"

The Chair cleared his table and laid before the Senate petition from Dormont-Mt. Lebanon Ministerial Association protesting against the repeal or modification of the "Sunday Laws."

Which was referred to the Committee on Law and Order.

PROTESTING AGAINST PUBLIC SERVICE COMMISSION'S GENERAL ORDER No. 29

Mr. REED presented petition from citizens of Gratz protesting against Public Service Commission's General Order No. 29.

Which was referred to the Committee on Public Roads and Highways.

Mr. EALY presented petition from citizens of Calvin Bank, Bedford County, protesting against Public Service Commission's General Order No. 29.

Which was referred to the Committee on Public Roads and Highways.

LEAVE OF ABSENCE

Mr. SALUS asked and obtained leave of absence for the Senator from Philadelphia, Mr. Woodward, for the balance of the week.

SENATE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 74 (Senate Bill No. 857), entitled:

An Act to amend section one thousand two hundred and seven of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled, "Vehicle Code," as amended, providing for the reimbursement from fines, penalties and forfeited bail collected of counties for costs and the maintenance of prisoners imposed on them as the result of prosecutions under this act, and for the adjustment of the accounts of counties by the Auditor General.

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 859 (Senate Bill No. 858), entitled:

An Act providing means of attaching or appropriating judgments held by residents against non-resident defendants.

Which was committed to the Committee on Judiciary General.

House Bill No. 1086 (Senate Bill No. 859), entitled:

An Act to amend section one of the act, approved the twenty-eighth day of April, one thousand eight hundred and ninety-nine (P. L. 117), entitled, "An act making it unlawful for any

person to hold himself out or advertise himself as a lawyer, attorney-at-law or counsellor-at-law in any county of the State of Pennsylvania, unless duly admitted to practice by a court of record of any county in this Commonwealth, and providing a penalty therefor," as amended, by defining and prohibiting certain acts related to the practice of law by persons, partnerships, associations and corporations not duly and regularly admitted to practice law.

Which was committed to the Committee on Judiciary General.

House Bill No. 1180 (Senate Bill No. 860), entitled:

An Act to amend section one of article one of the act approved the second day of June, one thousand eight hundred and ninety-one (P. L. 176), entitled "Anthracite Coal Mining Law," by extending the provisions of the act to all anthracite mines or collieries that employ five or more persons, and authorizing the mine inspectors to enter and inspect all mines employing from two to five persons for the purpose of determining whether or not the mine is generally safe.

Which was committed to the Committee on Mines and Mining.

House Bill No. 1407 (Senate Bill No. 861), entitled:

An Act to amend sections ten, eleven and thirteen of the act, approved the twelfth day of July, one thousand nine hundred and nineteen (P. L. 933), entitled "Architects Registration Law," fixing the fee for renewal certificates, and extending the powers of the board as to revocation and suspension of certificates.

Which was committed to the Committee on Education.

House Bill No. 1730 (Senate Bill No. 862), entitled:

An Act providing for the ascertainment and assessment of damages for coal underlying property condemned for highway purposes.

Which was committed to the Committee on Mines and Mining.

House Bill No. 664 (Senate Bill No 863), entitled:

An Act making an appropriation for the purpose of maintaining the public roads through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 864 (Senate Bill No. 864), entitled:

An Act to repeal article twenty-one of the act, approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309, entitled "Public School Code."

Which was committed to the Committee on Education.

House Bill No. 950 (Senate Bill No. 865), entitled:

An Act prohibiting the marking of articles manufactured, assembled, or produced without the United States as having been manufactured, assembled or produced within the United States, prohibiting the removal of tags or markings therefrom showing foreign manufacture and prohibiting the sale of foreign made articles as having been manufactured in the United States and providing penalties.

Which was committed to the Committee on Judiciary General.

House Bill No. 1146 (Senate Bill No. 866), entitled:

An Act to repeal section three of the act approved the eighth day of April, one thousand eight hundred and fifty-two (P. L. 296), entitled, "An act relative to county offices of Clarion County; to certain streets in the borough of Brookville and to hawkers and peddlers in Bedford County."

Which was committed to the Committee on Repeal Bills.

House Bill No. 1163 (Senate Bill No. 867), entitled:

A Supplement to the act, approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand five hundred thirty), entitled "Pymatuning Swamp Reservoir Project Law" authorizing the construction of a dam and spillway at the outlet of Pymatuning Swamp on lands acquired therefor, and making an appropriation to the Department of Forests and Waters.

Which was committed to the Committee on Appropriations.

House Bill No. 1234 (Senate Bill No. 868), entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of an arbitration award for architectural services rendered in connection with the construction of the Farm Show Building.

Which was committed to the Committee on Appropriations.

House Bill No. 1279 Senate Bill No. 869), entitled:

An Act to amend article fourteen of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "Public School Code," by adding thereto a new section providing that the Department of Public Instruction shall reimburse school districts for educating children of employes of public institutions.

Which was committed to the Committee on Education.

House Bill No. 1487 (Senate Bill No. 870), entitled:

An Act making appropriations to the State Emergency Relief Board for expenditure by it and for the allocation and reallocation to political subdivisions charged by law with the care of the poor or to other subsituted agencies for direct and work relief defining the purposes for which such moneys may be expended providing for the audit of such expenditures and prescribing the powers and duties of the State Emergency Relief Board of cities coextensive with counties and of counties

Which was committed to the Committee on Appropriations.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 127

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 127, entitled:

An Act to amend section one thousand two hundred of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "Fiscal Code" taking out of the operation of the fiscal Code questions relating to the lien and payment of liquid fuel taxes, and referring such questions to the provisions of the liquid fuels tax acts

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 192

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 192, entitled:

An Act to amend section two of the act approved the tenth day of April one thousand eight hundred and seventy-nine (Pamphlet Laws sixteen) entitled "An act relating to mutual saving fund building and loan associations regulating the mode of charging premiums bonus or interest in advance of withdrawals of repayment and collection of loans also restricting the power to levy excessive fines and defining the rights and liabilities of married women stockholders and prescribing the non-application to these associations of the bonus tax and registry laws for corporations" by further regulating withdrawals

HOUSE CONCURS IN SENATE BILL No. 38

He also returned to the Senate, Senate Bill No. 38, entitled:

An Act making a deficiency appropriation to the Board of Finance and Revenue.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 176

He also returned to the Senate, Senate Bill No. 176, entitled:

A Joint Resolution proposing an amendment to section three article seventeen of the Constitution of the Commonwealth of Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 284

He also returned to the Senate, Senate Bill No. 284, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the State Workmen's Insurance Fund.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 283

He also returned to the Senate, Senate bill No. 283, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Manufacturing Fund.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 285

He also returned to the Senate, Senate Bill No. 285, entitled:

An Act making an appropriation from the Fish Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Fish Fund.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 286

He also returned to the Senate, Senate Bill No. 286, entitled:

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Motor License Fund.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 287

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Banking Department Fund.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 288

He also returned to the Senate, Senate Bill No. 288, entitled:

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Game Fund.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 320

He also returned to the Senate, Senate Bill No. 320, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, by adding thereto section seventeen.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 362

He also returned to the Senate, Senate Bill No. 362, entitled:

An Act validating certain proceedings and elections of municipalities had and held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

with the information that the House has passed the same without amendment.

He also presented extract from the Journal of the House of Representatives, which was twice read as follows and referred to the Committee on Mines and Mining.

JOINT COMMITTEE TO INVESTIGATE LIVING CONDITIONS OF PEOPLE IN THE STATE

In the House of Representatives, January 25, 1933.

Whereas, There exist in the Commonwealth of Pennsylvania more than one hundred communities of people living together in towns upon the property and within the limits of property owned by persons co-partnerships associations or corporations and known as company towns, and

Whereas, the citizens resident in these communities do not enjoy all the privileges of local self-government common to other American citizens and are dominated on all sides of their life by the owning persons co-partnerships associations or corporations, and

Whereas, from time to time social health economic educational and other public conditions have been revealed as inimical to American standards of public welfare and community life, and

Whereas, there is need for exact and unbiased information in regard to the conditions heretofore mentioned so that appropriate legislation can be enacted to extend to the citizens of these communities local self-government and the ordinary civil rights and privileges of American Citizenship, therefore

Be it resolved (if the Senate concur), that the Senate and House of Representatives of the nineteen thirty-three session of the Pennsylvania State Legislature hereby request the Governor of the Commonwealth either to appoint a special commission of citizens or direct a branch of the Executive Department to investigate and report upon the conditions of

health education local government highways civil liberties existing in communities located on the property of persons copartnerships associations or corporations in the Commonwealth of Pennsylvania known as company towns, and be it further

Resolved, that the said investigating body shall make a report to the Governor of this Commonwealth not later than March first nineteen thirty-five and accompany the same with whatever suggestions or recommendations it may determine to be necessary to better conditions in such company towns.

SENATE BILL No. 321, RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 321, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the expenses of government defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto providing for the payment of interest on and the redemption of such bonds and making an appropriation.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. SCOTT, Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 1, page 1, line 3, by striking out at the end of the line after the word "same" the word: "(That)"; also line 4, by striking out after the word "MONEY" and before the word "Governor" the word: "(The)" and inserting in lieu thereof the following: "That in the event a certain proposed amendment to article nine of the Constitution of Pennsylvania, which reads as follows: "Section 17 The Governor the Auditor General and the State Treasurer immediately upon the adoption of this amendment by the electors may borrow an amount not exceeding twenty-five million dollars to defray the expense of the State Government for the biennium beginning June first one thousand nine hundred thirty-three provided the General Assembly at its regular session of one thousand nine hundred thirty-three has authorized the borrowing of money for this purpose" shall be adopted by the people at the municipal election in November one thousand nine hundred thirty-three the"; also line 5, by inserting after the word "Treasurer" and before the word "on" the following: "in accordance with the provisions thereof and"; also line 6, by striking out at the end of the line after the word "authorized" the followinw: "(if the)"; also page 1, by striking out line 7; also line 8, by striking out at the beginning of the line before the word "during" the word: "(Commonwealth)" and inserting in lieu thereof the following: "and directed"; also line 10, by inserting after the word "time" and before the word "on" the following: "to borrow"; also page 2, line 1, by inserting after the word "money" and before the word "as" the following: "not exceeding in the aggregate the sum of twenty-five million dollars ($25,000,000)"; also section 3, page 3, line 15, by inserting at the end of the line after the word "direct" the following: "The manner and character of such advertisement and the times of advertising shall be prescribed by the Governor the Auditor General and the State Treasurer"; also section 6, page 4, line 8, by striking out at the end of the line after word "Governor" the following: "(during the biennial)"; also page 4, by striking out line 9; also page 4, line 10, by striking out at the beginning of the line before the word "budget" the following: "(Assembly in the)" and inserting in lieu thereof the following: "to include in every biennial"; also page 4, line 10, by inserting after the word "budget" and before the word "full" the following: "submitted to the General Assembly"; also line 10, by striking out after the word "information" and before the word "to" the following: "(in relation)" and inserting in lieu thereof the word: "relating"; also line 11, by striking out at the beginning of the line before the word "of" the word: "(issuing)" and inserting in lieu thereof the word: "issuance"; also line 12, by striking out after the word "to" and before the word "by" the word: "(provided)" and inserting in lieu thereof the word: "provide"; also line 14, by striking out after the word "interest" and before the word "said" the word: "(of)" and inserting in lieu thereof the word: "on"; also section 7, page 5, line 11, by inserting after the word "purchased" and before the word "they" the following: "by the Board of Finance and Revenue"; also line 12, by striking out after the word "returned" and before the word "the" the word "(into)" and inserting in lieu thereof the word: "to"; also line 12, by striking out at the end of the line after the word "State" the word: "(Treasury)" and inserting in lieu thereof the word: "Treasurer"; also section 8, page 5, line 22, by inserting after the figure "8" and before the word "The" the following: "SINKING FUND REQUIREMENTS"; also page 6, by inserting between lines 2 and 3, the following section:

Section 9 QUORUM Whenever in this act any action is to be taken or decision made by the Governor the Auditor General and the State Treasurer and the three officers shall not be able unanimously to agree the action or decision of the Governor and either the Auditor General or State Treasurer shall be binding and final except that it shall be the mandatory duty of the Governor the Auditor General and the State Treasurer to issue bonds in accordance with the constitutional amendment quoted in the first section of this act as promptly as possible after the electors shall have approved the same at the municipal election held in November one thousand nine hundred thirty-three; also section 9, page 6, line 3, by striking out after the word "Section" and before the word "The" the figure: "(9)" and inserting in lieu thereof the following: "10 APPROPRIATION"; also page 6, by inserting after line 11, the following section:

"Section 11 EFFECTIVE DATE This act shall become effective immediately upon the approval by the electors of the constitutional amendment set forth in section one of this act"

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Armstrong,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	McClure,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim,
Ealy,	Lanius,	Roberts,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 38, entitled:

An Act making a deficiency appropriation to the Board of Finance and Revenue.

Senate Bill No. 176, entitled:

A Joint Resolution proposing an amendment to section three article seventeen of the Constitution of the Commonwealth of Pennsylvania.

Senate Bill No. 283, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employes Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Manufacturing Fund.

Senate Bill No. 284, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the State Workmen's Insurance Fund.

Senate Bill No. 285, entitled:

An Act making an appropriation from the Fish Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Fish Fund.

Senate Bill No. 286, entitled:

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Motor License Fund.

Senate Bill No. 287, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Banking Department Fund.

Senate Bill No. 288, entitled:

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Game Fund.

Senate Bill No. 320, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, by adding thereto section seventeen.

Senate Bill No. 321, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the expenses of government; defining the powers and duties of the Governor, the Auditor General, the State Treasurer and the Board of Finance and Revenue in relation thereto; providing for the payment of interest on, and the redemption of, such bonds and making an appropriation.

Senate Bill No. 362, entitled:

An Act validating certain proceedings and elections of municipalities had and held pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred and seventy-four (P. L. 65), entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increas thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

Whereupon,

The PRESIDENT (Lieutenant Governor Edward C. Shannon) in the presence of the Senate signed the same.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented in writing communications from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 3, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

SHERIFF

W. Frank Gray, of Blain, Perry County, as Sheriff of the County of Perry, vice Harry B. Ulsh, deceased, until the first Monday in January, 1934.

MEMBER OF THE BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF LAWRENCE COUNTY

Mrs. Blanche Sampson, of Volant, Lawrence County, vice Miss Emma J. Dodds, resigned, until June 1, 1937, and until her successor is duly appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF SLIPPERY ROCK STATE TEACHERS COLLEGE

Mrs. Emma Guffey Miller, of Slippery Rock, Butler County, vice James M. Galbreath, deceased, for the term of four years, and until her successor is qualified.

JUSTICES OF THE PEACE

D. H. Uncapher, of Strongstown, Indiana County, as Justice of the Peace in Pine Township, Indiana County, until the first Monday in January, 1934.

John C. Nagy, Jr., of Lake Ariel, Lackawanna County, as Justice of the Peace in Jefferson Township, Lackawanna County, vice John P. More, resigned, until the first Monday in January, 1934.

Theodore Pawlowski, of Glen Lyon, Luzerne County, as Justice of the Peace in Newport Township, Luzerne County, vice Andrew P. Selecky, deceased, until the first Monday in January, 1934.

ALDERMAN

Paul D. Shive, of York, York County, as Alderman of the 8th Ward of the City of York, York County, vice John L. Keech, deceased, until the first Monday in January, 1934.

GIFFORD PINCHOT.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 3, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following

persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Carl H. Frey, Oakmont.
Miss Bernadette Stewart, Pittsburgh.

DELAWARE COUNTY

Miss Kathryn Madonna, Upper Darby.

LEHIGH COUNTY

Mrs. Dora G. Witt, Allentown.

LYCOMING COUNTY

Harry C. Parsons, Williamsport.

PHILADELPHIA COUNTY

John W. Jackson, Philadelphia.
Harold S. O'Brien, Philadelphia.
Harry Raudenbush, Philadelphia.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 3, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Samuel Papernick, Glassport.

DELAWARE COUNTY

Thomas Davis, Upper Darby.

PHILADELPHIA COUNTY

James E. Hoppe, Philadelphia.

FAYETTE COUNTY

Clyde B. Miller, Uniontown.

LACKAWANNA COUNTY

Zigmunt Strznewsky, Throop.

LAWRENCE COUNTY

Joseph R. McFate, New Castle.

LUZERNE COUNTY

Miss Sarah J. Baicker, Wilkes-Barre.

PHILADELPHIA COUNTY

Miss Clara A. Ivory, Philadelphia.
Chas. Z. Klauder, Jr., Philadelphia.
H. Guy Boohar, Philadelphia.
Oscar Chorney, Philadelphia.
Howard T. Long, Philadelphia.
Elmer F. Strunk, Philadelphia.
Howard A. Weaver, Philadelphia.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 3, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

COLUMBIA COUNTY

Mrs. Annie Ansbach, Berwick, April 3, 1933.

LANCASTER COUNTY

Harry H. Eshleman, Lancaster, April 15, 1933.

PHILADELPHIA COUNTY

Miss M. Meaney, Philadelphia, April 22, 1933.

GIFFORD PINCHOT.

JUDGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 3, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the appointment of Hon. Benjamin Lencher, of Pittsburgh, Allegheny County, as Judge of the County Court of the Fifth Judicial District of Pennsylvania, composed of the County of Allegheny, vice Thomas C. Jones, deceased, until the first Monday in January, 1934.

GIFFORD PINCHOT.

REPORTS FROM COMMITTEES

Mr. REED, from the Committee on Judiciary General reported as amended, Senate Bill No. 676, entitled:

An Act to amend section four of the act approved the fourth day of April, one thousand nine hundred and one (P. L. 70), entitled "An act fixing the term of office of notaries public, regulating the appointment, and prescribing certain duties thereof;" reducing the fee for a notary public's commission.

Mr. CLARK, from the Committee on Forestry reported as committed, Senate Bill No. 847, (House Bill No. 1500), entitled:

An Act for the development and use of unredeemed seated and unseated lands purchased by county commissioners at tax sales; providing for the holding and permanent retention of such lands by the county for forest or recreational uses beneficial to the local community, or for their transfer to the State under suitable restrictions for similar uses subject to certain annual charges, providing for the use of revenues derived from such lands; providing a procedure for the discharge of liens of record against such lands by sale after notice to owners and lien creditors; providing for the sale by the counties of such lands as are retained by the county; providing for the appointment by local State forest advisory councils and conferring powers upon the Department of Forests and Waters and the Board of Game Commissioners with respect to the acquisition and exchange of such lands, their proper organization and development, and the acceptance of gifts of lands.

Also from the Committee on Agriculture reported as amended Senate Bill No. 438, entitled:

An Act for unemployment relief; authorizing the Department of Agriculture to purchase and improve agricultural land, and lease and stock such land for unemployment relief; providing for the sale of such land to the lessees.

Mr. GELDER, from the Committee on Judiciary General reported as committed, Senate Bill No. 758, entitled:

An Act limiting the jurisdiction of The Public Service Commisison over carriers of property on the public highways.

Mr. FRAZIER, from the Committee on Judiciary General reported as committed, Senate Bill No. 624, entitled:

An Act to amend section two of the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association, located therein, to transfer the stock of such cor-

poration or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," as amended, by allowing to estate of decedents dying after the first day of July, one thousand nine hundred and thirty, subject to certain limitations, a deduction of the value of property upon which a transfer inheritance tax has been paid to the Commonwealth, if acquired from a decedent who died within two years prior to the death of the decedent whose estate claims the deduction.

BILL RECOMMITTED

Mr. FRAZIER. Mr. President, I move that Senate Bill No. 624, the bill just reported, be recommitted to the Committee on Finance.

Mr. PARKINSON. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEES

Mr. STAUDENMEIER, from the Committee on Judiciary General reported as committed, Senate Bill No. 267, entitled:

An Act to amend section eighteen of the act, approved the sixteenth day of May, one thousand nine hundred and twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," changing the method of service of writs on persons who are without the Commonwealth, and providing for the effect of a return nihil habet on persons named in such writs or added thereto, when such persons cannot be located.

Mr. TRAINER, from the Committee on Judiciary General reported as amended, Senate Bill No. 754, entitled:

An Act to further amend section five of the act, approved the nineteenth day of April, one thousand nine hundred and one (Pamphlet Laws, eighty-eight), entitled "An act relating to replevin, and regulating the practice in cases where the writ of replevin is issued," as amended, providing that no affidavit of defense shall be required before the return day of the writ.

Mr. SCOTT, from the Committee on Appropriations, reported as amended, Senate Bill No. 84, entitled:

An Act making an appropriation to carry into effect the provisions of an act, approved the tenth day of July, one thousand nine hundred and nineteen (P. L. 893), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants, and fixing the salaries of such State supervisor and assistants; defining the powers and duties of boards, of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of this act to appropriate certain moneys; and providing penalties," as amended.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 185, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 223, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 243, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 244, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 253, entitled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry, Philadelphia School of Design for Women, at Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 416, entitled:

An Act making an appropriation to the Woman's Medical College of Pennsylvania, located at East Falls, Philadelphia.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 442, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art, Philadelphia.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 616, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of soldiers, sailors, marines, female field clerks, yoemanettes, and nurses, who were killed in action or died during the World War, and conferring certain duties upon the State Veterans' Commission.

Mr. PARKINSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, Pa., January 3, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate, the following:

MEMBERS OF THE BOARD OF TRUSTEES OF THE MOTHERS ASSISTANCE FUND

SNYDER COUNTY

(Mrs.) Laura H. Barnes, Middleburg, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Ida M. Surface, Selinsgrove, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) F. Marion Day, Middleburg, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Cottie M. Weiser, Shamokin Dam, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Esta Youngman, Smith, Beaver Springs, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

LYCOMING COUNTY

(Miss) Mary Young, Williamsport, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs). Ella Cummings, Williamsport, from August 20, 1932 until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs). Margaret S. Rich, Williamsport, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

MONTOUR COUNTY

(Mrs.) Erma T. Deily, Danville, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Frances E. Peifer, Danville, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Mary Elizabeth Wagner, Danville, from August 20, 1932 until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Laura H. Curry, Mooresburg, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Elizabeth Diehl, Danville, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

COLUMBIA COUNTY

(Mrs.) Marguerite Fortner, Centralia, from August 30, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Elsie B. John, Berwick, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Miss) Ella Greene Stewart, Orangeville, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs). Margaret Oliver Walton, Berwick, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs). Nettie Hile, Catawissa, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

BEAVER COUNTY

(Mrs.) Albertha M. Barthelmeh, Ambridge, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Aleda H. Martsolf, New Brighton, from Augsut 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Linn Gray, Beaver Falls, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Lula B. McConnel, Beaver, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Helen Bentley, Wendt, Beaver Falls, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF BLOSSBURG STATE HOSPITAL

R. G. Heyler, Liberty, from August 20, 1932, for the term of four years, and until her successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF SCRANTON STATE HOSPITAL

(Mrs.) Rena E. Stowe, Scranton, from August 20, 1932, for the term of four years, and until her successor is qualified.

John A. Evans, Taylor, from August 20, 1932, for the term of four years, and until his successor is qualified.

B. L. C. Baer, Scranton, from August 20, 1932, for the term of four years, and until his successor is qualified.

Anna C. Clarke, Scranton, from August 20, 1932, for the term of four years, and until her successor is qualified.

John N. Christian, Laceyville, from August 20, 1932, for the term of four years, and until his successor is qualified.

William M. Curry, Scranton, from August 20, 1932, for the term of four years, and until his successor is qualified.

V. H. Crisman, Scranton, from August 20, 1932, for the term of four years, and until his successor is qualified.

(Mrs.) Jessie Bennett, Scranton, from August 23, 1932, for the term of four years, and until her successor is qualified.

A. S. Cantor, Scranton, from December 1, 1932, for the term of four years, and until his successor is qualified.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 29, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Edna L. Chamboredon, Cuddy.

LUZERNE COUNTY

Miss Gertrude H. Lenahan, Wilkes-Barre.

WESTMORELAND COUNTY

Miss Henrietta S. Wilmes, Jeannette.

GIFFORD PINCHOT.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 29, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

NORTHAMPTON COUNTY

John Peters, Bethlehem, April 2, 1933.

SCHUYLKILL COUNTY

Wm. H. Woodwell, Tamaqua, April 22, 1933.

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. SALUS,

That Rule 38, which requires reports of committees on nominations made by the Governor to lie on the table one day, be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. SALUS,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	McClure,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris	Pethick,	Sordoni,

Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, that the Governor be informed accordingly.

Mr. SALUS. Mr. President, I move that the Executive Session do now rise.

Mr. SORDONI. Mr. President, I second the motion.

The motion was agreed to.

NOMINATION BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 3, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I desire to withdraw my nomination of William O. Jenkins, of Covington, for appointment as a member of the Board of Trustees of the Blossburg State Hospital, which I submitted to you on January 3, 1933.

GIFFORD PINCHOT.

RESOLUTION RELATIVE TO APPOINTMENT OF JOINT COMMITTEE ON LEGISLATIVE PROGRAM

Mr. SALUS. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS offered the following resolution which was twice read and referred to the Committee on Appropriations:

In the Senate, April 3rd, 1933.

Whereas, The work of the Legislature is always delayed at the beginning of each session by reason of the absence of any definite program or tentative plan of legislation to be considered at such session; and

Whereas, The work of every session of this Legislature would be curtailed, its length shortened and the public business greatly expedited if such plan or program could be presented to the members when the session convened; therefore, be it

Resolved (if the House of Representatives concur), that five members of the Senate, to be appointed by the President Pro Tempore of the Senate, and seven members of the House of Representatives, to be appointed by the Speaker of the House, are hereby constituted a Legislative Program Committee whose duty shall be to meet at least sixty days before the convening of the regular session next following their appointment, or at least thirty days prior to each special session during their continuance in office, and agree upon and submit to such regular or special session immediately after it convenes a tentative plan of legislation to be considered; and be it

Resolved, That such Legislative Program Committee shall accompany the plan agreed upon with drafts of bills intended to best carry into effect such program; and be it

Resolved, That whenever possible preliminary reports and copies of bills shall be forwarded to members of the Senate and House of Representatives before the convening of the session for the purpose of giving them opportunity to study the same; and be it further

Resolved, That necessary expenses of the members of the Committee and the cost of the preparation and distribution of its reports and copies of preliminary bills shall be provided for by an item to be inserted in the General Appropriation Bill.

BILLS INTRODUCED

Mr. NORTON read in his place and presented to the Chair Senate Bill No. 871, entitled:

An Act making an appropriation to the Department of Public Instruction for the use of the Pennsylvania Historical Commission, for the purpose of reimbursing the Conrad Weiser Memorial Park Association for moneys expended in maintaining Conrad Weiser Memorial Park until accepted by the Commonwealth.

Which was committed to the Committee on Appropriations.

Mr. BELL read in his place and presented to the Chair Senate Bill No. 872, entitled:

An Act providing that all appeals now or hereafter taken from reports of auditors or controllers, shall be tried by judges and not by juries.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 873, entitled:

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act;" establishing an additional route in the County of Fayette.

Which was committed to the Committee on Public Roads and Highways.

Mr. SCOTT read in his place and presented to the Chair Senate Bill No. 874, entitled:

An Act making an appropriation to the Clearfield Hospital, Clearfield, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair, Senate Bill No. 875, entitled:

An Act to require county commissioners, poor boards, public officers, voluntary relief organizations, trustees, and others having jurisdiction of funds available for poor or unemployment relief, or to tax or borrow for such purposes, to furnish information and exhibit their records to the State Emergency Relief Board; and providing penalties.

Which was committed to the Committee on Appropriations.

Mr. WILLIAMSON read in his place and presented to the Chair, Senate Bill No. 876, entitled:

An Act to amend clause (a) of section four hundred and eleven of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety, regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferirng powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen,

justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by providing for transfer of registration from husband and wife to either spouse.

Which was committed to the Committee on Public Roads and Highways.

Mr. McCLURE read in his place and presented to the Chair, Senate Bill No. 877, entitled:

An Act to amend section two of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 720), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public untility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act."

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair, Senate Bill No. 878, entitled:

An Act to amend section fifty-one of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," as amended, regulating the holding of the office of district attorney where no person is elected or the elected district attorney fails to qualify.

Which was committed to the Committee on New Counties and County Seats.

Mr. HOMSHER read in his place and presented to the Chair, Senate Bill No. 879, entitled:

An Act to exclude from the provisions of the Workmen's Compensation Act of 1915 and the supplements and amendments thereto, certain persons whose wages are paid as unemployment or poor relief.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair, Senate Bill No. 880, entitled:

An Act authorizing repayment to the Federal Unemployment Relief Fund and the State Emergency Relief Board of relief funds paid in to the Motor License Fund in certain cases, and appropriating moneys in the Motor License Fund for that purpose.

Which was committed to the Committee on Appropriations.

Mr. CHAPMAN read in his place and presented to the Chair, Senate Bill No. 881, entitled:

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act"; establishing an additional route in the County of Warren.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair, Senate Bill No. 882, entitled:

An Act to amend section two of the act approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decendent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," as amended, by allowing additional deducations before such taxes are computed.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair, Senate Bill No. 883, entitled:

An Act authoirzing the redemption of real property sold by sheriffs on judicial sales; providing the procedure therefor; and imposing certain duties on sheriffs, prothonotaries and recorders of deeds.

Which was committed to the Committee on Judiciary General.

Mr. SORDONI read in his place and presented to the Chair, Senate Bill No. 884, entitled:

An Act to amend the act approved the twenty-eighth day of May, one thousand nine hundred and thirty-one (Pamphlet Laws, two hundred two), entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream, artificial or natural body of water, or non-tidal waters of any river within the Commonwealth; conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners including the inforcement of certain existing laws; and prescribing penalties," providing for liability for damages caused by the negligent operation of a motor boat.

Which was committed to the Committee on Judiciary General.

Mr. PARKINSON read in his place and presented to the Chair, Senate Bill No. 885, entitled:

An Act to provide for the selection of jurors in counties of the fourth class, and defining the qualifications of such jurors; providing for the organization of a commission for such purposes, and prescribing its powers and duties; imposing the expense of maintaining and operating said commission upon said counties; authorizing the employment of the necessary clerks and other employes; providing for a salary board composed of the commission, the county commissioners, and the controller, to fix the number and compensation of such employes; requiring county officers and boards to furnish certain information to said commission; and prescribing penalties.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair, Senate Bill No. 886, entitled:

An Act relating to proceedings on mortgage foreclosures; requiring foreclosure on the mortgage before proceeding on any bond secured thereby; limiting the amount of deficiency judgments; and authorizing the redemption of property sold on mortgage foreclosures.

Which was committed to the Committee on Judiciary General.

AUTHORIZING THE PRINTING OF PROCEEDINGS OF MEMORIAL SERVICE FOR THE LATE HONORABLE AUGUSTUS F. DAIX, Jr.

Mr. SHAPIRO, offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 3, 1933.

Resolved (if the House of Representatives concur), That five hundred copies of the proceedings of the memorial service, held in honor of the late Honorable Augustus F. Daix, Jr., be printed for the use of the Senate.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

AUTHORIZING THE PRINTING OF PROCEEDINGS OF MEMORIAL SERVICE FOR THE LATE FRED M. SPROUT

Mr. SONES offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 3, 1933.

Resolved (if the House of Representatives concur), That five hundred copies of the proceedings of the memorial service, held in honor of the late Honorable Fred M. Sprout, be printed for the use of the Senate.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

REPORTS FROM COMMITTEES

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Corporations, reported as committed, Senate Bill No. 809 (House Bill No. 256), entitled:

An Act to validate acts done by corporations before the recording of their charters.

Also from the Committee on Corporations, reported as committed, Senate Bill No. 729, entitled:

An Act requiring corporations of the second class to furnish reports to shareholders, to file such reports with the Secretary of the Commonwealth, giving the Secretary power to prescribe forms and make regulations, prescribing penalties, providing for certain exemptions and repealing inconsistent acts and parts of acts.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 538, as follows:

An Act prohibiting the publication printing or radio broadcasting of advertisement or notices of insurance companies associations exchanges or persons not authorized to do business in this Commonwealth requiring certificates from the Insurance Department before accepting insurance advertisements or broadcasting the same by radio and fixing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person copartnership association or corporation to publish or print in any newspaper magizine periodical circular letter pamphlet or in any other manner or to publish by radio broadcasting in this Commonwealth any advertisement or other notice either directly or indirectly setting forth the advantages of or soliciting business for any insurance company association society exchange or person which has not been authorized to do business in this Commonwealth

Section 2 No person copartnership association or corporation shall accept for publication or printing in any newspaper magazine or other periodical or for radio broadcasting in this Commonwealth any advertisement or other notice either directly or indirectly setting forth the advantages of or soliciting business for any insurance company association exchange or person unless such advertisement or notice is accompanied by a certificate from the Insurance Department and such radio broadcasting includes a statement that the broadcasting station holds such certificate to the effect that the insurance company association society exchange or person named therein is authorized to do business in this Commonwealth Such certificates shall be issued by the Insurance Department to any person applying therefor

Section 3 Any person copartnership association or corporation knowingly or wilfully violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to not more than one year's imprisonment or to pay a fine of not more than one thousand dollars ($1.000) or both at the discretion of the Court

Section 4 All acts and parts of acts inconsistent herewith are hereby repealed

Section 5 This act shall become effective immediately upon its approval by the Governor

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Saus,
Batchelor,	Fay,	McClure,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 72, entitled:

An Act prescribing penalties to be imposed upon conviction of stealing poultry.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	Mansfield,	Salus,
Batchelor,	Fay,	McClure,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 77, entitled:

An Act to amend the act, approved the eleventh day of June, one thousand eight hundred and seventy-nine (P. L. 148), entitled "An act to require all magistrates and other officials in cities of the first, second and third class, authorized to take acknowledgments and administer oaths, to perform such service free of charge for soldiers and widows of soldiers, when making affidavit to papers for the purpose of drawing pensons," extending the provisions of the act to all officers taking oath, and to papers other than those connected with pensons.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON FINAL PASSAGE POSTPONED

Mr. BUCKMAN. Mr. President, I move that the Senate do now resume the consideration of Senate Bill No. 509, entitled:

An Act making the office of tax collector in every borough and township of the second class appointive; and conferring upon county commissioners the power to make such appointment.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

BILL RECOMMITTED

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 509, be recommitted to the Committee on Judiciary General.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 144, entitled:

An Act to amend section two of the act approved the twenty-ninth day of April, one thousand nine hundred and fifteen (P. L. 200), entitled "An act creating, in counties having over eight hundred thousand, and less than one million five hundred thousand, inhabitants, according to the last preceding United States census, a board to fix and determine the number and compensation of employes in all county offices, boards, bureaus, departments, and divisions thereof; prescribing the powers and duties of said board, and regulating appeals from the decision thereof"; defining the voting power of members of the salary board.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	McClure,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,			

NAYS—4

Harris,	Mansfield,	Prince,	Thompson,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 237, entitled:

An Act to amend the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by adding a new subdivision providing for the appointment of a fire marshal in counties of the second class.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Ealy,	McClure,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Fay,	Norton,	Shapiro,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Gelder,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Quigley,	Thompson,
Buckman,	Howell,	Reed,	Trainer,
Chapman,	Hunsicker,	Rice,	Williamson,
Clark,	Krause,	Roberts,	Ziesenheim,
Coyne,	Lanius,		

NAYS—3

Harris,	Mansfield,	Prince,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 257, entitled:

An Act requiring State-aided hospitals under certain conditions immediately to admit indigent veterans as herein defined, and to provide care and treatment for them until they can be accommodated in Federal institutions.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

BILL POSTPONED

Mr. BENNETT. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. REED. Mr. President, I second the motion.

The motion was agreed to.

BILL RECOMMITTED

Mr. CLARK. Mr. President, I move that Senate Bill No. 341 on third reading, entitled:

An Act to amend section four of an act approved the thirteenth day of May, one thousand nine hundred and fifteen (P. L. 286), entitled "An act to provide for the health, safety and welfare of minors: By forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school districts, and police officers; and defining certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof, and establishing certain presumptions in relation thereto; and repealing all acts or parts of acts inconsistent therewith," by changing the hours of labor permitted for minors under sixteen years of age and prescribing a daily lunch period of not less than forty-five minutes for such employed minors.

On the question,

Will the Senate agree to the motion?

Mr. SALUS. Mr. President, I hope the members will stop to consider what this bill is before they agree to this motion to send it back to the Judiciary General Committee.

This bill was thoroughly considered by the Committee on Judiciary General, and was voted out by a vote of thirteen to six, I believe. There is no mystery in this bill. It has no horns. Everybody in the Senate knows what the bill is. They know the contention of those who are for the bill. They know the contention of those who are against the bill. It is a bill permitting the working of children under the age of sixteen years for a longer period than forty-four hours a week, eight hours a day. There is no mystery to it. There are no horns to it. There is nothnig in the bill that is going to do anybody any harm, but there is a lot in the bill that is going to inure to the benefit of the children of Pennsylvania. If the children of Pennsylvania are of no interest to you or you are not interested in them, or you do not care what becomes of them, send the bill back to the slaughterhouse and let it be killed.

And the question recurring,

Will the Senate agree to the motion?

A division being called for, twenty-seven Senators voted in the affirmative and eighteen in the negative.

Whereupon, the question was determined in the affirmative.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 352, (House Bill No. 298), entitled:

An Act to amend section one of the act approved the thirteenth day of May one thousand nine hundred and twenty-five (P. L. 676) entitled "An act providing for the burial of certain persons who have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service men' authorizing county commissioners to provide markers and burial plots for such deceased service men at the expense of such county in which they shall die or have a legal residence at the time of their death and providing for the burial of widows of soldiers sailors or marines" as amended broadening the definition of the term "deceased service men"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 413, as follows:

An Act to amend an act approved the twenty-sixth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred seventy-four) entitled "An act defining public service companies and providing for their regulation by prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a Public Service Commission for the regulation aforesaid prescribing and defining the powers and duties of such Commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said companies providing for the ascertainment by the Commission of the expense and damages resulting from such construction alteration relocation or abolition and for the payment of such expenses and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the commission its officers counsel and employes prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determinations by the courts of common pleas and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders subject to an appeal to the Supreme Court prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains' by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act approved the fourth day of June one thousand eight hundred and eighty-three entitled 'An act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals' and an act entitled 'To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloaded within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars' approved twenty-fourth day of May Anno Domini one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act" by regulating the issuance of securities by public service companies by giving the commission authority to suspend proposed changes in rates and making provision for reparations in connection therewith by requiring public service companies to carry proper and reasonable depreciation accounts by giving the commission jurisdiction over the holders of the voting capital stock of public service companies by giving the commission jurisdiction over transactions and contracts between holding companies and affiliated interests and public service companies defining holding companies affiliated interests and parties in interest to such contract by regulating the business of manufacture sale or lease of appliances and equipment by public service companies by giving the Commission jurisdiction to prescribe minimum rates by striking out the provisions relating to Certificates of Notification and certificates of valuation and by imposing penalties.

Section I Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of article one of an act approved the twenty-sixth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred seventy-four) entitled "An act defining public service companies and providing for their regulation by prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a Public Service Commission for the regulation aforesaid prescribing and defining the powers and duties of such Commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said companies providing for the ascertainment by the Commission of the expense and damages resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the commission its officers counsel and employes prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determinations by the courts of common pleas and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders subject to an appeal to the Supreme Court prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains' by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act approved the fourth day of June one thousand eight hundred and eighty-three entitled 'An act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals' and an act entitled 'To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloaded within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars' approved twenty-fourth day of May Anno Domino one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act" is hereby amended by adding thereto the following definitions

For the purposes of this act the terms "to issue" and "issued" when used herein in connection with securities mean securities which are to be or which have been executed by proper corporate action and duly authenticated irrespective of whether such securities are disposed of or held in the treasury of the public service company

Section 2 That subsection (f) of section one of article two of said act is hereby amended to read as follows

(f) To make no change in any tariff or schedule which shall have been filed or published or posted by any public service company in compliance with the preceding sections except after

thirty days' notice to the commission and to the public posted and published in the manner form and places required with respect to the original tariffs or schedules which shall plainly state the exact changes proposed to be made in the tariffs or schedules then in force and whether an increase or decrease and the time when the proposed changes will go into effect and all such changes shall be shown by filing posting and publishing new tariffs or schedules or shall be plainly indicated upon the tariffs or schedules in force at the time and kept open to the public inspection Provided That the commission may as provided in section four of article five of this act enter an order during said period of thirty days suspending a proposed change or changes in rates And provided further That the Commission may in its discretion and for good cause shown allow changes in such tariffs or schedules upon less than thirty days' notice herein specified or upon other conditions And provided further That no rate practice or classification which shall have been determined by the commission shall be changed or discontinued by the public service company directly or through any change in classification rules regulations contracts or practices within a period of three years after such determination without application to and the approval of the commission of which application thirty days' prior notice shall be given in the said tariffs or schedules to the public And provided further That it shall be the duty of every public service company when required by the commission to issue to its shippers consumers or other patrons a certificate or other evidence of payments made by them to it in excess of the prior established rate of an increase in which rate notice has been given to the commission and the public as aforesaid

Section 3 That subsection (i) of section one of article two of said act is hereby amended to read as follows

(i) To adopt use and keep in conducting its business such form method system or systems of accounts records and memoranda as shall be prescribed by the commission to carry no charges in any operating account which should properly be charged to the capital account or vica versa to carry a proper and reasonable depreciation account [if required so to do by order of the commission] and to obey and abide by all the regulations and orders of the commission concerning such accounts records and memoranda and the keeping of the same Provided That this subsection shall also apply to all municipal corporations with respect to the accounts records and memoranda relating to the rendering or furnishing by them to the public of any service of the kind or character rendered or furnished by public service companies and to the making of reports in relation thereto And provided further That all corporations and persons operating under lease or other contract any such plant or other facilities owned by such municipal corporation shall adopt use and keep in respect to such operation of such plant or other facilities under such lease or contract such form or system of accounts as shall be adapted to and reasonable under the circumstances and consistent with the obligations of such lease or contract or of any contract made in pursuance thereof and shall conform to such orders as the commission on hearing may make in respect to such form or system of accounts and shall make such reports in relation thereto as may be required by the commission

Section 4 That section four of article three of said act is hereby amended to read as follows

Section 4 Upon the approval of the commission evidenced by its certificate of public convenience first had and obtained and not otherwise and upon compliance with existing laws it shall be lawful for any public service company

(a) To issue stocks trust certificates bonds notes or other evidences of indebtedness or other securities [or make any increase in the issue thereof] payable in periods of more than twelve months after the date thereof and now or hereafter to be authorized hereinafter collectively termed "securities" in the manner prescribed by law for and only for money labor done or money or property actually received in accordance with the requirements of the Constitution and the laws of the Commonwealth

(b) To guarantee or assume liability for the payment of principal or interest of any securities issued by any other person partnership or corporation Provided however That such approval shall not be required if a sale assignment transfer lease consolidation or merger of the property powers franchises and privileges of the issuing company to or with the assuming company shall have been approved by the commission as provided by subsection (c) of section three of article three of this act

All stocks trust certificates bonds notes or other evidences of indebtedness or other securities issued in violation of the requirements of the Constitution and the laws of the Commonwealth and all fictitious increase of stock trust certificates bonds notes or other indebtedness or securities shall be void

[Application as hereinafter provided may be made by such public service companies to the commission for a certificate of valuation to the effect that the provisions of this section have been complied with as to any stocks trust cerificates bonds notes or other evidences of indebtedness or other securities issued after the passage of this act such application shall certify as to the number and amount thereof to be issued and the purpose of such issue and shall contain such other facts and detailed information and be in such form as the commission shall determine and prescribe and shall be signed and verified by the affidavit of the treasurer auditor controller or other acting fiscal head of the public service company]

[(b)] (c) Every public service company shall file with the commission [on or] prior to the date of issuance of any [stock trust certificates bonds notes or other evidences of indebtedness or other] such securities an application in such form as the commission may from time to time determine and prescribe and in cases where stocks trust certificates bonds notes or other evidences of indebtedness or other securities payable in periods of less than twelve months are issued the public service company shall file with the commission a written statement covering such issuance such statement to be in such form as the commission by general order prescribes [payable at periods of more than twelve months after the date thereof and now or hereafter to be authorized (unless upon application as aforesaid a certificate of valuation shall have been obtained in accordance with the provisions of this act) a certificate to be known as a Certificate of Notification in such form as the commission may from time to time determine and prescribe which among other things that may be required by the commission shall show]

[I The total amount thereof]

[II The number and amount thereof outstanding prior to the date of such certificate the amount thereof tneretofore retired the amount thereof theretofore undisposed of and whether such amount is held in the treasury of the public service-company as a free asset or pledged and if pledged the terms and conditions of such pledge]

[III The number and amount thereof to be issued and the purpose of such issue and whether to be sold pledged or held in the treasury of the public service company as a free asset if such securities are to be sold the terms of sale if a contract for such sale has been made and if any part of the consideration to be received therefor is other than money an accurate and detailed description thereof if such securities are to be pledged the terms and conditions of such pledge]

[IV The number and amount thereof remaining unissued]

[V If the issue is of shares of stock the certificate shall also show the par value thereof and the number of then outstanding shares previously issued]

[VI The preference or privilege granted to the holders of any such shares of stock the dates of maturity rates of interest of any such bonds notes or other evidences of indebtedness or other securities and any conversion rights granted to the holders thereof and the price if any at which such shares or such securities may be redeemed] When such an application is filed with the commission it shall consider and pass upon the same within fifteen days and where the application sets forth that the securities in question are to be issued for the acquisition of property or for the construction completion extension improvement or betterment of the applicant's facilities for the improvement and for the obtaining of the working capital for the discharge or lawful refunding of the applicant's obligations for the reimbursement of moneys actually expended for any of the aforesaid purposes from income or from any other moneys in the treasury of the applicant however derived not secured or obtained from the issue of its stocks bonds notes or other evidences of indebtedness payable at periods of more than twelve months after the date thereof or for other corporate purposes allowed by law and the commission so finds it shall approve the application and make the order applied for unless the commission shall find for reasons stated by it that the issuance of said securities is not reasonably required for the stated purposes of the corpora-

tion Whenever the commission refuses in whole or in part an application to issue securities it shall state specifically its reasons so that such refusal may be reviewed judicially on appeal If at the end of fifteen days after the filing of an application for permission to issue securities or at the end of any extension or extensions of that time which may be ordered by the commission no order of disapproval is entered the application shall be deemed in fact and law to have been approved and a certificate of public convenience shall be issued by the commission and the securities in question may be issued accordingly Provided that the commission may extend the original fifteen day period not to exceed an additional thirty days unless the commission shall conclude that forty-five days is not a sufficient time in which to fully investigate and determine whether said certificate shall be issued when it shall by written order extend the time for a specified reasonable period and in such order set forth the reasons for such extension which order shall be viewed in law as a final order for purposes of appeal and upon appeal the court shall approve decrease or increase the period specified in the order

[(c) Whenever any securities set forth and described in any Certificate of Notification as pledged or held as a free asset in the treasury of the public service company shall subsequent to the filing of such certificate be sold or repledged or otherwise disposed of by the public service company such company shall file a further Certificate of Notification to that effect setting forth therein all such facts as are required by subdivision III subsection (b) of this section four]

[(d)] (c) All[Certificates of Notification] applications furnished to the commission shall be signed and verified by the affidavit of the treasurer auditor controller or other acting fiscal head of the public service company [Such Certificates of Notification shall at all tmies be deemed to be public records and open to inspection and may be given such further publicity as the commission may deem to be for the public interest or welfare]

The provisions of this act contained in regard to [Certificates of Valuation] certificates of public convenience [and unless so required by the commission in regard to Certificates of Notification] shall not apply to the issuance of bonds notes or other evidences of indebtedness payable at periods of twelve months or less nor to the pledging or repledging of stocks trust certificates bonds or other evidences of indebtedness to secure such bonds notes or evidences of indebtedness payable at periods of twelve months or less but if such bonds notes or other evidence of indebtedness shall in whole or in part directly or indirectly be refunded by any issue of bonds notes or other evidences of indebtedness running for more than twelve months then the said mentioned provisions with regard to [Certificates of Notification and Valuation] certificates of public convenience and applications therefor shall apply

Neither the filing with the commission of any [Certificate of Notification] application nor the issuing by the commission of any certificate of public convenience [or Certificate of Valuation] and nothing therein or in this act contained nor any hearing had nor finding nor order nor decree made by the commission nor any act or thing done by any public service company in pursuance thereof nor any act or thing done by the commission under the provisions of this act shall in anywise affect the invalidity if any of any stocks trust certificates bonds notes or other evidences of indebtedness or other securities issued or assumed or guaranteed prior to the date when this act shall become effective by any public service company

No securities the issue of which has been authorized by the commission as hereinbefore prescribed shall however be or become invalid in the hands of any purchaser thereof for any actual violation by a public service company of any provisions of this subsection or for any failure omission or neglect by a public service company to obey observe or comply with any order of the commission with respect to the disposition or application of the proceeds of such securities but in the event of any such violation failure omission or neglect by a public service company it shall be subject to the penalty hereinafter prescribed in this act

If a commission or other agency or agencies is empowered by another state or by the Federal government to regulate and control the amount and character of securities to be issued by any public utility then the Public Service Commission of the Commonwealth of Pennsylvania shall have the power to agree with such commission or other agency or agencies of such other state or of the Federal government on the issue of stocks bonds notes or other evidence of indebtedness by such public utility and shall have the power to approve such issue jointly with such commission or other agency or agencies and to issue a joint certificate of such approval provided however that no such joint approval shall be required in order to express the consent to and approval of such issue by the Commonwealth of Pennsylvania if said issue is separately approved by the Public Service Commission of the Commonwealth of Pennsylvania

In order to determine whether a certificate of public convenience authorizing a proposed issue of securities should be granted the commission shall have power to make such inquiry or investigation and to hold such hearings for that purpose and to summon and examine such witnesses books papers documents and contracts as it may deem pertinent and relevant

The approval by the commission of any issue of securities shall not be construed to imply any guarantee or obligation as to such securities on the part of the Commonwealth of Pennsylvania

Section 5 That section eleven of article three of said act is hereby amended to read as follows

Section 11 (a) No contract or agreement between any public service company and any municipal corporation shall be valid unless approved by the commission Provided That upon notice to the local authorities concerned any public service company may apply to the commission before the consent of the local authorities has been obtained for a declaration by the commission of the terms and conditions upon which it will grant its approval of such contract or agreement if at all

(b) Upon the approval of the commission evidenced by its Certificate of Public Convenience first had and obtained and not otherwise it shall be lawful for any public service company to enter into any transaction with a holding company or affiliated interest as hereinafter in this section defined if such transaction involves (1) the loan of money by the public service company (2) the assumption of any obligation or liability whether as guarantor endorser or otherwise by the public service company of indebtedness running for less than twelve months or (3) the loan sale purchase pledge or exchange of stocks bonds notes or other evidences of indebtedness by the public service company

(c) Every public service company which shall have in force a contract with a holding company or affiliated interest as hereinafter in this section defined for the furnishing to such public service company of any management supervisory purchasing construction engineering financing or similar services shall within sixty days after the effective date of this act file with the Public Service Commission a true and correct copy of such contract or contracts Any public service company which shall hereafter enter into such a contract for such services or which shall change an existing contract for such services shall file with the commission a true and correct copy of the contracts within ten days after its execution or change and no such contract or contracts hereafter entered into shall become effective unless and until the public service company shall have so filed a true and correct copy of such contract or contracts with the Public Service Commission

In every such contract the public service company shall require the holding company or affiliated interest to furnish the commission with all information necessary to determine the reasonableness of such contract in any particular and the commission shall not be required to allow either as a part of a rate base or as an operating expense any payment made by any public service company pursuant to any such contract unless such information is furnished prior to such payment either by the public service company holding company or affiliated interest when demanded by the commission

If after investigation and hearing when a hearing is ordered by the Public Service Commission on its own motion or when had on the demand of any party in interest it be found by the commission that the terms of any such contract or contracts heretofore or hereafter entered into are unreasonable in whole or in part in that they place unjustifiable obligations on such public service company or it be found that payments thereunder would have an injurious effect upon the rates or service of the public service company or upon the holders of any of its securities the commission is hereby authorized to disapprove such contract in whole or in part and to the extent disapproved the terms thereof and the obligations assumed thereunder by the public service company shall be disregarded in all proceedings before the commission regarding rates

charged or to be charged by such company The commission in determining what is reasonable shall give weight to all of the relevant facts proper to be considered under the circumstances which shall include such elements as the value of the services provided for in the contract or contracts and the cost to the holding company or affiliated interest of furnishing such services

To facilitate judicial review all approvals or disapprovals of any such contract or contracts by the commission or of payments thereunder must be by order filed stating the reason for its approval or in what particular or particulars the contract disapproved places an unjustifiable obligation on the public service company or is otherwise injurious and all such orders shall be viewed in law as final orders for purposes of appeal and when the commission shall deem it advisable and require it notices of such orders shall be immediately published in two newspapers of daily circulation in the territory served by the public service company being party to the contract for such period as the commission shall determine at the expense of the public service company setting forth the names of the actual parties to such contract the nature of the contract the amount involved in said contract the date of its execution and whether such contract has been approved or disapproved with a reference to the proceeding

(d) A "holding company" shall mean every corporation domestic or foreign owning or holding or controlling directly or indirectly ten per centum or more of the voting capital stock of such public service company

An affiliated interest shall mean (1) Every corporation or person in any chain of successive ownership or control of ten per centum or more of the voting capital stock of such public service company (2) every corporation ten per centum or more of whose voting capital stock is owned or controlled by a corporation or person that owns or controls ten per centum or more of the voting capital stock of such public service company or is owned or controlled by any corporation or person in any chain of ownership or control of ten per centum or more of voting capital stock

"A party in interest" shall mean the actual parties to a contract as aforesaid and any rate payer or stockholder or holder of a security of a public service company which is a party to such contract

Section 6 That article three of said act is hereby amended by adding thereto the following section

Section 13 It shall be unlawful for any public service company engaged in the manufacture sale or lease of any appliance or equipment offered by it for sale to the public

(a) To discontinue its public service to any consumer for failure of such consumer to pay the whole or any instalment of the purchase price or rental of any appliance or equipment sold to such consumer either on book account or on conditional sale or lease plan

(b) To apply to the purchase price or rental or any part thereof of any appliance or equipment purchased by or leased to a consumer of public service any deposit or other moneys of the consumer in the hands of the public service company provided that this restriction shall not apply to meters or other appliances used to measure and ascertain the quantity of service rendered by the public service company to its customers and patrons

(c) To employ in the manufacture sale or lease of any appliance or equipment offered for sale by it to the public any property used in or revenue derived from the rendering of service to the public unless separate accounts as to the property used in the costs incurred by and the revenue derived from the manufacture lease or sale of such appliance or equipment are adopted used and kept by the public service company

(d) To employ in the manufacture sale or lease of any appliance or equipment offered for sale by it to the public the service of any officer or employe engaged in rendering service to the public unless separate accounts as to the amount paid to such officer or employe while engaged in the manufacture lease or sale of such appliance or equipment and whether any amount be salary bonus commission or expense are adopted used and kept by the public service company

Section 7 That section three of article five of said act is hereby amended to read as follows

Section 3 Whenever the commission shall determine after hearing had upon its own motion or upon complaint that the rates fares tolls or charges established demanded, exacted charged or collected by any public service company or companies for any service rendered or furnished are unjust or unreasonable or are unjustly discriminatory or unduly or unreasonably preferential or that the facilities or service furnished or rendered by any public service company or companies are unjustly discriminatory or unduly or unreasonably preferential in favor of or against any particular person corporation locality or any particular kind or description of traffic or service then the commission shall determine and prescribe by specific order the maximum just due equal and reasonable rates fares tolls and charges to be thereafter established demanded exacted charged or collected for the service to be performed and the just due equal reasonable and proper relations and practices as affecting such rates to be observed by the public service company and the commission may classify such rates The said order shall be served as hereinafter provided upon all public service companies by which such rates fares tolls and charges and such regulations and practices affecting the same are thereafter to be charged and observed The power to fix maximum rates or charges shall include the power to fix joint rates or charges where joint service is rendered by two or more public service companies or where other public service companies may be interested in the rate or charge

Section 8 That section four of article five of said act is hereby amended to read as follows

Section 4 Whenever the commission receives notice of any change proposed in any tariff or schedule filed or posted under the provisions of this act it shall have power either upon complaint or upon its own motion [and if it so orders without answer or other formal pleading by the interested public service company after notice to hold a public hearing and make investigations as to the propriety of such proposed change and of the new rate practice or classification After such hearing and investigation whether completed before or after such change goes into effect the commission may make such order in reference to the new rate practice and classification as would be proper in a proceeding initiated after the same had become effective] upon reasonable notice to enter upon a hearing concerning the lawfulness of such rate or rates and pending such hearing and decision thereon the commission upon filing with such tariff or schedule and delivering to the public service company affected thereby a statement in writing of its reasons therefor may at any time before they become effective suspend the operation of such rate or rates but not for a longer period than one hundred and fifty days beyond the time when such rate or rates would otherwise go into effect unless the commission shall find that a longer time will be required in which case the commission may further extend the period for not exceeding thirty days Provided and notwithstanding any such order of suspension the public service company may put such suspended rate or rates into effect on the date when it or they would have become effective if not so suspended or at any time thereafter by filing with the commission a bond in a reasonable amount approved by the commission with sureties approved by the commission conditioned upon the refund in a manner to be prescribed by order of the commission to the person entitled thereto of the amount of the excess if the rate or rates so put into effect are finally determined to be excessive or there may be substituted for such bond other arrangements satisfactory to the commission for the protection of the parties interested The commission shall have power to fix and determine the amount of the refund or reparation if any to be paid to the parties entitled thereto either with or without a separate petition therefor as the commission may determine in its order pertaining to the reasonableness or unreasonableness of such rate or rates and shall make such further order with respect to the said refund or reparation as it may deem necessary and proper to expediate and to facilitate the payment or adjustment by credits or otherwise of the said refund or reparation If the public service company fails to make the refund or to give the proper credit in accordance with the order of the commission within ninety days after such final determination the commission shall suspend the certificate of public convenience of such public service company until such refund is made or credit given Any number of persons entitled to such refund may join as plaintiffs and recover their several claims in a single action in which action the court will render a judgment severally for each plaintiff as his interest may appear The foregoing provisions with reference to reparation and refund shall apply only to cases involving a change in rate or rates arising under this section and the provisions of section five of this article shall apply to all other cases involving reparation or refund. At any such hearing involving any pro-

posed increase in any rate or rates the burden of proof to show that each such increased rate or rates is just and reasonable shall be upon the public service company

The commission shall have power in its discretion and for good cause shown to permit changes in the tariffs or schedules filed and published upon less than the thirty days' notice specified in article two section one [(g)] (f) of this act or upon other conditions which shall be just and reasonable

The commission shall also have power in its discretion where any notice of increase in any rates fares tolls or charges of a public service company has been filed to require by general rule or special order that such company shall furnish to its shippers consumers or other patrons a certificate or other evidence of payments made by them in excess of the prior established rate

Section 9 That section twenty-two of article five of said act is hereby amended to read as follows

Section 22 (a) The commission shall have full power and authority to require public service companies to report or account to the commission for the disposition and application of the proceeds of all sales or pledges of all stocks trust certificates bonds notes and other evidences of indebtedness or other securities which accounts and reports shall be made in such form and detail as to the commission may seem advisable and in accordance with reasonable rules and regulations which may be adopted by the commission

(b) The commission shall have jurisdiction over the holders of the voting capital stock of all public service companies under the jurisdiction of the commission to such extent as may be necessary to enable the commission to require the disclosure of the identity and the respective interests of every owner of any substantial interest in such voting capital stock Ten per centum or more is a substantial interest within the meaning of this article

Section 10 That section thirty-seven of article six of said act is hereby amended to read as follows

Section 37 Any president secretary treasurer or other officers of any public service company who shall knowingly affix his name or attestation to any certificate of stock trust certificate corporate bond note or other evidence of indebtedness or other security issued by any public service company or any director who shall knowingly assent to the issue of any such certificate of stock trust certificate corporate bond note or other evidence of indebtedness or other security of any such public service company in violation of any of the provisions or requirements of this act or of section seven of article sixteen of the Constitution or any officer or director knowingly making or assenting to any false statement in any [certificate of notification] application required to be made to the commission by [subsections] subsection (b) [or (c)] of section four of article three of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay the costs of prosecution and a fine not exceeding five thousand dollars or undergo an imprisonment in the county jail for a term not exceeding five years either or both in the discretion of the court

Section 11 That section thirty-eight of article six of said act is hereby amended to read as follows

Section 38 Each and every director president secretary treasurer or other officer agent or employee of any public service company who shall knowingly make or assent to any application or disposition of any [stocks trust certificates bonds notes or other evidence of indebtedness or other] securities or the proceeds of the sale or pledge therof or any part threof in violation of any statement or contrary to any purpose in relation thereto set forth or contained in any [certificate of notification] application required to be made to the commission by subsection (b) of section four of article three of this act or who shall by any false statements oral or written knowingly make procure or seek to procure of the commission the making or issuing of any certificate herein provided or who shall knowingly make or assent to any false statement in any report or account to the commission as to the disposition or application of the proceeds or any part thereof of any sale or pledge of any [stocks trust certificates bonds notes or other evidences of indebtedness or other] securities shall be guilty of a misdemeanor and upon conviction thereof shall b sentenced to pay the costs of prosecution and a fine not exceeding five thousand dollars or undergo an imprisonment in the county jail for a term not exceeding five years either or both in the discretion of the court

Section 12 That article six of said act is hereby amended by adding thereto the following section

Section 38.1 Any president secretary treasurer or other officers of any public service company who shall knowingly affix his name or attestation to any written contract or arrangement or who shall enter into any unwritten contract or arrangement or any director who shall knowingly assent to the entering into of any written or unwritten contract or arrangement in violation of any of the provisions or requirements of this act or any officer or director knowingly making or assenting to any false statement in any application for the approval of any contract or arrangement the approval of which is required by this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay the costs of prosecution and a fine not exceeding five thousand dollars or undergo an imprisonment in the county jail for a term not exceeding five years either or both in the discretion of the court

Section 13 That section forty-seven of article six of said act is hereby amended to read as follows

Section 47 The commission shall charge and collect the following fees for filing papers and for copies of all official orders documents papers records et cetera

For copies of papers testimony and records twenty-five cents per page

[For certified copies of official documents and orders filed in its office fifteen cents for each folio of one hundred words and one dollar for each certificate under seal affixed thereto

For copies of testimony and proceedings taken or had before the commission or a commissioner not required to be certified or otherwise authenticated by the commission ten cents for each folio of one hundred words

For certified copies of testimony and proceedings taken or had before the commission or a commissioner fifteen cents for each folio of one hundred words and one dollar for each certificate under seal affixed thereto

For certifying a copy of any report made by any public service company to the commission two dollars

For each certified copy of the annual report of the commission one dollar and fifty cents]

For certifying a copy of any paper testimony or record two dollars For the filing of each application for a certificate of public convenience the sum of five dollars

[For the filing of each certificate of notification the sum of ten dollars]

For filing of each application required to be made to the commission by subsection (b) of section four of article three of this act or the issuance of securities the sum of one dollar per thousand dollars of the par or face value of securities covered by such application but in no case less than ten dollars nor more than ten thousand dollars for any issue.

For the filing of each application for a certificate of valuation the sum of twenty-five dollars

No fee shall be charged or collected for copies of papers records official documents testimony or proceedings furnished to public officers for use in their official capacity nor for the annual report of the commission in the ordinary course of distribution]

For filing each application required to be made by asubsection (b) of section four of article three of this act for the disposition of securities previously issued but not finally disposed of or for the assumption of liability for securities of other persons partnerships or corporation the sum of ten dollars

For the purpose of this section each share of stock without par value shall be deemed to have a par value of fifty dollars unless such share is to be sold for more than fifty dollars in which case such share shall be deemed to have a par value equal to the price at which sold

All fees charged and collected by the commission shall be paid into the State Treasury

Section 14 It is hereby declared to be the legislative intent if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

Section 15 The provisions of these amendments shall become effective on the first day of July one thousand nine hundred and thirty-three

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Armstrong,	Ealy,	Lanius,	Roberts,
Aron,	Einstein,	McClure,	Salus,
Batchelor,	Fay,	Miller,	Scott,
Baumer,	Frazier,	Norton,	Shapiro,
Bell,	Gelder,	Owlett,	Snyder,
Boyd,	Graff,	Parkinson,	Sones,
Brandt,	Harvey,	Pethick,	Sordoni,
Buckman,	Homsher,	Pierson,	Staudenmeier
Chapman,	Howell,	Quigley,	Trainer,
Clark,	Hunsicker,	Reed,	Williamson,
Coyne,	Krause,	Rice,	Ziesenheim,

NAYS—5

Bennett,	Mansfield,	Prince,	Thompson,
Harris,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. TRAINER. Mr. President, I move that Senate Bill No. 456, on third reading entitled:

An Act protecting the eyes of workmen and others from the harmful rays of electric and acetylene welding operations; and imposing a penalty.

be recommitted to the Committee on Public Health and Sanitation.

Mr. FRAZIER. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. COYNE. Mr. President, I ask unanimous consent that Senate Bill No. 476, on third reading, entitled:

An Act ratifying and confirming certain contracts for the erection of joint county bridges where the bridges have been erected and accepted

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL OVER IN ORDER

Mr. GELDER. Mr. President, I ask unanimous consent that Senate Bill No. 514 (House Bill No. 456), on third reading, entitled:

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring certain motor vehicles to be equipped with laminated safety glass fixing penalties and providing for the suspension or revocation by the Public Service Commission of certificates of public convenience of common carriers for violation of the provisions of this act.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 581 (House Bill No. 300), entitled:

An Act to amend section two of the act approved the thirteenth day of March one thousand eight hundred and fifteen (Pamphlet Laws one hundred seventy-seven) entitled "An act to amend the act entitled 'An act directing the mode of selling unseated lands for taxes and for other purposes'" authorizing and directing county treasurers to execute deeds for unseated lands sold by their predecessors in office and validating deeds heretofore so executed

And said bill having been read at length the third time, and agreed to, and the amendmnets made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 611 (House Bill No. 850), entitled:

An Act to amend section two of an act approved the twentieth day of April, one thousand nine hundred and twenty-seven (Pamphlet Laws, three hundred twenty-one), entitled "An act authorizing the Secretary of Highways to designate by letter, or to name, number, or combine State highways, or any part or parts thereof, in such manner as in his discetion will best accommodate and inform the traveling public using the highways of the Commonwealth, and facilitate the keeping of maps and records of the Department of Highways; and to include, in any route designated for the convenience of

the traveling public, any township road or roads," by including public roads.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Geider;	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 643, as follows:

An Act dedicating and setting aside certain lands in Cameron and Clinton Counties as a public park and pleasure-ground to be known as "Bucktail State Park" and imposing certain powers and duties in connection therewith upon the Department of Forests and Waters and the Department of Justice of the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Commonwealth of Pennsylvania hereby dedicates to the public for use as a park and pleasure-ground for the benefit and enjoyment of the people all that area of land extending in length from the western city line of Lock Haven in Clinton County to the eastern borough line of Emporium in the County of Cameron and along the course of the branch of the Susquehana River and its tributary Sinnemahining Creek in Clinton and Cameron Counties an estimated distance of seventy-five miles and in width from mountain rim to mountain rim across the valley

The said park shall be called and known as the "Bucktail State Park" in commemoration of the Bucktail Regiment which embarked from Driftwood in Cameron County in April one thousand eight hundred and sixty-one upon rafts of their own construction to hasten their arrival at the imperiled State Capitol

Section 2 The Department of Forests and Waters of the Commonwealth shall have full control and supervision of the public lands and other lands over which it may hereafter obtain control under the provisions of this act within the area hereinbefore dedicated as a public park and pleasure-ground with power to adopt and carry into effect plans for the improvement preservation and use thereof The department may enforce such rules and regulations not inconsistent with the laws of this Commonwealth including provisions for the use and operation of motor vehicles therein as it may make for the protection of life and property the maintenance of good order the protection and improvement of the park and the carrying into effect of the full and proper use of said property as a State park and pleasure-ground

Section 3 The Department of Forests and Waters is hereby authorized to accept in the name of the Commonwealth any land property or money given or donated by any person copartnership association or corporation for use in extending the boundaries of said park or furthering its value for the purpose for which it is hereby dedicated

Section 4 The Department of Forests and Waters is further authorized and empowered to acquire by gift or for nominal consideration from persons owning property within the limits of the territory hereinbfore dedicated and set part as a public park and from others control rights or the right to limit and prescribe the uses to which such privately owned property may hereafter be put by the owners thereof particularly the right to sell or service travelers tourists recreationists campers or seasonable dwellers the right to prohibit or limit the placing on such properties of billboards or any form of outdoor advertising except such as advertises merchandiseor services sold at roadside nns hotels stores and service stations therein and the right to remove or enforce the removal of abandoned or dilapidated and neglected build ings which have become nuisances All deeds conveyances or agreements of any kind secured by or entered into by the department for the purpose of carrying out the provisions of this section shall be subject to the approval of the Department of Justice

Section 5 The Department of Forests and Waters may also with the approval of the Governor make and carry out such plans for the profitable utilization of the dead and down timber the leasing of sites for camps cabins bungalows hotesl proper buildings for the accommodation of visitors to and travelers through the park bathing beaches bathing houses boat houses garages gasoline and service stations and refreshment stands or places of such type of construction as the department shall approve for periods of not more than twenty years and such other operations for the profitable employment of such lands as may not be inconsistent with their full use as a State park or pleasure-ground or their full enjoyment by the people and as to the Department of Forests and Waters seems to be to the best interests of the Commonwealth Any moneys derived therefrom shall be paid into the State Treasury through the Department of Revenue and credited to the General Fund

Section 6 All extension and improvement of highways within the boundaries of said park shall be under and in harmony with the general plan of improvement of said park and only after consultation with the Department of Forests and Waters

Section 7 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 650 (House Bill No. 1187), entitled:

An Act empowering a court in which a suit for the recovery of damages for personal injuries to a minor is pending to

make an order authorizing a compromise or settlement to be made for such minor, and empowering a court in which a judgincident to said suit; and to award the balance to a duly appointed guardian of such minor; and limiting the liability of said guardian to the sum of money thus coming into his hands.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 658 (House Bill No. 1240), entitled:

An Act creating a presumption of reasonableness of certain contracts for counsel fees made by the next friend or guardian of a minor, provided the same be evidenced by writing.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 678, entitled:

An Act to amend sections four hundred and twenty-two and four hundred and twenty-three of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto"; removing the expenditure limit within which counties may contribute to the cost of the funerals of deceased service persons.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 691, entitled:

An Act to amend section fifty-seven of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by requiring the county commissioners to furnish office supplies for county officers not located in county buildings or at the county seat.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 695, entitled:

An Act to preserve the continuity of service of officers and enlisted men of the Pennsylvania National Guard who are mustered into the service of the United States during the World War and afterward were enlisted or commissioned in the said National Guard.

And said bill having been read at length the third time, and agreed to,

On the question

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 702, entitled:

An Act to repeal the act, approved the twentieth day of April, one thousand nine hundred twenty-seven (Pamphlet Laws, three hundred ten), entitled "An act regulating the compensation of sheriffs for boarding prisoners confined in the county jail in the counties of the seventh class."

And said bill having been read at length the third time, and agreed to,

On the question

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered that the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. GELDER. Mr. President, I ask unanimous consent that Senate Bill No. 717, on third reading, entitled:

An Act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth.

go over in its order.

The PRESIDENT. Is there objection? the Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 722, (House Bill No. 94), entitled:

An Act to amend section three hundred and eighty-six of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred forty), entitled "An act concerning townships and revising amending and consolidating the law relating thereto" as amended by adding thereto paragraph eleven authorizing townships to contract with other municipalities for fire protection.

And said bill having been read at length the third time, and agreed to,

On the question

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered that the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 761, entitled:

An Act to amend section seven hundred and twenty-two of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribing fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities,

boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as amended, exempting Young Men's Christian Associations and Young Women's Christian Associations from payment of fees for certificate of title or registration of motor vehicles, trailers and semi-trailers owned and used by them.

And said bill having been read at length the third time, and agreed to,

On the question

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz

YEAS—44

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Norton,	Scott,
Bell,	Gelder,	Owlett,	Snyder,
Bennett,	Graff,	Parkinson,	Sones,
Boyd,	Harris,	Pethick,	Sordoni,
Brandt,	Harvey,	Pierson,	Staudenmeier,
Chapman,	Homsher,	Prince,	Thompson,
Clark,	Howell,	Quigley,	Trainer,
Coyne,	Krause,	Reed,	Williamson,
Ealy,	Lanius,	Rice,	Ziesenheim,

NAYS—5

Baumer,	Hunsicker,	Miller,	Shapiro,
Buckman,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered that the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 763, entitled:

An Act to amend sections one and four of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred four), entitled "An act authorizing the Secretary of Highways with the approval of the Governor to establish the width and lines of State highways for future construction where it appears uneconomical to widen existing highways providing for acknowledgment by the Secretary of Highways and recording of plans therefor in the proper county and providing further that no allowance shall be made for buildings or improvements erected or made within the limits of any such highway and providing for the payment of damages" by providing for the maintenance of the existing highway.

And said bill having been read at length the third time, and agreed to,

On the question

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 767, entitled:

An Act to add section seven hundred and thirty-seven to the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh, and eighth classes; and revising, amending and consolidating the laws relating thereto," by authorizing two or more counties jointly, with the consent of the Department of Highways, to levy and collect tolls on certain toll bridges acquired and rebuilt by such counties for the purpose of paying off the indebtedness incurred or reimbursing such counties for moneys expended in the acquisition, rebuilding and maintenance of such toll bridges.

And said bill having been read at length the third time, and agreed to,

On the question

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 773, entitled:

An Act to repeal section thirteen of the Act approved the twenty-fifth day of March, one thousand eight hundred and forty-two (P. L. 192), entitled "An act to appoint commissioners to re-survey and mark that portion of the county line, which divides the township of Bristol, in the county of Philadelphia, from the township of Cheltenham, in the county of Montgomery, and for other purposes."

And said bill having been read at length the third time ,and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,

Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 68, as follows:

An Act increasing the discretionary powers of boards of school directors in school districts of the second class with reference to the assessment levy and collection of taxes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the board of school directors in school districts of the second class may at its discretion fix any date or dates for the levy and collection of school taxes and for the allowance of discounts for prompt payment and the imposition of penalties for non-payment Such discounts may be fixed at a rate not exceeding five per centum and such penalties at a rate not exceeding five per centum Such board may in its discretion allow the taxpayers the option to elect to pay school taxes by quarterly installments without discount but with the penalties above provided to be imposed upon each installment at the end of six months after such installment becomes delinquent School taxes shall be made payable as nearly as practicable at the same times as other local taxes may be payable the intent of this act being to permit and promote uniformity in the time and method of collection of the various local taxes affecting taxpayers in said districts

Section 2 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 391, as follows:

An Act to amend sections six hundred and fifteen six hundred and sixteen and six hundred and twenty of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates alderman justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended limiting the circumstances under which an operator's license or learner's permit may be suspended providing that an appeal from such action by the secretary shall act as a supersedeas and modifying the penalties for violation of license provisions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections six hundred and fifteen six hundred and sixteen and six hundred and twenty of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highway peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws seven hundred fifty-one) are hereby further amended to read as follows

Section 615 Suspension of Licenses or Operating Privileges

(a) The secretary may suspend the operating privilege of any person with or without a hearing before the secretary or his representative upon receiving a record of proceedings if any in which such person pleaded guilty entered a plea of nolo contendere or was found guilty by a jury whenever the secretary finds upon sufficient evidence

[1 That such person is incompetent to operate a motor vehicle or is afflicted with mental or physical infirmities or disabilities rendereing it unsafe for such person to operate a motor vehicle upon the highways]

[2] 1 That such person has been convicted of a misdemeanor or has forfeited bail upon such a charge in the commission of which a motor vehicle was used

[3] 2 That such person has been convicted of manslaughter resulting from the operation of a motor vehicle

[4] 3 That such person has attempted by offering a bribe or by other fraud or by substitution of another person in his place to take or pass an examination for an operator's license

[(b) The secretary may suspend the operator's license or learner's permit of any person after a hearing before the secretary or his representative or upon failure of the said person to appear at such hearing whenever the secretary finds upon sufficient evidence

1 That such person has committed any offense for the conviction of which mandatory revocation of license is provided in this act

2 That such person has committed any violation of the motor vehicle laws of this Commonwealth

3 That such person has failed to file a report with the department of a motor vehicle accident as required by this act

4 That such person was operating any motor vehicle involved in an accident resulting fatally to any person]

[(c)] (b) The secretary may suspend any operator's license or learner's permit when check submitted in payment is returned to the department because of insufficient funds or is not paid on demand and may delegate authority to any department employe or peace officer to lift operator's license or learner's permit card so cancelled

[(d)] (c) The secretary is hereby authorized to suspend the privilege of any non-resident to operate a motor vehicle in this Commonwealth for any cause for which the license of a resident operator may be suspended or revoked The secretary is further authorized upon receiving a record of the con-

viction in this Commonwealth of a nonresident operator of a motor vehicle of any offense under the motor vehicle laws of this Commonwealth to forward a report of such conviction to the motor vehicle administrator in the state wherein the person so convicted is a resident

[(e)] (d) The secretary is hereby authorized after a hearing before the secretary or his representatives to suspend the operator's license or learner's permit of any person licensed in this Commonwealth upon receiving notice of the conviction of such person in another state of an offense therein which if committed in this Commonwealth would be grounds for the suspension or revocation of the license of an operator

[(f)] (e) The secretary may suspend any operator's license or learner's permit upon certification or request or order of any court [or commission duly authorized under the laws of this Commonwealth and empowered by such laws to make such certifications requests or orders] of record

[(g)] (f) The scretary upon suspending any operator's license or learner's permit shall require that such licenses of any operator whose license or permit is so suspended shall be surrendered immediately to and retained by the department

[(h)] (g) Whenever the secretary suspends the operator's license or learner's permit of any person the secretary shall immediately notify such person and afford him an opportunity of a hearing before said secretary or his representative provided such hearing has not already been held and after such hearing the secretary shall either rescind his order of suspension or good cause appearing therefor may suspend the operator's license or learner's permit of such person for a further period excepting however that such person shall have the right of appeal as elsewhere provided in this act

Section 616 Right of Appeal to Court from Suspension Any persons whose operator's license or learner's permit has been suspended by the secretary under the provisions of this act shall have the right to file a petition within [thirty (30)] ten (10) days thereafter for a hearing in the matter in the court of common pleas of the county in which the operator or permittee resides which said appeal when taken shall act as a supersedeas the operator's license or learner's permit to remain with the person or permittee pending the determination in the matter by the said court and such court is hereby vested with jurisdiction and it shall be its duty to set the matter down for hearing upon thirty (30) days written notice to the secretary and thereupon to take testimony and examine into the facts of the case and to determine whether the petitioner is subject to suspension of operator's license or learner's permit under the provisions of this act

Section 620 Violation of License Provisions It shall be unlawful for any person to commit any of the following acts

(a) To display or cause or permit to be displayed or to have in possession any operator's license or learner's permit knowing the same to be fictitious or to have been cancelled revoked suspended or altered

(b) To lend to or knowingly permit the use of by one not entitled thereto any operator's license or learner's permit issued to the person so leding or permitting the use thereof

(c) To display or to represent as one's own any operator's license or learner's permit not issued to the person so displaying the same

(d) To fail or refuse to surrender to the department [upon demand] as required any operator's license learner's permit registration card registration plates certificate of title or duplicates thereof which have been suspended cancelled or revoked as provided in this act

(e) To make use of or operate any motor vehicle without the knowledge or consent of the owner or custodian thereof

(f) To operate a motor vehicle while under the influence of intoxicating liquor or any narcotic drug or habit producing drug or permit any person who may be under the influence of intoxicating liquor or narcotic or habit producing drug to operate any motor vehicle owned by him or in his custody or control

(g) To turn off any or all the lights on a motor vehicle for the purpose of avoiding identification or arrest

(h) To operate any motor vehicle upon the highways of this Commonwealth after operating privilege is suspended or revoked in cases where no appeal is taken as herein required or in cases where appeals are taken after final determination of the matter by the court hearing the same sustaining the action of the secretary

(i) To operate any motor vehicle upon the highways of this Commonwealth after its registration has been suspended by the secretary

(j) To use a false or fictitious name or give a false or fictitious address in any application or form required under the provisions of this act or knowingly make a false statement or knowingly conceal a material fact or otherwise commit a fraud in any application

Penalty Any person violating any of the provisions of subsections (a) (b) (c) or (d) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of not less than ten ($10) dollars nor more than fifty ($50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Any person violating any of the provisions of subsections (e) (f) (g) (h) (i) or (j) of this section shall be guilty of a misdemeanor and shall upon conviction thereof in a court of quarter sessions be sentenced to pay a fine of not less than fifty ($50) dollars nor more than two hundred ($200) dollars and costs of prosecution or undergo imprisonment for not more than three (3) years or suffer both such fine and imprisonment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 454, entitled:

An Act authorizing school districts to issue and sell bonds for certain purposes and for a certain period of time providing for a trust fund and a sinking fund for the payment thereof and defining the duties of the officers and members of the school board in relation to said funds and fixing a penalty for the violation thereof

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That to meet the emergency occasioned by the extraordinary decrease in tax collections due to business depression and widespread unemployment it shall be lawful for the board of school directors of any school district to issue and sell at not less than par bonds bearing interest at a rate not exceeding six (6) per centum per annum payable in not more than ten (10) years from the date of issue in an amount not exceeding the amount of uncollected taxes due on real estate at the date of the adoption of the resolution authorizing such action and the proceeds of any bonds issued under the provisions of this Act by any school board shall be used only for the payment of the operating expenses of the school district

On the question,

Will the Senate agree to the section?

Mr. MANSFIELD. Mr. President, I move to amend section 1 by inserting on page 2, line 2 after the word "action" the words: "Any subsequent borrowing under the provisions of this act shall be limited to an amount which when added to the amount or amounts previously borrowed shall not exceed the amount of uncollected taxes."

Mr. EINSTEIN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows:

Section 2 For the purpose of creating a sinking fund for the payments of the bonds issued under the provisions of this Act the board of directors of the school district issuing the same shall annually (until payment of said bonds be fully provided for) levy and collect in addition to other taxes a tax sufficient to pay the interest and principal of the indebtedness and any taxes covenanted to be paid thereon which tax shall be called the "Emergency Sinking Fund Tax" which shall be paid into the school district treasury and shall be kept separate and distinct from all other funds in a fund to be called "Emergency Sinking Fund" and shall be applied towards the redemption of said bonds and the payment of the interest and taxes if any thereon and to no other purpose whatever and the said bonds when so redeemed shall be cancelled

On the question,

Will the Senate agree to the section?

Mr. MANSFIELD. Mr. President, I move to amend section 2 by inserting on page 2, line 10, after the word "bonds" the words: "and the interest and any taxes covenanted to be paid thereon."

Mr. EINSTEIN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third section of the bill was read as follows:

Section 3 The resolution authorizing the issuing of said bonds shall recite the amount of uncollected taxes then due which amount of taxes shall become a trust fund for the redemption of said bonds and the payment of the interest and taxes if any thereon and it shall be the duty of the secretary of the school board to credit the Emergency Sinking Fund and of the treasurer of the school district to deposit in the said Emergency Sinking Fund immediately upon receipt thereof any and all said uncollected taxes provided that the amount of said uncollected taxes received and deposited in the Emergency Sinking Fund may be deducted from the amount of the annual tax levy to be levied and collected for the redemption of said bonds and the payment of the interest and taxes if any thereon

On the question,

Will the Senate agree to the section?

Mr. MANSFIELD. Mr. President, I move to amend section 3 by striking out on page 2, line 21, after the figure "3," the word "The" and substituting therefore the word "Each;" by striking out in line 22, after the word "recite," the word "the" and substituting therefor the word "an;" by inserting in line 22, after the word "of," the word "the;" by inserting in line 23, after the word "due" the word "of;" by inserting in line 23, after the word "of," the word "uncollected;" by inserting in line 23, after the word "taxes," the words: "an amount at least equal to the amount of the proposed issue of bonds;" by inserting on page 3, line 3, after the word "Fund," the words "in any year;" and by inserting on page 3, line 3, after the word "deducted," the words "the following year."

Mr. EINSTEIN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fourth section of the bill was read as follows and agreed to.

Section 4 Any person who shall directly or indirectly apply or use any of said uncollected taxes to or for any purpose other than the Emergency Sinking Fund shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not exceeding One Thousand Dollars ($1,000.00) or imprisoned for a term not exceeding one (1) year or either or both in the discretion of the court

The fifth section of the bill was read as follows:

Section 5 Each sinking fund created under the provisions of this Act shall be consecutively numbered and the amount thereof as well as the uncollected taxes shall be deducted from the gross indebtedness in ascertaining the net indebtedness of the school district

On the question,

Will the Senate agree to the section?

Mr. MANSFIELD. Mr. President, I move to amend section 5 by striking out on page 3, line 14, the words "Each sinking fund created" and inserting in lieu thereof the words: "The trust fund and the emergency sinking fund covering each issue of bonds;" and by inserting in line 15, after the word "be," the words: "like numbered and in consecutive order."

Mr. EINSTEIN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The sixth, seventh and eighth sections of the bill were read as follows and agreed to.

Section 6 The temporary emergency power hereby granted shall be in addition to the powers granted school districts to issue bonds and create indebtedness under existing law

Section 7 Any bonds issued under the provisions of this Act shall be in accordance with the provisions of the Constitution and the Act of April twentieth one thousand eight hundred seventy-four entitled "An act to regulate the manner of increasing the indebtedness of municipalities etc" as supplemented and amended and shall require the approval of the Department of Internal Affairs

Section 8 This Act shall become effective immediately upon its approval by the Governor and remain in force and effect only for five (5) years thereafter

The title of the bill was read as follows and agreed to:

An Act authorizing school districts to issue and sell bonds for certain purposes and for a certain period of time; providing for a trust fund and a sinking fund for the payment thereof; and defining the duties of the officers and members of the school board in relation to said funds, and fixing a penalty for the violation thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 525 (House Bill No. 206), as follows:

An Act Requiring the the Board of County Commissioners of counties of the second class on approval of the president judge of the court of common pleas of said counties to fix the compensation of fire marshals and to require the Board of County Commissioners of counties of the second class subject to the approval of the common pleas court to provide for the retirement of such fire marshals on annual pensions

after twenty years of service such compensation and pension to be payable by the county

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all counties of the second class of this Commonwealth the Board of County Commissioners subject to the approval of the president judge of the court of common pleas by resolution regularly passed shall fix the compsensation of the fire marshal payable by the county at a sum adequate for the services of such fire marshal Such adequate compensation shall be fixed by determining the fair and reasonable annual sum for the services to be rendered and a fair estimate of the cost and expenses to be incurred in the discharge of the duties of such fire marshal.

Section 2 That in all such counties of the second class the Board of County Commissioners subject to the approval of the President judge of the court of common pleas of said county shall by resolution regularly passed provide for the retirement of each of such fire marshals desiring to retire and who have served continuously in office for a period of twenty years or more on annual pension not to exceed one hundred dollars for each calendar month.

Section 3 Such adequate compensation and the annual pension directed to be paid as provided in this Act shall be paid by the county treasurer as other debts and obligations of the second class are discharged on warrants approved by the county controller

Section 4 All Acts and parts of Acts general local or special inconsistent with the provisions of this Act are repealed

Section 5 The Act shall take effect immediately upon passage of the General Assembly and when approved by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 537, as follows:

An Act to amend section one of the act approved the twenty-fifth day of June one thousand eight hundred and ninety-five (Pamphlet Laws three hundred ten) entitled "A further supplement to 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four" by providing that all corporations organized not for profit shall have authority to issue capital stock to an amount not exceeding five hundred thousand dollars

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-fifth day of June one thousand eight hundred and ninety-five (Pamphlet Laws three hundred ten) entitled "A further supplement to 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all corporations organized not for profit under the provisions of "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four and the several supplements thereto shall have authority if a majority of its members shall so ordain to issue capital stock to an amount not to exceed [two hundred and fifty] five hundred thousand dollars in shares of the par value of fifty dollars Said power to vest upon the recording of the minute authorizing said issue in the county in which the corporation was created and filing an exemplification thereof with the Secretary of the Commonwealth [Thereafter such corporations shall be subject to the same taxation as corporations for profit]

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No 659, as follows:

An Act to amend section two hundred twenty-six of an act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith by prescribing the conditions upon which school directors may be employed by their respective school districts during the term for which they are elected or appointed

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two hundred twenty-six of an act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts therof that are or may be inconsistent therewith" is hereby amended to read as follows

Section 226 No school director shall during the term for which he was elected or appointed be employed in any capacity by the school district in which he is elected or appointed or receive from such school district any pay for service rendered to the district except as provided in this act Provided however that one who has served as a school director for three consecutive terms of six years each may be elected to the position of attorney or solicitor for the board of which he was a member by the unanimous vote of all the other members of the board and after resigning his office as school director shall be entitled to receive such pay for his services as solicitor as the board of school directors may determine

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 671, as follows:

An Act to amnd sections three hundred eleven three hundred twelve three hundred thirteen three hundred fourteen three hundred fifteen three hundred sixteen three hundred seventeen three hundred eighteen three hundred nineteen three hundred twenty three hundred twenty-one three hundred twenty-two three hundred twenty-three three hundred twenty-four three hundred twenty-five and three hundred twenty-six and to repeal section three hundred twenty-seven as added of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by changing the amount of contributions to the retirement fund the retirement age the length of service necessary to entitle members to retirement allowance upon being totally disabled and increasing the number of members of the retirement board and auth-

orizing counties of the second class to make appropriations to an employes retirement fund

Cection 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections three hundred eleven three hundred twelve three hundred thirteen three hundred fourteen three hundred fifteen three hundred sixteen three hundred seventeen three hundred eighteen three hundred nineteen three hundred twenty three hundred twenty-one three hundred twenty-two three hundred twenty-three three hundred twenty-four three hundred twenty-five and three hundred twenty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classees and revising amending and consolidating the laws relating thereto" are hereby amended to read as follows

Section 311 "County Employe" Defined A county employe for the purpose of this subdivision of this act is any person employed by the county or by the county poor district at a wage or salary payable at stated intervals that is to say semimonthly monthly quarterly or annually The term [does not] may at their option include any person eleceted by the vote of the people

Section 312 [Pension] Retirement System and Fund to Be Establishred Each county of the second class shall provide a [pension system for such] county employes retirement system for such county for employes of the county and the county poor district and shall establish and regulate a [pension] retirement fund in connection therewith

Section 313 [Pension] Retirement Board The [pension] retirement system shall be under the sole direction of a [pension] retirement board hereinafter designated the board which shall consist of the county commissioners the treasurer [and] the controller of the county and two persons elected from among the members of the retirement system one to serve for two years and one for four years Following the completion of the initial terms the stated terms of such members shall be four years A vacancy occurring during the term of any member of the retirement board shall be filled for the unexpered term by the appointment or election of a successor in the same manner as his predecessor A majority of the members of the retirement board shall constitute a quorum for the transaction of any business

Section 314 Treasurer and Secretary of Board The county treasurer shall be the treasurer of the board and shall give such bond for the proper performance of his duties as is required by the board The premium on said bond shall be paid from the [pension] retirement fund on warrants of the board The treasurer shall recevie for his services the sum of one hundred dollars ($100.00) per annum from the [pension] retirement fund payable on warrants of the board The county controller shall be the secretary of the board

Section 315 Register of Employes Regulations of Board The board shall keep a register of employes containing the names ages residence nature of employment time of entering the employ of the county or of the county poor district and such other information as the board deems necessary in the performance of its duties The board may adopt amend revise and abolish in its discretion such regulations not inconsistent with law as it deems necessary

Section 316 List of Employes The head of each department or office of the county or of the county poor district shall file with the board a list of all employes of such department or office with the amount of the salary or wage received by each the age of the employe time of entering the county or county poor district employ and such other information relative to such employes as is required by the board From time to time and whenever requested by the board all dismissals appointments resignations transfers changes in salaries or in employment and other information relative to employes shall be furnished to the board by the head of each such department or office

Section 317 Appropriations to [Pension] Retirement Fund The county commissioners and the poor district shall [annually in January appropriate and pay into the pension fund not less than one-half of one per centum and not more than two per centum of all available moneys received by the county as taxes during the preceding calendar year] prior to February fifteenth of each year set aside apportion and appropriate out of all taxes and income of said county and county poor district unto the retirement fund a certain sum of money which shall be an obligation of the county and the poor district and which together with the contributions of all employes during the preceding year shall be sufficient to maintain as solvent retirement fund In no case shall the county commissioners or the county poor district appropriate a sum less than the total amount contributed by such county employes

Section 318 Payment by Employes Each county employe shall each month pay into the [pension] retirement fund [one] three per centum of the amount received by him or her as salary or wages from the county or the county poor district during the preceding calendar month In no event however paying at a rate greater than eight dollars ($8.00) a month Such amount shall be collected by the county treasurer and by him paid into the [pension] retirement fund Such monthly payments by an employe shall cease when such employe is entitled to receive the [pension] retirement allowance herein provided for No employe shall be entitled to a [pension] retirement allowance who does not make the monthly payment herein required

Section 319 Investment or Deposit of Fund The Board may in its discretion invest the money of the [pension] retirement fund or any part thereof in obligations of the United States or of this State or of any political division of this State or it may deposit such moneys or any part thereof in one or more banks or trust companies of the county selected by the board The banks or trust companies offering to pay the highest rate of interest and that have a paid-in capital and surplus of not less than three hundred thousand dollars shall be selected A contract with a depositary shall be for a period covering the term of the county treasurer No moneys shall be paid to a depositary until it shall have executed to the board a bond for the proper safeguarding of the funds so deposited The bonds shall have such surety as is approved by the court of common pleas No moneys exceeding in the aggregate the amount of the bond shall be paid to any depositary

Section 320 Persons Entitled to [Pensions] Retirement Allowances Every person now or hereafter in the employ of the county or the county poor district who has reached the age of fifty-five years or upwards and who shall have been in the employ of the county or the county poor district during a period of not less than twenty years shall upon application to the board be retired from service and shall thereafter receive during life a [pension] retirement allowance as herein provided for The time spent in the employ of the county or the county poor district need not necessarily have been continuous

Section 321 Exception in Favor of Persons Totally and Permanently Disabled Any employe who has been in the county or county poor district employ for a period of not less than [ten] fifteen years shall be entitled to a [pension] retirement allowance if he or she becomes totally and permanently disable even though such employe has not reached the age of fifty-five years Proof of total and permanent disability shall be by the sworn statement of three practicing physicians of the county designated by the board to the effect that such employe is totally and permanently disabled from performing the duties of his or her position or office The provisions of this section shall not apply to persons hereafter employed by the county or county poor district after arriving at the age of fifty years unless such persons had prior service with the county or county poor district commencing before they reached such age

Section 322 Amount of [Pensions] Retirement Payment The [pension] retirement allowance paid under the provisions of this act shall equal annually fifty per centum of the average annual amount received by the employe as salary or wages during the two years immediately preceding the date of retirement of the employe receiving the [pension] retirement allowance No [pension] retirement allowance shall exceed the sum of one hundred dollars per month [Pensions] Retirement allowances shall be paid in monthly instalments on warrant on board

Section 323 [Pension] Retirement Allowance After Leaving County or County Poor District Service If any employe after twenty years in the county or county poor district employ is dismissed or retires voluntarily or is in any other manner deprived of his or her employment before attaining the age of fifty-five years such employe if he continues to contribute to the [pension] retirement fund monthly a sum equal to the last monthly contribution paid while in the county or county poor district employ shall when he or she reaches the age of fifty-five years be entitled to a [pension] retirement allowance

Section 324 Refund of Contributions If any county employe contributing monthly to the [pension] retirement fund shall for any cause cease to be an employe of the county or county poor district before [the expiration of the twenty-year period] he shall receive the benefits of the retirement allowances the total amount of the contributions paid into the [pension] retirement fund by such employe shall upon demand in writing be repaid to him or her or to his or her personal representatives or to such person or persons as are legally entitled thereto out of the fund

Section 325 Reinstatement Should any county employe who has withdrawn his contribution paid into the [pension] retirement fund desire to be reinstated and again become a beneficiary he are she may do so by the payment in full of the amount withdrawn and by paying the assessments provided for in section three hundred and eighteen of this act

Section 326 [Pension] Retirement Allowance Not Subject to Attachment or Assignment Suspension of Retirement Allowance No [pensions] retirement allowance herein provided for shall be subject to execution or to attachment It shall be payable only to the beneficiary herein provided for and shall not be subject to assignment or transfer If any member of the retirement system is receiving a retirement allowance and he or she shall or may hereafter be employed by the government of the United States or the Commonwealth of Pennsylvania or any political subdivision thereof then the retirement board shall and is hereby given the authority to suspend the retirement allowance to such member of the retirement system during such employment

Section 2 That section three hundred twenty-seven of said act as added by section ten of the act approved the ninth day of June one thousand nine hundred and thirty-one (Pamphlet Laws four hundred one) is hereby repealed

Section 3 This act shall become effective on the first day of the month next following its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 673 (House Bill No. 1253), as follows:

An Act to amend article twenty of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by prescribing the powers and duties of the boards of trustees of State teachers colleges and the Cheyney Training School for Teachers repealing inconsistent legislation and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That article twenty of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by the act approved the twenty-fifth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws seven hundred twelve) is hereby further amended by inserting therein after section two thousand and one a new section to read as follows

Section 2001.1 The boards of trustees of the several teachers colleges and the Board of Trustees of the Cheyney Training School for Teachers shall have general direction and control of the property and management pecuniary and otherwise of their respective institutions Each of the said boards of trustees shall have the power and its duty shall be

(a) To elect a president principal or superintendent of the institution who shall be subject to the authority of the board administer the institution and if deemed advisable a business manager

(b) On nomination by the president principal or superintendent from time to time to appoint such officers and employes as may be necessary

(c) To fix the salaries of its employes in conformity with the standards established by the Executive Board of this Commonwealth

(d) Subject to the approval of the Superintendent of Public Instruction to make such by-laws rules and regulations for the management of the institution as it may deem advisable

(e) To contract for directly and purchase and pay for from appropriations made by the Commonwealth for services supplies equipment and all other expenses of maintenance and operation necessary for the proper conduct of their several institutions and the purposes for which they are intended No department of the State Government shall act as purchasing agent for any of said colleges or instiutions

Section 2 For the two fiscal years beginning June first one thousand nine hundred and thirty-one all income and all moneys collected at the various State teachers' colleges and the Cheyney Training School and paid into the General Fund of the State Treasury under existing laws are hereby appropriated out of the General Fund to the several State teachers' college and training schools each college and school to receive from such appropriation the exact amount which was collected at said school or college during said fiscal years In addition thereto the sum of three million dollars ($3,000,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Public Instruction for the said two fiscal years for the use of the several State teachers' Colleges and the Cheyney Training School to be allocated on such equitable basis as may be authorized and approved by the Superintendent of Public Instruction

All moneys appropriated by this act shall be expended for the payment of salaries wages or other compensation of the presidents or principals and other employes for the expenses of maintaining and operating automobiles and other motor equipment for the payment to the Department of Property and Supplies of mileage charges for the use of automobiles for the purchase of supplies food and fuel for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and livestock for the expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of said colleges and institutions

Section 3 That section one thousand three hundred and eleven of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined is hereby repealed in so far as it relates to State teachers colleges and the Cheyney Training School for Teachers

All other parts of said act and its amendments inconsistent herewith are hereby repealed

Section 4 This act shall become effective on the first of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. SCOTT. Mr. President, I move that Senate Bill No. 673 (House Bill No. 1253), the bill just read, be recommitted to the Committee on Appropriations.

Mr. QUIGLEY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 700, as follows:

An Act to amend section three hundred and twenty-five of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the security to be given by depositories of school funds

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section sixteen of the act approved the twenty-third day section three hundred and twenty-five of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended to read as follows

Section 325 The treasurer of every school district of this Commonwealth shall deposit the funds belonging to the school district in the school depository or depositories if any as directed by the board of school directors and shall at the end of each month make a report to the school controller if any and to the secretary of the board of school directors of the amount of funds received and disbursed by him during the month All deposits of school funds by any school treasurer shall be made in the name of the school district Such depository or depositories shall be banks banking institutions or trust companies located in this Commonwealth

Depositories so designated shall upon receipt of notice of their selection as a depository of school funds either furnish a bond to secure payment of deposits and any interest to the school district with a proper warrant to confess judgment in favor of the school district secured by a surety company or individual sureties to be approved by the board of school directors or deposit bonds to be approved by the board of school directors to secure the payment of school deposits and any interest thereon Such surety bonds shall be in a sum to be fixed by resolution at least equal to the probable greatest amount of such deposit at any one time The current market value of deposit bonds shall be at all times at least equal to the amount of school funds then on deposit with such depository Such deposit bonds shall be accompanied by proper assignments or power of attorney to transfer the same In the event of the failure of the depository to pay to the school district the full amount of such deposits and interest thereon such bonds and the proceeds of sale thereof shall belong to the school district until it shall receive therefrom the full amount of such deposits and interest thereon and the school district shall have a prior standing as respects such bonds and be in all respects preferred to any and all claims except such as have heretofore been preferred by law

The treasurer of every school district shall upon the designation and qualification of such depository or depositories immediately transfer thereto the school funds and shall thereafter keep such deposits solely in such depository or depositories in the name of the school district

No treasurer of any school district complying with the provisions of this section nor his surety or sureties shall be chargeable with losses in school funds caused by the failure or negligence of such depository or depositories

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 732, as follows:

An Act to further amend Section two of an act approved the twenty-ninth day of March eighteen hundred and ninety-nine (Pamphlet Laws twenty-one) entitled "An act to establish a board for the examination of accountants to provide for the granting of certificates to accountants and to provide a punishment for the violation of this act" as amended by providing for the certification of accountants in certain cases without examination

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act approved the twenty-ninth day of March eighteen hundred and ninety-nine (Pamphlet Laws twenty-one) entitled "An act to establish a board for the examination of accountants to provide for the granting of certificates to accountants and to provide a punishment for the violation of this act" as finally amended by an act approved the twenty-fourth day of May nineteen hundred twenty-one (Pamphlet Laws ten hundred seventy-three) is hereby further amended to read as follows

Section 2 The Governor of the State of Pennsylvania shall appoint a board of five examiners for the examinations of persons applying for certification under this act Two shall be appointed from the eastern part of the State two from the western part and one from the central part of the State Three of said examiners shall be certified public accountants each holding a degree of same from the Commonwealth of Pennsylvania one of whom shall be appointed for the term of one year one for two years and one for three years and upon the expiration of each of said terms an examiner shall be appointed for the term of three years The other two examiners shall be practicing attorneys in good standing in any of the courts of the State of Pennsylvania One of them shall be appointed for the term of one year and the other for two years and upon the expiration of each of said terms a successor shall be appointed for the term of three years The examination for certificate shall be based upon an examination in commercial law and general accounting said examination shall take place in Philadelphia and Pittsburgh once a year in the month of November of each year under such rules and regulations as may be adopted by the board [In no event however shall a] No special examination shall be given or a decree granted to any person except by passing a regular examination as herein provided for but certified public accountants of other States of the United States who have been certified for at least one year may be recommnded for crtification at the discretion of the said board for certificates without any examination and public accountants who are forty-five years or more of age and who have practiced as public accountants within the Commonwealth of Pennsylvania for twenty consecutive years immediately preceding date of application to the said board may be recommended for certification at the discretion of the said board for certificates on oral examination The fees provided by this act shall be twenty-five dollars for each applicant from which shall be paid the actual traveling expenses of the members of the board and expenses incident to such examination for office rent stationery printing and clerk hire a sum not exceeding three hundred dollars per annum and if any surplus above said expense shall remain at the end of

the year it shall be paid into the treasury of the Commonwealth The results of such examination shall be certified to the Governor within sixty days after said examination and filed in the office of the Secretary of Internal Affairs and kept for reference and inspection for a period not less than five years the Governor to issue the certificates

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 746, as follows:

An Act to amend section two hundred and four of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing that the coroner shall act in case the sheriff resigns

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two hundred and four of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 204 Coroner to Act as Sheriff in Case of Vacancy If any sheriff shall be legally removed from his office or shall die or resign before expiration of the term for which he was commissioned the coroner of the county shall execute the office of sheriff and perform all things thereunto appertaining until another sheriff is commissioned and notice thereof is given to such coroner

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole, being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 764, entitled:

An Act to amend section one of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred twenty-eight) entitled "An act authorizing the Secretary of Highways with the approval of the Governor to establish construct and maintain roads parallel to existing State highways in order to relieve traffic congestion providing certain conditions and restrictions for the assessment and payment of damages for property taken thereby and providing that such highway when constructed shall become a part of the system of State highways of the Commonwealth" by providing that roads taken over as parallel highways may intersect or cross over the highway to which they are parallel

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred twenty-eight) entitled "An act authorizing the Secretary of Highways with the approval of the Governor to establish construct and maintain roads parallel to existing State highways in order to relieve traffic congestion providing certain conditions and restrictions for the assessment and payment of damages for property taken thereby and providing that such highways when constructed shall become a part of the system of State highways of the Commonwealth" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Secretary of Highways with the approval of the Governor is authorized to take over existing public roads approximately parallel to State highways between any or all of the points named in the line or route of such State highway and construct and maintain the same according to the standards of the department for the construction and maintenance of State highways Any public road taken over under the provisions of this act as a parallel highway may intersect with or cross over the highway to which it is parallel

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN. Mr. President, I move to

Amend section 1, page 2, line 10, by inserting before the word "is" the following: "as amended by the act approved the twentieth day of May, one thousand nine hundred and thirty-one (P. L. 140);" also line 17, by inserting after the word "roads" the following: "and streets in boroughs and townships."

Mr. SCOTT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows and agreed to.

Section 2 This act shall become effective upon its approval by the Governor

The title of the bill was read as follows:

An Act to amend section one of the act approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred and twenty-eight), entitled "An act authorizing the Secretary of Highways with the approval of the Governor to establish construct and maintain roads parallel to existing State highways in order to relieve traffic congestion providing certain conditions and restrictions for the assessment and payment of damages for property taken thereby and providing that such highway when constructed shall become a part of the system of State highways of the Commonwealth" by providing that roads taken over as parallel highways may intersect or cross over the highway to which they are parallel.

On the question,

Will the Senate agree to the title?

Mr. BUCKMAN. Mr. President, I move to amend title, page 1, line 1, by inserting after the word "one" the following: "as amended."

Mr. SCOTT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 771, as follows:

An Act to amend section twenty-one of the act approved the seventh day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred) entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" as amended by providing for special certificates of the birth of adopted persons and requiring school authorities to accept such certificates for certain purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-one of the act approved the seventh day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred) entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of cirtificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for volations of this act" as amended by section one of the act approved the twenty-eighth day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred ninety-eight) is hereby further amended to read as follows

Section 21 That the State Registrar shall upon request furnish any applicant a certificed copy of the record of any birth death or marriage registered under provisions of this act [for] Provided That when a request is made for a birth certificate of any person who has been adopted by any other person pursuant to the provisions of any law and there is filed with such request a certified copy of the decree of the court in such adoption proceedings the State Registrar shall upon special request therefor issue in lieu of a certified copy of the original record a certificate showing only (a) the name of the adopted person as changed by the decree of adoption if changed (b) the date and place of birth (c) the names of the adopting parent or parents and (d) the permanent file number of the original birth certificate Such special certificate shall be accepted by all school authorities as evidence of the child's age for all purposes connected with employment or school attendance For the making and certification of [which he] each certified copy of the record of any birth death or marriage or of any special birth certificate the State Registrar shall be entitled to a fee of fifty cents to be paid by the applicant and any such copy of the record of a birth or death or marriage when properly certified by the State Registrar to be a true copy thereof shall be prima facie evidence in all courts and places of the facts therein stated Provided That certified copies of the record of any birth death or marriage shall be furnished to honorably discharged soldiers sailors marines war nurses and their dependents without the payment of any fee For any such search of the files and records when no certified copy is made the State Registrar shall be entitled to a fee of fifty cents for each hour or fractional hour of time of search to be paid by the applicant And the State Registrar shall keep a true and correct account of all fees by him received under these provisions and turn the same over to the State Treasurer

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 834, entitled:

An Act empowering cities boroughs incorporated towns and townships to charge and collect annual rentals for the use of certain sewers sewage systems and treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any city borough incorporated town or township shall hereafter construct any sewer or sewage system or sewage treatment works either wholly or partially at public expense or shall have acquired the same either wholly or partially at public expense such city borough incorporated town or township may provide by ordinance or resolution for the collection of an annual rental or charge for the use of such sewer sewage system or sewage treatment works from the owners of the property served by it whether such property is located within or without the corporate limits of such city borough town or township

On the question,

Will the Senate agree to the section?

Mr. SHAPIRO. Mr. President, I move to amend section 1, page 1, line 4, by adding after the word "city" and before the word "borough" the following: "except cities of the first class."

Mr. SCOTT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second, third and fourth sections of the bill were read as follows and agreed to.

Section 2 Any such annual rental or charge shall be sufficient to meet but shall not exceed the amount expended annually by the city borough incorporated town or township in the operation maintenance repair alteration inspection depreciation or other expenses in relation to such sewer sewage system or sewage treatment works together with such annual amount as may be necessary to provide for the amortization of the indebtedness incurred by the city borough incorporated town or township in the construction or acquisition of such sewer sewage system or sewage treatment works and interest thereon in order that said improvements may become self-liquidating The amount required for sinking fund and interest shall be paid into the sinking fund and shall not be used for any other purpose The said annual rental or charge shall be apportioned equitably according to the amount and character of discharge among the properties served by the said sewer sewage system or sewage treatment works

Section 3 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 4 This act shall become effective immediately upon final enactment

The title of the bill was read as follows and agreed to:

An Act empowering cities, boroughs, incorporated towns and townships to charge and collect annual rentals for the use of certain sewers, sewage systems and treatment works, including charges for operation, inspection, maintenance, repair, depreciation and the amortization of indebtedness and interest thereon.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 843, as follows:

A Supplement to the act approved the seventeenth day of May one thousand nine hundred twenty-one (Pamphlet Laws eight hundred sixty-nine) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" as amended authorizing any officer of the National Guard with the approval of the Governor as Commander-in-Chief thereof to continue to hold his position for a certain time after he reaches the age of retirement

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person commissioned or warranted as an officer of the National Guard of this Commonwealth who reaches the age of sixty-four years may with the approval of the Governor as Commander-in-Chief of the National Guard continue to hold his position until he shall have reached the age of sixty-nine years

Section 2 This act shall become effective immediately upon its passage and approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess for thirty minutes.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEE

Mr. PARKINSON. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection?

The Chair hears none.

Mr. PARKINSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 3, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate, the following:

MEMBERS OF THE BOARD OF GAME COMMISSIONERS

Richard E. Reitz, Brookville, from August 20, 1932, for the term of six years.

Adolf Muller, Norristown, from August 20, 1932, for the term of six years.

William H. Moore, Philadelphia, from August 20, 1932, for the term of six years.

Ralph L. Eckenstein, Williamsport, from August 20, 1932, for the term of six years.

Samuel H. Williams, Pittsburgh, from August 20, 1932, for the term of six years.

Howard Stewart, Clearfield, from August 20, 1932, for the term of six years.

A. Hunter Willis, Erie, from August 20, 1932, for the term of six years.

J. Q. Creveling, Wilkes-Barre, from August 20, 1932, for the term of six years.

GIFFORD PINCHOT.

SHERIFF
JUDGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 3, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

W. Frank Gray, of Blain, Perry County, as Sheriff of the County of Perry, vice Harry B. Ulsh, deceased, until the first Monday in January, 1934.

Hon. Benjamin Lencher, of Pittsburgh, Allegheny County, as Judge of the County Court of the Fifth Judicial District of Pennsylvania, composed of the County of Allegheny, vice Thomas C. Jones, deceased, until the first Monday of January, 1934.

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. BUCKMAN.

That rule 38, which requires reports of committees on nominations made by the Governor to lie on the table one day, be dispensed with, and the Senate do now resolve itself into Executive Session for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Elnstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmaier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. ARON. Mr. President, I move that the Executive Session do now rise.

Mr. QUIGLEY. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEE

Mr. SCOTT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT, from the Committee on Appropriations, reported as amended, Senate Bill No. 870 (House Bill No. 1487), entitled:

An Act making an appropriation to the State Eemergency Relief Board for allocation and re-allocation to political subdivisions charged by law with the care of the poor, or to other substituted agencies for direct and work relief; defining the purposes for which such moneys may be expended; providing for the audit of such expenditures, and prescribing the powers and duties of the State Emergency Relief Board, of cities coextensive with counties, and of counties.

Also from the Committee on Finance, reported as committed, Senate Bill No. 703, entitled:

An Act requiring cities, boroughs, towns, townships, school districts and poor districts to issue serial bonds when incurring, increasing or refunding indebtedness and imposing powers and duties on the Department of Internal Affairs.

Mr. HOWELL. Mr. President, I ask unanimous consent to make report from committe at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOWELL, from the Committee on Finance, reported as committed, Senate Bill No. 655 (House Bill No. 747), entitled:

An Act to amend section five hundred and three of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, three hundred forty-three), entitled, "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports, under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," as amended, providing for appeals from refusals of the Board of Finance and Revenue to allow refunds.

Mr. SONES. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SONES, from the Committee on Finance, reported as amended, Senate Bill No. 848, entitled:

A Supplement to the act approved the eighth day of May, one thousand nine hundred and nineteen (P. L. 148), entitled "An act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New Jersey of certain toll bridges over the Delaware River," and its amendments, authorizing the commission created under said act to borrow money from the Reconstruction Finance Corporation for the purpose of constructing toll bridges, to charge tolls thereon, and to repay loans from tolls collected.

BILLS INTRODUCED

Mr. BRANDT. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BRANDT read in his place and presented to the Chair Senate Bill No. 887, entitled:

An Act making it unlawful to use a hearse for the conveyance of sick or injured persons.

Which was committed to the Committee on Public Health and Sanitation.

Also read in his place and presented to the Chair Senate Bill No. 888, entitled:

An Act making an appropriation to the Department of Welfare to pay for the care, treatment, removal and maintenance of the indigent insane in Dixmont Hospital, at Dixmont, Allegheny County.

Which was committed to the Committee on Appropriations.

Mr. SCOTT. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT read in his place and presented to the Chair Senate Bill No. 889, entitled:

An Act making an appropriation to the Department of Welfare to pay for the care, treatment, removal and maintenance of the indigent insane in county and poor district hospitals.

Which was committed to the Committee on Appropriations.

HOUSE RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 948

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 3, 1933.

Resolved (if the Senate concur), That House Bill No. 948, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue to meet interest and Sinking Fund requirements on the State debt.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1

He also presented communication from the House of Representatives, informing the Senate that the House of Repre-

sentatives has adopted the report of the Committee on Conference on House Bill No. 1, entitled:

An Act empowering cities, boroughs, towns and townships to enact ordinances prohibiting baseball and other outdoor sports on Sundays; requiring the partial repeal of such ordinances where it is ascertained the majority of the electors favor such repeal, and providing procedure to ascertain the will of the electors; and repealing inconsistent laws.

Mr. TRAINER. Mr. President, I move that the report be laid on the table.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

REPORT FROM COMMITTEE

Mr. OWLETT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. OWLETT, from the Committee on Banks and Building and Loan Associations re-reported as amended, Senate Bill No. 748, entitled:

An Act authorizing and regulating the reorganization of banks and trust companies.

MOTION TO READ BILLS THE FIRST TIME

Mr. SCOTT. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 84, entitled:

An Act making an appropriation to carry into effect the provisions of an act, approved the tenth day of July, one thousand nine hundred and nineteen (P. L. 893), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants, and fixing the salaries of such State supervisor and assistants ;defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties, and requiring counties coming under the provisions of this act to appropriate certain moneys; and providing penalties," as amended.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 185, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 223, entitled

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 243, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 244, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 253, entitled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry, Philadelphia School of Design for Women at Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 267, entitled:

An Act to amend section eighteen of the act, approved the sixteenth day of May, one thousand nine hundred and twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the proceedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales or the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," changing the method of service of writs on persons who are without the Commonwealth, and providing for the effect of a return nihil habet on persons named in such writs or added thereto, when such persons cannot be located.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 416, entitled:

An Act making an appropriation to the Woman's Medical College of Pennsylvania, located at East Falls, Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 442, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art, Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 616, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of soldiers, sailors, marines, female field clerks, yeomanettes and nurses, who were killed in action or died during the World War, and conferring certain duties upon the State Veterans' Commission.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 655 (House Bill No. 747), entitled:

An Act to amend section five hundred and three of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three), entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as amended providing for appeals from refusals of the Board of Finance and Revenue to allow refunds.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 676, entitled:

An Act to amend section four of the act approved the fourth day of April, one thousand nine hundred and one, (P. L. 70), entitled "An act fixing the term of office of notaries public, regulating the appointment, and prescribing certain duties thereof"; reducing the fees for a notary public's commission.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 703, entitled:

An Act requiring cities, boroughs, towns townships, school districts and poor districts to issue serial bonds when incurring, increasing or refunding indebtedness, and imposing powers and duties on the Department of Internal Affairs.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 729, entitled:

An Act requiring corporations of the second class to furnish reports to shareholders, to file such reports with the Secretary of the Commonwealth, giving the Secretary power to prescribe forms and make regulations, prescribing penalties, providing for certain exemptions and repealing inconsistent acts and parts of acts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 754, entitled:

An Act to further amend section five of the act, approved the nineteenth day of April, one thousand nine hundred and one (Pamphlet Laws, eighty-eight), entitled "An act relating to replevin and regulating the practice in cases where the writ of replevin is issued," as amended, providing that no affidavit of defense shall be required before the return day of the writ.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 758, entitled:

An Act limiting the jurisdiction of the Public Service Commission over carriers of property on the public highways.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 809 (House Bill No. 256), entitled:

An Act to validate acts done by corporations before the recording of their charters.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 847 (House Bill No. 1500), entitled:

An Act for the development and use of unredeemed seated and unseated lands purchased by county commissioners at tax sales providing for the holding and permanent retention of such lands by the county for forest or recreational uses beneficial to the local community or for their transfer to the State under suitable restrictions for similar uses subject to certain annual charges providing for the use of revenues derived from such lands providing a procedure for the discharge of liens of record against such lands by sale after notice to owners and lien creditors providing for the sale by counties of such lands as are retained by the county providing for the appointment by local State forest advisory councils and conferring powers upon the Department of Forests and Waters and the Board of Game Commissioners with respect to the acquisition and exchange of such lands their proper organization and development and the acceptance of gifts of lands.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 848, entitled:

A Supplement to the act, approved the eighth day of May, one thousand nine hundred and nineteen (P. L. 148), entitled "An act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New Jersey of certain toll bridges over the Delaware River," and its amendments, authorizing the commission created under said act to borrow money from the Reconstruction Finance Corporation for the purpose of constructing toll bridges, to charge tolls thereon, and to repay loans from tolls collected.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 870 (House Bill No. 1487), entitled:

An Act making appropriations to the State Emergency Relief Board for allocation and reallocation to political subdivision charged by law with the care of the poor or to other substituted agencies for direct and work relief defining the purposes for which such moneys may be expended providing for the audit of such expenditures and prescribing the powers and duties of the State Emergency Relief Board of cities coextensive with counties and of counties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

HOUSE MESSAGES

HEARING OF UNEMPLOYED ORGANIZATIONS

The Clerk of the House of Representatives being introduced, informed the Senate that unemployed organizations of the ten eastern counties of the State have been granted a hearing in the Hall of the House of Representatives from two P. M. to four P. M. on Tuesday, April 4th, and the members of the Senate are invited to be present.

ERRATA

Page 726, column 2, line 64, strike out the word "Pennsylvania" and insert in lieu thereof the words "United States."

Page 728, column 1, line 9, strike out the word "years" and insert in lieu thereof the word "weeks."

Page 1488, column 2, between lines 53 and 54 insert the following: "Senate Bill No. 11, entitled:"

Page 1489, column 1, between lines 5 and 6 insert the following: "Senate Bill No. 14, entitled:"

Also between lines 8 and 9, insert the following: "Senate Bill No. 455, entitled:"

Page 1533, column 1, line 10, strike out the words "Senate Bill No. 28, entitled:" and insert in lieu thereof the following: "House Resolution No. 28, as follows:"

Page 1624, column No. 1, strike out lines 26 to 39, both inclusive, and insert in lieu thereof the following: "Senate Bill No. 158, entitled:"

An Act to amend section six, as amended, and section eight of an act approved the twelfth day of July, one thousand nine hundred and thirteen (P. L. 719), entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation"; prohibiting persons from being candidates for more than one party nomination.

ADJOURNMENT

Mr. SCOTT. Mr. President, I move that the Senate do now adjourn until tomorrow morning at 11 o'clock.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11.59 P. M. until 11 o'clock Tuesday morning, April 4, 1933.

HOUSE OF REPRESENTATIVES

MONDAY, April 3, 1933.

The House met at 9.00 o'clock P. M.

The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Chaplain, Rev. George F. Conner, offered the following prayer:

Our Father God, we are nearing the end of this legislative trail. We thank Thee for Thy presence with us thus far. "Lead, Thou us on." We are conscious of a sense of exultation, that the trail has been covered—almost. We are also aware of a sense of hurt—not from the flints in the path, and the hard tuggy climbs, and the hazardous desents, but that the record is not all we wish it were. There are yet strenuous days and nights ahead, with bristling problems of far reaching import—to these we dedicate ourselves anew. Grant that the Ladies and Gentlemen of the House may go forward, buoyantly, courageously, reckless of strength, with confident gallant tread, to the last mile of the trail. And may their record, finally surpass all legislative records of this House. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Thursday, March 30, 1933.

The Clerk proceeded to read the Journal of Thursday, March 30, 1933, when, on motion of Mr. O'Connor the further reading was dispensed with and the Journal approved.

BILL INTRODUCED AND REFERRED

By Mr. FLYNN. HOUSE BILL No. 2105.

An Act making an appropriation to the Elk County General Hospital, Ridgway, Pennsylvania.

Referred to the Committee on Appropriations.

COMMUNICATIONS AND PETITIONS

The SPEAKER laid before the House communications which were read by the Clerk as follows:

Woodrow Wilson Democratic League,
3285 Gaul Street, Phialdelphia, Pa., March 23, 1933.

The Legislature of the State of Pennsylvania
Harisburgh Penn.

RESOLUTION

We the undersigned members of the Woodrow Wilson Democratic League held a mass meeting on the day of March 23, 1933, at 3157-9 E. Thompson S Philadelphia Pa. Discussing the problems of distribution of beer and wines and its consequences in the future. We resolve as follows:—

Whereas, In regards that we have problems of unemployment in our opinion we deem it unwise to have the beer and wines distributed through the chain grocery and drug stores and restaurants.

Whereas, In our opinion no more than one license should be granted to one individual only.

Whereas, The license should be granted to any responsible individual citizen or group of citizens without political prestige.

Whereas, No beer or wines should be sold to minorss under twenty-one years of age or served by minor under the above age.

In conclusion, of the above. We beg that the body of legislature of the State of Pennsylvania to take under consideration the above statements.

We remained very respectfully yours,
FRANK PSZCZOLKOWSKI,
Frank Pszczolkowski Secretary.

The SPEAKER. The communication will be noted in the Journal and printed in the Legislative Journal.

RESOLUTION ON OLD AGE PENSION AMENDMENTS ADOPTED AT THE MEETING OF PHILADELPHIA CITIZENS, MARCH 17th, 1933.

Whereas, Pennsylvania was among the first three States to enact an Old Age Pension law ten years ago, and

Whereas, Since the law was declared unconstitutional the citizens of the State have been seeking to amend the Constitution in order to permit payment of pensions to aged and to widowed mothers, and

Whereas, The organized opposition of the greediest interests in the State dominated by Grundy and the State Chamber of Commerce have for eight years succeeded in killing these amendments in the Legislature thus preventing the right of the people to vote upon the issue, and

Whereas, The same interests are blocking the amendments now in the Senate Committee on Gratuities and Pensions, and there is danger that if these amendments are not passed by the present Legislature, the people will be unable to vote on the issue before 1938 at the earliest, and

Whereas, Since 1923 twenty-two States have already enacted Old Age Pension laws, six of them only during the last month, and

Whereas, These laws have provided the most humane and the most economical method in providing for the aged, and

Whereas, President Franklin D. Roosevelt has been one of the leading champions of this issue, and has been chiefly responsible for the successful operation of the New York law, which is now providing for 55,000 people, and

Whereas, Pennsylvania stand today isolated among all its neighboring State without an adequate method of caring for its dependent aged despite its greater need, and

Whereas, The amendments have been referred to a sub-committee composed of Senator Buckman, Fay, Woodward—the three bitterest opponents of these measures, thereby audaciously flouting the expressed opinion of the Commonwealth and insulting the intelligence of the voters,

Therefore, be it resolved that the citizens of Philadelphia in meeting assembled at the Friends' Meeting House, 20 South 12th Street, Philadelphia, on March 17th, 1933, condemn the action of the Senate Committee in withholding the amendments, and

Be it further resolved that the meeting urge Governor Gifford Pinchot to do everything in his power to defeat the Grundy influence in this State in blocking this great measure of social justice, and

Be it further resolved that the citizens of Philadelphia vigorously condemn the opposition of Senator George W. Woodward who has consistently opposed the right of the citizens of this State to vote upon the issue, and

Be it further resolved that copies of this RESOLUTION be sent to Governor Pinchot, the members of the Legislature, and to the press.

The SPEAKER. The communication will be noted in the Journal and printed in the Legislative Journal.

WESTERN UNION TELEGRAM

PA 14 42 NL—PITTSBURGH PENN

The Penna Legislation

Harrisburg Penna

Is two hundred yards from school not us or am I not citizen because of this any law passed not permitting equal privilege shall be considered as depriving me of a livelihood at my present location of business will hold Commonwealth responsible

RESTAURAUNTEUR.

The SPEAKER. The communication will be noted in the Journal and printed in the Legislative Journal.

TAXPAYERS' PROTECTIVE LEAGUE

628 Walnut Street, Reading, Penna.

April 1, 1933.

Mr. Grover C. Talbot, Speaker of House of Representatives, Harrisburg, Penna.

Dear Sir:

On Tuesday, April 4th, the unemployed organizations of ten eastern counties of this State will visit Harrisburg. As you have granted a hearing in the House from 2.00 P. M. to 4.00 P. M. for this hearing we request that you ask the members of the House and Senate to be present.

We will present undeniable facts on Tuesday that show the real condition of things in this State and we don't hestitate to say that things are at the breaking point and action is demanded of the Legislature at once. Our speakers program will be arranged and placed in your hands, and we have sent a committee to Mr. Hoopes, and he has agreed to introduce our speakers in the proper order.

Hoping you will comply with the request to have the members of the Legislature present, we are

Respectfully yours,

TAXPAYERS' PROTECTIVE LEAGUE,
LINCOLN H. STEIGERWALT,
Chairman, Executive Committee.

The SPEAKER. The communication will be noted in the Journal and printed in the Legislative Journal. The Chair requests that the members govern themselves accordingly.

The SPEAKER laid before the House the following communications which were read by the Clerk.

PROTESTING ANNEXATION TO PHILADELPHIA OF ADJOINING COUNTIES

Wayne Chamber of Commerce.

Referred to the Committee on Appropriations.

PROTESTING AGAINST PASSAGE OF PROPOSED SCHOOL CODE

P. O. S. of A. No. 220.

Referred to the Committee on Education.

TO MEMORALIZE CONGRESS TO PROTEST AGAINST GERMAN JEWISH BOYCOTT

Jewish Community of Western Pennsylvania.

Referred to the Committee on Federal Relations.

URGING PASSAGE OF HOUSE BILL No. 1500

Pennsylvania Forestry Association.

Referred to the Committee on Forestry.

URGING REBUILDING OF HIGHWAY ROUTE No. 366

New Kensington Chamber of Commerce.

Referred to the Committee on Highway.

URGING PASSAGE OF HOUSE BILL No. 528

Fraternal Order of Police, Penn Lodge No. 19, Chester.

Referred to the Committee on Military Affairs.

PROTESTING PASSAGE OF HOUSE BILL No. 329

The Walnut Street Association, Philadelphia.

Referred to the Committee on Municipal Corporations.

URGING PASSAGE OF HOUSE BILL Nos. 316, 317 and 1076

International Alliance of Theatrical Stage Employes and Moving Picture Machine Operators of United States and Canada, Local Union No. 516, Chester.

Referred to the Committee on State Government.

CONFERENCE REPORT ON HOUSE BILL No. 1

Mr. SCHWARTZ. Mr. Speaker, I desire at this time to call up the report of the Committee on Conference on House Bill No. 1, Printer's No. 473.

The report of the Committee on Conference was read by the Clerk as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1

To the Members of the Senate and House of Representatives:

We, the undersigned Committee of Conference on the part of the Senate and the House of Representatives for the purpose of considering House Bill No. 1, entitled: "An act relating to baseball and football on Sunday; prohibiting baseball and football on Sunday during certain hours, and also during certain other hours, unless the electors of a municipality are in favor of the same, and in certain cases a license has first been secured from the municipal authorities; providing for referendums to ascertain the will of the electors and for the enactment and repeal of licensing ordinances and resolutions in accordance therewith; providing penalties, and repealing inconsistent laws," respectfully submit the following bill as our report:

JOSEPH C. TRAINER,
JOHN J. McCLURE,
JAMES J. COYNE,
Committee on the part of the Senate.
LOUIS SCHWARTZ
WILSON G. SARIG,
JOSEPH G. STEEDLE,
Committee on the part of the House of Representatives.

An Act relating to baseball and football on Sunday prohibiting baseball and football on Sunday during certain hours and also during certain other hours unless the electors of a municipality are in favor of the same and in certain cases a license has first been secured from the municipal authorities providing for referendums to ascertain the will of the electors and for the enactment and repeal of licensing ordinances and resolutions in accordance therewith providing penalties and repealing incosistent laws

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Municipality Defined The word "municipality" as used in this act shall be construed to mean and include any city borough town and township of this Commonwealth

Section 2 Penalty for Unlawful Baseball and Football on Sunday It shall be unlawful for any person copartnership association or corporation to conduct stage or engage in any baseball or football game regardless whether a charge or admission thereto is made or whether labor or business is necessary to conduct manage stage or operate the same on the first day of the week commonly called Sunday before the hour of two o'clock post meridian or after the hour of six o'clock post meridian

It shall be unlawful for any person copartnership association or corporation to conduct stage or engage in any baseball or football games regardless whether a charge or an admission thereto or incidential thereto is made or whether labor or business is necessary to conduct manage stage or operate the same on the first day of the week commonly called Sunday between the hours of two o'clock post meridian and six o'clock post meridian unless the voters in the municipality have first voted in favor of baseball on Sunday as hereinafter provided and unless the person copartnership association or corporation proposing to conduct or stage any such baseball or football game to which an admission charge is made or is incidential shall first have secured from the proper municipal authority of the municipality a license authorizing him her or it to conduct or stage such baseball or football game between said hours on Sunday

Any person copartnership association or corporation violating any of the provisions of this section shall upon conviction thereof in a summary proceeding be sentenced to pay a fine not exceeding ten dollars ($10) and in default of the payment of such fine and costs of prosecution such person or any member or agent of any copartneship or association or any officer or agent of any corporation responsible for such violation shall be imprisoned for a period of not more than five days

Section 3 Ordinances and Resolutions License Fees If at the election in the year one thousand nine hundred and thirty-three as hereinafter provided a majority of the electors in any municipality voting at said election vote in favor of baseball and football on Sunday between the hours of two o'clock post meridian and six o'clock post meridian then each municipality other than a township of the second class shall by ordinance and each township of the second class shall by resolution of the township supervisors provide for the licensing of baseball and football games to which an admission fee is charged or is incidental on Sunday between the hours of two o'clock post meridian and six o'clock post meridian If the vote of the electors in the municipality was not in favor of baseball and football then an ordinance or resolution providing for the licensing of baseball and football games shall be enacted or adopted

The license fees to be charged under any such ordinance or resolution for any baseball or football game to which an admission is charged or is incidental shall not exceed the following amounts In cities of the first and second class fifty dollars ($50) in cities of the second class A and third class twenty-five dollars ($25) in boroughs five dollars ($5) and in townships one dollar ($1)

All license fees collected under the provisions of any such ordinance or resolution shall be paid into the treasury of the municipality

Section 4 Referendum Statement of Question on Ballots At the municipal election in the year one thousand nine hundred and thirty-three there shall be submitted in the manner provided by the election laws of the Commonwealth a question to determine the will of the electors of each municipality in this Commonwealth with respect to baseball and football games on Sunday Such question shall be in the following form

Do you favor the conduct, staging and playing of baseball and football games regardless of whether an admission charge is made or incidental thereto, or whether labor or business is necessary to conduct, stage or operate the same between the hours of two and six post meridian on Sunday?	Yes No	

The said question shall be printed on separate official ballots in bound form by the county commissioners of each county and sufficient number of ballots shall be furnished to the election officers in each election district of the county so that one ballot may be supplied to each voter at such election In districts where voting machines are used such question shall appear on the face of the machine where the machine is properly equipped for such purposes

Section 5 Returns and Computation of Votes The votes cast on such question shall be counted by the election officers and returns thereof made by them and by election officers where voting machines are used to the prothonotary of the county who shall lay the same before the return board for computation at the same time and in the same manner as other returns The return board shall compute the said returns by municipalities and certify the results of the vote cast on the question to the legislative body of each municipality within the county

Such election shall be governed by the election laws of the Commonwealth and all penalties provided by said laws shall apply to such elections

Section 6 Future Referendums In any municipality the will of the electors with respect to baseball and football on Sunday may after the year one thousand nine hundred and thirty-three but not oftener than once in three years be ascertained and the question as provided in this act shall be submitted to the electors of any municipality upon demand in writing of petitioners equal to at least five per centum of the highest vote cast for any office in the municipality at the last preceding general or municipal election Such petition shall be filed with the corporate authorities at least sixty days before the day of any general or municipal election at which the question is to be submitted and if the petition is sufficiently signed shall thereupon be certified to the county commissioners who shall cause such question to be submitted in the same

manner as is provided in this act for the election in the year one thousand nine hundred and thirty-three

If a majority of the electors voting in any municipality which licenses baseball and football games to which an admission charge is made or is incidental are not in favor of such licensing then the ordinance or resolution licensing such baseball and football games shall be repealed but if a majority of the electors in any such municipality which does not license baseball and football games are in favor of such licensing then an ordinance or resolution shall be enacted or adopted licensing baseball and football games to which an admission charge is made or is incidental as provided in this act

Section 7 Intent of Act It is the intent of this act to provide a method whereby the will of the electors of each municipality with respect to baseball and football games on Sunday between the hours of two o'clock post meridian and six o'clock post meridian may be ascertained and it shall be the duty of the legislative body of each municipality to enact adopt or repeal any ordinance or resolution in accordance with the will of the electors as ascertained at said elections In case of a failure so to do the duty herein imposed upon the legislative body of any municipality may be enforced by mandamus

Section 8 Repeal Section one of the act approved the twenty-second day of April one thousand seven hundred and ninety-four (3 Sm L 177) entitled "An act for the prevention of vice and immorality and of unlawful gaming and to restrain disorderly sports and dissipation" be and the same is hereby repealed in so far as it prohibits baseball and football games on Sunday

Section 9 Constitutionality The provisions of this Act are severable and if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act it is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included herein

Section 10 Hunting and Fishing Nothing contained in this act shall relate to Sunday hunting and fishing or be construed as repealing any law relating thereto

Section 11 Effective Date This act shall be effective immediately upon final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. RHODES. Mr. Speaker and members of the House, to some of us the original of House Bill No. 1 was objectionable. In many of its features I personally could not agree. I felt that that was not taking the proper method of procedure to determine this important question.

As you know originally, as it passed the House, it provided for the repeal of the so called blue laws and then permitted our various municipalities to pass ordinances which could only be eliminated by a future referendum. To me that was not the proper proceeding, and therefore I voted against the bill.

I have read the conference report with a great deal of interest. This conference report, insofar as I am concerned has removed those objectionable features. It now is in a form where I believe that any member who believes in democratic government can vote for it.

Today I think we all agree that the matter of Sunday observance is largely a matter of local determination. This bill, as it is now presented to us in the conference report, gives an opportunity to the various districts and municipalities to say what they want in connection with this particular matter. Therefore, I personally am in favor of this conference report because it allows local self-determination.

On the question recurring.

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Consttiution, the yeas and nays were taken and were as follows, viz:

YEAS—142

Andrews,	Forrest,	Lynch, J. R.,	Ruth,
Baldi,	Furman,	Malina,	Sarig,
Barnhardt,	Gallagher,	Maloney,	Sautter,
Bechtel,	Gartner,	Marcks,	Schrope,
Beech,	Gorman,	Mason,	Schwab,
Bennett,	Green,	McBride,	Schwartz,
Bernhard,	Greenstein,	McClure,	Scorza,
Blumberg,	Griffith,	McGinnis,	Shenkel,
Boyd,	Haines,	McGrail,	Shugarts,
Brancato,	Hamilton,	Melchiorre,	Simon,
Brennan,	Harmuth,	Metzler,	Sinwell,
Brown, J. E.,	Harris,	Moore,	Sowers,
Brown, W. L.,	Hart,	Munley,	Spann,
Cannon,	Hartman,	Myers,	Stank,
Caputo,	Heffernan,	Nothnagle,	Steedle,
Carey,	Hefferon,	O'Connor,	Sterling, P.,
Chervenak,	Heffner,	O'Keefe,	Sterling, R. B.,
Cohen,	Hermansen,	O'Neill,	Stevens,
Conner,	Hester,	O'Rourke,	Stone,
Cooke,	Hoffman,	Pennock,	Storb,
Cordier,	Holmes, J. B.,	Perry, J. J.,	Tahl,
Craig,	Hoopes,	Peters,	Turner,
Cramer,	Hough,	Powell,	Wagner,
Davies,	Howard,	Powers,	Wasserman,
Denning,	Jaffe,	Price,	Weidemann,
Downey, G. E.,	Kane, J. J.,	Quinn,	Welsh,
Downey, J.,	Kane, L. P.,	Raub,	Westrick,
Duffy,	King,	Rectenwald,	Williams, J. J.,
Dwyer,	Kinney,	Reed,	Wilson, L. M.,
Ederer,	Labar,	Reilly,	Wilson, T. B.,
Emhardt,	Lane,	Rhodes,	Witkin,
Eroe,	Laubach,	Rice,	Yourishin,
Fitzgerald,	Lenahan,	Roan,	Zimmerman,
Flanagan,	Lewis,	Root,	Talbot,
Fleisher,	Long,	Roth,	Speaker.
Flynn,	Lovett, J. E.,	Ruby,	

NAYS—51

Baker,	Horst,	McKinney,	Stiteler,
Brownfield,	Hutton,	Merrell,	Stott,
Carson,	Lord,	Mumford,	Surface,
Dane,	Lose,	Negley,	Terry,
DeFrehn,	Lovett, W. S.,	Patterson,	Walker, W. A.,
Dunmire,	Lynch, M.,	Peelor,	Wall,
Evans,	Male,	Perry, D. R.,	Way,
Flinchbaugh,	McCandless,	Schrock,	White,
Gillette,	McCreary,	Sheffer,	Wike,
Habbyshaw,	McElwee,	Shellenberger,	Williams, G. W.,
Hewitt,	McGregor,	Shettel,	Wood,
Himes, L. R.,	McHenry,	Shortz,	Wright,
Holmes, J. L.,	McKay,	Snyder,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee on Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

BILL INTRODUCED

Mr. HAINES. Mr. Speaker, through an oversight an appropriation bill for an institution in my county has been overlooked. Therefore I would ask unanimous consent to introduce an apprpriation bill for that institution at this time.

The SPEAKER. Will the House give its unanimous consent for the introduction of the bill at this time? Are there objections? The Chair hears none and consent is granted.

The bill will be filed with the Bill Clerk.

LEAVES OF ABSENCE

Mr. McKAY asked and obtained leave of absence for Mr. Stevenson on account of illness.

Mr. McGREGOR asked and obtained leave of absence for Mr. Harry E. Himes for the balance of the week on account of illness.

REPORTS FROM COMMITTEES

Mr. HUTTON, from the Committee on State Government, reported as committed, House Bill No. 1700, entitled

An Act prohibiting employes of certain county offices and departments of the Commonwealth from being interested in the settlement of certain estates; and providing penalties.

and asked unanimous consent that it be read for the first time.

The SPEAKER. Will the House give its unanimous consent for the reading of this bill for the first time? Are there objections?

Mr. WITKIN. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

Mr. RICE, from the Committee on State Government, reported as committed, House Bill No. 1880, entitled:

An Act to amend section nine hundred and seven of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers, and of all deputies and other assistants and employes in certain departments, boards, commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing that the Attorney General may retain and employ attorneys to represent the Commonwealth, in criminal proceedings, in the various districts of the Commonwealth, if requested to do so by the court of the district having jurisdiction thereof, and providing for the repeal of all acts inconsistent therewith.

Mr. RICE, from the Committee on State Government, reported as committed, House Bill No. 1582, entitled:

An Act authorizing the State Emergency Relief Board to create a fact-finding committee to formulate a work-relief program for the Commonwealth.

Mr. RICE, from the Committee on State Government, reported as committed, House Bill No. 1885, entitled:

An Act to regulate and improve the civil service of the Commonwealth of Pennsylvania, to make any violation of its provisions a misdemeanor, and to provide penalties for any violation thereof

Mr. NEGLEY, from the Committee on State Government, re-reported as committed, House Bill No. 9, entitled:

An Act to amend and further amend the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, three hundred forty-three), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," making further provision for the settlement, assessment, collection, lien, and procedure for collection of taxes, and other moneys due the Commonwealth.

Mr. NEGLEY, from the Committee on State Government, reported as committed, House Bill No. 1425, entitled

An Act to reenact section one of the act, approved the thirteenth day of June, one thousand eight hundred and eighty-three (P. L. 119), entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized use and traffic in human bodies," as amended, reestablishing the Anatomical Board of the State of Pennsylvania.

and asked unanimous consent for the bill to be read for the first time.

The SPEAKER. Will the House give its unanimous consent for the reading of this bill for the first time? Are there objections? The Chair hears objection and consent is not granted.

Mr. PATTERSON, from the Committee on State Government, reported as committed, House Bill No. 10, entitled:

An Act to repeal the act approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (Pamphlet Laws, two hundred seventy-eight), entitled, "An act creating a 'Greater Pennsylvania Council' for the promotion of the economic, social, industrial, agricultural, educational, civic, and recreational welfare of the Commonwealth of Pennsylvania and its citizens, prescribing the organization, powers, and duties of said council and making an appropriation.

Mr. PATTERSON, from the Committee on State Government, reported as committed, House Bill No. 1426, entitled:

An Act to amend sections six and seven of the act, approved the third day of June, one thousand nine hundred and nineteen (P. L. 366), entitled "An act reorganizing the Department of State Police; creating therein a Bureau of Fire Protection; providing for a State Police Force, and defining the powers and duties of the same; including the enforcement of the laws relating to game, fish, forestry, and water supply, and certain other laws, and including the collection of information useful for the detection of crime, and the apprehension of criminals; providing for the equipment, maintenance, and transportation of such police; providing for barracks and substations therefor; and prescribing penalties," as amended, by transferring the State Highway Patrol to the State Police Force; fixing the compensation of the present and added personnel of the State Police Force; limiting their right to maintenance; and providing for their assignment to State Police duties and to State Highway Patrol duties.

Mr. PATTERSON, from the Committee on State Government, reported as committed, House Bill No. 2103, entitled:

An Act providing for the reimbursement by the State of counties for costs and the maintenance of prisoners imposed as the result of prosecutions under laws, providing that fines and penalties imposed under such laws or forfeited bail recovered as the result of such prosecutions shall be payable into the State Treasury or any fund thereof; providing for the audit of the accounts of counties by the Auditor General, and for the collection of amounts due from counties, and for appeals by counties to the Board of Finance and Revenue; and imposing powers and duties on the Auditor General, Department of Revenue, and Department of Highways, and certain duties upon counties, and making an appropriation.

Mr. STITELER, from the Committee on State Government, reported as committed, House Bill No. 1102 (Senate Bill No. 60), entitled

An Act to amend sections two and three, four as amended, five, seven and eight of the act approved the sixteenth day of May, one thousand nine hundred and twenty-nine (P. L. 1780), entitled "An act to fix the salaries and compensation of the Judges of Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Allegheny County"; by reducing the salaries of judges learned in the law,

and asked unanimous consent for the bill to be read for the first time.

The SPEAKER. Will the House give its unanimous consent for the bill to be read for the first time? Are there objections? The Chair hears none and consent is granted.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1102 (Senate Bill No. 60), entitled:

An Act to amend sections two and three four as amended five, seven and eight of the act approved the sixteenth day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand seven hundred eighty) entitled "An act to fix the salaries and compenastion of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County" by reducing the salaries of judges learned in the law.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

REPORT FROM COMMITTEE

Mr. STITELER, from the Committee on State Government, reported as committed, House Bill No. 2104, entitled

An Act to amend paragraph 2 of Section 4 and Section 8 of the act approved the eighteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, one thousand forty-three) entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes; defining the uses and purposes thereof, and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties," as amended, by creating an administration expense account in the School Employes' Retirement Fund and providing for the payment of the cost of administering the account from interest earnings of investments of said account in excess of four percentum

and asked unanimous consent for the bill to be read for the first time.

The SPEAKER. Will the House give its unanimous consent for the reading of the bill for the first time? Are there objections? The Chair hears none and consent is granted.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2104, entitled:

An Act to amend paragraph 2 of Section 4 and Section 8 of the act approved the eighteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, one thousand forty-three) entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes; defining the uses and purposes thereof, and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties" as amended, by creating an administration expense account in the School Employes' Retirement Fund and providing for the payment of the cost of administering the account from interest earnings of investments of said account in excess of four percentum.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

WITHDRAWAL OF OBJECTION

Mr. WITKIN. Mr. Speaker, I desire to withdraw my objection to the reading for the first time of House Bill No. 1700, reported by the gentleman from Franklin, Mr. Hutton.

The SPEAKER. The Chair desires to inform the gentleman from Philadelphia that there were objections to other bills. Does he desire to withdraw his objection to them also?

Mr. WITKIN. Mr. Speaker, I did not make objections to the other bills. I tried to get recognition from the Speaker and I think the Speaker misunderstood me, thinking that I was objecting to those bills being read the first time. I have no objection to any bills being read for the first time.

The SPEAKER. That being the case the Chair will again take up House Bill No. 1700. Will the House give its unanimous consent for the reading of this bill for the first time? Are there objections? The Chair hears none and consent is granted.

BILL ON FIRST READING

Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1700, entitled:

An Act prohibiting employes of certain county offices and departments of the Commonwealth from being interested in the settlement of certain estate; and providing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

REPORTS FROM COMMITTEES

Mr. STITELER, from the Committee on State Government, reported as committed, House Bill No. 1076, entitled:

An Act requiring the Secretary of the Commonwealth to inquire into the purposes of the incorporators of labor groups and to approve or disapprove their incorporation or right to do business within the Commonwealth.

Mr. ROAN, from the Committee on Elections, reported as committed, House Bill No. 1505, entitled:

An Act to further amend clause (a) of section four of the act, approved the eighteenth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, five hundred forty-nine), entitled "An act to permit the use of voting machines for recording and computing the vote at all elections, including primaries, in any county, city, borough or township of the Commonwealth, at the option of the electors thereof; prescribing regulations with reference to the adoption, requirements, examination, purchase, installation, preparation, custody and demonstration of use of voting machines; providing rules and regulations for the conduct of elections held with voting ma-

chines; prescribing the qualifications, number and duties of election officers in the election districts in which voting machines may be used; placing duties upon County Commissioners and the Secretary of the Commonwealth; providing for redivision of wards of cities and boroughs into election districts, and the consolidation of election districts; providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used; and providing penalties for violation of the provisions of this act," as amended, by providing that the Courts of Quarter Sessions may order that one additional voting machine be provided in certain election districts.

Mr. HEFFNER, from the Committee on Education, reported as committed, House Bill No. 6, entitled:

An Act to further amend paragraph eight of section one thousand two hundred ten, of an act, approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue, and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended, decreasing the minimum salaries of county superintendents and assistant county superintendents.

Mr. NOTHNAGLE, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1760, entitled:

An Act providing for the assessment of costs, for the acquiring and adopting of or connectiing with existing sewers of adjacent municipalties by townships or boroughs and the maintenance thereof and providing for filing of liens therefor.

Mr. NOTHNAGLE, from the Committee on Education, reported as committed, House Bill No. 1198, entitled:

An Act relating to dentistry; defining and providing for the licensing and registration of dentists, and dental hygienists, and for the revocation and suspension of such licenses and registrations subject to appeal, and for their reinstatement; defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction; providing penalties; and repealing existing laws.

Mr. HORST, from the Committee on Agriculture, reported as amended, House Bill No. 11, entitled

An Act to amend clause (b) of section two of the act approved the twenty-second day of June, one thousand nine hundred thirty-one (Pamphlet Laws, six hundred eighty-two), entitled "An act relating to domestic animals and providing for their appraisement when about to be slaughtered to prevent the spread of disease; and regulating payments by the Commonwealth in such cases, and the payment of salvage by butchers," by reducing the amount of payments to be made by the Commonwealth.

HOUSE BILL No. 22 SPECIAL ORDER

The SPEAKER. The hour of 9.30 o'clock having arrived, the Chair lays before the House the Special Order on third reading fixed for this time, being House Bill No. 22.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 22, entitled:

An Act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers deputies and employes providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the assistants and employes of certain departments boards and commissions shall be determined"

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TURNER. Mr. Speaker and members of the House, the imoprtance of this occasion is fully attested by the number of visitors who are upon the floor of this House, and who, I think it is safe to say, have mainly come here for no other reason than to hear what is said in reference to House Bill No. 22 and to know the result of the vote thereon.

I anticipated the importance of this occasion and felt that you gentlemen and ladies of the House were entitled to the fullest exposition of this bill and of the underlying reasons in support of it, and of the reasons that urged us in the creation of this bill. I, therefore, deemed it necessary to prepare for this House a speech that would outline the purposes of the bill and the objects of the sponsor, but realizing that we have a very long calendar, realizing that there are many people who are standing about the floor of the House, and realizing that I might try the patience of the members of the House in reading a speech of this kind, I am going to ask the opportunity of filing the speech and of merely touching as I can, upon the high points thereof.

Mr. Speaker and members of the House, there has been a great deal of misunderstanding in reference to House Bill No. 22. There have been a great many reports, there have been a great many newspaper articles, there have been a great number of communications sent from the departments and from different parts of the capitol to the people of Pennsylvania. Therefore it may seem pertinent to ask why at that time we started on this measure.

I am certain that had I desired to secure from the members of this House some claim of popularity, as well as from the employes of the state, I would have never undertaken this measure. But last December a group of us met here in Harrisburg and discussed some of the possibilities of legislation, and I was detailed to the duty of studying the administrative code with the idea of reducing the cost of government, to cut out the frills and take away functions which we thought were operating at an expense to the government of Pennsylvania, which were not justified under the conditions of depression that exist.

During the month of December we did intensive work on this bill. On the first day of the session this bill was introduced as an amendment to the administrative code. It contained rather drastic cuts. We had tried to go as deeply as possible into the service offered by the state in the belief that in times like this the state has no right to support any service that does not justify itself when considered with the amount of money that the state has to expend. After the bill was introduced it was referred to the State Government Committee, of which the gentleman from Franklin, Mr. Hutton is the chairman, and he appointed a sub-committee of eight members, consisting of the gentleman from Philadelphia, Mr. Sterling, the gentleman from Allegheny, Mr. Steedle, the gentleman from McKean, Mr. Wilson, the gentle-

man from Berks, Mr. Sarig, the gentleman from Philadelphia, Mr. Tahl, and Messrs. Hutton and Wall and myself.

We immediately sent to every department of the state government a questionnaire. The gentleman from Philadelphia shakes his head and reminds me that he was not a member of that sub-committee and I apologize. He was not. We sent to every department of the state government a questionnaire asking for detailed information as to the functions of every department and of every bureau and the specific acts of the legislature pertaining thereto. We also asked for certain information as to salaries paid in 1926, 1931 and 1932. After some delay, and I will say to the credit of the heads of the departments not occasioned by the heads of the departments, but by a skillful little buck passing game that kept us delayed about ten days or two weeks, we secured the information for which we had asked. We then asked the departments to appear before us and they voluntarily did, and this committee sat around the table in the committee room with the stenographers of this House, to whom I desire to give credit for their volunteered services, that they gave to this committee, taking stenographic notes of the work of the committee. Day in and day out this committee sat listening to these departments, getting their comments and their criticisms and asking them questions pertinent to the duties and functions of their departments. When that work had been completed, that testimony was digested, and then the committee sat here one Sunday and Monday and went back through the bill with all the information before them that had been given to them, and revised and cut, and put back in and took out things which they felt should be taken out. Then the bill was reported to this floor, and then it went to a joint committee of the House and of the Senate, composed in the Senate of Messrs. Scott, McClure, Baumer and Woodward, and in the House of Messrs. Sterling, Mathay, Steedle, Hutton and myself, and there again we went through this bill, offering to that committee the things we had done, the changes that had been made, the powers and duties and functions where they had been affected by the bill. We compared it with the Sterling Committee recommendations that affected the administrative code, and after that committee was through with it the bill was again sent back to the floor of the House, and is now before you for final action.

It may be pertinent to ask what is the administrative code. The administrative code sets up the machinery of the executive and administrative Departments of the government of State. The Constitution sets up the three branches, but the administrative code states the functions that shall be performed by that executive branch of the government. It does not in itself set up legislate functions, but it does say what a department shall do and of what it shall consist. It sets up the bureaus and boards and commissions, and it then sets forth the duties, powers, and the functions of those different departments. Not all of these duties and functions and rules are contained within the administrative code. In the first place, there are many of these powers and duties and functions most of them are contained in separate acts of this legislature. I refer to but one. The Sterling Committee recommended that the dog law, as administered by the Department of Agriculture, should be taken over by the State Police. That is contained in a separate bill, and is not mentioned within the administrative code.

As I said to you, I shall try briefly to tell you about this bill. The bill, in the first place reduces the salary of the Governor, the salary of the heads of the departments the Auditor General, the State Treasurer, the Secretary of Internal Affairs, and the Lieutenant Governor. It controls all of the salaries, and sets up all of the salaries down to four thousand dollars, and provides that no salary shall be paid over the sum of four thousand dollars unless set forth in the statute.

It sets up the number of bureaus and the number of deputies, that each department may have, and then, as I have said before, it commands, it regulates, it controls some of the duties, powers and functions of the departments.

It was built for the purpose of effecting economy and I deny the charge of any one that it will not effect economy. It is the foundation stone of an economic program, it is the necessary foundation stone upon which to build the appropriation bill for this session.

I say it to you in all the solemnity of a member of this House, having been a member for five terms, and having been upon this floor since 1925, and I defy one to say that I have ever misled this House. I say to you that this bill was conceived for the purpose of effecting economies and that it does effect economies in the state government. Now, ladies and gentlemen of the House, are you interested in that or are you not?

I have conceived it to be the clear mandate of the people of Pennsylvania that they want the cost of government reduced. I believe the thousands of people a week ago standing upon the plaza here echoed that cry from the people of Pennsylvania. All over this State they have been coming in asking you to reduce the cost of government no matter in what way or in what form. It is your duty and your obligation as well as mine to see that that is done.

There has been the charge made that there is politics in this bill, that the executive board has been created for the purpose of curtailing and taking away from the Governer some of his powers. I say to you again, with all the solemnity that I can possess, I say to you with all the earnestness that I can muster that you can go to any man of that sub-committee of the State Government Committee, and you can inquire of him upon his oath, and I know that he will say to you that never once during the deliberations of this sub-committee in working on this bill was there one iota of politics in it. I know that he will say to you that we cut friend and other people alike, that at no time in the consideration of this bill did we consider the person in office. I defy any person to go to one part of this bill or the other and find any place in the bill where there are inequalities. We tried to cut equally all down along the line. We believe that if economy is to be effected, that the cut must come every place, and that there must not be in it a favored few. But the charge has been made that there is politics in it. We men who have fought and worked for this bill over four months are interested in only seeing that economy may come.

Today the Chairman of the Republican State Committee sent to me a communication, copies of which I have handed to the members, in which he said that the State Republican organization is committed to a policy of economy in government without politics, and he asked me to take out of this bill the Executive Board.

I say to you ladies and gentlemen that I believe today just as I did on the day when we first wrote it in this bill that the Executive Board is a necessary thing, as we have set it up by the five elective officers in this bill. I am just as firm in the belief that the Executive Board is the very foundation of the maintenance of the control by the Legislature over the executive branch of this government, in order that it may not

run away in extravagant expenditures. I say to you that I believe it is necessary that we do economize in State government, but the Executive Board has nothing to do at the moment with effecting economies. We are endeavoring to make way for an economy program, we are attempting to go forward. So, when these leaders of the Republican State organization said to me today, we ask that you take this out of the bill. We ask you that if we pledge that in the Senate we will amend this bill, and you will stand behind it, we will have the bill amended to take out the Executive Board.

Ladies and gentlemen, I have spent four months here. I have been here when you have gone home. I have been here Sundays, I have been here at nights, I have been here at times when this House has been locked up and dark excepting the light burning over there in the State Government Committee rooms.

I say to you that this provision for an Executive Board cannot be charged with politics, and if that charge is to have any effect on your minds upon the passage of this bill, then I am willing to take it out, painful as it may be.

I understand that the Democrats have said that this was a political scheme on the part of the Republican organization; that the Democratic party expected at the next election to elect a Governor, and that they thought the Republican party was trying by this measure to effect check and control upon the government and hamstring a Democratic governor of Pennsylvania. Ladies and gentlemen, if this is the thing to protect our government, if this is the thing to cut down our cost, if this is the thing to bring about the proper and right government no matter who is Governor, if it effects a check upon it, you ought to stand here and vote for it. In order that you may not have any doubt in your minds, I say to you gentlemen of the Democratic party that this is the time, as is being done down in Washington today, when the Republican and the Democratic parties are standing together to effect economies in government, to bring about a better condition in this country, that you members ought not to be bound by partisian politics, that you ought not to be bound by petty politics, but you ought to do this from the standpoint of the people of Pennsylvania.

I ask you to believe me if you wont believe anyone else, because I have been the colleague of some of you for years, and I have never lied to anyone of you on the floor of this House or outside of it that I know of, I say to you that I will promise to you tonight that this bill will be amended in the Senate to take out the Executive Board.

You might ask me why don't you amend it now and why don't you offer the amendments. If you know what kind of a task is take it out of the bill, if you know how many amendments it will be necessary for me to offer to take it out of the bill, I think you will understand it. It could not be prepared in twenty-four hours. It would not have been back here with the printing that would be necessary before the latter part of the week. I do not want to hold up the work of this House, I do not want to hold up the machinery of this House, and I do not think you ought to ask that it be held up upon the promise that I make here today. When I say to you that this bill will be amended in the Senate if you vote for it, because you believe that the executive board is harming your party. I hope that is not true. I hope you gentlemen of the Democratic party are forgetting party lines, and we of the Republican party too are forgetting party lines, but we are all standing here for economy for the people of Pennsylvania, for a measure that will enable us to effect a real economy.

Can you afford to go back to the voters in your district upon any petty proposition as to why wou did not vote for this bill?

Today you may hear the rumbling of special interest, and of those who have special interests why they want something from this bill, but tomorrow you will hear the voices of thousands of more people in Pennsylvania, if you do not pass this bill tonight.

(Extended remarks of Mr. Turner).

As has been stated a number of times on the floor of this House during this Session, notwithstanding great interest of the people in many bills now before the Legislature, the most vital necessity in government today is the reduction of its cost.

House Bill No. 22 is a part of a program to accomplish such reduction. It must not be considered alone but must be taken in conjunction with a great number of bills pertaining to the functions of departments, boards and commissions, and must be considered as the foundation for an appropriation bill which will cut the cost of State Government by many millions of dollars.

There has been much misunderstanding as to just what is the Administrative Code.

In its broad sense it may be said to set up the machinery for the operation of the entire executive branch of the State Government including the Departments of the Auditor General, State Treasurer, and Secretary of Internal Affairs, the heads of which are elective officials, and which Departments therefore are independent of the Governor.

The Code sets up the Administrative Departments, Boards and Commissions, and defines their powers, duties and functions.

It does not, however, provide all of the authority under which these Departments, Boards and Commissions operate. Most of this law is found in Acts of the Legislature other than the Code. Some of the duties imposed upon the Departments by Acts of the Legislature are not mentioned within the Code.

For instance the Sterling Committee recommended that the enforcement of the dog licensing act be transferred from the Department of Agriculture to the State Police. This is carried out by a separate act and does not and never has appeared within the Code. It was recommended both by the sub-committee on State Covernment and by the joint Legislative Committee on Finance that the Motor Patrol be transferred from Revenue to State Police. While provision is made for this within the Code, it is necessary to have a separate Act providing for such a transfer before it could become effective. The expanding cost of government is not caused by the simple and fundamental functions of Government as conceived by the founders of this Nation, but by the addition of so-called service and supervisory and regulatory provisions which have from time to time been added by law to the structure and the duties of government and its departments.

These become a part of the said "duties, powers and functions" of the departments as set forth in the Code and are a part of the continually rising cost of our State Government. It would be bad enough were the cost alone placed directly upon the taxpayer through the expenditure of State monies, but in many instances these supervisory and regulatory powers add great sums to the cost of business which must fall upon the average citizen in the cost of doing business or in the price of the commodity which he purchases.

While the cost in money is important enough to command our earnest consideration, there is a more serious problem involved.

The Hon. James M. Beck in his book "Our Wonderland of Bureaucracy," says:

"That Constitution (of the United States) was the noblest expression of the spirit of individualism in the annals of the world. Its fundamental philosophy was that the interference by the Government in the life of the individual should be reduced to a minimum. This spirit was embodied in the following eloquent passage from Jefferson's first inaugural:

"'A wise and frugal Government, which shall restrain men from injuring one another, shall otherwise leave them free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned!'"

Jumping from Jefferson to modern times, the Chicago Daily Tribune on December 24th, 1931, said:

"Under one pretext and another there seems to be no right and no activity in our lives that Government in these days is not looking for some excuse to regulate or suppress. The main concern of the National Government has become snooping. This is a rapidly growing nuisance characteristic of bureaucracy, and intolerable. We have multiplied bureaus whose ruling passion is interference with individual liberty and the increase of their powers. This is the universal nature of bureaucracy, and it is making a joke of the guarantees of civil liberty. Also, it is absorbing more and more of the public revenue and piling up a burden of taxation which is killing private enterprise and national prosperity."

It therefore must be apparent that as the Administrative Code sets up the machinery of the Executive Branch and in general terms recites the powers, duties and functions of the Administrative departments, boards and commissions, that any general curtailment of the cost of Government must begin through amendment of the Administrative Code by contracting the plan of organization, cutting out frills and useless functions, and repealing those that are not an absolute necessity when measured by the ability of the State to pay the cost without adding to the tax burden.

Having determined what is the purpose of the Administrative Code and the amendments thereto it may next be pertinent to inquire what changes have been made to bring about the said reduction in the cost of government, to curtail bureaucracy and to relieve business and the average citizen from as much infringement of his individual liberties as possible.

It is to be regretted that the Committee could not have wiped the slate clean, cut the Government to the bare essentials, and then attacked the problem, making each service that is added justify itself before it should be reinstated. As far as possible by interviews with executives of the different departments and from a perusal of their functions, this was done. I am satisfied, however, that we have only made a beginning and that the report of the Streling Committee and the work of the State Government Committee in this Session will erect a foundation upon which future Legislatures may build.

House Bill No. 22 accomplishes a number of things which may be generally classified as follows:

First—It reduces the salary of the elective officers of department heads, deputies and bureau chiefs and limits the salaries of the heads and business managers of State Institutions.

Second—It fixes the number of deputies in the Departments at thirty-nine. At present there are fifty-nine, but the number is not limited by law.

Three—The number of bureaus now unlimited by law is reduced from one hundred and sixty to not more than seventy-five.

Four—It provides that no salary shall be paid in excess of the sum of $4,000 unless expressly provided by law.

Our forefathers knew that the appropriating power was the real factor in the control of Government. When the Legislature permits appropriations to be used without control upon the amounts exended as in the case of salaries, it is giving away that power which was granted to it under the Constitution, and which all our experience has taught us must remain in the hands of the Representatives of the people if Democracy is to survive.

Five—As at present it creates an executive board of five members made up of the five elective officers, to wit—the Governor, Lieutenant Governor, Auditor General, State Treasurer and Secretary of Internal Affairs.

I have been requested to agree to amendments in the Senate to restore the board to the status as at present wherein the Governor appoints the board.

As the question of classification and of salaries affects the finances of the State Government it is proper that the Legislature should in some manner set up a board to prevent the abuse of the unlimited right to classify and to fix salaries. The only other way in which the Legislature can control this would be by making all salaries statutory which is cumbersome and not flexible enough for administrative purposes. There has long been a school of political economists who have believed that all salaries should be fixed by a board and that none should be statutory. We have seen evidences of this in the legislation requesting salary boards in our counties. Heretofore in our State Government the widest latitude has been allowed to the elective officers in fixing the salaries in their departments. If you could have studied the reports as we have done, it is certain that you would be convinced that there has been wide abuse of this power and that if we are to reduce the cost of government it must start at this point, by controlling salary rates.

The Executive Board is further given the control of publications. Publications are one of the favorite activities of bureaus. Many useless reports and pamphlets are published at the expense of the taxpayer for the glorification of the departments or their administrative heads. The number who find use for them is small in proportion to the circulation. And the other expense in many instances is absolutely unwarranted.

Sixth—It sets up a Bureau of Statistics in the Department of Internal Affairs, where the Constitution required that there be a Bureau of Statistics, to increase the efficiency and cut out duplication of effort, as well as effect a reduction in the cost of gathering statistics. Because there are certain statistics which are purely departmental, or which cannot be handled by a centralized system, provision is made to care for this.

Seventh—It provides for the transfer of the motor patrol from the Department of Revenue to State Police by setting up two bureaus in the Department of State Police—one being State Police and the other Motor Patrol. This will reduce the operating cost and add to the efficiency of the organization without interfering with its functions as exclusively a Highway Patrol.

Eighth—It provides that the Auditor General, State Treasurer and Board of Finance and Revenue are not in all cases required to follow legal advice from the Department of Justice. It exempts them from all liability when such advice is followed and further provides that they may engage any attorney to represent them, jointly or individually, in any matter of public business of their departments when they are not in accord with the legal position taken by the Attorney General in which event they are exempted from any liability in such action.

If such condition had prevailed prior to the 1932 Special Session of Legislature, it would not have been necessary for that session to have been called and the taxpayers would have been saved upwards of half a million dollars.

Ninth—It is impossible in a statement of this kind to relate all of the minute details by which the powers and duties of the departments are affected by the act. An analysis of the changes in the code was prepared and has been distributed to the members of this House. Attention, however, should be called to the fact that in many places the power of the departments, boards and commissions to make rules and regulations such as they might deem necessary has been changed to provide that they may be made as provided by law.

Throughout the present Administrative Code power is indiscriminately granted to the Departments, Boards and Commissions to make such rules and regulations as they may deem proper. These rules and regulations affect almost every function of our private and business existence and have the force and effect of acts of the Legislature.

This adds to the cost of government by creating supervisory inspection and investigating forces, which in turn develop divisions and bureaus solely for the enforcement of the rules and regulations made by the Department, Board or Commission.

In the unrestrained power of bureaucracy to make rules and regulations is the greatest danger to individual liberty and hence to democracy.

Tenth—Financial statistics are to be compiled by the Department of the Auditor General that the Legislature and the departments as well as the public may have accurate and current information as to the receipts and expenditures of the entire State Government. A report must be given within three weeks of the convening of the Legislature.

Any member who has served on committees, where information was necessary as to receipts and expenditures, knows how difficult it has at times been to secure accurate financial data. The Legislature has at times been required, as in this Session to pass resolutions to obtain the desired financial statements necessary for its information.

Eleventh—It requires copies of all budgets to be filed with the Auditor General, and that no payments be made excepting in conformity with the budget.

This is essential if budgetary control is to be effective.

It does not transfer control of the budget from the Governor to the Auditor General, as he alleges.

It does not change the provision in Article VI which gives to the Governor the power to make and approve the Budget.

It does, however, require the Governor, the Auditor General and State Treasurer to make budget estimates. This is a check upon the "willy-nilly" expenditures of money by the Governor in his own office.

If we are to have a budget, why should not all be equally dealt with.

The claim is made by the Governor that the saving under House Bill No. 22 will only be $724,000. This is an increase of $224.000 over the amount which he stated a week ago would be saved under the bill. With the experience of 1931 and '32 behind me, I am not at all dismayed by any statement of figures that may emanate from the Governor or his officials. The record of that 1932 Special Session as will be found in the Legislative Journal will make interesting reading for anyone who cares to peruse the same with the object of ascertaining the accuracy of figures which are put out by the Executive and his department heads. We denied the accuracy of his figures then, and by the budget of 1933-'35, we are proven to have been correct.

Also if you will study the budget as submitted by the Governor for 1933 to 1935 you will find that what appears to be large savings in the operation of departments are later wiped out by other statements, which it was evidently expected the casual observer would not see.

We have never said that House Bill No. 22 in itself or by the direct reductions in salaries and positions could save the huge sum of $10,000,000. What we did say was this:

> "House Bill No. 22 proposes amendments which will make possible reductions of upwards of $10,000,000 in the cost of operating the State Government during the biennium."

Even if we are wrong in our estimates, it would take a very dull person to oppose the enactment of the measure upon the ground that the sum total of its savings was $724,000. This may seem like small change to the Governor but looms very large in the present situation when that sum would go a long way towards helping many school districts that may find it impossible to open their doors next year.

Apparently the shoe pinches, or the Governor would not have appeared as the antagonist of the bill. Remember that every bit of economy which was effected in the 1932 Special Session was forced upon the Governor. Remember also that he has stood steadfastly against cutting salaries, but has since tried to compromise on a ten per cent. cut. If the Legislature is firm, large economies will be made. If it is fooled by trick figures and muddy statements, these economies will not be possible.

What the Legislature should bear in mind, however, is that No. 22 is primarily built to effect reductions by creating checks upon the expansion of Bureaucracy.

Mr. Beck in his book above referred to cites the fact that:

> "Bureaucracy within bounds, both in number of members and in control by law, is essential in any form of Government. We live in an age of specialized work. There is no necessary evil implication in the word 'bureau.' They are obviously essential to enable the Government to function within the limits of its constitutional powers. Our nation has assuredly not under estimated this necessity. The taxpayers are directly or indirectly supporting at least ten million people in the Government, Federal, State and municipal, or one-twelfth of the population of the country. And as many of them exercise large discretionary powers, Bureaucracy has become a real menace to the Welfare of the nation. Many of the Federal Bureaus have no justification in any grant of power and are fast making the Constitution a mere rhapsody of words."

The same may be said of the Government of Pennsylvania in the records of which we will find some startling examples of the rising cost of Government.

The Department of Public Instruction in 1913 received a total of $19,789,185 or 30 per cent. of the general fund. In 1933-35 the budget proposes $82,224,467 from which must be deducted $4,800,000, plus, of receipts from State Teachers Colleges or a total of $77,400,000 as a net amount or approximately 52 per cent. of the general fund appropriation.

It is interesting to note that the average increase in population of Pennsylvania from 1910 to 1930 was about 12 per cent.

Of the above amount $53,000,000 is for the support of the public schools. The supervisory and regulatory powers of the Department of Public Instruction requires about $2,000,000 for salaries and expenses.

The Department of Welfare was created in 1919 and received an appropriation of $22,001,780.53. It is proposed for

1933-35 for the Department $34,858,725, of which sum approximately $600,000 will be neecssary for the salary and wages of the Department alone, exclusive of the salaries and wages paid in the many institutions over which it has control.

The Department of Labor and Industry in 1913 to 1915 received $378,400 while for 1933-35 it is proposed to appropriate the sum of $2,007,000.

In the Department of Agriculture the appropriation for 1913-15 was $1,158,465.95. And in 1933-35 an appropriation of $4,459,000 is recommended by the Governor.

The Department of Revenue, which was created in 1929 expended during that biennium $785,000. While this is not a service department in the sense of welfare, nevertheless examination of the figures reveals an expansion from the 1929-31 figures to $1,429,750 in 1931-33. The appropriation asked for 1933-35 is $1,350,000.

To summarize, the cost of the State Departments of Agriculture, Public Instruction, Welfare, and Labor and Industry increased from $38,017,341.26 in 1913-15 to $123,549,192 in 1933-35.

Is it therefore any wonder that any group of legislators finding it necessary to reduce the cost of government must curtail the cost of these departments, in so far as it is possible to reduce their functions, put checks upon their unlimited expansion and their powers to make rules and regulations.

This bill is the culmination of the incessant work of a number of members of this House including the sub-committee of the Committee on State Government consisting of Messrs. Hutton, Sarig, Rice, Steedle, Tahl, Wall, Wilson and myself. The sub-committee has been ably assisted by men of long experience in State Government, and by the Reference Bureau The bill has undergone change in its progress from day of its introduction. It is a voluminous subject and an endless task.

It also passed the scrutiny of the joint committee of the House and Senate known as the "Fay Committee" consisting of Senators Scott, Woodward, Baumer, McClure, and Fay, and of Messrs. Mathay, Sterling, Steedle, Hutton and myself of the House. It has had incorporated into it, in so far as agreed upon in the Fay Committee, the recommendation of the Sterling Committee which pertained to the code.

It is an honest attempt without partisan bias to reduce the cost and to curtail Bureaucracy.

Bureaucracy is parasitic and destructive of the vigor and health of the body politic.

Bureaus usually come into being at the instance of an interested minority. Their great mission and constant activity is to make business for themselves, secure larger appropriations, and persuade by printed pages and radio ballyhoo, and overtaxed people that the expense is justified.

Their power to make rules and regulations transforms our government from one of limited into one of unlimited power.

They have not been asleep to the danger of their uncontrolled power and expansion as contained in the checks set up in House Bill No. 22. Every possible pressure from the social service worker, the uplifter, organized minorities and special interests, which derive a benefit from service at the expense of the taxpayer has been brought to bear to defeat this measure.

In addition there have gone from the Governor's own Administrative Departments during the last three months, thousands of letters, uncounted telephone and telegraph messages as well as State employes acting as special pleaders and organizers of propaganda in various sections of the State. All of this expensive activity at public cost, has been conducted to oppose enactment of the single comprehensive bill now before the Legislature to do the thing that must be done by Pennsylvania sooner or later—deflate the cost of government. What price Bureaucracy?

This is not my personal fight. It is a battle of the people to be relieved from taxation and excessvie interference in their personal liberty. The stress of financial depression alone has made it possible to undertake this effort. If we do not do it now, the opportunity may not come until it is too late, and our Democracy has been destroyed by the bureaucratic "Frankenstein," which we have created.

Mr. JOHN J. KANE. Mr. Speaker and members of the House, as a member of the Democratic party, I recognize its responsibilties to the people of Pennsylvania. Inasmuch as the Democratic party is pledged to economy, both in the State and in the nation and in view of the promise of that party, I arise to oppose the passage of House Bill No. 22, which we understand is the economy bill of the State Republican organization.

We recognize, as Democrats, our responsibilties to the taxpayers of Pennsylvania; and we recognize that the citizens of Pennsylvania are entitled to something more than just tax reductions. They are entitled to a voice in their government, which I charge the Republican leadership of this House is preventing by the control of the committee that now have liberal legislation in their hands, that will both reduce the cost of government and restore the rights of the people of Pennsylvania.

If the Republican leadership of this House will release those bills in committee and give the Democratic and Liberal members of this House an apportunity to vote on liberal legislation, it will not only reduce the cost of government in this State, but reduce the cost of government in the counties and the townships and restore to the people, the wage earners, the small taxpayers and the small business men some of the liberal and social legislation that they are entitled to and what they have been deprived of for thirty years under the Republican administration. If the Republican organization will give to the people of Pennsylvania the government that belongs to them, then I say that the Democratic party will support House Bill No. 22. But up until tonight we have been pressing the committees to get out legislation introduced by the Democratic members that not only affect taxation but restore the rights of the people, and I say that as a result of Republican control of the House we cannot carry out the platform of the Democratic party, which is to give the government back to the people.

Mr. RHODES. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Turner.

The SPEAKER. Will the gentleman from Delaware, Mr. Turner, permit himself to be interrogated?

Mr. TURNER. Mr. Speaker, I will.

Mr. RHODES. Mr. Speaker, will the gentleman from Delaware state in how many sections of this bill the Executive Board idea is contained?

Mr. TURNER. I could not state in how many sections Mr. Speaker, because it runs through a great deal of the bill. I can say this, I can give the gentleman specific sections, pertaining to the Executive Board: On page 132 and on page 39, but while those are the specific sections setting up the Executive Board, you must remember by reason of the approvals required of the Executive Board that it runs almost through the entire act, and that it would be necessary in making these amendments to go back through the act and

carry that back to the former condition existing under the present administrative code. In many places the warrant of approval is required of the Governor, in many places it is required of the Auditor General but in some places by the Executive Board.

Mr. RHODES. Mr. Speaker and members of the House, the statement of the gentleman from Delaware, that the Executive Board idea runs through the entire bill is correct in my opinion, and that is the biggest part of the bill.

The Executive Board idea permeates this entire bill, and when you cut from the various sections of the bill the Executive Board idea, you have ruined the bill.

The gentleman from Delaware further stated that the Democrats felt that this bill was political and I agree with that statement, because we do believe that it is political. We believe that it was political in its inception. It may not have been discussed from a political angle in the meetings of the committee, but we believe that the ulterior purpose of this bill is the control of the State government of Pennsylvania, regardless who is the Governor. Therefore I believe that the Democrats are against it. Moreover, the bill has been advertised as an economy measure, it has been heralded throughout the entire State of Pennsylvania as being a measure for economy.

We have heard it stated that it will result in economies of ten million dollars and we have seen the statement of the Governor that it would result in economies of about seven hundred thousand dollars. Therefore there is a discrepancy in somebody's figures of over nine million dollars. Now, who is right?

It is my contention that this bill is an economy measure in so far as its publicity is concerned, that it is the camouflage back of the political idea. The Democrats offer real economy, but we are not for partisian economy which we believe is the idea that permeates this particular piece of legislation.

I believe that the architect of this bill has taken a pot shot at every department not controlled by the Republican organization. I should like to have somebody state what it does to the Treasury Department, what it does to the Auditor General's Department, what it does to the Department of Internal Affairs.

Furthermore, the gentleman from Delaware states that this bill will be amended in the Senate. As far as I am concerned, it is too important a matter to be amended in the Senate on the promise of anybody. This bill would have to be revamped and revised, and as far as I am concerned I want to see the amendments to the bill before I vote for the bill on any proposed or any promised amendments.

So far as economy is concerned, we are for economy and we have to have economy, and we will get economy quicker if we defeat this bill than if we pass it.

The recommendations of the Sterling Committee in my opinion are the basis of real economy without disrupting the entire governmental operations. The Sterling Committee has worked for two years or more, and they have given a voluminous and detailed report. Their recommendations are comprehensive, they open up the road for a real economy program, and disavow all politics.

I noticed in tonight's paper that the Chairman of the Republican Party stated as follows:

"The Republican State organization is committed to a policy of economy in government without politics so that the burden on the taxpayer, especially the small home owner may be relieved promptly. To this end weeks of work have been done on the Turner Bill or House Bill No. 22, and on the General Appropriation Bill House Bill No. 26, and on other measures.

I would like to have someone explain where the Turner bill, House Bill No. 22, relieves the burden of the local taxpayer one cent. Nobody has given any explanation of the economies that are supposed to be accomplished by this particular bill in any way, shape or form. We merely have the allegation set forth in the newspapers that it would effect economies to the extent of ten million dollars. Whether it is true or whether it is not, where will it produce any relief to the real estate owner back home or to the local taxpayer? I can see none so far as I am concerned.

Then, again, the Republican State Chairman says this:

"I will use all of my influence in the Republican State organization to have cut out these sections referred to when the bill is in the Senate."

He speaks of a section, but the gentleman from Delaware says that it permeates the entire bill insofar as the idea of the Executive Board is concerned. Does the Republican State Chairman conceive that this bill only has one section pertaining to the Executive Board?

I say that anybody that reads this bill will see that that is the germane point of the entire piece of legislation and therefore, insofar as the Democrats are concerned, we are against it, in my opinion. We are for economy, but not this kind of economy.

There is plenty of legislation before this body in the committees to produce a real economy program, one that will relieve the taxpayers back home as well as curtail the expenditures of the government and we are going to be for a program of that kind and not for this measure.

Mr. ANDREWS. Mr. Speaker, ladies and gentlemen of the House, if the membership will bear with me I will try to explain the financial features of this bill in detail.

The Executive Board provision of House Bill No. 22 was the hearts of the measure; it was the brain of the measure, it was the controlling force of the measure. The Executive Board, Mr. Speaker and members of the House, is the power to standardize the qualifications of employment, and the type of salaries and wages of persons employed by the administrative departments, boards and commissions, except the department of the Auditor General and the Treasury Department, barring a change in the personnel of the Executive Board and continuing the powers of the present personnel there can be no economies effected by House Bill No. 22, that are not specifically set forth in the measure.

The prospectus issued by the sponsor of the measure under consideration says that House Bill No. 22 is purely an economy measure proposing to save more than ten millions of dollars in the operation of State Government. Mark my words, "proposing to save." As an economy measure House Bill No. 22 is a promise; that ten million dollars is hypothetical money.

Further, the prospectus states that a saving is effected, "is effected," mind you, not through arbitrary abandonment of the functions of government, but by checking the expenses and increasing the efficiency of the machinery performing that function. Checking expansion, if that means anything, it means simply the saving of money that might perhaps be spent.

I say to the gentleman from Delaware, Mr. Turner, that it is impossible to save ten million dollars by juggling the payrolls. The only way saving, actual saving, can be effected, is by the abandonment of the governmental functions, something the gentleman says he does not propose to effect. I challenge the accuracy of the first paragraph carried in the prospectus issued in support of House Bill No. 22. It is time we discussed

this measure in terms of fact. What does this bill actually do as an economy measure, and what would it be necessary to do in order to save ten millions of dollars by payroll reductions and administrative reform?

Let us keep to the record. Section 204 is probably cut for the reorganized Executive Board is out, but that section created a secretary, a new job, at an increased expense of $5,000. Then it authorizes the Executive Board that was to be appointed to appoint such other officers and employes as may be necessary in order to conduct the work of the board. If I know anything about boards that have the power to appoint the necessary employes, that provision would have cost the State of Pennsylvania at least fifty thousand dollars for the biennium.

Starting with ten million dollars as the amount to be absorbed as a financial onion, from which it is necessary to pare layer after layer until the ten million dollars has disappeared we would have left Section 204 with ten million fifty-five thousand dollars as the amount to be written off.

Section 209 reduces the salaries of executive officers and department heads by a total of forty thousand dollars, by reducing the payrolls of all of these officers from two hundred and eighteen thousand dollars to one hundred and seventy-eight thousand dollars.

Section 2110, page forty-four, tops off fifteen thousand dollars of the total of the salaries of the Commissioners of Fisheries and Commissioners of Game and the members of the Public Service Commission, reducing a present payroll of approximately seventy-six thousand five hundred dollars to sixty-one thousand five hundred dollars.

Section 211 on page 45, a very lenient section, gentlemen, reduces the expenses of the employes of the Governor's office, the employes, from fifteen thousand five hundred dollars, to a total of thirteen thousand dollars, representing a decrease of twenty-five hundred dollars. That is nothing to write home about. I could have had more money than that about a month ago by firing one employe.

Then we come to sections 213 and 214 on pages 45 to 55 of the bill. This section of the bill would permit the Auditor General and the Treasury Department and clear on down through all of the executive departments to name deputies. In all of these departments the positions named now they carry a salary list of approximately four hundred and sixty thousand dollars. The present salary list for these places, which are specifically named in the act is four hundred and twenty-one thousand dollars; the measure therefore makes possible compulsory and statutory saving of about thirty-eight thousand five hundred dollars.

Section 215 on page 56 of the bill deals with attorneys in the Department of the Auditor General and carried a proposed salary list of seventeen thousand dollars as against the present salary list of nineteen thousand one hundred dollars, or a saving of twenty-one hundred dollars.

Section 217 on page 58 of the bill is an interesting section. This is the compensation of various non-statutory employes. The Committee on State Government hits a streak of pay dirt in this section and rolls up a considerable saving represented by salary reduction of approximately one hundred ninety-nine thousand four hundred and seventy dollars being, I believe, the exact figure, but we have only reduced our ten million dollar onion so far to nine million seven hundred and two thousand one hundred sixty.

The Governor's office, other reduction in the Governor's office, forty-four thousand three hundred and twenty dollars; in the department of the Auditor General, a decrease of ten thousand eight hundred dollars, and in the Treasury Department a decrease of a thousand dollars, and so on through the Departments of Banking, making nine thousand dollars in the Department of Health, nine thousand dollars, a total of one hundred ninety-nine thousand dollars. That is the way Section 217 totals according to my schedule.

Section 301 on page 63 picks up another thousand dollars, cutting the compensation of the secretary of the Game Commission that much.

Section 303 on page 64, nicks off the counsel and the marshall of the Public Service Commission of one thousand and eighty dollars, the counsel bearing one thousand dollars and the marshall eighty.

Section 402 on page 68, after analysis, appears to yield a saving of four hundred and twenty dollars in the compensation of the employes of the Retirement Fund by cutting them from four thousand and twenty to thirty-six hundred.

Section 405, beginning at the bottom of page 69, there is another thousand dollars at the expense of the secretary of Finance and Revenue.

And now we come to Section 408 on page 74. It is this section that originally aroused my interest in House Bill No. 22. When House Bill No. 22 appeared in pink, it abolished the absurd Board of Censors. That suggestion was to me a well spring of hope in the Legislative desert, but alas the pink bill has vanished and House Bill parades in virgin white and the Board of Censors has been retired to an oasis of purity in an otherwise tawny world and by the provisions of that section there is a saving of forty-five hundred dollars.

Section 409 on page 74 yields another thousand dollar cut in the salary of the secretary of the Public School Employes' Retirement Fund. That is a cut from six thousand to five thousand dollars.

Where do we stand now? We have still nine million seven hundred forty-nine thousand dollars of our financial onion left.

Section 410 on page 75 yields another three hundred dollars in the salary of the secretary of the Pennsylvania Historical Association. That is a reduction from eighteen hundred to fifteen hundred dollars for the truth of history and the accuracy of the annals, and I appeal to you to restore the secretary's salary to what it was.

Sections 411 through to 425, 426 to 430 deals with the fees paid members of various examining boards. The reductions in this field of human activity yields a reduction of thirteen thousand dollars. Personally I would abolish some of the boards and save twice as much money.

Section 427 represents another disappointment. The lady in pink abolishes the State Athletic Commission. The lady in virginal white reinstates it. The payroll of the commission, however, is cut from eighteen thousand to eleven thousand four hundred representing a saving of six thousand six hundred dollars.

Section 429 on page 91 of the bill picks up five thousand and forty dollars by reducing the appropriation allotted to the Securities Commission for salaries of its members and secretary.

Now we come to Section 438 on page 95, the total salaries paid to mine inspectors is cut from two hundred forty-four thousand eight hundred dollars to two hundred and four thousand dollars, making a saving of twenty thousand eight hundred dollars.

Section 440 on page 97 effects the salaries paid in the Workmen's Compensation referees of fifteen thousand dollars. Another saving of two thousand five hundred dollars is effected by Section 442 on page 98, which reduces the salary

paid the manager of the State Workmen's Insurance force from seventy-five hundred dollars to five thousand dollars, a saving of twenty-five hundred dollars, although on that particular job a twenty-thousand-a-year man might be a good buy.

Section 445, paragraph (g) on page 102 effects an estimated saving of four hundred and eighty dollars a year in the compensation paid to members of the Industrial Board.

And how many layers have we peeled off of our onion by this time? How much remains to be absorbed? The total ahead of us is nine million six hundred and fifty thousand and ninety-two dollars.

I am not so sure that this bill in point of the promises that this bill puts forth to the people of Pennsylvania, my people back home, expect the Johnstown Chamber of Commerce expects when it sends me a telegram urging me to vote affirmatively on House Bill No. 22, which they think will automatically, by this measure, save ten million dollars. Knowing the Johnstown Chamber of Commerce as I do, and knowing it has not been right on an important issue for forty years, I am going to disregard its advice.

According to my figures we save approximately three hundred and sixty thousand dollars, or not more than four hundred thousand dollars, some of the items being controversial because I believe in some of the items which have been revised increase instead of decreasing, but House Bill No. 22 gives us four hundred thousand dollars on our way to ten million dollars.

Now, let us see what we have to do to get ten million dollars by administrative reform and payroll changes. Let us reduce the payroll of the Department of Welfare, not twenty per cent, not fifty per cent, but ninety per cent. By doing that we will save five hundred and forty thousand dollars. We have not got our ten million dollars yet. Then let us cut the Department of Labor payroll fifty per cent, and what do we save; we save nine hundred and fifty-six thousand dollars. Now let us proceed to abolish the Governor and his entire office payroll, and what do we save? We save three hundred and seventy thousand dollars more.

Now let us fire all the judges, every judge in the State, and what do we save? We save millions, gentlemen, millions, but on the payroll alone we would save five million and forty-eight thousand dollars.

Then cut the Department of Health by one-half that now receives two million four hundred and forty-four thousand dollars to one million two hundred and twenty-two thousand dollars, and you will save one million two hundred and twenty thousand dollars, but with all of these reductions we are still shy one million four hundred and sixty-five thousand five hundred and forty-seven dollars from having peeled our onion down to the core.

The saving of four hundred thousand dollars is a most desirable thing, but I submit to this House that in order to reduce salaries it is not necessary to pass a code that places mischievious fingers upon more than one State department and does not create a board capable under the anticipation of the sponsor of this bill of gratifying present abuses.

For these reasons, because of the publicity and the propaganda back of this measure, has deceived the people, because this prospectus is in error in spirit and misleading in phrasing, I shall oppose this bill.

Mr. STERLING. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Turner.

The SPEAKER. Will the gentleman from Delaware, Mr. Turner, permit himself to be interrogated?

Mr. TURNER. Mr. Speaker, I will.

Mr. STERLING. Mr. Speaker, will the gentleman from Delaware advise the House to what extent the amendment of the measure, so far as it concerns the Executive Board will affect or influence the creation by the measure of statutory bureaus and statutory deputies?

Mr. TURNER. Mr. Speaker, I do not consider that the amendment taking out or changing the Executive Board from the five elective offices and taking the six appointees of the Governor would make any change in the set ups of the bureaus or deputies; they are fixed in the act.

Mr. STERLING. Mr. Speaker, does the gentlman from Delaware mean by his answer that although the Executive Board, will be eliminated that the measure, if enacted into law will create statutory bureaus, statutory deputies, that limit the salary of the incumbents of those offices?

Mr. TURNER. I do. Mr. Speaker.

Mr. STERLING. Will the gentleman advise the House, Mr. Speaker, to what extent, if any, the removal of the provision with respect to the Executive Board will affect sections 215 and 512 and any other sections of the proposed measure, which authorize the Auditor General and the State Treasurer to employ counsel to advise these respective offices on questions involving legal difficulties?

Mr. TURNER. I have not perused all of the sections, as you have called them off, but I assume that you are referring to those sections which give the right to the Auditor General and the State Treasurer to employ their own counsel. I would say that the change in the Executive Board would make no change in their ability to employ their own counsel, or their right to employ their own counsel. There is this question, however, which would have to be determined as to the compensation of those attorneys that might be employed for extra litigation—not attorneys within the departments, because the salaries of those attorneys are fixed by the act, but if they had to employ attorneys for litigation and the amount was to be paid by the State, my recollection is that it requires the approval of the Executive Board as set up in the act, and that it would, therefore, not be fair to the Executive Board, as appointed by the Governor himself alone to pass on that question of compensation for such services.

Mr. STERLING. Do I understand, Mr. Speaker, the gentleman from Delaware to say that the change in the measure with respect to the Executive Board effects no change in this provision relating to the employment of counsel by two fiscal officers of the Commonwealth.

Mr. TURNER. I would say yes, and I believe that is correct, Mr. Speaker.

Mr. STERLING. Mr. Speaker and members of the House, I want, first, to pay my very profound tribute to the gentleman from Delaware, in the prodigious, faithful, effort that he has made in attempting to bring to this House a measure through which economies in State Government might be effected.

I want to take this occasion also to pay to him and to the leader of the State Organization my particular respect in recognizing the great importance that the basic form of our State Government shall not be destroyed or sacrificed for the sake of economy, however great that economy may be.

I have always been proud that I am a Republican. I have always been proud that on many occasions I have taken this floor to support measures that have been sponsored by the Republican Organization, but I am especially happy tonight to know that we have Republican leaders in this Commonwealth of profound sagacity, sagacity which has taught

them with respect to this measure to see the light as the light should be seen, because if the provisions with respect to the Executive Board had been retained in this measure, it would have challenged the good reputation of this Commonwealth, it would have challenged the constitution, and more especially it would have challenged the public confidence in the great Republican party of the greatest Republican State in the Union. But, however happy I am in this respect, I find myself still in the difficult position that I cannot support this measure, because the answers to the questions which have been given to me by my friend from Delaware, still indicate to me that if this measure is passed the basic form of the government of the Commonwealth is changed and I submit to the House that the changes in the basic form of government as proposed by this measure are too great a price for us to pay for the ecomonies which it seeks to project.

You may ask me wherein do I find objection to this measure. In the first place, according to the answers made to my questions, the bill establishes statutory bureaus and then it follows by establishing statutory offices. As I understand the theory of good government, I am told that only by flexibility in government, only by elasticity in government, can efficiency and economy be found. I am told that where you have rigidity in the form of government, you have excessive costs and inefficiency. How does this point relate to the bill before you? This measure in the early sections, actually established bureaus in the state government, statutory bureaus, and then it proceeds to establish statutory officers. This Commonwealth was saddled with just that kind of condition back beyond 1923, and the excesses that occurred under that situation are history in this Commonwealth, of which we must not be proud. If we were to put this bill upon the books, every session of the Legislature may meet and eliminate a bureau, add another bureau, add a statutory office, remove a statutory office and before many sessions of the Legislature pass your whole state government will be not unlike the jig-saw puzzle that today gives us so much entertainment and often great difficulty.

I submit to you, Mr. Speaker and members of the House that this measure should not have the approval of the House, so long as it contains those provisions which seek to set up statutory bureaus and statutory offices but even if I could conceive that these points are not dangerous I find it difficult to accept the provisions of this bill which relate to the appointment by the Auditor General and the State Treasurer of attorneys to represent them.

Concerning that question I ask your indulgence for a little while, until I trace for you some of the history as it relates to the office of the Attorney General.

The office of the Attorney General is probably the oldest office of all of the offices of the Commonwealth. It may be traced to provincial government. It goes back to the colonial days, even before the time when we had a Governor. Singular as it may seem, the Constitution under which we now operate does not define the duties of the Attorney General, and from the very earliest days down to 1857, the Attorney General's Office functioned under what is commonly known as the common law powers and duties, and these common law powers and duties vested him with the authority to act as the legal advisor for all departments, boards and commissions in this Commonwealth.

In 1857 the Legislature enacted a law, which provided that the Attorney General shall receive as his compensation the sum of three thousand dollars per year for all of his services rendered to the Auditor General, the State Treasurer, the Surveyor General (now the Secretary of Internal Affairs), and the Canal Commissioners. From 1857 down to 1915, the Attorney General acted continuously as the legal advisor for the Commonwealth of Pennsylvania, for all of the department heads, the boards and the commission, including the Auditor General and the State Treasurer. Only in a few instances in that period of time was there any disagreement between the fiscal officers and the Attorney General's Office with respect to legal advice, but in 1915 the Legislature passed a very complete act of assembly defining specifically the duties and powers of the Attorney General, and at the same time providing that the fiscal officers of the Commonwealth, the Auditor General and the State Tresaurer were obliged to take advice from the Attorney General. This question has been in the courts or at least at that time was in the courts and the courts have sustained the act of 1915. Then we come down to 1924, immediately following the reenactment of the act of 1915 in the administrative code, and there in a case known as Commonwealth v. Powell, the Supreme Court of this Commonwealth finally concluded by its decision, that it was the obligation of the Auditor General and the State Treasurer whenever in need of legal advice, to take the advice of the Attorney General, who was recognized as the official attorney for the Commonwealth.

No less important in the efficient administration of the State government than is the executive board as we now have it under the act of 1929, is this question concerning counsel for the Commonwealth.

You may ask what does this measure do, the measure now before you, with respect to attorneys for the Auditor General and the State Treasurer as it may affect the office of the Attorney General. It does this, it says, nothwithstanding the fact that the Attorney General is the legal adviser and lawyer for the Commonwealth, the State Treasurer and the Auditor General, both of whom are officers in the Executive branch of the government, may, if they so desire, employ counsel of their own choice, and you may find this condition: a contractor may have been awarded a contract to complete a building for the Commonwealth of Pennsylvania, after the Attorney General has approved the contract. He may proceed to expend large sums of money in the completion of this project, and he may then present what we will call his first requisition to the Auditor General and State Treasurer for payment on account of the contract. For reasons best known unto themselves either the Auditor General or State Treasurer may conclude that there is some doubt as to the legality of this contract before them and decide to employ counsel on their own account. Proceeding thus to employ counsel on their own account, they obtain from their counsel an opinion which is contrary to the opinion offered by the Attorney General. Does it not become obvious to you that just as you dare not have a division of authority with respect to the administrative work of the State government, you must not have a division of authority on legal questions involving the departments, boards and commissions of the State government and does it not become obvious to you that the contractor whom I have just described stands to lose under such a system, and that anybody else to whom moneys may be due from the State government, may on the one hand have the legal opinion of the Attorney General he s justly entitled to receive the compensation due him and on the other hand have the legal opinion of the specially chosen lawyers of the Auditor General and the State Treasurer telling him that he is not entitled to have that money.

That provision of the bill, in my opinion, will lead to confusion and the chaos that existed prior to 1915, and I submit

to the House that if for no other reason than those I have now described to you, this bill should not have your approval this evening. May I turn to my friend from Delaware, in whom I have the utmost confidence, and plead with him just as he has agreed to remove from this measure those provisions which it now contains with respect to the Executive Board, that he in his wisdom and sagacity as a good lawyer of staunch reputation, will pause in advancing this bill to a vote this evening, and in that time of pause remove from the measure these additional objectionable features, particularly the ones that I have spoken, on, so that we may go forward with our work and complete promptly the programs as they are presented to us.

Mr. STEEDLE. Mr. Speaker and members of the House, I don't want to occupy much of the time, but I think it would be amiss if some explanation were not to come from me in my position as Chairman of the Appropriations Committee.

I noted with a great deal of interest the remarks of the gentleman from Monroe, Mr. Rhodes. He criticized the figures as presented by the gentleman from Delaware, Mr. Turner, comparing them with the figures presented by the Governor. The gentleman from Monroe, Mr. Rhodes, will recall the extraordinary session of 1932. No doubt he well recalls the day that we laid on the Governor's desk the proposed economy and the legislative program as of 1931. He came flying over from the corner of the building with wrath in his eyes to the extent that he criticized the membership of the Committee and told them that we were imbeciles, acting in the type of some insane person, that he had scrutinized the act of 1931 and it was impossible to save more than five million dolars. When we had completed our program and laid it upon the Governor's desk, to which he himself agreed before it was presented to him, an economy had been effected of sixteen million dollars plus. That is the answer to the gentleman from Monroe when he says that he would like to know who is right and who is wrong. That is history, and it stands on the statute books of the extraordinary session of 1932.

Permit me, ladies and gentlemen of the House, to tell you that much of the construction in arranging the General Appropriation Bill which I hope to present sometime during the morning session in this House was built with the utmost serious consideration upon the plan of economy about which I think every member of this House, both ladies and gentlemen, if they had a particular contest in their legislative districts, bespoke freely that they stood for economy. But they didn't tell them at that time that that economy would be measured and based upon partisan lines, but they were for economy in government.

My friends, let me say this to you, there has not been a member of this House who has an appropriation bill for a State-aided hospital in his district who has not appealed to me and asked if it would not be possible to get that institution a little more money. Nor is there a hospital in Pennsylvania today that is not in the red. That goes for each and every one of us who are interested in the hospitals in our home communities, and if we cannot determine on a line of economy, call it what you will, Democratic or Republican, we will then be unable to find a way that we can give your institutions relief which they so urgently need. If there is no economy and we are going to continue the creation of bureaus, commissions and departments, then the answer is only one thing, to send the appropriation bill out with all this money against your dire liability of not receiving the income that is anticipated, because if the anticipated income falls below that of 1931 and 1933, that is now estimated at between thirty and forty million dollars, then I say that the decrease in the anticipated income for 1933 to 1935 will far exceed that unless a condition presented itself better than we have today.

So, ladies and gentlemen, let us be fair and reasonable with ourselves. We must start somewhere. Economy is not a word of expression simply by mouth, but it must be real and sincere. I agree with ever man and lady within the hearing of my voice that economy is all right as long as it doesn't affect me. We are always ready to tell the other fellow how to save but do we practice that same thing ourselves? Fundamentally economy hurts everybody, it has hurt you and it has hurt me; it has hurt you in your private life and business life, and you have had to take it on the chin and like it.

It is necessary that we find a way out, we must find it, and we must accept something and we must hurt somebody, and that somebody is many, and I hope, ladies and gentlemen, in the spirit of real government you will accept House Bill No. 22 in its provisions with the understanding, and I say this for the gentleman from Delaware, for whom I hold no brief, that you may take it at his face value, and if he tells you that he will have a provision, or he will provide for the means for an amendment in the Senate, I say to you, ladies and gentlemen, you can bet a hundred dollars to a nickle he will do it. You can take it from his word of honor, and for five sessions I have not heard him lie when he made a promise. I don't want this turned into a mutual admiration society, because it is not that, but I am appealing to you in the sense of economy again, let us start somewhere and let us pass this bill and let us put it on the books so we can go home and tell our people that we tried to do the best that we could for them, that if we could not save more than the General Appropriation Bill carries, it was because we did not want to destroy our government. I hope you will vote for this bill.

Mr. TURNER. Mr. Speaker and members of the House, after the length of time that has been devoted to the measure before you I hesitate to arise again and address you. However, I think in fairness to me that you members of the House will grant me the opportunity to answer some of the things that have been said by the battery of antagonists that have arisen against this bill.

The gentleman from Cambria, that distinguished editor, whom I think some few days ago told us on the floor of the House that he was not an economist, and which it was proven that he was not, when he said this bill should be voted down because it will save the despicable sum of seven hundred and forty-two thousand dollars, proceeded to set out the amounts of money that would be saved according to his statistics.

The gentleman from Cambria didn't take into consideration as far as I could hear, and I followed him very attentively, that there was a reduction of eighty bureaus effected by this bill; he didn't say anything about the saving by the consolidation of the Bureau of Statistics in one central statistical bureau. He didn't say anything about the inspections that would be cut out in some of the departments, he didn't say anything about the curtailment of the making of rules and regulations for unlimited power of the department; he didn't say anything about deficits that appear here, hidden away in appropriation bills and budgets that arise because the budgetary control that is set up in House Bill No. 22 does not exist in the Commonwealth today. He didn't say anything about the special bureau of statistics that will give to the Legislature within three weeks after its term begin the kind of figures that the Legislture is interested in. There is no member of this House who has served on committees in the past where we needed official statistics but knows the

difficulty we have had in securing the correct statistics. All of these things and many more I just noted at random as he ran along.

In three hundred and thirty pages of this bill he assumes to say there is only a saving of seven hundred and forty-two thousand dollars at most, against the evidence of the men who have worked and striven hard for this bill, and the Chairman of the Appropriations Committee, and will say to you that on this structure he has planned a bill that is saving many millions of dollars.

The gentleman from Monroe, Mr. Rhodes, wanted to know where in this bill we are saving the taxpayers at home any money. I never said we were saving the taxpayers through this bill, but I would like to ask the gentleman from Monroe this, because he has given some consideration to school affairs, I would like to ask him if there is not need for more money for schools, and whether if we do not effect economies we will be able to appropriate that money to the schools, and which means an increased burden back home? Is that saving the local taxpayers, Mr. Rhodes?

Then he wants to know in that old political injunction, where the Auditor General and the State Treasurer have been affected by the establishment of the Executive Board. If he had studied the bill and the provisions pertaining to the Executive Board, he would have found that this committee, as I said before, was honest in its consideration and it made the Auditor General and the State Treasurer, come under every provision of that Executive Board that it applied to the Governor of Pennsylvania. The Auditor General and the State Treasurer do not now have to come under the classification of minimum and maximum salaries set up by the Executive Board, but by this bill the Executive Board would have; they would be brought under the control of that Executive Board and to set up their classification of maximum and minimum salaries the same as the others. If you want to control the amount of expenditures of this government you have to control that question of the classification of maximum and minimum salaries. That is the joker that is put over on the Legislature by the departments. That is the way bureaus are built up, classifications are increased and people go from a division head to a bureau chief, and then an ordinary stenographer at eleven hundred dollars a year becomes the secretary to the bureau chief at eighten hundred dollars a year. How are you ever going to control the expenditures of government, and that is your duty and mine to the people of Pennsylvania, to control these expenditures. We are the legislative power and under all the precepts of government the Legislature must control the xpenditure of money or democracy is destroyed.

The gentleman from Philadelphia, Mr. Sterling, has said that he does not like the provisions for statutory bureaus, and the statutory fixing of the number of deputies and bureau chiefs and he says that makes it inflexible, but ladies and gentlemen, the experience of men who have sat on these committees as opposed to the experience of the gentleman from Philadelphia, and I do not say that in sarcasm, because I think everyone knows the association between the gentleman from Philadelphia and myself, which dates back to the day we went to college together, and I have for him and he has for me the highest respect, but he is saying to you, because he believes in the theory of government that places everything in the hands of the executive, that he thinks that this will make it inflexible, but I say to you and the men who have served on these committees, and who are experienced members of the Legislature, that it is time we control these matters and we cut down some of the power that is given to the Executive to expand these bureaus with unlimited power. I am very certain, ladies and gentlemen of this House, that the gentleman from Philadelphia believes it to be right to stand on this floor and argue the question of the appointment of attorneys by the Auditor General and State Treasurer.

They asked me if I would not consent to that coming out of this bill, but I say to you with all sincerity that I made a pledge when we left the Legislature in 1932 that if I was ever elected by the people of my county to serve in this Legislature again, that was one thing that was going to be changed.

The Legislature, and I do not like to enter this because I am afraid of the length of time it is going to take, but the Legislature in 1931 Special Session provided ten million dollars for unemployment relief with the idea that we had the money in view to pay it, but in the spring of that year when the Supreme Court of Pennsylvania handed down the decision reversing the Attorney General and saying that we were right in our contention that the state could appropriate money for unemployment relief, immediately to defeat the purpose of the legislautre the Governor abated the appropriations to the hospitals to bring down the wrath of the people upon all those who opposed his will, and then the Attorney General contrary to the opinion of many attorneys well learned in the law, contrary to the opinion and the decision of the Supreme Court as handed down by Mr. Justice Kephart, said these appropriations must be abated.

If the Auditor General and the State Treasurer had an attorney such as is now provided for in this bill, and had their own attorneys, I am convinced that there never would have been a special session of the Legislature in 1932 and the taxpayers of Pennsylvania would have saved the thousands of dollars that that cost. Is that not in itself a sufficient reason to put it within the bill.

The Auditor General and the State Treasurer are elected officers, they are fiscal officers set up as checks upon the government of Pennsylvania to control the funds, to audit them and to pay them out, and they are checks upon all of the fiscal affairs of the government. Why should they as independent elective officers be subject to the opinion of the Attorney General while the Attorney General looks for his appointment only to the Governor of the Commonwealth? Why should we not carry out the idea of the framers of the Constitution and the constitutents who elected these officers? Why should they not have the right to have their own attorneys even if in some instances it might raise some differences of opinion.

I think the gentleman from Philadelphia can tell you, and if he does he will have to say that the chaos about which he talked before 1915, that it was a very rare instance where there was a difference of opinion between the Auditor General and the other departments and the Auditor General employed his own counsel.

Ladies and gentlemen of the House, without disparaging anybody, without any criticisms of the present Attorney General, I think the people of Pennsylvania are entitled to the provision within this act, and if we are to properly set up the checks and balances which every government should have in the control of its fiscal affairs this provision should stay in the bill and ought to be a very great reason why you should vote for it.

I would just like to close with this remark to you, ladies and gentlemen of the House. This bill has been a sort of Orphan Annie. Evberybody has taken a poke at it for the last

three months. It is not a popular measure. I know that. Anyone who sponsored it certainly could not be seeking popularity. It has met with the condemnation of every group that was interested, particularly of those in the social service and with every group, with every group that was particularly interested in some bureau or department. It has had the insidious under ground criticism from those who are going to feel the cut.

Within the hearing of my voice on the floor of this House there are the representatives of boards and State-owned institutions who have come here and are lobbying against this bill and are saying to the members of this House to vote against this bill because it cuts down the salary of some people employed in their institutions. I know that because members of this House have said to me "I would like to vote for this bill, but the employes of the State institutions at home are hauling and pulling at me." I know two months ago that this bill would meet the haul and pull of every special interest to prevent taking something out of it with which they were concerned.

And that, Mr. Rhodes, is the reason this bill had the publicity it had, because I know and knew then that this bill could never get across unless the people back home got behind it told you people what they wanted you to do. Even today a capitol policeman, and I cannot conceive how in any way a capitol policeman would be interested in this bill, removed a parking sign and asked a member of the Legislature to vote against House Bill No. 22.

Now, my friends, this is the situation. You try to make a cut in the cost of education, and immediately you will receive thousands of telegrams and letters saying that you cannot make a cut in education, you have to give them more. We said, "Maybe we can take a little of the service away from the Department of Labor and Industry," and immediately, all these representatives say that you cannot cut any of its service; these are the most important things now in spite of the fact there is no labor and industry. In fact they say that there is more need in this period of depression in the Department of Labor and Industry, there must be more inspection, there must be more investigations. Then again we turn to agriculture, and we thought that possibly some saving could be made in the expenses of examinations and tests of the healthfulness of domestic animals, but immediately they say, "Oh, no, you don't want your children to get tubercular milk, the farmer is starving now as it is, he cannot get enough for his product for to pay his taxes." Then we turned to the Department of Welfare, and thought possibly we could make a saving in some of this social service, and immediately they say, "If you do that you will take Pennsylvania back twenty-five years." Why, these good ladies, and here are the ones that did climb the back of my neck in droves and said, "You cannot take Pennsylvania back twenty-five years, you cannot do away with this essential social service in times like these. Then we said, "Well, if we can't cut the Department of Welfare, we will have to go to the Department of Health." The Department of Health said, "No, you can't do that, or you will have an epidemic, and in times like this of depression and malnutrition if you curtail this service you will have epidemics of typhoid fever and other epidemics.

So you can go down the line from one end of this Government to the other, and no place can you cut. Every place you go you are met by that group of special interest and I want to know whether you men sitting here in this House, whether you are going to listen to the special interest and the State employes who care more for their jobs than they do for the people back home. Why listen to these people and not listen to the people who are suffering in this depression. How patient they have been in this depression; how they have gone along as American citizens living under our government intent on orderly government? How long will they continue that patience; how long will they do it when asking you for a reduction in the cost of government and you turn your ear away to listen to the special interest, to the social service workers and the job holder who thinks he has some strategical hold on you after the contribution of a few votes.

I saw this House in 1931 within an hour after the Governor stood on that rostrum and told us that we were wrong and that we could not give ten million dollars to the people, and I saw this House in a mighty surge of patriotism arise almost as one man and woman and pass that bill. I wish tonight there were given to me some kind of eloquence that would convince you this is not a personal matter. This is not my personal bill. This is the bill of the group of men who have worked upon it. Your defeat of this bill tonight is not my defeat, you are defeating the people back home, and by your vote tonight they will know it.

Mr. RHODES. Mr. Speaker and members of the House, I am reluctant to continue this debate, but I feel that it is incumbent upon me to answer the question of the gentleman from Delaware, Mr. Turner, when he asked where adequate funds may come from for school purpose. I think that question is very easily answered. If we would revise the method of collecting our State taxes, we could save between seven and eight million dollars every year. On the other hand we are willing to cut here and there, to cut the little fellow, but we are not willing to do anything to eliminate the thirty to forty-thousand-dollar-a-year official; the men who are already receiving large salaries. In the Dorrance Estate, I have merely to recall that the Register of Wills received approximately fifty thousand dollars fees merely for the purpose of transferring a check from his office to Harrisburg. Now, if we are for real economy, why don't we cut out these excessive fees of political jobs and save seven or eight million dollars of State funds. That don't need any new taxes, but it does need efficiency and economy in the collection of those taxes that are now on the statute books. Therefore, I think, if we want to function with some real economy, some honest-to-goodness economy, we should cut out this camouflage where men are getting salaries of thirty to forty thousand dollars a year in addition to what they are paid under the statute. It seems to me that there is something fundamentally wrong. We tolerate that, why? Because if we made any changes in the collection of those taxes it would mean the elimination of political jobs, it would mean the disorganization of political organizations, and that is the reason that it is not done. Therefore, let us get down to brass tacks and if we want real economy let us start with things of that kind.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—99

Baker,	Habbyshaw,	McKay,	Shenkel,
Baldi,	Haines,	Merrell,	Shreiner,
Bennett,	Harris,	Metzler,	Shugarts,
Blumberg,	Hart,	Mohn,	Spann,
Brennan,	Hartman,	Mumford,	Steedle,
Brown, W. L.,	Heffernan,	Myers,	Stiteler,
Carey,	Heffner,	Nothnagle,	Storb,

Conner,	Holmes, J. L.,	O'Connor,	Surface,
Cooke,	Horst,	O'Rourke,	Tahl,
Cordier,	Hough,	Patterson,	Turner,
Craig,	Hutton,	Peelor,	Wagner,
Davies,	Jaffe,	Pennock,	Walker, W. A.,
Denning,	Kane, L. P.,	Perry, D. R.,	Wasserman,
Duffy,	King,	Peters,	Way,
Dwyer,	Laubach,	Price,	Weidemann,
Ederer,	Lewis,	Rectenwald	Westrick,
Emhardt,	Long,	Rice,	Wike,
Fleisher,	Lord,	Root,	Williams, J. J.,
Flynn,	Lose,	Roth,	Wilson, T. B.,
Forrest,	Lynch, J. R.,	Ruby,	Woodside,
Gartner,	Maloney,	Sarig,	Wright,
Gillette,	McBride,	Sautter,	Yeakel,
Gorman,	McCreary,	Schrock,	Zimmerman
Greenstein,	McElwee,	Scorza,	Talbot,
Griffith,	McGregor,	Scott,	Speaker.

NAYS—103

Andrews,	Gallagher,	McCandless,	Sheffer,
Barnhardt,	Green,	McClure,	Shellenberger,
Bechtel,	Hamilton,	McGinnis,	Shettel,
Beech,	Harmuth,	McGrail,	Shortz,
Bernhard,	Hefferon,	McHenry,	Simon,
Boyd,	Hermansen,	McKinney,	Sinwell,
Brancato,	Hester,	Melchiorre,	Snyder,
Brown, J. E.,	Hewitt,	Meredith,	Sowers,
Brownfield,	Himes, L. R.,	Moore,	Stank,
Cannon,	Hoffman,	Munley,	Sterling, P.,
Caputo,	Holmes, J. B.,	Negley,	Sterling, R. B.,
Carson,	Hoopes,	O'Keefe,	Stevens,
Chervenak,	Howard,	O'Neill,	Stone,
Cohen,	Jones,	Perry, J. J.,	Stott,
Cramer,	Kane, J. J.,	Powell,	Terry,
Dane,	Kinney,	Powers,	Wade,
DeFrehn,	Labar,	Quinn,	Walker, G. E.,
Downey, G. E.,	Lane,	Raub,	Wall,
Downey, J.,	Lenahan,	Reed,	Welsh,
Dunmire,	Lovett, J. E.,	Reilly,	White,
Eroe,	Lovett, W. S.,	Rhodes,	Williams, G. W.,
Evans,	Lynch, M.,	Roan,	Wilson, L. M.,
Fitzgerald,	Male,	Royle,	Witkin,
Flanagan,	Malina,	Ruth,	Wood,
Flinchbaugh,	Marcks,	Schrope,	Yourishin,
Furman,	Mason,	Schwab,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

REPORTS FROM COMMITTEES

Mr. CONNER, from the Committee on Appropriations, reported as amended, House Bill No. 427, entitled:

An Act making an appropriation to the Sleighton Farm School for Giris, situate in Delaware County, Pennsylvania.

Mr. GEORGE W. WILLIAMS, from the Committee on Appropriations, reported as committed, House Bill No. 1061, entitled:

An Act making a deficiency appropriation out of the Motor License Fund for the purpose of carrying into effect the provisions of the act approved the first day of June, one thousand nine hundred and thirty-one (P. L. 301), entitled, "An act providing for the acquisition, construction, improvement, operation, and maintenace of bridges over rivers and navigable waters within the Commonwealth; authorizing the issuance of bridge revenue bonds, free from taxation and payable solely from the bridge earnings, to pay the cost of such bridges and improvements thereof; providing for the collection of bridge tolls for the payment of such bonds, and for the cost, of maintenance, operation, and repair of the bridges; constituting such bonds legal investments in certain instances; prescribing conditions upon which such bridges shall become free bridges; conferring powers and imposing duties on the State Bridge Commission; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; and providing for condemnation"; specifying the purposes for which such appropriation shall be expended and providing for the return of said appropriation to the Motor License Fund.

Mr. GREENSTEIN, from the Committee on Appropriations, reported as amended, House Bill No. 353, entitled:

An Act making an appropriation to the Jefferson Medical College, of Philadelphia, for medical education.

Mr. HEFFERNAN, from the Committee on Appropriations, reported as committed, House Bill No. 95, entitled:

An Act to amend section one of the act approved the twenty-fourth day of June, one thousand nine hundred and nineteen (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage, stationery, and supplies, as may be necessary for the conduct of their offices, and repealing all acts or parts of acts inconsistent therewith," as amended, decreasing the compensation of members of the General Assembly, and the amount they shall receive for postage and mileage.

Mr. LAUBACH, from the Committee on Appropriations, reported as amended, House Bill No. 267, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania, located at East Falls, Philadelphia.

Mrs. PENNOCK, from the Committee on Appropriations, reported as committed, House Bill No. 141, entitled:

An Act to amend sections two and three, section four as amended, sections seven and eight, and section nine as amended of the act, approved the sixteenth day of May, one thousand nine hundred and twenty-nine (P. L. 1780), entitled "An act to fix the salaries and compensation of the judges of Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Allegheny County," by reducing the salaries of judges.

Mr. MEREDITH, from the Committee on Appropriations, reported as amended, House Bill No. 583, entitled:

An Act making an appropriation to the several fire companies of the city of Harrisburg, Pennsylvania.

Mr. JOSEPH R. LYNCH, from the Committee on Appropriations, reported as amended, House Bill No. 1612, entitled:

An Act making an appropriation to the Trustees of Temple University, at Philadelphia, Pennsylvania.

Mr. DWYER, from the Committee on Appropriations, reported as amended, House Bill No. 425, entitled:

An Act making an appropriation to The Glen Mills Schools for Boys, situate in Delaware County, Pennsylvania.

Mr. HAINES, from the Committee on Appropriations, reported as amended, House Bill No. 186, entitled:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State property.

Mr. COOKE, from the Committee on Appropriations, reported as amended, House Bill No. 503, entitled:

An act making an appropriation to the Johnson Industrial School of Scranton, Pennsylvania.

Mr. SPANN, from the Committee on Appropriations, reported as amended, House Bill No. 416, entitled:

An Act making an appropriation to the Board of Commissioners of Navigation for the River Delaware and its Navigable Tributaries.

Mr. HOFFMAN, from the Committee on Appropriations, reported as committed, House Bill No. 1138, entitled:

An Act making an appropriation for the purchase of a history of the One Hundred and Ninth Field Artillery of the Pennsylvania National Guard, and providing for the distribution thereof.

Mr. BALDI, from the Committee on Appropriations, reported as amended, House Bill No. 615, entitled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry (Philadelphia School of Designs for women), at Philadelphia, Pennsylvania.

Mr. PEELOR, from the Committee on Appropriations, reported as amended, House Bill No. 705, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

Mr. GILLETTE, from the Committee on Appropriations, reported as committed, House Bill No. 1580, entitled:

An Act empowering and directing the State Emergency Relief Board to establish, operate and maintain camps in or adjacent to State forest lands to shelter unmarried, unemployed men and homeless and migratory men and youths, and to employ such men and youths in useful labor; and making an appropriation to carry this act into effect.

Mr. JOHN L. HOLMES, from the Committee on Appropriations, reported as committed, House Bill No. 397 (Senate Bill No. 62), entitled:

An Act to amend section nine of the act approved the sixteenth day of May, one thousand nine hundred and twenty-nine (P. L. 1780), entitled "An act to fix the salaries and compensation of the judges of Supreme Court, the judges of the Superior Court, the judges of the Courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Alelgheny County," as amended, reducing the compensation of judges presiding in other districts.

Mr. McKAY, from the Committee on Appropriations, reported as committed, House Bill No. 2070 (Senate Bill No. 670), entitled:

An Act to amend section one of act number three hundred twenty-nine-A, approved the fifteenth day of May, one thousand nine hundred twenty-nine (Appropriation Acts of One Thousand Nine Hundred and Twenty-nine, page one hundred sixty-one), entitled "An act making an appropriation to the Department of Property and Supplies for the purchase or condemnation of additional lands for the Commonwealth of Pennsylvania," by extending the scope of the appropriation to the Department of Property and Supplies for the purchase or condemnation of additional lands for the State Military Reservation, and ratifying certain expenditures heretofore made by said department.

Mr. HEFFERON, from the Committee on Appropriations, reported as amended, House Bill No. 1260, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of and the purchase of apparatus and equipment for the University of Pittsburgh, and for the maintenance of teaching facilities in hospitals for students in the School of Medicine.

Mr. SCHWARTZ, from the Committee on Appropriations, reported as amended, House Bill No. 415, entitled:

An Act making an appropriation to the Board of Commissioners of Navigation for the River Delaware and its Navigable Tributaries.

RESOLUTION

RECALLING HOUSE BILL NO. 948 FROM THE GOVERNOR

Mr. STEEDLE offered a resolution which was twice read, considered and adopted:

In the House of Representatives, April 3, 1933.

Resolved (If the Senate concur), that House Bill No. 948, entitled "An act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue to meet interest and Sinking Fund requirements on the State debt" be recalled from the Governor for the purpose of amendment.

Ordered, That the clerk present the same to the Senate for concurrence.

RESOLUTION

APPOINTMENT OF COMMITTEE TO CONSIDER REVISION OF STATE WORKMENS' INSURANCE FUND RATES

Mr. HABBYSHAW offered the following resolution, which was twice read and laid over under the rules:

In the House of Representatives, April 3, 1933.

The committee on unemployment of the House of Representatives in its report has strongly endorsed work relief as preferable to any other type of relief.

Many municipalities and quasi-municipalities in this Commonwealth, in conjunction with relief authorities, have instituted public improvements to create projects to make work available.

In the prepondering majority of such cases the municipality or quasi-municipality had no right to hire labor, to specify how much labor was to be hired, to discharge labor, or to specify how many days per week such labor was to be employed, but the relief authorities assigned to such work applicants for relief who would otherwise be entitled to, and would receive direct relief, and issued food, fuel and clothing orders in consideration of such employment.

The majority of such municipalities and quasi-municipalities carry insurance in the State Workmen's Insurance Fund covering their ordinary employes.

On or about March 24, 1933, the State Workmen's Insurance Fund mailed to such municipalities a letter and an endorsement of which the following are copies:

"Re: Policy ————————

In view of the liability which has arisen as the result of the use of Emergency Unemployment Relief Labor, the Pennsylvania Compensation Rating and Inspection Bureau found it necessary to revise the rate to take care of this additional liability.

Therefore, the policy now held by you issued by the State Workmen's Insurance Fund, in addition to covering your regular employes, is hereby endorsed to take care of the labor furnished by local Welfare Committees. The rate applicable to this type of employment has been set at $1.00 per week per person. It is necessary that an accurate account be kept of the number of men employed each week, and this report submitted to the State Workmen's Insurance Fund monthly. The premium charge will be billed on a monthly basis and a check for the premium will have to be forwarded to our office upon the receipt of the bill.

Within the next week or ten days, an Auditor from the State Workmen's Insurance Fund will call on you to audit your payroll from January 1st, 1933, to the present time, to determine the number of men employed on which to enable us to arrive at a premium charge. After the audit has been completed, a bill will be presented indicating the amount of additional premium due as the result of this type of labor.

Yours very truly,
STATE WORKMEN'S INSURANCE FUND."

SPECIAL ENDORSEMENT COVERING EMERGENCY RELIEF EMPLOYMENT

"The Pennsylvania Workmen's Compensation Act is now interpreted to include welfare workers as employes of the political division or institution for which work is done and liability under the Compensation Act for these employes, by virtue of this endorsement, is undertaken by the policy to which this endorsement is attached. Premium shall be computed per person employed for any length of time in each week, under the following classification and premium charge:

'981, Welfare Workers-Emergency Relief employment-premium charge $1.00 per week per person, irrespective of the period of employment.'

"The employer covered by this policy, in consideration of insurance of liability provided by this endorsement, agrees to

keep a record of the persons employed for any length of time during each week and to pay a premium in accordance with the terms of this endorsement.

"This endorsement is effective January 1st, 1933, and is attached to any forms a party of Policy No. ..... issued by STATE WORKMEN'S INSURANCE FUND to ....of .....

"Dated at Harrisburg, Pa., this 24th day of March, 1933."

STATE WORKMEN'S INSURANCE FUND

.....Manager.

The prohibitive rate made retroactive by such ruling for a period of three months creates an unanticipated and unjust burden upon such municipalities and quasi-municipailties which many will be unable to pay without increased taxation on an already overburdened citizenry.

The ruling if sustained will result in the absolute cessation of work relief in such municipalities and quasi-municipalities as carry compensation insurance in the State Workmen's Insurance Fund; therefore be it

Resolved, By the House of Representatives that a committee of five members be appointed by the Speaker of the House to which this rsolution shall be immediately referred with the recommendation that such committee give urgent attention to remedial action.

RESOLUTION No. 62

Mr. HERMANSEN. Mr. Speaker, I desire at this time to call up Resolution No. 62, Printer's No. 335.

The resolution was read by the Clerk as follows:

In the House of Representatives, March 28, 1933.

Whereas The first duty of the Commonwealth is to safeguard the people and to make secure the lives and liberities and the happiness of the men women and children whose industry and existence is at all times essential to the peace and good order of the same and

Whereas No people can be free and equal before the law when the right of petition and representation is denied them by the mere will and caprice of any existing majority in their State Assembly and

Whereas We are confronted at this time with an existing condition of State wide unemployment which has deprived large portions of our population in our large cities and elsewhere of their accustomed means of livelihood and impoverish and seriously menace the stability of our homes and our financial and industrial activities and sufficiently endanger our existing political institutions and

Whereas It is deemed desirable at this time that the right of petition and the right of representation be made more general and secure in this session and all bills and resolutions introduced and the sponsors thereof given an opportunity to be heard therefore be it

Resolved That Rule number forty of this House of Representatives be amended by striking out the last seven words which are as follows "majority vote of all the members elect" and inserting in lieu thereof the following eighty votes of all the members elect and placed upon the calendar" so that the section as amended will read as follows

No 40 That when a bill or resolution has been ten days in the hands of a committee after having been referred to it any committee may be discharged from the further consideration of the bill or resolution by a eighty votes of all the members elect and placed upon the calendar

On the question,

Will the House adopt the resolution?

Mr. HERMANSEN. Mr. Speaker and members of the House, I have done this after long and serious consideration. I, nevertheless, have done it conscientiously, and I believe it is a resolution that should have consideration at this time. I believe there is a good many bills that have merit, not only in committee, but I feel that with eighty required to dismiss the committee, that we could get many of these bills out and they could be passed. I cannot understand why we should have a majority of the number elect before we can dismiss the committee on surveys of bills we know can pass. While we might get a majority to vote for a bill, we cannot get a majority to vote for the dismissal of a committee. I don't intend to make any long speech on this, but I ask that the House support this resolution. Mr. Speaker, I would ask for a roll call.

Mr. HUTTON. Mr. Speaker and members of the House, this is a very important resolution and affects the present rules of the House as they were adopted on January 3rd, at the time this House was organized. Under the provisions of Rule No. 40, the discharge of a committee from further consideration of a bill is effectuated by a vote of a constitutional majority, and that majority at the present time, by resolution of this House, is one hundred and four members. If this resolution is adopted, that number will be changed from one hundred and four to eighty. In observing the workings of Rule No. 40, I submit to this House that it is a proper rule for this House to continue, and the same arguments apply in favor of the rule as it at present exists as when made by me before this House on January 3rd. Our calendars are now overburdened with bills. If this resolution is adopted the effect of it will be that on a vote of eighty members of the House a bill can be taken from a committee and the same discharged from further consideration. It requires the vote of one hundred and four members to pass a bill, and the effect of this resolution would be simply to clutter the calendar with a multitude of bills drawn from committees properly considering them, and that there would be no reasonable supposition that the bills would receive favorable consideration eventually. I therefore ask you to vote down this resolution.

Mr. WITKIN. Mr. Speaker and members of the House, may I endeavor by a careful, logical argument, to point out to the members of this House the foolishness of the endeavor to pass this resolution. Even in the interest of economy, I take it that you will agree with me that by permitting the minority to bring bills out of committee would result in a great number of bills being brought out on which they would not be able to muster the necessary majority for passage, and so merely increase the cost of printing and the expenses of this House.

But let me pass that aside, and let us forget for the second the argument in the interest of economy, and let me point out to you, if you will, those of the minority, how foolish this resolution is.

A motion is made to discharge the committee, less than the majority, to wit, eighty vote to get the bill out of committee, and the bill is then reported out. Now, members of the House, you cannot get away from the majority rule. The majority then will move immediately to table the bill or recommit it into committee. Then what have you done? The majority has voted that the bill shall not be further considered. The result is that you have taken up the time of this House to discuss the proposition and after extended debate and argument assume that a bill be reported out and you have succeeded, but when you succeed, members of the House, are you successful? The answer is "No." Why? Because in every government, in every organization and in every walk of life the majority must rule.

I am with the minority if there is something to be gained If you can accomplish anything by getting eighty persons to vote to bring a bill out, then I may say you are right.

But try to establish the right of that minority and if your vote is ninety to eighty the majority would immediately send that bill back.

We are all for economy and you now can discharge a committee if the majority wants it discharged; you can do so. Let us not fool ourselves, but let us be wise men and women, as

I know you are, and let us not vote for a resolution that will clog the machinery of this Legislature. I sincerely say to the members of this House that the course you have heretofore adopted should be continued in effect and that it would be a very serious mistake, both from the point of view of actual economy, as well as the point of the minority of the House to attempt to accomplish what would be a mistake.

Therefore, members of the House, I ask you to vote no on the adoption of this resolution.

Mr. HOOPES. Mr. Speaker and members of the House, I rise to answer the argument just made by the gentleman from Philadelphia. I believe that the majority can immediately recommit a bill; that of course is correct. The fact remains that many members of this House have frequently told me, and I think they have told other members of this House that they would not vote to discharge a committee, but if the bill were reported out on the floor of the House, they would vote for it. I think that is true of many members of the House. They want to stand by the rules, and do not want to vote to discharge a committee, but if the bill was out on the floor they would vote for it ,and I think that would be true of a great many labor bills with legislation having to do with the relief of unemployment.

If these bills were out on the floor the members would regard a vote as a vote on the bill and nothing else, but not upon a subsidiary motion to discharge a committee; many members would vote for it that would vote against the motion, and even your Democrats in their election say they are for the bills.

We are elected to the House of Representatives; we are the employes who represent our constituents back home. If that is true our constituents are entitled to know where we stand upon important measures and I submit that if eighty members of this House consider a bill of sufficient importance to vote to discharge the committee from further consideration thereof that this House should have a right to vote upon that bill, and the people back home should have a right to know where we stand on that bill. As the thing now stands, if the bill has been reported to a committee the majority of the members of which are opposed to that particular bill it is absolutely impossible to get a vote on the bill unless you have a majority of the House who are willing to vote to discharge that committee and up until last week it was the boast of this House that a committee had not been discharged, for I don't know how many years. But last week on the matter of the Old Age Pensions, which has been contended for up and down the State for the past twenty years and endorsed by leading candidates of all the political parties, we did succeed in getting a vote to discharge a committee. But on ordinary questions it is absolutely impossible and in order that we may have a fair consideration of the many bills locked up in committee it is necessary that we be permitted to get them out by less than a majority vote. For many years, I understand that the rules of the House permitted the committees to be discharged by a vote of sixty members. Some of the older members tell us that they get many bills out on the floor; that may be true, but certainly eighty members out of a total of two hundred and eight members of the House should be able to require the vote of the House on the bill itself, so I ask you to vote for this resolution and let us get some of these measures out of committee.

Mr. BERNHARD. Mr. Speaker and members of the House, when this resolution was introduced at the beginning of the session I went along with it. After being here for a period of almost three months I have seen my mistake. I have heard of pickling and everything else relative to committees. I have been an employ of a railroad corporation for approximately thirty years, and I was conceited enough to think I knew a little something about railroading, but I didn't know the first thing about it, because they railroad bills nicely here. This is a very important question, and if a bill is worth while for you members to consider it and a very good bill, it certainly should be brought out on the floor, and I ask the members of the House to vote for this resolution.

On the question recurring will the House adopt the resolution?

The yeas and nays were required by Mr. Hermansen and Mr. Hoopes.

Mr. McGRAIL. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—73

Andrews,	Eroe,	Lynch, M.,	Royle,
Barnhardt,	Fitzgerald,	Male,	Ruth,
Bechtel,	Flanagan,	Malina,	Sarig,
Beech,	Furman,	Marcks,	Sautter,
Bernhard,	Gallagher,	McCandless,	Schrope,
Boyd,	Harmuth,	McCreary,	Shugarts,
Brancato,	Hartman,	McGinnis,	Sinwell,
Brown, J. E.,	Hermansen,	McGrail,	Stank,
Brownfield,	Hester,	McKinney,	Sterling, R. B.,
Cannon,	Holmes, J. B.,	Melchiorre,	Stevens,
Carson,	Hoopes,	Munley,	Stone,
Chervenak,	Howard,	O'Connor,	Surface,
Cohen,	Kane, J. J.,	O'Keefe,	Wagner,
Cramer,	Kinney,	Perry, J. J.,	Walker, W. A.,
Dane,	Labar,	Quinn,	Welsh,
Downey, G. E.,	Lane,	Raub,	Westrick,
Downey, J.,	Lenahan,	Reilly,	Wilson, L. M.,
Dunmire,	Lovett, J. E.,	Rhodes,	Yourishin,

NAYS—122

Baldi,	Hart,	Metzler,	Simon,
Bennett,	Heffernan,	Mohn,	Snyder,
Blumberg,	Hefferon,	Moore,	Spann,
Brennan,	Heffner,	Mumford,	Steedle,
Brown, W. L.,	Hewitt,	Myers,	Sterling, P.,
Carey,	Hoffman,	Negley,	Stiteler,
Conner,	Holmes, J. L.,	Nothnagle,	Storb,
Cooke,	Horst,	O'Rourke,	Stott,
Cordier,	Hough,	Patterson,	Tahl,
Craig,	Hutton,	Peelor,	Terry,
Davies,	Jaffe,	Pennock,	Turner,
DeFrehn,	Jones,	Perry, D. R.,	Wade,
Denning,	Kane, L. P.,	Peters,	Walker, G. E.,
Duffy,	King,	Powers,	Wall,
Dwyer,	Laubach,	Price,	Wasserman,
Ederer,	Lewis,	Rectenwald,	Way,
Emhardt,	Long,	Reed,	Weidemann,
Evans,	Lord,	Rice,	White,
Fleisher,	Lose,	Roan,	Wike,
Flynn,	Lovett, W. S.,	Root,	Williams, G. W
Forrest,	Lynch, J. R.,	Roth,	Williams, J. J.,
Gartner,	Maloney,	Ruby,	Wilson, T. B.,
Gillette,	Mason,	Schrock,	Witkin,
Gorman,	McBride,	Schwartz,	Wood,
Green,	McClure,	Scorza,	Woodside,
Greenstein,	McElwee,	Scott,	Wright,
Griffith,	McGregor,	Shellenberger,	Yeakel,
Habbyshaw,	McHenry,	Shenkel,	Zimmerman,
Haines,	McKay,	Shortz,	Talbot,
Hamilton,	Meredith,	Shreiner,	Speaker.
Harris,	Merrell,		

So the question was determined in the negative and the resolution was not adopted.

REASONS FOR VOTE

Mr. DWYER. Mr. Speaker, I desire to file the following reason for my vote.

My reason for voting "No" is to maintain my attitude that I portrayed at the beginning of the session, voting affirmatively at the organization of the House.

RECONSIDERATION OF VOTE

Mr. WILSON. Mr. Speaker, I move that the vote by which House Bill No. 1374, Printer's No. 280, entitled

An Act relating to the minimum salaries and annual increments of the teaching and supervisory staffs of the public schools granting power to the State Council of Education to permit as to certain school districts temporary reductions in the salary schedules authorizing the State Council of Education to suspend mandatory provisions of the act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" and of its amendments and supplements prohibiting school districts from demanding requesting or accepting gifts or donations from members of the teaching and supervisory staffs and empowering the Superintendent of Public Instruction to forfeit certain State subsidies for violations thereof relating to the effect of payment of salaries which are less than those prescribed by salary schedules and temporarily superseding any inconsistent acts and parts of acts.

was defeated on final passage on March 27, 1933, be reconsidered.

Mr. RICE. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from McKean, Mr. Wilson, vote on the final passage of the bill?

Mr. WILSON. I voted no, Mr. Speaker.

The SPEAKER. How did the gentleman from Dauphin, Mr. Rice, vote in the final passage of the bill?

Mr. RICE. I voted no, Mr. Speaker.

The motion was agreed to. .

Mr. WILSON. Mr. Speaker, I move that the vote by which this bill was defeated on third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. WILSON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 1, line 3 of the title by striking out at the end of the line after the word "the" the following: "[State Council of]."

Amend page 1, line 4 of the title by striking out at the beginning of the line before the word "to" the word: "[Education]" and inserting in lieu thereof the following: "courts of common pleas."

Amend page 1, line 6 of the title by striking out after "ing" at the beginning of the line and before the word "to" the following: "[the State Council of Education]" and inserting in lieu thereof the following: "courts of common pleas."

Amend page 2 of the title by inserting between lines 8 and 9 the following: "granting certain options to the members of the School Employes' Retirement System."

Amend section 1, page 2 by inserting between lines 5 and 6 the following: "1 "Employe" Any teacher principal supervisor or supervising principal, county superintendent, district superintendent assistant superintendent any member of the staff of the State Teachers' Colleges of the Cheyney Training School for Teachers of the staff of the Department of Public Instruction or of the staff of the State Council of Education or any clerk stenographer janitor attendance officer or other person engaged in any work concerning or relating to the public schools of this Commonwealth or in connection therewith or under contract or engagement to perform one or more of these functions No person however shall be deemed an employe within the meaning of this act who is not regularly engaged in performing one or more of these functions as a full-time occupation outside of vacation periods In all cases of doubt the School Employes' Retirement Board shall determine whether any person is an employe as defined in this act.

"2 "Employer" The Commonwealth school district State Teachers' Colleges Cheyney Training School for Teachers board or other committee by which the employe is paid."

Amend section 1, page 2, line 6 by striking out at the beginning of the line the figure: "[1]" and inserting in lieu thereof the figure: "3."

Amend section 1, page 2, line 10 by striking out at the beginning of the line the figure: "[2]" and inserting in lieu thereof the figure: "4."

Amend section 4, page 3, line 19, by striking out at the end of the line after the word "Reductions" the following: "[When the board of]."

Amend section 4, page 3, by striking out lines 20 to 29 inclusive.

Amend section 4, page 4, by striking out lines 1 to 4 inclusive, and inserting in lieu thereof the following: "When in any school district a board of school directors shall be of the opinion that the district does not and will not have sufficient funds to pay the salaries required by the salary schedule as modified by the foregoing provisions of this act or that the payment of the salaries of the schedule as thus modified would be unreasonably oppressive upon the school district it may present its petition to the court of common pleas of the county in which such district or the greater part thereof in area is located praying that the court will reduce for the period during which this act shall be in effect the per centum herein provided from ninety to a percentum which the court shall deem to be just and reasonable for that district Each such petition shall be accompanied by a verified copy of the budget of the school district Upon receipt of such petition the court shall fix a day for a hearing not less than fifteen nor more than thirty days after such petition has been filed Notice of such hearing shall be given to all interested parties in such manner as the court shall direct On such hearing or hearings it shall be the duty of the court to examine into the necessity for the requested reduction If the court shall be of the opinion that the district does not and will not have sufficient funds to pay the salaries required by the salary schedule as modified by the foregoing provisions of this act or that the payment of the salaries of the schedule as thus modified would be unreasonably oppressive upon the school district it shall grant the requested reduction or any portion thereof which it shall deem necessary If the court shall be of the opinion that such reduction is not necessary it shall deny the request of the petition No appeal shall lie from any such order or decision of the court of common pleas."

Amend section 4, page 4, line 6, by striking out at the end of the line after the word "Education]" the following: [Superintendent of]."

Amend section 4, page 4, line 7, by striking out at the beginning of the line before the word "may" the following: "[Public Instruction]" and inserting in lieu thereof the following: "court of common pleas."

Amend section 4, page 4, line 20, by adding at the end of the line after the word "directors" the following: "No appeal shall lie from any such order of the court of common pleas."

Amend page 4 by inserting between lines 20 and 21 the following section:

"Section 5 During the year which shall begin on July first one thousand nine hundred thirty-three and close June thirtieth one thousand nine hundred thirty-four each employe who is a member of the School Employes' Retirement System shall have the option of contributing to the School Employes' Retirement Fund either on the basis of the total salary which he or she will receive during such year, or on the basis of the salary which he or she received during the year which began July first one thousand nine hundred thirty-two and ended June thirtieth one thousand nine hundred thirty-three Each such employe shall notify in writing his employer on or before September first one thousand nine hundred thirty-three upon which salary he or she elects to contribute

"During the year which shall begin July first one thousand nine hundred thirty-four and close June thirtieth one thousand nine hundred thirty-five each employe who is a member of the School Employes' Retirement System shall have the option of contributing to the School Employes' Retirement Fund either on the basis of the total salary he or she will receive during such year or on the basis of the total

salary which he or she received during the year which began July first one thousand nine hundred thirty-two and closed June thirtieth one thousand nine hundred thirty-three Each such employe shall notify in writing his employer on or before September first one thousand nine hundred thirty-four upon which salary he or she elects to contribute Each employer shall notify the School Employes' Retirement Board in writing on or before September fifteenth one thousand nine hundred thirty-three and on or before September fifteenth one thousand nine hundred thirty-four of the option elected by each such employe for the then current year

"During each of such years which begin on July first one thousand nine hundred thirty-three and July first one thousand nine hundred thirty-four the employer shall contribute on the basis of the salary upon which each of such employes shall have thus elected to contribute

"Each new member who comes into the School Employes' Retirement System during the period beginning July first one thousand nine hundred thirty-three and ending on June thirtieth one thousand nine hundred thirty-five shall contribute on the basis of the salary actually received The employer shall contribute upon the same basis

"The salary upon which each such employe elects to contribute for each of the years beginning July first one thousand nine hundred thirty-three and July first one thousand nine hundred thirty-four shall be used as the salary for each such year in the determination of any final salary upon which a retirement allowance will be computed!"

Amend section 5, page 4, line 21, by striking out after the word "Section" and before the word "Effect" the figure "(5)," and inserting in lieu thereof the figure "6."

Amend section 5, page 5, line 3 by striking out at the end of the line after the word "by" the following: "[the Super-]."

Amend section 5, page 5, line 4 by striking out at the beginning of the line before the word "in" the following: "[intendent of Public Instruction]" and inserting in lieu thereof the following: "a court of common pleas."

Amend section 6, page 5, line 6 by striking out after the figure "[5]" and before the word "Prohibition" the figure "[6]" and inserting in lieu thereof the figure "7."

Amend section 7, page 5, line 12 by striking out after the figure "[6]" and before the word "Forfeiture" the figure "[7]" and inserting in lieu thereof the figure "8."

Amend section 8, page 6, line 26 by striking out after the figure "[7]" and before the word "Impairment" the figure "[8]" and inserting in lieu thereof the figure "9."

Amend section 9, page 7, line 1 by striking out after the figure "[8]" and before the word "Constitutional" the figure "[9]" and inserting in lieu thereof the figure "10."

Amend section 10, page 7, line 9 by striking out after the figure "[9]" and before the word "Effective" the figure "[10]" and inserting in lieu thereof the figure "11."

Amend section 11, page 4, line 15 by striking out after the figure "[10]" and before the word "Inconsistent" the figure "[11]" and inserting in lieu thereof the figure "12."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to,

Ordered, That the bill as amended lie over for printing.

CONCURRENT RESOLUTION

REDUCTION OF SALARIES OF STATE GOVERNMENT OFFICERS AND EMPLOYEES

Mr. HUTTON. Mr. Speaker, I call up at this time Senate Resolution No. 115, known as the Howell Resolution.

The resolution was read by the Clerk as follows:

In the Senate, February 21, 1933.

Whereas, The continuance of the economic depression has seriously affected the revenues of all forms of Government and necessitates the greatest economy and reduction in governmental costs possible in order that budgets may be balanced, and our unemployed cared for; and

Whereas, The salaries paid to public officers and employes constitute an appreciable part of the cost of government; and

Whereas, Industry and business has been forced to reduce salaries and wages in order to continue operation and provide employment; therefore be it

Resolved (if the House of Representatives concur) That it is the sense of the General Assembly that the salaries, compensation and emoluments of office of all public officers and employes of the executive, legislative and judicial departments of the State government, should be reduced, and that those agencies and officers of government charged with the fixing of salaries and compensation of public employes should reduce such salaries and compensation in accordance with the provisions of this resolution;

Resolved, That all public officers of the executive, legislative and judicial departments of the State government be urged to agree voluntarily to accept reductions in their salaries, compensation and emoluments of office and return the same to the government or permit it to retain, the percentage of such salaries, compensation and emoluments of office as is provided for by this resolution;

Resolved, That it is the sense of the General Assembly that such reductions in salaries, compensation and emoluments of office should be in accordacne with the following standards:

(a) Salaries, compensation and emoluments amounting to $750 and less per annum should not be reduced.

(b) All salaries, compensation and emoluments amounting to more than $750 per annum should be reduced by an amount equal to 20 per cent. of the difference in amount between the present salary, compensation or emoluments and the sum of $750.

(c) In the case of per diem compensation, such compensation amounting to $2 per day and less should not be reduced; and such compensation amounting to more than $2 per day should be reduced by an amount equal to 20 per cent. of the difference in amount between the present per diem compensation and the sum of $2.

(d) The whole amount of the compensation of the members of the General Assembly, not already paid over should be reduced by 20 per cent.

Resolved, That it is the sense of the General Assembly that such reductions should become effective as of the first day of June, one thousand nine hundred and thirty-three, with the exception of those effecting the compensation of the members, officers and employes of the General Assembly which should apply to all such compensation, that has not heretofore been paid.

Resolved, That in order that the General Assembly, may ascertain the amount of money which can be saved by the fore-going reductions, the Auditor General be directed to forward a copy of this resolution upon its final passage to the Governor, Lieutenant-Governor, State Treasurer and Secretary of Internal Affairs, to each member of the Executive Board of the State government, to the heads of the several departments and of the several administrative boards and commissions, to each of the judges learned in the law of the Commonwealth, and to the officers and members of the General Assembly, with the request that all persons affected thereby notify the Auditor General, in writing, within two weeks of such request of the acceptance of the provisions hereof and that requisitions of salary for such persons be drawn at the reduced rates, after the first day of June, one thousand nine hundred and thirty-three, in the case of members of the executive and judicial branches of the government, and forthwith in the case of members and attaches of the General Assembly.

Resolved, That this resolution is intended to be effective upon final passage.

On the question,

Will the House concur in the resolution of the Senate?

Mr. BLUMBERG. Mr. Speaker and members of the House, at this time I would not believe that the House is in a position to vote upon this resolution for a few very important

reasons. In the first place, by its vote tonight on House Bill No. 22 there is no specific program of economy before the House. I personally do not believe that this resolution ought to be passed before we know exactly what we are doing along the line of economies from the top of the government to the bottom. In the second place much confusion exists in the House as to the validity and force of this resolution, which certainly by its wording is not binding upon those officials and officers whom it seeks to bind.

Again and another reason why I believe the House is not in a position to vote on the resolution at this time is because of the schedules of reduction it provides so far as the members of the House are concerned, that there should be a reduction of twenty per cent. from the salaries not yet paid over, which means twenty per cent. of six hundred dollars, or one hundred and twenty dollars of a reduction on a three thousand dollar salary, or a percentage reduction of four per cent. Obviously this House is not ready to take the position, that our salaries shall be reduced four per cent. and all other salaries fifteen per cent. and upwards.

Mr. BLUMBERG. Mr. Speaker, I move that the resolution be referred to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker and members of the House, the program of economy propertly starts with this resolution. Perhaps House Bill No. 22 would have had a different vote had this resolution been passed. This House may as well make up its mind now whether it wants economy and a saving in the payroll now, or economy and a saving in the sweet bye and bye.

We have the educational bills upon the calendar of this House. We are asking the school system and the teachers——

POINT OF ORDER

Mr. WITKIN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Philadlephia, Mr. Witkin, will state his point of order.

Mr. WITKIN. Mr. Speaker, the gentleman is not discussing the motion, he is discussing the merits of this bill and other bills.

The SPEAKER. The point of order is well taken. The motion before the House to recommit, and the merits of the bill cannot be discussed. The gentleman will confine his remarks to the motion before the House.

Mr. ANDREWS. Mr. Speaker, is the motion to recommit debatable?

The SPEAKER. The gentleman is informed that the motion is detable, but the merits of the bill cannot be discussed on the point of order raised by the gentleman from Philadelphia, Mr. Witkin.

Mr. ANDREWS. Mr. Speaker and members of the House, I would ask the gentleman from Philadelphia, if he knows that by recommitting this bill he hurts the entire program of economy; if he knows that no measure if he recommits this bill can come before the House and be given candid consideration if we ditch the issue this resolution presents by recommitting it. He knows that we have had this issue repeatedly before us, and we have repeatedly sidestepped it, and he knows that if he refers this bill back to committee the people of the State will consider this Legislature as sidestepping the issue of economy, and so I oppose the motion to recommit.

Mr. STERLING. Mr. Speaker and members of the House, for the reasons already stated by my friend from Cambria, Mr. Andrews, I believe the motion to recommit this resolution should prevail.

The gentleman from Philadelphia, Mr. Blumberg, has pointed out to the House very properly that under Section (d) of this resolution, the members of the House, by adopting it, would unanimously agree that their salaries should be cut to the extent of four percent, at a less percentage of cut than contemplated in the entire program of cutting. I daresay there is not a man in this House who would proudly go home and confess to his constituents that he was willing to bind himself to a four percent cut, whereas he was willing that all of the other constitutional officers of the Commonwealth should take a cut averaging from ten to nineteen percent. For these reasons I believe the motion to recommit should prevail.

Mr. ANDREWS. Mr. Speaker, I would like to interrogate the gentlemen from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. STERLING. I will, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, would or not the gentleman as a parliamentarian conclude that the reduction, as far as this Legislature is concerned, should date from the time this measure came into the hands of the committee of this House.

Mr. STERLING. I would say that Section (d), if supported to the letter, the members of the House would bind themselves to accept twenty percent of the salary due, which is six hundred dollars, which resolves itself into a four percent cut.

The SPEAKER. If the gentlman from Cambria would read the last "Resolved" his question would be answered.

Mr. ANDREWS. Should not at least this measure date from the time the gentleman from Franklin introduced it?

The SPEAKER. The gentleman from Cambria is informed that the last clause reads that this resolution is intended to be effective on final passage.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

STATEMENT BY MR. WITKIN

Mr. WITKIN asked and obtained unanimous consent to make the following statement.

Mr. SPEAKER and members of the House, it is my firm belief that this Legislature will negotiate legislation which will guarantee regulatory measures dealing with the question of beer and 3.2 wine in the State of Pennsylvania, but in view of the fact that that is not definite, and in further view of the fact that able legal talent has stated that there may arise a quesion as to whether or no without the passage of any regulatory law at this session of the Legislature, the Snyder-Armstrong Act is or is not legal, and due to the fact that I believe every member of this House is of the firm opinion that the law of Congress in changing the intoxicating provisions dealing with 3.2 percent beer shall be the law of the State of Pennsylvania as well as every other State of the Union, I have had prepared a bill which would amend the Synder-Armstrong Act only insofar as the bill shall say that—— I sall read it to you: "That the phrase intoxicating liquor as used in this act shall mean," and the amendment is "any liquor containing more than 3.2 per cent of alcohol by weight."

I don't want the State of Pennsylvania to be caught napping. I do not want to permit those who do not want the will of Congress to govern, subsequent to the adjournment of this Legislature, if we do not pass any act, tell us that in Pennsylvania beer is not legal, and for that reason and that reason

only I would ask that this House give its unanimous consent so that we may remove if possible any doubt as to the legality of 3.2 percent beer under the Snyder-Armstrong Act.

The Legislative Reference Bureau, or Mr. Fertig, has given me an opinion, which you may have read in the newspapers, wherein he says that the argument that has been advanced had great weight and is a matter which should be considered. If the House will give its consent to its introduction so that we don't have to have it introduced in the Senate and so that we may make sure, if there is no regulatory measure passed, that there may be no question and so that the people have proper authority for the legal drinking and imbibing of 3.2 percent beer or wine.

BILL INTRODUCED

Mr. WITKIN. Mr. Speaker, I ask unanimous consent for the introduction of the bill I have referred to.

The SPEAKER. Will the House give its unanimous consent for the introduction of the bill at this time? Are there objections? The Chair hears none and consent is granted.

The bill will be filed with the bill clerk.

The SPEAKER. The remarks of the gentleman with respect to the introduction of the bill will be spread upon the journal.

The SPEAKER. Will the House give its unanimous consent for the introduction of the bill at this time? Are there objections? The Chair hears none and consent is granted.

The bill will be filed with the Bill Clerk.

BILLS INTRODUCED

Mr. STERLING. Mr. Speaker, I ask at this time unanimous consent to introduce two bills which come from the Joint Legislative Committee, which represent, I believe, almost all of the bills that we will have to present to the House.

The SPEAKER. Will the House give its unanimous consent to the introduction of the bills at this time? Are there objections? The Chair hears none and consent is granted.

The bills will be filed with the Bill Clerk.

SENATE MESSAGE

The Clerk of the Senate being introduced presented extracts from the Journal of the Senate, which were laid upon the table.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 38.

An Act making a deficiency appropriation to the Board of Finance and Revenue.

SENATE BILL No. 176.

A Joint Resolution proposing an amendment to section three article seventeen of the Constitution of the Commonwealth of Pennsylvania.

SENATE BILL No. 283.

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Manufacturing Fund.

SENATE BILL No. 284.

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the State Workmen's Insurance Fund.

SENATE BILL No. 285.

An Act making an appropriation from the Fish Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Fish Fund.

SENATE BILL No. 286.

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Motor License Fund.

SENATE BILL No. 287.

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Banking Department Fund.

SENATE BILL No. 288.

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System, with respect to State employes receiving compensation from the Game Fund.

SENATE BILL No. 320.

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, by adding thereto section seventeen.

SENATE BILL No. 321.

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the expenses of government defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto providing for the payment of interest on and the redemption of such bonds and making an appropriation.

SENATE BIL No. 362.

An Act validating certain proceedings and elections of municipalities had and held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 192.

An Act to amend section two of the act approved the tenth day of April one thousand eight hundred and seventy-nine (Pamphlet Laws sixteen) entitled "An act relating to mutual saving fund building and loan associations regulating the mode of charging premiums bonus or interest in advance of with-

drawals of repayment and collection of loans also restricting the power to levy excessive fines and defining the rights and liabilities of married women stockholders and prescribing the non-application to these associations of the bonus tax and registry laws for corporations" by further regulating withdrawals

HOUSE BILL No. 38.

An Act to amend section one of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred forty-seven) entitled "An act placing upon the Commonwealth the responsibility for the construction and maintenance of certain bridges on State highway routes or continuations of State highway routes in boroughs incorporated towns cities of the third class and townships under certain conditions and restrictions and appropriating money in the motor license fund for such puorposes providing for a limitation of the Commonwealth's liability for reconstruction and maintenance in certain cases under orders of court or the Public Service Commission providing for the Commonwealth to succeed to the rights of the county under certain existing agreements or contracts authorizing the department to issue licenses to public service companies for occupancy of such bridges in accordance with existing laws subject to certain conditions and [illegible]ons providing for the crediting of certain moneys to the motor license fund and providing for the return to the county or disposal of said bridges in certain cases and repealing certain acts with reference to county bridges" eliminating the provisions which places upon the counties fifty per centum of the cost of construction and maintenance of certain bridges

HOUSE BILL No. 127.

An Act to amend section one thousand two hundred seven of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency therof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" taking out of operation the Fiscal Code questions relating to the lien and payment of liquid fuel taxes and referring such questions to the provisions of the liquid fuels tax acts

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PERMISSION GRANTED COMMITTEE TO SIT DURING SESSION OF HOUSE

Mr. WITKIN asked and obtained unanimous consent for the Committee on Ways and Means to sit during the session of the House for the purpose of considering Senate Bill No. 645.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 3, 1933.

Resolved (if the Senate concur), That House Bill No. 948, entitled "An act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue to meet interest and Sinking Fund requirements on the State debt" be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 3, 1933.

Resolved (if the House of Representatives concur), That five hundred copies of the proceedings of the memorial services held in honor of the late Honorable Augustus F. Daix, Jr., to be printed for the use of the Senate.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 3, 1933.

Resolved (if the House of Representatives concur), That five hundred copies of the proceedings of the memorial services held in honor of the late Honorable Fred M. Sprout be printed for the use of the Senate.

Ordred, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 298.

An Act to amend section one of the act approved the thirteenth day of May one thousand nine hundred and twenty-five (P. L. 676) entitled "An act providing for the burial of certain persons who have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service men' authorizing county commissioners to provide markers and burial plots for such deceased service men at the expense of such county in which they shall die or have a legal residence at the time of their death and providing for the burial of widows of soldiers sailors or marines" as amended broadening the definition of the term "deceased service men"

HOUSE BILL No. 850.

An Act to amend Section Two of an act approved the twentieth day of April one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred twenty-one) entitled "An act authorizing the Secretary of Highways to designate by letter or to name number or combine State highways or any part or parts thereof in such manner as in his discretion will best accommodate and inform the traveling public using the

highways of the Commonwealth and facilitate the keeping of maps and records of the Department of Highways and to include in any route designated for the convenience of the traveling public any township road or roads" by including public roads.

HOUSE BILL No. 1187.

An Act empowering a court in which a suit for the recovery of damages for personal injuries to a minor is pending to make an order authorizing a compromise or settlement to be made for such minor and empowering a court in which a judgment is obtained for such minor or by which a compromise or settlement is approved to fix counsel fees and other expenses incident to said suit and to award the balance to a duly appointed guardian of such minor and limiting the liability of said guradian to the sum of money thus coming into his hands.

HOUSE BILL No. 1240.

An Act creating a presumption of reasonableness of certain contracts for counsel fees made by the next friend or guardian of a minor provided the same be evidenced by writing.

HOUSE BILL No. 94.

An Act to amend section three hundred and eighty-six of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred forty), entitled "An act concerning townships and revising amending and consolidating the law relating thereto" as amended by adding thereto paragraph eleven authorizing townships to contract with other municipalities for fire protection.

With the information that the Senate has passed the same without amendment.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 1590

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 30, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 1590, Printer's No. 282, entitled, "An Act making an appropriation to the State Emergency Relief Board for direct relief and work relief."

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS NOS. 680 AND 965.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 29, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 680, Printer's No. 209, entitled "An act to amend sections two and four of the act approved the third day of May one thousand nine hundred and nine (Pamphlet Laws three hunared ninety-five) entitled 'An act regulating the sale of concentrated commercial feeding-stuffs also of condimental stock and poultry-food and patented proprietary or trade-marked stock and poultry-food possessing nutritive value combined with medicinal properties defining concentrated commercial feeding-stuffs prohibiting the adulteration of any feeding-stuff sold, offered or exposed for sale in this State with oat hulls ground corn cobs flax plant refuse elevator chaff cotton-seed hulls ground corn stalks rice hulls peanut hulls weed seeds or other similar adulterants providing for the collection of samples and analysis thereof by the Department of Agriculture and the publication of information concerning the same providing also for the expenses of the enforcement of the law fixing penalties for its violation and repealing act number two hundred and eleven (Pamphlet Laws one thousand nine hundred seven page two hundred seventy-three) entitled "An act regulating the sale of wheat-rye-corn and buckwheat-bran and middlings or any admixture thereof" et cetera approved the twenty-eighth day of May one thousand nine hundred and seven' as amended further defining commercial feeding-stuffs and changing annual and other registration fees."

House Bill No. 965, Printer's No. 161, entitled "An act to amend sections one and seven of the act approved the first day of May one thousand nine hundred and nine (Pamphlet Laws three hundred forty-four) entitled 'An act to regulate the manufacture and sale of commercial fertilizers prescribing penalties for its violation and repealing an act entitled "An act to regulate the manufacture and sale of commercial fertilizers providing for its enforcement and prescribing penalties for its violation" approved the twenty-fifth day of March Anno Domini one thousand nine hundred and one' as amended by further regulating standards for commercial fertilizers.

GIFFORD PINCHOT.

BILLS INTRODUCED AND REFERRED

By Mr. HAINES. HOUSE BILL No. 2106.

An Act making an appropriation to the National Farm School, at Doylestown, Pennsylvania.

Referred to the Committee on Appropriations.

The SPEAKER. The Chair requests the gentleman from Philadelphia, Mr. Blumberg, to preside over the deliberations of this body.

(Mr. BLUMBERG in the Chair).

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1897, entitled:

An Act to further amend section twenty-four of the act approved the first day of June, Anno Domini one thousand eight hundred and eighty-nine (Pamphlet Laws, four hundred twenty), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by further defining deductions in case of reinsurance.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1125, entitled:

An Act fixing the compensation and mileage of jury commissioners in counties of the sixth class

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1898, entitled:

An Act to further amend section seven hundred fourteen of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, three hundred forty-three), entitled, "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due

the Commonwealth, the collection and recovery of fees and other money or property belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts, and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivision, every person, association and corporation, required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State to pay such depository and every debtor or creditor of the Commonwealth," by further defining deductions in case of reinsurance.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1412, entitled:

An Act making an appropriation to the committee created to investigate the affairs of the special poor districts of Philadelphia, and to make report thereon.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1714, entitled:

Ann Act authorizing the Department of Agriculture to establish and promulgate standards of quality, condition and fill of containers of canned food, and standards of containers or receptacles therefor, and for the marking, branding and labeling thereof; and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1891, entitled:

An Act making an appropriation to the Department of Property and Supplies to erect steps from the Soldiers and Sailors Memorial Bridge to Baum and Linden streets.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1124, entitled:

An Act to amend section two hundred and ninety-five of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by limiting the compensation of the clerk to the jury commissioners in counties of the sixth class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1040, entitled:

An Act to amend section one of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled, "An act to provide revenue with counties, for citiy and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," as amended, by exempting certain non-interest or non-dividend paying loans and stocks from payment of tax.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1898, entitled:

An Act to amend section one thousand eight hundred and six of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the adminstrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers; providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," defining the powers of persons appointed to police State parks.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1383, entitled:

An Act to amend the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes, and revising, amending and consolidating the laws relating thereto"; by providing for depositories of county funds in counties of the third class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1278, entitled:

An Act to amend section four hundred and twenty-six of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto"; as amended, providing for the graves of service men, foundations for headstones furnished by the United States Government, and proper lettering on family monuments placed in lots containing the bodies of service men.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 660, entitled:

An Act to amend clause (b), section four hundred and fifteen, article four of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising and consolidating the law; providing for the incorporation of insurance companies, and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies, associations and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," as amended, further defining group life insurance.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1821, entitled:

An Act making an appropriation to the Department of the Auditor General to defray the expenses of the committee to investigate and study charges made against the Public Service Commission, appointed pursuant to resolution number ten of the House of Representatives, adopted on the seventeenth day of February, one thousand nine hundred and thirty-one.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1077, entitled:

An Act to amend sections four thousand three hundred one, four thousand three hundred two, four thousand three hundred four, four thousand three hundred six, and four thousand three hundred seven, of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," providing that where there is an association or organization heretofore or hereafter chartered for the purpose of administering the police pension fund, such fund shall be placed under the direction and control thereof; and making certain changes in the police pension system.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1511, entitled:

An Act to amend section four hundred and twenty-six of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto;" as amended, by defining the term "service man or woman."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1831, entitled:

An Act authorizing and empowering cities of the second class of this Commonwealth to make application to the Board of Viewers for a report as to probable damages in an improvement or improvements contemplated to be made by such cities and authorizing and empowering the viewers to make a report thereon.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1368, entitled:

An Act to amend section one thousand nine hundred and seven of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by making city liable for payment of compensation to person injured while employed under a contract executed in violation of provisions of this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1020, entitled:

An Act to further amend section one of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (Pamphlet Laws, five hundred and seven), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 324, entitled:

An Act to further amend section one of the act approved the thirteenth day of June, one thousand eight hundred and eighty-three (Pamphlet Laws, one hundred eighteen), entitled "An act ceding concurrent jurisdiction of this State over certain lands owned or hereafter acquired by the United States," by providing that certain descriptions and plans heretofore required to be filed with the Secretary of the Commonwealth shall hereafter be filed in the Department of Internal Affairs, and requiring the transfer to the Department of the Internal Affairs of such descriptions and plans now filed with the Secretary of the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 504, entitled:

An Act to amend paragraph (b) of section four hundred forty-eight of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal School, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor, Lieutenant Governor and certain other executive and administrative officers; providing for the appointment of certain administra-

tive officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined"; as amended, by providing for the place where Veterans' Commission records shall be filed and the place where its office shall be established; providing for the employment of veterans by said commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 979, entitled:

An Act to amend section five of the act approved the twenty-ninth day of June, one thousand nine hundred and twenty-three (P. L. 944), entitled "An act relating to salaries, compensation, bonds, offices, and supplies of certain county officers, their deputies and clerks, in counties of the sixth class"; providing that county officers shall be members of the salary board when matters affecting their offices are under consideration.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 909, entitled:

An Act to amend section nine hundred thirty-one of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto;" providing for vacation of county roads in boroughs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1539, entitled:

An Act to amend section sixteen of the act approved the twenty-third day of May one thousand nine hundred and seven (P. L. 206) entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania making violations of its provisions to be misdemeanors and providing penalties for violations thereof regulating the promotion of patrolmen.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 903, entitled:

An Act to amend section four hundred and twenty-three of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by requiring application for payment of allowance for burial of widows of certain soldiers, sailors or marines to be made within one year.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 846, entitled:

An Act to appropriate money in the Motor License Fund to the Department of Highways for the purpose of paying commissary supplies heretofore furnished said Department.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 786 (Senate Bill No. 49), entitled:

An Act to amend sections one hundred and eighty-three and three hundred and sixty-six of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred forty), entitled "An act concerning townships and revising amending and consolidating the law relating thereto" providing for the appointment of the county treasurer as tax collector in certain cases and for the filling of vacancies where a tax collector fails to give bond.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1241, entitled:

An Act relating to memorial halls in counties of the second class, erected in honor of the veterans of the wars of the United States, and providing for the use, upkeep, management and control of such halls.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1409, entitled:

An Act to amend section five hundred and two of the act, approved the twenty-fourth day of May, one thousand nine hundred and twenty-three (P. L. 359), entitled "An act concerning game and other wild birds and wild animals and amending, revising, consolidating, and changing the law relating thereto," as amended, fixing the per day bag limits for cock and hen pheasants.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1200, entitled:

An Act making it unlawful to unnecessarily crop or cut off the ear or ears of dogs to show or exhibit such dogs and providing for the registration of dogs so cut or cropped before this act becomes effective with the county treasurer.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1727, entitled:

An Act to amend section five, six, seven, of the act approved the twentieth day of May one thousand nine hundred and twenty-one (P. L. 916) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing pen-

alties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" further regulating the benefits authorized under said act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1418, entitled:

An Act declaring and adopting the azalea nudiflora, also known as the wild Azalea, wild honeysuckle and pinxter bloom, as the Pennsylvania State flower.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1755, entitled:

An Act to amend paragraph (a) of section twenty-three of the act approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 337), entitled "An act relating to the jurisdiction, powers, and procedure of the several orphans' courts in proceedings for the partition and valuation of real estate, and for the sale of real estate for the purpose of distribution; and the fees, costs, and expenses therein," as amended, providing that the orphans' court may order the sale of real estate of a decedent upon petition of a majority of the parties in interest.

And said bill having been readt at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1536, entitled:

An Act to amend the title and to amend section one of the act approved the tenth day of May one thousand nine hundred and twenty-seven (P. L. 879) entitled "An act regulating the sale in bulk of fifty-one per centum or more of the stock of goods wares or merchandise of any kind fixtures machinery equipment or real estate by every corporation joint-stock association limited partnership or company providing certain requirements therefor and imposing certain duties upon the seller and buyer and fixing penalties" by extending the provisions of the said act to individuals copartnerships and other unincorporated associations and including notice thereof in the title of said act.

And said bill having been read at length the first time,
Orderd, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1837, entitled:

An Act to enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for the years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two, and validating the liens of such taxes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1713, entitled:

An Act to repeal the act approved the eighteenth day of June, one thousand nine hundred and twenty-three (P. L. 842), entitled "An act for the protection of owners of electric storage batteries upon which the word 'rental' or any other word, mark, or character is printed, painted, stamped, or attached to identify the same; and providing penalties."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideratoin of House Bill No. 554, entitled:

An Act to amend section ninety-four of the act, approved the thirty-first day of March, one thousand eight hundred and sixty (P. L. 382), entitled "An act to consolidate, revise and amend the penal laws of this Commonwealth," by changing the penalty for kidnapping or enticing children from parents.

And said bill having been readt at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 500, entitled:

An Act to amend the act, approved the twenty-fifth day of February, one thousand eight hundred and seventy-five (P. L. 4), entitled "A supplement to the act, approved March thirty-first, one thousand eight hundred and sixty, entitled 'An act to consolidate, revise and amend the penal laws of this Commonwealth,' further defining the offence of kidnapping, and affixing additional penalties thereto," by increasing the penalty for kidnapping with intent to extort money for restoration.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1054, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth, by adding thereto section sixteen.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1849, entitled:

An Act to amend sections one and thirty-one of the act approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 337), entitled "An act relating to the jurisdiction, powers, and procedure of the several orphans' courts in proceedings for the partition and valuation of real estate, and for the sale of real estate for the purpose of distribution; and the fees, costs, and expenses therein"; extending the provisions of said act to include real estate of a decedent left in trust or in which a life estate was devised by the will thereof, when the surviving spouse is entitled to an interest therein by reason of taking against said will, and permitting the surviving spouse to take such real estate in kind as the distributive share thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1275, entitled:

An Act creating a presumption with regard to vehicles bearing the name or license number of its owner.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 743, entitled:

A Joint Resolution proposing an amendment to article fourteen section one of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 764, entitled:

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1705, entitled:

An Act to regulate the sale and delivery of coal, coke, petroleum coke, briquettes and other solid fuels, providing for the appointment of public weighmasters, prescribing their powers and duties; imposing certain duties on the Department of Internal Affairs; and providing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1617, entitled:

An Act limiting the effect of actions of courts in vacating, setting aside, opening, modifying and interfering with judgments, decrees and orders which have become final by lapse of time for an appeal so far as such actions affect persons, firms and corporations who, having relied upon such judgment, order or decree, have acquired rights or changed their status; and providing for intervention by such persons, firms and corporations in such actions.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 921, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, by adding thereto an additional section.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1824, entitled:

An Act to amend section two of the act approved the third day of April, one thousand nine hundred and twenty-nine, (P. L. 135), entitled, "An act authorizing the Department of Justice, acting for the Department of Forests and Waters, to institute suits on behalf of the Commonwealth to recover from persons, associations, copartnerships, and corporations, and their officers, agents, and employes, causing forest fires, the expenses incurred by the Department of Forests and Waters on account of such fires," authorizing the Department of Forests and Waters to institute suit for such purposes where such expenses do not exceed three hundred dollars.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1068, entitled:

An Act to amend the act, approved the fourteenth day of June, one thousand nine hundred and twenty-three (P. L. 710), entitled "An act allowing and regulating boxing, sparring, and wrestling matches and exhibitions; establishing a State Athletic Commission; making an appropriation therefor; and appropriating moneys received for monument and memorial purposes; and prescribing penalties," as amended, by limiting the provisions thereof to professional boxing, sparing and wrestling matches and exhibitions.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 808, entitled:

An Act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of expenses of the Department of Banking by supervised corporations, associations or persons and appropriating to the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions, with supervised corporations, associations or persons; prescribing and limiting the powers and duties of certain courts and their prothonotaries, registers of wills, recorders of deeds, and certain State Departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1375, entitled:

An Act to amend section four thousand four hundred and five, and four thousand four hundred and seven of the act approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto"; by allowing ex-service men certain markings in civil service examinations.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1899, entitled:

An Act to further amend section three hundred twenty-one of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, six hundred eighty-two), entitled "An act relating to insurance, amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further defining deductions in case of reinsurance.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1805, entitled:

An Act providing that the county commissioners of counties of the second class shall create a county department of welfare; defining the powers and duties of said department; providing for an advisory board and supervisory committees for institutions; providing for the taking over by the county of certain municipal functions and property, for the adjustment of indebtedness, and for the levy of taxes and incurring of indebtedness; abolishing the office of director of the poor; and providing for the transfer of certain functions to said department with the consent of the court.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1274, entitled:

An Act authorizing a divorced wife to resume her maiden or other name used before marriage in certain cases

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1731, entitled:

An Act to further amend clause (a) of section four and clause (a) of section five of the act, approved the eighteenth day of April, one thousand nine hundred and twenty-nine (P. L. 549), entitled "An act to permit the use of voting machines for recording and computing the vote at all elections, including primaries, in any county, city, borough or township of the Commonwealth, at the option of the electors thereof, prescribing regulations with reference to the adoption, requirements, examination, purchase, installation, preparation, custody and demonstration of use of voting machines; providing rules and regulations for the conduct of elections held with voting machines; prescribing the qualifications, number and duties of election officers in election districts in which voting machines may be used providing rules and regulations for the conduct of elections held with voting machines; prescribing the qualifications, number and duties of election officers in election districts in which voting machines may be used; placing duties upon county commissioners and the Secretary of the Commonwealth; providing for redivision of wards of cities and boroughs into election districts, and the consolidation of election districts; providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used; and providing penalties for violation of the provisions of this act."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1624, entitled:

An Act to provide for a convention to ratify or reject an amendment to the Constiuption of the United States proposed by both Houses of Congress for the repeal of the Eighteenth Amendment to the said Constitution, and for the prohibition of the transportation, importation, delivery or use of intoxicationg liquors in violation of the laws of states, territories or possessions of the United States; to provide for the election of delegates to such convention; and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1051, entitled:

An Act to amend section seven of the act, approved the twelfth day of July, one thousand nine hundred and thirteen (P. L. 719), entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to national party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation," as amended; by increasing the number of signers required for certain nomination petitions.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 450, entitled:

An Act to validate and confirm certain contracts heretofore entered into by boards of school directors, where there is no evidence of fraud or conspiracy, and to sanction, ratify, confirm, and validate, payments of such contracts by the school district and relieve against surcharge and ouster therefor.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair is informed that House Bill No. 146 on page 15 of today's calendar, bills on second reading, is in error on this calendar. It should be on third reading, and is on third reading on page 40 of the calendar. This bill will not be taken up until it is reached on third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1675, as follows:

An Act to amend Section 1 of the act approved the eighth day of June one thousand nine hundred and twenty-three (Pamphlet Laws six hundred eighty-five) entitled "An act prescribing the fees for the office of Secretary of the Commonwealth" by increasing the fee to be charged by the Department of State for filing the power of attorney and statement of a foreign corporation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section 1 of the act approved the eighth day of June one thousand nine hundred and twenty-three (Pamphlet Laws six hundred eighty-five), entitled "An act prescribing the fees for the office of Secretary of the Commonwealth" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fees of the Secretary of the Commonwealth for the use of the State shall be as follows

For certificates with great seal two dollars

Certificate with secretary's seal one dollar

Taking or filing bond of any public officer two dollars

Taking or filing recognizance of any public officer two dollars

Commission for any State officer who receives salary five dollars

Writ of assistance including great seal five dollars

Commission for any city county or district officer who receives emoluments and pays no taxes on commission five dollars (coroners are by law except from this fee)

Commission to take acknowledgment of deeds or other instruments ten dollars.

Each search twenty-five cents.

Certified copies for each page twenty-five cents

Each commission for justice of the peace or alderman to be collected and paid over to the recorder of deeds three dollars

Requisition for criminals three dollars

Warrants on requisition for criminal three dollars

Approving plans of prisons including certificate and great seal three dollars

Each commission for railroad mining or other police five dollars

Mailing advance sheets of Pamphlet Laws three dollars

Registering assumed or fictitious names under act of Assembly six dollars

Filing statements of cancellation or withdrawal of assumed or fictitious names under act of Assembly six dollars

Registering trade marks labels et cetera under act of Assembly five dollars

Description of bottles under act of Assembly six dollars

Registering union labels under act of Assembly six dollars

Filing power of attorney and statement by foreign corporations [ten] thirty dollars

Filing statement of revocation of agent by foreign corporations five dollars

Filing certificate of change of corporate title by foreign corporations five dollars

Filing statement of change of Pennsylvania office by foreign corporations five dollars

Receiving service of process on foreign corporations two dollars

Letters patent or instrument incorporating any corporation of association thirty dollars

Filing articles of association for railroad or street railway companies and recording the same fifty dollars

Letters patent or instrument incorporating any insurance company thirty-seven dollars.

Filing acceptance of provisions of act of Assembly or Constitution ten dollars

Filing application for change of name and issuance of certificate twenty dollars

Filing articles of association by cooperative associations including copies twenty-six dollars

Filing proceedings in extension of route by street railway companies twenty dollars

Filing election return authorizing increase or decrease of capital stock or indebtedness or sale of franchises and recording same thirty dollars

Filing report of actual increase or decrease of capital stock or indebtedness or sale of franchises five dollars

Filing each waiver of sixty days' notice five dollars

Filing certificate of change of location of office or date of annual meeting ten dollars

Filing certificate of change of par value of shares ten dollars

Filing agreement of merger or consolidation fifty-five dollars

Filing each secretary's certificate relating thereto five dollars

Filing proceedings in reorganization thirty dollars

Filing copy of decree of dissolution ten dollars

Filing Treasurer's affidavit of paid up capital stock ten dollars

Filing copy of articles of association limited partnership ten dollars

And equivalent fees for any like services though not herein specified

The Secretary of the Commonwealth shall not be required to receive or file any papers unless the same shall be in accordance with law and accompanied by the proper fee

Section 2 This act shall become effective upon the date of its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1676, as follows:

An Act to further amend paragraph (b) of Section nine of the act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled "An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing the Banking Department Act of nineteen hundred and nineteen with table of contents" by requiring building and loan associations to pay the full cost of examinations by the Department of Banking

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That paragraph (b) of Section nine of the act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred and nine) entitled "An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing the Banking Department Act of nineteen hundred and nineteen with table of contents" as last amended by the act approved the twenty-fifth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws seven hundred sixteen) is hereby further amended to read as follows

(b) Assessments of Expenses upon Corporations and Individuals All the expenses incurred in and about the conduct of the business of the department including the cost of the regular examinations of corporations and persons under the supervision of the Department the compensation of the secretary deputies examiners and other employes of the department together with all other general or overhead expenses of the department shall be charged to and paid by the corporations and persons subject to the supervision of the department in equitable proportions at such times and in such manner as the secretary shall by general rule or regulation annually prescribe

Provided however That building and loan associations shall be examined at least once in each year and more frequently if the condition of any building and loan association shall be such that in the opinion of the Secretary of Banking an additional examination is necessary And provided further That the Secretary of Banking may upon the request of any building and loan association appoint a certified public accountant to make at the expense of the association the annual examination instead of an examiner of the department and the building and loan association making such request shall be entitled to and furnished with a copy of the examination [Provided however That the charge for examination of building and loan associations shall not exceed the expenses incurred in connection with such examination including a proportionate part of the salary of the examiner or other employe engaged in such examination but not including departmental overhead properly chargeable to building and loan supervision for which an appropriation shall be made by the General Assembly]

The expenses incurred in connection with any special examination or investigation of any corporation or person including a proportionate part of the salary of any examiner or other employe of the department engaged in such examination or investigation shall be charged to and paid by such corporation or person

On failure or refusal of any such corporation or person after thirty days' written notice to pay any sum lawfully assessed or charged against it or him by the secretary under the provisions of this clause the secretary shall call upon the Department of Justice to bring an action at law to recover the same

Section 2 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1664, as follows:

A Supplement to the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred sixty-two) entitled "An act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto declaring false oaths by the subscribers to be misdemeanors and providing penalties for the violation thereof" providing for the examination and audit of the State Workmen's Insurance Fund by the Insurance Department and appropriating the moneys in the fund for the payment of the cost of such audit and examination

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Insurance Department at least once each year shall make a complete examination and audit of the affairs of the State Workmen's Insurance Fund including all receipts and expenditures cash on hand and securities investments or property held representing cash or cash disbursements to ascertain its financial condition and its ability to fulfill its obligations whether the State Workmen's Insurance Board in managing the fund has complied with the provisions of law relating to the fund and the equity of the board's plans and dealings with its policyholders

Section 2 For the purpose of any examination and audit authorized by this act the Insurance Commissioner his deputy or his examiners shall have free access to all the books records and papers pertaining to the State Workmen's Insurance Fund and all persons charged with the management of the fund or connected therewith as employes are hereby directed and required to give to the Insurance Commissioner his deputy or officers the means facilities and opportunity for such examination and audit

Section 3 The expenses incurred by the Insurance Department in making any examination and audit under the provisions of this act shall be ascertained by the department and shall be certified to the State Workmen's Insurance Board whereupon the board shall draw its warrant for the payment thereof to the Department out of the State Workmen's Insurance Fund Any amount so received by the Insurance Department shall be paid by it into the General Fund through the Department of Revenue The moneys in the State Workmen's Insurance Fund are hereby appropriated for payment of expenses of audits and examinations made under this act

Section 4 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1645, as follows:

An Act to amend Section five of the act approved the sixth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred sixty-one) entitled "An act regulating certain maternity hospitals in cities of the third class boroughs towns and townships providing for the licensing and supervision thereof by the Department of Welfare of this Commonwealth fixing penalties and placing the burden of proof as to certain facts on the persons prosecuted" by increasing the license fee to be collected by the Department of Welfare and providing for the payment thereof into the State Treasury through the Department of Revenue

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section five of the act approved the sixth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred sixty-one) entitled "An act regulating certain maternity hospitals in cities of the third class boroughs towns and townships providing for the licensing and supervision thereof by the Department of Welfare of this Commonwealth fixing penalties and placing the burden of proof as to certain facts on the persons prosecuted" is hereby amended to read as follows

Section 5 The Department of Welfare shall receive for every license so granted a fee of [ten] fifteen dollars which shall be paid by the department into the State Treasury through the Department of [Welfare] Revenue Licenses so granted shall be valid for a period of one year from the date of issue and may be renewed on the same terms and conditions as govern the granting of the original license

Section 2 This act shall become effective upon the date of its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1646, as follows:

An Act to amend Sections 1 and 2 of act Number two hundred seventy-six approved the seventh day of June one thousand nine hundred and twenty-three (Pamphlet Laws six hundred seventy-seven) entitled "An act to provide for the care treatment and maintenance of dependent crippled children conferring powers in connection therewith upon the Department of Public Welfare and juvenile courts and imposing certain expenses upon counties" by requiring the date and notices required by the act to be filed with the Department of Health instead of the Department of Welfare

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section 1 of act Number two hundred seventy-six approved the seventh day of June one thousand nine hundred and twenty-three (Pamphlet Laws six hundred seventy-seven) entitled "An act to provide for the care treatment and maintenance of dependent crippled children conferring powers in conection therewith upon the Department of Public Welfare and juvenile courts and imposing certain expenses upon counties" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pnnsylvania in General Assembly met and it is hereby enacted by the authority of the same That crippled children whose parents or guardians fail or are financially unable to provide suitable medical and surgical aid treatment and education when necessary may with the consent of the parents or guardian of such child be committed to a crippled children's home or orthopaedic hospital or other institution Application for such care treatment and education shall first be made to the juvenile court by a parent guardian or some interested person If such court is of the opinion that such child is in need of treatment and education and finds that the parent or guardian fails to provide it he may make an order committing the child to an institution as above specified and shall at once forward a copy of the decree and a statement of the facts to the Department of [Public Welfare] Health and shall provide for the child's conveyance in charge of a suitable person to the place designated for treatment The expenses for maintenance treatment conveyance and education of such crippled child shall be first paid by the county of its residence and then may be charged to the parent or guardian if able to pay in whole or in part as the court may direct Such committance shall be temporary and shall be only for the period necessary for the treatment of such child

Section 2 That Section 2 of said act is hereby amended to read as follows

Section 2 Whenever it appears that a crippled child has been successfully treated or that it cannot be further benefited by such treatment the Department of [Public Welfare] Health

and the committing court shall be notified and the child shall be returned to its own people

Section 3 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1845, as follows:

An Act authorizing school districts to issue and sell bonds for certain purposes and for a certain period of time providing for a trust fund and a sinking fund for the payment thereof and defining the duties of the officers and members of the school board in relation to said funds and fixing a penalty for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That to meet the emergency occasioned by the extraordinary decrease in tax collections due to business depression and widespread unemployment it shall be lawful for the board of school directors of any school district to issue and sell at not less than par bonds bearing interest at a rate not exceeding six (6) per centum per annum payable in not more than ten (10) years from the date of issue in an amount not exceeding the amount of uncollected taxes due on real estate at the date of the adoption of the resolution authorizing such action and the proceeds of any bond issued under the provisions of this act by any school board shall be used only for the payment of the operating expenses of the school district

Section 2 For the purpose of creating a sinking fund for the payments of the bonds issued under the provisions of this act the board of directors of the school district issuing the same shall annually (until payment of said bonds be fully provided for) levy and collect in addition to other taxes a tax sufficient to pay the interest and principal of the indebtedness and any taxes covenanted to be paid thereon which tax shall be called the "emergency sinking fund tax" which shall be paid into the school district treasury and shall be kept separate and distinct from all other funds in a fund to be called the "Emergency Sinking Fund" and shall be applied towards the redemption of said bonds and the payment of the interest and taxes if any thereon and to no other purpose whatever and the said bonds when so redeemed shall be cancelled

Section 3 The resolution authorizing the issuing of said bonds shall recite the amount of uncollected taxes then due which amount of taxes shall become a trust fund for the redemption of said bonds and the payment of the interest and taxes if any thereon and it shall be the duty of the secretary of the school board to credit the Emergency Sinking Fund and of the treasurer of the school district to deposit in the said Emergency Sinking Fund immediately upon receipt thereof any and all said uncollected taxes provided that the amount of said uncollected taxes received and deposited in the Emergency Sinking Fund may be deducted from the amount of the annual tax levy to be levied and collected for the redemption of said bonds and the payment of the interest and taxes if any thereon

Section 5 Any person who shall directly or indirectly apply or use any of said uncollected taxes to or for any purpose other than the Emergency Sinking Fund shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not exceeding one thousand dollars ($1,000) or imprisoned for a term not exceeding one (1) year or either or both in the discretion of the court

Section 6 Each sinking fund created under the provisions of this act shall be consecutively numbered and the amount thereof as well as the uncollected taxes shall be deducted from the gross indebtedness in ascertaining the net indebtedness of the school district

Section 7 The temporary emergency power hereby granted shall be in addition to the powers granted school districts to issue bonds and create indebtedness under existing liw

Section 8 Any bonds issued under the provisions of this act shall be in accordance with the provisions of the Constitution and the act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" as supplemented and amended and shall require the approval of the Department of Internal Affairs

Section 8 This act shall become effective immediately upon final enactment and remain in force and effect only for five (5) years thereafter

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1665, as follows:

An Act to repeal sections six and eight and to amend sections two four and eleven of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred fifty) entitled "An act relating to fires and fire prevention imposing duties and conferring powers upon the State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said State Police and defining their powers and duties providing for the investigation of the cause origin and circumstances of fires and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the said State Police and the enforcement of its orders and prescribing penalties" by requiring only reports of incendiary fires to be filed with the Pennsylvania State Police and eliminating the compiling of statistics of fires and fire losses by the Pennsylvania State Police

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section two of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred fifty) entitled "An act relating to fires and fire prevention imposing duties and conferring powers upon the State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said State Police and defining their powers and duties providing for the investigation of the cause origin and circumstances of fires and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations and fire rating agencies providing for the attendance of witnesses before the said State Police and the enforcement of its orders and prescribing penalties" is hereby amended to read as follows

Section 2 Each of the aforesaid assistants shall inquire into the origin cause and other circumstances of every fire by which any property or life has been destroyed damaged or endangered occurring within the territorial limits of their respective cities boroughs towns or townships [and shall make every effort] to determine whether such fires were of incendiary original [or the result of design carelessness or accident]

Upon the occurrence of any fire such assistant shall report the same to the State Police within five days after its occurrence If the fire appears to the assistant making such inquiry to be of such character and origin as shall require thorough and exhaustive investigation he shall immediately notify the State Police and shall when directed by the State Police assist in the making of such investigation The reports of any such fire shall be made in writing and in the manner and form prescribed by the State Police on the blanks furnished for that purpose Such reports shall in every case contain a statement of (a) All the facts relating to the cause of such fire that can be ascertained (b) the extent of the

loss and damage to each property (c) the loss of life and personal injuries caused thereby or resulting therefrom (d) the amount of insurance upon each property destroyed or damaged and (e) such other information as may be required by the State Police

The assistant shall notify the State Police immediately by telephone or telegraphic message of not more than ten words of the occurrence of any incendiary fire

The duties hereinabove prescribed to be performed by the said assistant may be limited by the State Police so as to reasonably accord with their pre-existing public duties

Any of the aforesaid assistants who shall neglect or refuse to report to the State Police or who shall neglect or refuse to make reports or investigations of fires as provided in this section shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding fifty dollars or to undergo imprisonment not exceeding thirty days or both

Section 2 That section four of said act is hereby amended to read as follows

Section 4 The State Police or its assistants in addition to the investigation made by any of the assistants may at any time investigate the origin or circumstances of any fire occurring in this Commonwealth to determine whether such fire was of incendiary origin The State Police or its assistants shall have the power to summon witnesses and compel them to attend before them or either of them and to testify in relation to any matter which is by the provisions of this act a subject of inquiry and investigation and may require the production of any books papers or documents deemed pertinent or necessary to the inquiry and shall have the power to administer oaths and affirmations to any person appearing as a witness before them Such examination may be public or private as the officers conducting the investigation may determine

No person shall be excused from attending before the State Police or its assistants when summoned so to attend nor when ordered so to do shall he be excused from testifying or producing any books papers or documents before such State Police upon any investigation proceeding or inquiry instituted under the provisions of this act upon the ground or for the reason that the testimony or the evidence documentary or otherwise required of him may tend to convict him of a crime or subject him to a penalty or forfeiture but no person shall be prosecuted or subjected to a penalty or forfeiture for or on account of any transaction matter or thing concerning which he may have been required so to testify or produce evidence documentary or otherwise and no testimony so given or produced shall be received against him upon any criminal investigation or proceedings If after any such examination the State Police or any of its assistants is of the opinion that the facts in relation to such fire indicate that a crime has been committed it or he shall present the testimony taken on such examination together with any other data in his possession to the district attorney of the proper county with the request that he institute such criminal proceedings as such testimony or data may warrant

The State Police or its assistants may at all reasonable hours enter any building or premises within its or their jurisdiction for the purpose of making an inspection which under the provisions of this act it or they may deem necessary to be made

Section 3 That section eleven of said act is hereby amended to read as follows

Section 11 Every fire insurance corporation or association transacting business in this State shall file with the State Police through an actuarial bureau of any board of fire underwriters or through the secretary or other officer of the insurance corporation or association a monthly report of fire losses resulting from fires of incendiary origin showing (a) The name of the assured (b) location of property burned (c) date of the fire (d) the class of occupancy and construction (e) the probable cause of the fire (f) the sound valuation (g) total insurance (h) the total loss paid

Such corporation or association shall also file through officers an annual report of all fires of incendiary origin on which losses have been paid during the preceding calendar year designating the amount of insurance written on such risk by the corporation or association the amount of probable loss the character of the property destroyed or damaged and the supposed cause of the fire

In all cases where such corporation or association receives evidence or information indicating that any fire was of incendiary origin a report of such fire and of such evidence or information shall be immediately communicated to the State Police

The monthly report hereinbefore required shall be made in writing and sent by registered mail to the department addressed to its office in the city of Harrisburg on or before the tenth day of each month as to all fires of incendiary origin of which notice was received during the preceding month and shall include either in the first or subsequent monthly report the amount of loss as adjusted and actually paid by such corporation or association for on account of or by reason of such loss

The annual report hereinbefore required shall be made to the State Police on or before the first day of May

The notices and reports hereinbefore required by this section shall be in addition to any notices and reports such corporation or association may be required to make under the laws of this Commonwealth to the Insurance Commissioner or to any other State officer

Section 4 That sections six and eight of said act are hereby repealed

Section 5 This act shall become effective upon the date of its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1672, as follows:

An Act to repeal the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred thirty-seven) entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities and providing penalties"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred thirty-seven) entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities and providing penalties" is hereby repealed

Section 2 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1673, as follows:

An Act to amend Sections two and three of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred and twenty-nine) entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption conferring powers and imposing duties on the Secretary of Health and the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" by authorizing the Secretary of Health to charge and collect fees for the issuance of certificates of approval

and permits and further providing for the inspection of premises where milk is to be sold

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section two of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred and twenty-nine) entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption conferring powers and imposing duties on the Secretary of Health and the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" is hereby amended to read as follows

Section 2 Except as hereinafter provided no person shall sell milk for human consumption within this Commonwealth without first having obtained a permit from the secretary nor otherwise than in accordance with the requirments of this act Each person desiring a permit to sell milk shall annually make an application therefor on a form to be secured from the secretary Such application shall set forth

(a) The name and address of applicant

(b) The designations of the milk to be offered for sale

(c) The name of the municipality or municipalities in which the applicant desires to sell milk

(d) Such other information as may be required by the secretary

Every applicant for or holder of a permit shall within thirty (30) days after demand by the secretary submit for approval the results of a sanitary inspection of each dairy farm from which the applicant desires or expects to receive milk and of the milk as delivered from the dairy farm to a milk plant The sanitary inspection shall be made by an approved inspector and the results recorded upon forms satisfactory to the secretary

Permits shall be issued only to persons who are prepared to conform or who are conforming with the requirements of this act and upon payment to the Department of Health of a license fee of five dollars ($5.00) and an additional fee of one dollar ($1.00) for every ten dairy farms or fraction thereof from which the applicant desires or expects to receive milk Every permit shall expire annually and may be renewed on the same terms and conditions as govern the granting of the original permit

The secretary may refuse to grant or may suspend or revoke a permit if in his judgment the requirements of this act are not being complied with by the person making an application for a permit or to whom a permit has already been issued

Before refusal to grant a permit or before a permit is suspended or revoked the secretary shall afford the applicant or holder of the permit an opportunity to be heard and shall give at least five (5) days written notice of the hearing to the applicant or the holder of the permit by registered letter sent to the address given in the application

[When an application for a renewal of a permit has been regularly made and no notification of a hearing as above described has been sent the applicant by the secretary the permit of the preceding year shall continue in full force until renewed or revoked in accordance with this section]

The secretary may constitute as his agent for the purpose of issuing permits for the sale of milk a department of health board of health or health officer of any municipality and shall accept permits issued by municipalities under the terms of municipal ordinances equally as stringent as the requirements of this act and enforced by such municipalities as the only permit required for the sale of milk in such municipalities

This section shall not apply to a person selling or delivering milk to a milk plant

Unless the secretary shall require a permit this section shall not apply to a person selling milk from a store when such milk is purchased from a person already in lawful possession of a permit to sell milk

This section shall not apply to persons in charge of hotels restaurants soda fountains boarding houses or other places where milk is served when such milk is to be consumed on the premises thereof and is purchased from one already in lawful possession of a permit to sell milk

The secretary may in his discretion exempt a person selling milk from not more than one cow from such requirements of this act as he may deem in each instance to be unnecessary for the protection of the public health

Section 2 That Section 3 of said act is hereby amended to read as follows

Section 3 (a) Every person desiring a certificate of approval as an approved inspector shall make an application therefor upon a form to be secured from the secretary which shall be accompanied by an examination fee of five dollars ($5.00) If upon examination the applicant shall provide to the satisfaction of the secretary to be a person of good character trained by school and experience to carry on dairy farm and milk plant inspection in a capable and efficient manner the secretary shall upon the payment of a fee of five dollars ($5.00) issue a certificate of approval to the applicant Certificates of approval shall expire annually and may be renewed upon the payment of an annual fee of five dollars ($5.00)

(b) Every person having made an application for a permit to sell milk or holding a permit for the sale of milk shall at any time allow the secretary or his duly authorized representatives or an approved inspector to inspect the herds stables and dairy farms from which milk is obtained for sale and to inspect the pasteurizing bottles and handling of milk in any manner whatsoever and to take such samples of milk as may be deemed necessary upon payment therefor at the usual market price when payment is demanded

Section 3 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

RECESS

The SPEAKER. The Chair will declare a recess of fifteen minutes, or until 1.15 o'clock A. M.

AFTER RECESS

The House reconvened at 1.15 o'clock A. M.

Mr. BLUMBERG in the Chair.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1677, as follows:

An Act to amend paragraph (c) of Section 5 of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws eight hundred ninety-nine) entitled "An act regulating public bathing places swimming pools public bath houses public and private natatoriums turkish bath houses all places hired for any form of bathing or swimming and all related appurtenances fixing license fees providing in matters of sanitation cleanliness and safety for supervision by the Department of Health and prescribing penalties for violations" by increasing the inspection fee chargeable by the Department of Health

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That paragraph (c) of Section five of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws eight hundred ninety-nine) entitled "An act regulating public bathing places swimming pools public bath houses public and private natatoriums turkish bath houses all places hired for any form of bathing or swimming and all related appurtenances fixing license fees providing in matters of sanitation cleanliness and safety for supervision by the Department of Health and prescribing penalties for violations" is hereby amended to read as follows

(c) Each application shall be accompanied by a fee of [ten ($10.00)] twenty ($20.00) dollars and by maps drawings specifications and descriptions of the bathing place pool or structure its appurtenances and operations descriptions of the source or sources of water supply amount of chemical content and quality of water available and intended to be used method

and manner of water purifications treatment disinfection heating regulating and cleaning and measures employed to insure installation of necessary lavatories dressing rooms segregation of sexes and personal cleanliness of bathers method and manner of washing disinfecting drying and storing bathing apparel and towels and all other information and statistics that may be required by the rules and regulations of the department

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration House Bill No. 1678, as follows:

An Act to amend the act approved the nineteenth day of February one thousand nine hundred and twenty-six (Pamphlet Laws sixteen) entitled "A supplement to the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled 'An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws' providing for the registering of federal permits also regulating under permit through a Pennsylvania Alcohol Permit Board created in the Department of Welfare the manufacture production distillation development use in manufacture denaturization redistillation recovery reuse holding in bonds holding in storage by bailees for hire sale at wholesale and transportation for hire of any alcohol or alcoholic liquid by certain persons also providing for fees and the disposition thereof also authorizing the inspection of the records of permittees and purchasers of said alcohol or alcoholic liquid also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" by abolishing the Pennsylvania Alcohol Permit Board and transferring the powers and duties of the board to the Department of Health

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That paragraph (e) paragraph (f) and paragraph (g) of Section two of the act approved the nineteenth day of February one thousand nine hundred and twenty-six (Pamphlet Laws sixteen) entitled "A supplement to the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled 'An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws' providing for the registering of federal permits also regulating under permit through a Pennsylvania Alcohol Permit Board created in the Department of Welfare the manufacture production distillation development use in manufacture denaturization redistillation recovery reuse holding in bonds holding in storage by bailees for hire sale at wholesale and transportation for hire of any alcohol or alcoholic liquid by certain persons also providing for fees and the disposition thereof also authorizing the inspection of the records of permittees and purchases of said alcohol or alcoholic liquid also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" is hereby amended to read as follows

(e) The term "permit" shall mean a formal written authorization by the [board] department setting forth specifically therein the things that are authorized

(f) The term ["board"] "department" shall mean [the Pennsylvania Alcohol Permit Board authorized and created by this supplemental act] the Department of Health of this Commonwealth

(g) The term "regulation" shall mean any regulation prescribed by the [board] department for carrying out the provisions of this act

Section 2 That section four of said act is hereby amended to read as follows

Section 4 Every person except as exempted by section five hereof holding a federal permit under the National Prohibition Act to manufacture produce distill develop or use in the process of manufacture denature redistill recover reuse hold in bond hold in storage as bailee for hire sell at wholesale or transport for hire within this Commonwealth any alcohol or alcoholic liquid shall within thirty (30) days after this act takes effect file a true and exact copy of the same with the [Pennsylvania Alcohol Permit Board] department and every person thereafter obtaining such a federal permit shall file forthwith a true and exact copy of the same with said [board] department Said [board] department shall keep a record of said federal permits and register therein the name and address of each person to whom said federal permit is issued the date of the federal permit the date of its expiration and a brief description of the provisions of the federal permit and shall file said copy in its office Provided however That no federal permit shall be registered for any applicant who is not a citizen of the United States or who has within two (2) years prior to the making of such application been convicted of a violation of the laws of this Commonwealth or of the United States relating to intoxicating liquors

Conviction of a violation of any of the statutes of this Commonwealth or the laws of the United States relative to the traffic in intoxicating liquors by the holder of any federal permit shall operate as a revocation of the registration of such federal permits

Section 3 That section seven of said act is hereby amended to read as follows

Section 7 Every applicant for a permit under this act shall file with the [board] department a petition in writing duly verified in such form as the board shall from time to time prescribe setting forth

1 The legal names of the applicant and of the owner of the place where business under the permit will be carried on with their residence addresses by street and number if a partnership of each separate partner and if a corporation of each individual officer thereof

2 The exact location of said place of business and of every place to be occupied or used in connection with such business the productive capacity of each plant where any alcohol or alcoholic liquid is to be manufactured produced distilled developed or used in the process of manufacture denatured redistilled recovered reused the capacity of every warehouse or other place where such alcohol or alcoholic liquid is to be held in bond or stored for hire the storage capacity of every place where a wholesale business in any alcohol or alcoholic liquid is to be conducted or the equipment to be used where a transportation business is to be carried on under the permit

3 The period of time the applicant has been carrying on the business for which the permit is desired

4 If the permit is for the manufacture production distillation development or denaturization holding in bond holding in storage of any alcohol or alcoholic liquid the maximum quantity per month to be manufactured developed or stored and if the permit is for the use redistillation recovery or reuse of any alcohol or alcoholic liquid the purpose or purposes for which the same is to be used

5 That no one of the applicants has been convicted of a violation of this act or of any law or regulation of the United States of America or of the Commonwealth of Pennsylvania for the control of the manufacture possession and traffic in any intoxicating liquor

6 That each and every one of the applicants is a citizen of the United States of America

7 Such other relevant information as the [board] department shall from time to time require by rule or regulation

This petition must be verified by affidavit of the applicant made before any officer legally qualified to administer oaths and if any false statement is wilfully made in any part of said petition the applicant or applicants shall be deemed guilty of the crime of perjury and upon indictment and conviction shall be subject to its penalties

Section 4 That section eight of said act is hereby amended to read as follows

Section 8 Upon the filing of the application in the form herein provided and upon execution of a bond to the Commonwealth and a warrant of attorney to confess judgment in the penal sum of ten thousand dollars ($10,000) with surety to be approved by the [board] department which bond shall be conditioned for the faithful observance of all the laws of this Commonwealth relating to the manufacture sale offering for sale bartering furnishing transporting possessing delivering within or importing into or exporting out of this Commonwealth of intoxicating liquors and the conditions of the permit the [board] department may grant to such applicant a permit to engage in the manufacturing producing distilling developing or using in the process of manufacturing denaturing redistilling recovering reusing holding in bond holding in storage as bailee for hire selling at wholesale and transporting for hire of alcohol or alcoholic liquid

Section 5 That section twelve of said act is hereby amended to read as follows

Section 12 Every place operated under permit secured hereunder where any alcohol or alcoholic liquid is manufactured produced distilled developed or used in the process of manufacture denatured redistilled recovered reused held in bond stored for hire or in connection with a permittee's business or sold at wholesale shall be subject to inspection by [members of the board] the department or by persons duly authorized and designated by the [board] department at any and all times of the day or night as they may deem necessary (a) for the detection of violations of this act or of the rules and regulations of the [board] department promulgated under the authority of this act or of the act to which this is a supplement or (b) for the purpose of ascertaining the correctness of the records required by this act to be kept by permittees and the books and records of permittees and the books and records of their customers insofar as they relate to purchases from said permittees shall at all times be open to inspection by the [members of the board] department or by persons duly authorized and designated by the [board] department for the purpose of making inspections as authorized by this section [Members of the board] The Secretary of Health and the persons duly authorized and designated by the [board] department shall have the right without fee or hindrance to enter any place which is subject to inspection hereunder or any place where records subject to inspection hereunder are kept for the purpose of making such inspections

Section 6 That section thirteen of said act is hereby amended to read as follows

Section 13 Upon learning of any violation of this act or of any rule or regulation promulgated by the [board] department under the authority of this act or of any provision of the act to which this is a supplement by the holder of a permit issued under the provisions of this act the [board] department shall cite such permittee to appear before it not less than ten (10) nor more than fifteen (15) days from the date of sending such permittee by registered mail a notice to show cause why the permit should not be invoked And upon such hearing if satisfied that any such violation has occurred the [board] department shall immediately revoke such permit notifying the permittee thereof by registered letter

Any permittee aggrieved by any decision of the [board] department may file within thirty days thereafter in the court of common pleas of the county in which the permittee is resident a petition against the [board] department as defendant alleging therein the action and decision complained of and praying for a reversal thereof Upon personal service of a summons on any member of the [board] department returnable within three days of the date thereof the [board] department shall within one week from such return date file an answer in which it shall allege by way of defense the grounds for its decision and such other grounds as shall in the meantime accrue or be discovered All allegations of the answer shall be deemed to stand denied without further pleading and upon application of either party the cause shall be advanced and heard without delay Mere technical irregularities in the procedure of the [board] department shall be disregarded A judgment sustaining the revocation of a permit by the [board] department shall not bar after one year a new application by the plaintiff for a permit nor shall a judgment in favor of the plaintiff prevent the [board] department from thereafter revoking or refusing a permit for any proper cause which may thereafter accrue or be discovered The court shall have full power to dispose of all costs From the judgments of the court of common pleas appeals may be taken as in other actions at law but during the pendency of any such appeal in which a former permittee is appellant such former permittee shall not carry on any business of the kinds regulated by this act

Section 7 That section fourteen of said act is hereby amended to read as follows

Section 14 All permits shall expire at the close of the calendar year but new permits for the succeeding year shall be issued upon written application therefor duly verified by affidavit stating that the facts in the original petition are unchanged and upon payment of the ffee as hereinafter provided without the filing of further statements or the furnishing of any further information unless specifically requested by the [board] department Provided however That a permit issued to a corporation under the provisions of this act shall expire thirty (30) days after any change in the officers of such corporation unless the name and address of the new officer or the names and addresses of the new officers of such corporation shall within that period be reported to the [board] department by certificate duly verified Applications for renewals must be made not less than thirty (30) nor more than sixty (60) days before the first day of January of the ensuing year All applications for renewal received otherwise shall be treated as original applications

Section 8 That section fifteen of said act is hereby amended to read as follows

Section 15 All persons now carrying on any business requiring a permit under the provisions of this act must apply for the same within sixty (60) days after its passage and any such business may continue if a permit has been so applied for until it is granted or refused The fee for every permit issued under the provisions of this act shall be one hundred dollars ($100.00) All fees shall be paid [to the board which shall deposit the same in the State Treasury where they shall be kept apart from all other funds in the State Treasury in a separate fund to be known as the "Permit Fund" The moneys from time to time in the said fund are hereby specifically appropriated to the board for the payment of any and all expenses of every kind and description which may be necessary for the proper administration and enforcement of this act Moneys shall be paid out of the said fund by warrant of the Auditor General upon the State Treasurer after requisition by the Secretary of Welfare] by the department into the State Treasury through the Department of Revenue and credited to the General Fund

Section 9 That section sixteen of said act is hereby amended to read as follows

Section 16 Permits shall be issued [by the board] under the official seal of the [Department of Welfare] department Every permit so issued must at all times be posted in a conspicuous place where the business is carried on under it and said place of business must be kept open during general business hours of every day in the year except Sundays and legal holidays No permit shall be issued hereunder to any person unless (a) in case of individuals he or she is a citizen of the United States of America (b) in case of companies or unincorporated associations of individuals each and every one is a citizen of the United States of America (c) in case of corporations each and every stockholder thereof is a citizen of the United States of America or to any person who has been convicted of a violation of this act or of any law or regulation of the United States of America or of the Commonwealth of Pennsylvania for the control of traffic in any alcoholic liquor

Section 10 That section seventeen of said act is hereby amended to read as follows

Section 17 The [board] department shall have the power to make and promulgate appropriate rules and regulations for carrying into effect the provisions of this act Provided That as far as practicable the rules and regulations of the [board] department shall conform to the rules and regulations promulgated by the appropriate agency of the government of the United States for carrying into effect the provisions of any act or acts of Congress regulating the manufacture of any alcohol or alcoholic liquid or intoxicating liquor

Section 11 That section eighteen of said act is hereby amended to read as follows

Section 18 Any place within this Commonwealth in which anl alcohol or alcoholic liquid is manufactured produced distilled developed or used in the process of manufacture denatured redistilled recovered reused stored in bond stored for hire or sold at wholesale by a person without a permit as required by the provisions of this act and any place in which a person holding a permit issued under the provisions of this

act shall violate any provisions of this act or any rule or regulation of the [board] department or any provisions of the act to which this is a supplement is hereby declared to be a common nuisance and upon such violation the permit if any held by such person shall be automatically suspended Any nuisance as in this section defined may be abated under the provisions of the act of the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) to which this is a supplement

Section 12 That section 20 of said act is hereby amended to read as follows

Section 20 Any person or persons who knowingly violate any of the provisions of this act or any person who shall violate any of the conditions of any permit or who shall falsify any record or report required by this act to be kept or who shall violate any rule or regulation of the [board] department or who shall interfere with hinder or obstruct any inspection authorized by this act or prevent [any member of the board] the Secretary of Health or any person duly authorized and designated by the [board] department from entering any place which such [member of the board] secretary or such person is authorized by this act to enter for the purpose of making an inspection or who shall violate any other provision of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) nor more than five thousand dollars ($5,000.00) or undergo imprisonment of not more than three (3) years or both at the discretion of the court

Section 13 That section 6 of said act is hereby repealed

Section 14 All books papers records in the possession of the Pennsylvania Alcohol Permit Board or of any member or officer thereof shall be delivered to the Department of Health upon the effective date of this act

Section 15 All petitions hearings and other proceedings pending before the Pennsylvania Alcohol Permit Board and all proceedings legal and other proceedings and investigations begun by such board and not completed at the time of taking effect of this act shall continue and remain in full force and effect notwithstanding the passage of this act and may be completed before or by the department All orders rules and regulations made by the Pennsylvania Alcohol Permit Board shall remain in full force and effect until revoked or modified by the department

Section 16 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1679, as follows:

An Act to amend an act approved the seventh day of May one thousand nine hundred and twenty-three (Pamphlet Laws one hundred fifty-one) entitled "An act defining and regulating the business of dry cleaing and dyeing providing for maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof" as amended by transferring the duty of enforcing the act from the Pennsylvania State Police to the Department of Labor and Industry

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section 2 of the act approved the seventh day of May one thousand nine hundred and twenty-three (Pamphlet Laws one hundred fifty-one) entitled 'An act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof" as amended by the act approved the seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws one hundred thirty-nine) is hereby further amended to read as follows

Section 2 No person copartnership association or corporation shall erect maintain construct or operate any dry cleaning or dyeing establishment or business without first obtaining approval from the [Bureau of Fire Protection Department of State Police] Department of Labor and Industry Application for such purpose shall be made upon form prescribed by said department and shall be accompanied by drawings covering floor roof plan and exterior elevations of the building including thereon the position of all machinery and equipment steam fire extinguishing lines exhaust fans motor storage tanks and such other requirements of the act as it relates to the construction maintenance equipment and operation of the ury cleaning and dyeing establishment or business to be erected constructed maintained or operated Plot plan shall also be furnished showing the location of the dry cleaning building and relative distances to surrounding properties

No dry cleaning dyeing tumbler or drying room shall be located within ten feet of any other building unless separated therefrom by an unpierced fire wall but in no case shall more than two sides of a dry cleaning or dyeing room have blank walls and such rooms shall be provided with at least two exits remote from each other having access to the outside of building All rooms used or to be used for the purpose of dry cleaning or dyeing as above defined shall be noncombustible material and construction shall not exceed one story in height shall be without basement cellar or open space below the ground floor No dry cleaning building shall be used for any purpose or occupancy other than dry cleaning dyeing and reclaiming gasoline and such other rooms or departments necessary for power and for the receiving and finishing of materials

Section 2 That Section four of said act as amended by the act approved the seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws one hundred thirty-nine) is hereby further amended to read as follows

Section 4 No steam boiler furnace or steam generator or heating device exposed fire or other spark emitting device shall be permitted in any dry cleaning dyeing tumbler drying or distilling room or in line of vapor travel therefrom

Heating of such buildings shall be by steam or hot water system or equivalent in safety

All electric wiring and equipment including motors shall conform to National Electrical Code All artificial lighting shall be by incandescent electric lights of approved type

Transfer of all liquids shall be through continuous piping pipe connections or threaded joints shall be made up litharged and glycerine and all outlets or drain lines shall be drained by gravity to settling or storage tanks No dry cleaning liquid shall be settled in any open or unprotected vessels or tanks Provided That nothing in this section shall prohibit scrubbing and brushing in dry cleaning rooms but not more than three gallons of volatile fluid shall be used in any one container and shall be so used in metallic pan or container and such volatile liquid or substance shall be returned to settling or storage tanks as soon as operation is completed

Storage tanks for volatile inflammable liquids shall conform to the standards of the [Bureau of Fire Protection Department of State Police] Department of Labor and Industry and no such tanks shall be installed without approval from said [bureau] department

Section 3 That Section six of said act as amended by the act approved the seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws one hundred thirty-nine) is hereby further amended to read as follows

Section 6 Nothing in this act shall be construed so as to restrict or limit the location of any building actually being used for dry cleaning purposes prior to passage of this act except where the fire hazard is in the opinion of the [Bureau of Fire Protection] Department of Labor and Industry of such character as would menace or endanger surrounding property

Nor shall the provisions of this act be held to apply to any building business or establishment now in use so as to cause the same to be rebuilt but should any dry cleaning building or part thereof be reconstructed rebuilt or repaired the same shall as to new work be so reconstructed rebuilt or repaired in conformity with the provisions of this act

Nothing in this section shall be so construed as to relieve any person copartnership association or corporation from responsibility criminal or otherwise because of non-compliance with or violation of any of the provisions of the act to which this act is an amendment.

Section 4 That Section seven of said act is amended to read as follows

Section 7 Any building inspector fire chief or fireman of any community inspector of the Commonwealth of Pennsylvania or Department of [State Police] Labor and Industry shall be permitted to enter any building or buildings at any reasonable hour for purpose of inspection

Section 5 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1781, as follows:

An Act to amend the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as amended by adding new sections eliminating the duty of the Treasury Department to examine and audit requisitions for disbursements eliminating the duty of the Department of the Auditor General to audit the affairs of the State Workmen's Insurance Board providing for the adjustment and settlement of claims against the Commonwealth abolishing the publication of mercantile appraisers lists and providing for the reimbursement of the General Fund by the special operating funds for services rendered by the Department of the Auditor General and the Treasury Department

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections three hundred six three hundred seven four hundred two four hundred four one thousand three one thousand two hundred four and one thousand five hundred two of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as amended are hereby amended or further amended as the case may be to read as follows

Section 306 [Audit of Requisitions and] Adjustment of Claims The Treasury Department shall cooperate with the Department of the Auditor General [in the examination and audit of requisitions for disbursements and] in the examination and adjustment of claims against the Commonwealth as hereinafter in this act provided

Section 307 Disbursements No money shall be paid from any of the funds of the State Treasury except upon warrant of the Auditor General issued upon requisition pursuant to law except moneys in the State Workmen's Insurance Fund which may be disbursed by check of the State Treasurer upon requisition of the Secretary of Labor and Industry The State Treasurer in making disbursements from any of the funds of the State Treasury upon warrant of the Auditor General shall not be in any way liable for so doing upon his official bond or otherwise

Section 402 Audits of Affairs of Departments Boards and Commissions It shall be the duty of the Department of the Auditor General to make all audits which may be necessary in connection with the administration of the financial affairs of the government of this Commonwealth

At least one audit shall be made each year of the affairs of every department board except the State Workmen's Insurance Board and commission of the executive branch of the government and all collections made by departments boards or commissions and the accounts of every State institution shall be audited quarterly

Special audits of the affairs of all departments boards except the State Workmen's Insurance Board commissions or officers may be made whenever they may in the judgment of the Auditor General appear necessary and shall be made whenever the Governor shall call upon the Auditor General to make them

Copies of all audits made by the Department of the Auditor General shall be promptly submitted to the Governor and to the Legislative Reference Bureau

Unless the Department of the Auditor General shall fail or refuse to make annual quarterly or special audits as hereinabove required it shall be unlawful for any other administrative department any independent administrative board or commission or any departmental administrative or advisory board or commission to expend any money appropriated to it by the General Assembly for any audit of its affairs or in the case of departments of any boards or commissions connected with them except for the reimbursement of the General Fund for audits made by the Department of the Auditor General as provided by law or for the payment of the compensation and expenses of such auditors as are regularly employed as part of the administrative staffs of such departments boards or commissions respectively

Section 404 Audits of and Warrants for Disbursements The Department of the Auditor General shall carefully audit and examine all requisitions calling upon the Auditor General to draw his warrant upon the State Treasurer for the payment of any money out of any fund of the State Treasury and warrants shall be drawn by the Auditor General only [after approval of the requisition by the Treasurer or the Governor] as hereinafter provided

Section 1003 Adjustment and Settlement of Claims Against the Commonwealth The Auditor General and State Treasurer shall continue to have the power to adjust and settle claims against the Commonwealth as now provided by law and they shall settle an account with any claimant against the Commonwealth in the manner following

When the Department of the Auditor General shall have examined and adjusted any claim against the Commonwealth it shall submit the same together with the vouchers and all other papers and information appurtenant thereto to the Treasury Department for its revision and approbation [Thereafter the procedure shall be the same as in the case of the audit of requisitions as hereinafter in this act provided]

If the Treasury Department shall approve a claim which has been approved by the Department of the Auditor General it shall note its approval thereon in writing and return the

same to the Department of the Auditor General Thereupon the Auditor General shall draw his warrant upon the State Treasury for the payment of the amount in which the claim has been approved

If on the other hand the Treasury Department shall disapprove such claim in whole or in part it shall note its disapproval in writing together with its reasons for disapproval and shall return the claim and all other papers and information pertinent thereto to the Department of the Auditor General and thereupon the Department of the Auditor General shall reconsider is approval

If the Treasury Department shall have entirely disapproved of the claim and upon reconsideration the Department of the Auditor General shall agree with such action the claim shall be returned to the source from which it came together with a written statement from the Department of the Auditor General explaining why the claim has been disapproved

If the Treasury Department has approved a claim in part only and upon reconsideration the Department of the Auditor General shall agree with the Treasury Department that the claim should be approved in part only it shall modify its prior approval of the claim and the Auditor General shall issue his warrant on the State Treasurer for the amount in which both departments have approved the claim

If the Department of the Auditor General upon reconsideration shall be unable to agree with the views of the Treasury Department it shall lay before the Governor the claim together with all the papers and correspondence attached or appertaining thereto and the Governor shall decide the issue raised between the two departments Should the Governor determine that the claim ought to be approved in whole or in part it shall be the duty of the Auditor General to issue his warrant in accordance with the directions of the Governor Should the Governor determine that the claim ought to be disapproved the Department of the Auditor General shall upon receiving it from the Governor return it to the source from which it came with a written statement of the reasons for which it was approved

Payment of any claim settled hereunder shall be made from appropriations made by the Legislature from time to time for this purpose

Section 1204 Procedure Relating to Collection of Mercantile License Taxes and Fees Assessable by the Mercantile Appraisers The Department of Revenue shall exercise the following powers and perform the following duties theretofore exercised and performed by the Auditor General in connection with the collection of mercantile license taxes auctioneers' brokers' agents' and factors' license taxes and all other license taxes and fees which it is the duty of mercantile appraisers to assess

The Department of Revenue shall have the power and its duty shall be

(a) To prepare cause to be printed and furnish blanks to be distributed by the mercantile appraisers of the several counties to vendors of and dealers in goods wares and merchandise auctioneers brokers agents and factors keeper for profit of shooting-galleries shuffle-board room billiard or pool rooms bowling alleys nine or ten pin alleys or any other alleys or places in which similar games are played owners or lessees of places of amusement buildings tents or enclosures who or which are now required by law to make returns to or file applications with the mercantile appraisers

All such blanks shall be in the form prescribed by the Department of Revenue shall request such information as may be necessary to assess the license tax or fee for the period to be covered by the return or application and shall contain an affidavit as to the correctness of the facts stated

(b) To prepare and furnish to the mercantile appraisers forms of notice to be left by them with vendors of or dealers in goods wares and merchandise brokers agents or factors and other persons assessable for license tax purposes specifying their respective classifications and the amount of license money due the Commonwealth

[(c) To publish the mercantile appraisers' list of names and classifications of each person subject to license in each county having a population of less than one million five hundred thousand in not less than two or more than three newspapers of general circulation in such counties and in conjunction with the city treasurer to direct that such list and classification shall be published in four newspapers in cities of the first class The respective county treasurers shall pay for all advertising authorized hereunder at the rates and subject to the limitations now provided by law and subject to the approval of the bills therefor by the Department of Revenue]

[(d)] (c) To exonerate any county treasurer from the collection of any amount shown upon the list certified to the department as due the Commonwealth if it be shown to the satisfaction of the department that the party listed as owing such amount is not subject to the payment thereof according to the true intent and meaning of the act imposing the tax or license fee or that it is impracticable to collect and recover such amount and

[(e)] (d) To investigate and ascertain the character and amount or volume of business transacted by any dealer vendor auctioneer broker agent factor or other person association or corporation required to make return to or file an application with the mercantile appraiser of any county if through fraud accident mistake neglect or otherwise such dealer vendor broker agent factor or other person shall fail to make a full complete and accurate return or the mercantile appraiser shall have failed to make a full complete and accurate report with respect thereto For the purpose of conducting such investigation the department shall have all the powers conferred upon it for the collection of State taxes in other cases and all taxes based upon such valuation shall be collectable at any time either before or after the expiration of the year for which the tax is to be paid

Section 1502 Audit of Requisitions and Issuance of Warrants [All requisitions] Every requisition shall be audited by the Department of the Auditor General and if [they appear] it appears to be lawful and correct in whole or in part the department shall approve it in whole or in part as the case may be [them] Thereupon the Auditor General shall draw his warrant upon the State Treasurer for the payment of the amount in which the requisition has been approved and the department shall transmit the requisition and warrant to the Treasury Department for [examination and approval] payment Otherwise [they] the requisition shall be returned to the source from which [they] it came for revision correction or cancellation together with a written statement from the Department of the Auditor General explaining why the requisition has been disapproved

[If the Treasury Department shall approve a requisition which has been approved by the Department of the Auditor General it shall note its approval thereon in writing and return the same to the Department of the Auditor General Thereupon the Auditor General shall draw his warrant upon the State Treasurer for the payment of the amount in which the requisition has been approved

If on the other hand the Treasury Department shall disapprove such requisition in whole or in part it shall note its disapproval in writing together with its reasons for disapproval and shall return the requisition to the Department of the Auditor General and thereupon the Department of the Auditor General shall reconsider its approval

If the Treasury Department shall have entirely disapproved of the requisition and upon reconsideration the Department of the Auditor General shall agree with such action the requisition shall be returned to the source from which it came together with a written statement from the Department of the Audior General explaining why the requisition has been disapproved

If the Treasury Department has approved a requisition in part only and upon reconsideration the Department of the Auditor General shall agree with the Treasury Department that the requisition should be approved in part only it shall modify its prior approval of the requisition and the Auditor General shall issue his warrant on the State Treasurer for the amount in which both departments have approved the requisition

If the Department of the Auditor General upon reconsideration shall be unable to agree with the views of the Treasury Department it shall lay before the Governor the requisition together with all the papers and correspondence attached or appertaining thereto and the Governor shall decide the issue raised between the two departments Should the Governor determine that the requisition ought to be approved in whole or in part it shall be the duty of the Auditor General to issue his warrant in accordance with the directions of the Governor Should the Governor determine that the requisition ought to be disapproved the Department of the Auditor General shall upon receiving it from the Governor return it to the source from which it came with a written statement of the reasons for which it was disapproved]

Section 2 At the end of article three of said act the following new section is hereby added

Section 308 Allocation of Disbursement Costs In order to reimburse the General Fund for the costs incurred by the Treasury Department in making disbursements for departments boards or commissions out of special operating funds in the State Treasury such departments boards or commissions to which special operating funds are appropriated for this purpose shall be billed at least quarterly by the Treasury Department upon a cost basis at such amount as the Treasury Department with the approval of the Executive Board shall determine Amounts payable hereunder for reimbursing the General Fund for the cost of disbursement shall be paid out of such special operating funds to the Department of the Auditor General and shall be by it paid into the General Fund of the State Treasury through the Department of Revenue

Section 3 At the end of article four of said act the following new section is hereby added

Section 408 Allocation of Costs of Audits In order to reimburse the General Fund for the costs incurred by the Department of the Auditor General in auditing requisitions by departments boards or commissions for disbursements out of special operating funds in the State Treasury and in auditing annually periodically or specially the affairs of any department board or commission which are supported out of a special operating fund in the State Treasury such departments boards or commissions to which special operating funds are appropriated for this purpose shall be billed at least quarterly by the Department of the Auditor General upon a cost basis at such amount as the Department of the Auditor General with the approval of the Executive Board shall determine Amounts payable hereunder for reimbursing the General Fund for the cost of audits shall be paid out of such special operating funds to the Department of the Auditor General and shall be by it paid into the General Fund of the State Treasury through the Department of Revenue

Section 4 It is the intention of the General Assembly that if this act cannot take effect in its entirety because of the judgment of any court of competent jurisdiction holding unconstitutional any part or parts thereof the remaining provisions of the act shall be given full force and effect as completely as if the part or parts held unconstitutional had not been included herein

Section 5 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 1782, as follows:

An Act to further amend Section two hundred eighty-five of the act approved the second day of May one thousand nine hundred and twenty-five (Pamphlet Laws four hundred forty-eight) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by making the moneys in the Fish Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section two hundred eighty-five of the act approved the second day of May one thousand nine hundred and twenty-five (Pamphlet Laws four hundred forty-eight) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as last amended by the act approved the twenty-eight day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred five) is hereby further amended to read as follows

Section 285 Fish License Fund Established All fees fines penalties and other moneys paid received recovered and collected (a) under the provisions of any law repealed and replaced by this act and now held in the State Treasury as a fund or any part of a fund separate and apart from the various purposes designated by law or (b) that may be hereafter paid recovered received and collected under the provisions of any act repealed and replaced by this act or (c) that may be paid received recovered and collected under the provisions of this act shall be placed in a separate fund by the State Treasurer to be known as "The Fish Fund" and shall be used solely for the payment of all expenses incurred by the Department of Revenue in procuring issuing or supervising the issuance of resident and nonresident fishing licenses and license buttons and under the direction of the board for the following purposes

(a) The payment of the salaries wages or other compensation of the Commission of Fisheries such deputies directors superintendents bureau or division chiefs experts scientists engineers surveyors draftsmen accountants secretaries auditors inspectors examiners statisticians clerks stenographers bookkeepers messengers fish wardens laborers and other assistants and employes as may be required for the work of the board and such special deputy attorneys general assistant deputy attorneys general as may be assigned by the Attorney General to the board or for handling any legal business pertaining to its work

(b) The payment of the traveling and other expenses of the members officers and employes of the Board of Fish Commissioners

(c) The purchase through the Department of Property and Supplies as purchasing agency of such furniture furnishings stationery supplies materials equipment fuel motor vehicles and printing and binding as may be necessary in the conduct of the work of the board and the payment of premiums on surety bonds for such officers or employes of the board as may be required to furnish them policies of Workmen's Compensation Insurance and policies of liability insurance covering the aforesaid motor vehicles and persons operating same which bonds or insurance policies shall have been contracted for by the Department of Property and Supplies as agent of the board

(d) The payment of postage telegrams telephone rentals telephone toll charges and rentals for patented leased office devices or machines.

(e) Rentals for any offices outside of the Capitol Buildings or any other grounds buildings or quarters necessary for the work of the board

(f) The propagation protection and distribution of fish and the stocking of waters within this Commonwealth as provided by law

(g) Necessary repairs and improvements to fish hatcheries or other buildings offices or quarters used in the work of the board.

(h) Field work gathering spawn and transferring fish

(i) The maintenance and operation of a boat on Lake Erie and the cruiser "Anna" at Torresdale on the Delaware River and

(j) Any contingent incidental or other expenses of any kind or description reasonably necessary in carrying on the work of the board

(k) With the consent of the Governor for the purchase of lands and waters and for the impounding of waters and to make the same available for use by the citizens of the Commonwealth for fishing hunting and forest purposes and said lands and waters so purchased shall be under the supervision direction and control of the board and

(l) The purchase and acquisition of additional land and water for State fish hatcheries the purchase acquisition and erection of buildings ponds and other extensions incidental to fish hatcheries and for the propagation and protection of fish and hatcheries hereafter established and for the distribution of fish from hatcheries and the stocking of waters within the Commonwealth All moneys received from license fees in any fiscal year in excess of three hundred and fifty thousand ($350,000) dollars shall be expended solely and exclusively for the purposes set forth in this clause

The moneys in the fund shall also be available for payment to the Department of the Auditor General of the cost incurred by that department in auditing requisitions drawn on the Fish Fund and in auditing annually periodically or specially the aforesaid affairs of the Department of Revenue

and the Board of Fish Commissioners at such amounts as the Department of the Auditor General with the approval of the Executive Board shall determine for payment to the Treasury Department of the cost of making disbursements out of the Fish Fund on behalf of the Department of Revenue and the Board of Fish Commissioners in the performance of the duties above mentioned at such amounts as the Treasury Department with the approval of the Executive Board shall determine for payment to the Department of Property and Supplies for space occupied in the Capitol Buildings and for water light heat power telephone and other services utilized and consumed by the Department of Revenue and the Board of Fish Commissioners in the performance of the above mentioned duties at such amounts as the Department of Property and Supplies with the approval of the Executive Board shall determine

All moneys in such separate fund from time to time are hereby specifically appropriated to the Department of Revenue and the board and may be expended for the purposes hereinbefore enumerated All printing buttons and other supplies or materials purchased by the Department of Revenue for the purpose of performnig its duties under the provisions of this act shall be purchased through the Department of Property and Supplies as purchasing agency Estimates of the amounts to be expended under this act from time to time by the Department of Revenue and the Board of Fish Commissioners respectively shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations made to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition for the expenditure of any moneys out of this appropriation by the Department of Revenue or by the Board of Fish Commissioners in excess of the estimates approved by the Governor Subject to the foregoing provision the Auditor General shall from time to time upon requisition of the Secretary of Revenue or of the Commissioner draw his warrant on the State Treasurer for the amount specified in such requisition not exceeding however the amount in such fund at the time of making such requisition.

Section 2 This act shall become effective on the first day of June one thousand nine hundred and thirty-three.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1783, as follows:

An Act to amend the act approved the second day of April one thousand nine hundred and twenty-five (Pamphlet Laws one hundred twenty-two) entitled "An act to authorize the Superintendent of Public Instruction to fix and to collect reasonable fees for certain services rendered by that Department" by authorizing the Department of Public Instruction to collect a fee for issuing certificates to teachers

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the second day of April one thousand nine hundred and twenty-five (Pamphlet Laws one hundred twenty-two) entitled "An act to authorize the Superintendent of Public Instruction to fix and to collect reasonable fees for certain services rendered by that Department" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Superintendent of Public Instruction may fix and collect reasonable fees for certain services rendered to persons or agencies other than departments of the State Government by the Department of Public Instruction in the distribution of lantern slides and films in issuing certificates to teachers in furnishing distribution of printed matter issued by the Department of Public Instruction in holding examinations for pre-professional certified copies or photographic or photostat copies in the certification and for other services rendered by such department and may alter such fees from time to time as may be desirable Provided That the charge for such services shall not be in excess of the actual cost of such services And provided further That all fees collected under this act shall be paid into the State Treasury as part of the general fund

Section 2 This act shall become effective upon the date of its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a tihrd reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1787, as follows:

An Act to further amend Section one thousand two hundred one of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred fifty-nine) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by making the moneys in the Game Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section one thousand two hundred one of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred fifty-nine) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as last amended by the act approved the ninth day of June one thousand nine hundred and thirty-one (Pamphlet Laws four hundred fifty-five) is hereby further amended to read as follows

Section 1201 Establishment of Game Fund Appropriation All license fees fines and other moneys received and collected (a) under the provisions of any law repealed and replaced by this act and now held in the State Treasury as a fund or any part of a fund separate and apart for the various purposes designated by law or (b) that may be hereafter paid into the State Treasury under the provisions of any act so repealed or replaced or (c) that may be paid into the State Treasury under the provisions of this act shall be placed in a separate fund to be known as "The Game Fund" and shall be held separately and apart solely for the purpose of the payment of all expenses incurred by the Department of Revenue in procuring issuing or supervising the issuance of resident and non-resident hunter's licenses and license tags and the payment under the supervision of the board (a) of the traveling and other necessary expenses of the members of the board and the salaries wages or other compensation and traveling and other necessary expenses of the officers of the Board of Game Commissioners and of such deputies directors superintendents bureau or division chiefs assistant directors assistant superintendents assistant chiefs experts scientists engineers surveyors draftsmen accountants secretaries auditors inspectors examiners statisticians clerks stenographers bookkeepers messengers game protectors laborers and other assistants and employes as may be required for the proper conduct of the work of the board and of such special deputy attorneys general assistant deputy attorneys general and attorneys as may be assigned by the Attorney General to the board or for handling any legal business pertaining to its work (b) for wild bird game and fur-bearing animal protection and propagation (c) for the purchase of game and fur-bearing animals for propagation and stocking purposes (d) for feeding game and wild birds (e) for the creation acquisition by lease or otherwise maintenance and administration of hunting grounds and game refuges and the purchase of outstanding timber and mineral rights on lands purchased or being purchased or water rights on adjoining lands wherever the board deems such purchase desirable (f) for the purchase of other lands and buildings and for the erection and repair of buildings (g) for the purchase through the Department of Property and Supplies as purchasing agency of

such furniture furnishings stationery supplies materials fuel motor vehicles horses and other equipment as may be necessary for the conduct of the work of the board and for the maintenance of equipment and the payment of premiums on surety bonds for such officers or employes of the board as may be required to furnish them policies of Workmen's Compensation Insurance and policies of liability insurance covering the aforesaid motor vehicles and the person operating same which bonds or insurance policies shall have been contracted for by the Department of Property and Supplies as agent of the board (h) for control of vermin the payment of bounties and expenses in connection therewith (i) for the payment of all or any part of the cost of any printing lithographing color process work posters notices tags badges buttons and such other like materials as in the opinion of the board may be necessary to its work but all such printing posters notices tags badges buttons and other materials shall be ordered through the Department of Property and Supplies as purchasing agency (j) for the refund of fines erroneously collected and deposited (k) for the payment of rentals of offices grounds buildings or other quarters leased for the board by the Department of Property and Supplies and for telegrams and telephone rentals and toll charges and rentals on leased office or other devices (l) for the purpose of carrying into effect the provisions of the act approved the second day of June one thousand nine hundred and twenty-three (Pamphlet Laws four hundred eighty-nine) entitled "An act providing a method through which the Commonwealth may cooperate with individuals in building fences to protect farm crops and fruit orchards against damage from wild deer and making an appropriation" as amended not exceeding however the sum of ten thousand dollars ($10,000) during any one fiscal year (m) for the purpose of carrying into effect the provisions of the act approved the second day of June one thousand nine hundred and twenty-three (Pamphlet Laws four hundred ninety-two) entitled "An act providing for the payment of certain claims for damages done to live stock poultry or bees by bear providing a method for the ascertainment of such damage and making an appropriation" not exceeding however the sum of three thousand dollars ($3,000) during any one fiscal year and (n) for the payment of any contingent incidental or other expenses of any kind or description reasonably necessary in carrying on the work of the board including the actual cost of moving household effects of employes continuously in the service for a period exceeding one year when ordered by the board to change their headquarters and place of residence to a point more than ten miles distant from the former headquarters

The sum of not less than one hundred thousand dollars ($100,000) or so much thereof as can be used judiciously for that purpose shall be expended each fiscal year for the purchase or propagation of game for stocking purposes the distribution of game and to supply feed for game including all expenses in connection therewith

The money in the fund shall also be available for payment to the Department of the Auditor General of the cost incurred by that department in auditing requisitions drawn on the Game Fund and in auditing annually periodically or specially the aforesaid affairs of the Department of Revenue and the Board of Game Commissioners at such amounts as the Department of the Auditor General with the approval of the Executive Board shall determine for payment to the Treasury Department of the cost of making disbursements out of the Game Fund on behalf of the Department of Revenue and the Board of Game Commissioners in the performance of the duties above mentioned at such amounts as the Treasury Department with the approval of the Executive Board shall determine for payment to the Department of Property and Supplies for space occupied in the Capitol buildings and for water light heat power telephone and other services utilized and consumed by the Department of Revenue and the Board of Game Commissioners in the performance of the above mentioned duties at such amounts as the Department of Property and Supplies with the approval of the Executive Board shall determine

All such moneys placed in the Game Fund under the provisions of this section are hereby made available immediately and are hereby specifically appropriated to the Department of Revenue and to the board for the purposes herein specified All printing tags and other supplies or materials purchased by the Department of Revenue for the purpose of performing its duties under the provisions of this act shall be purchased through the Department of Property and Supplies as purchasing agency

The sum of seventy-five cents from each resident hunter's license fee being the increase in fees provided by this amendment shall be used exclusively for the creation acquisition by purchase lease or otherwise and the maintenance of public hunting grounds and game refuges and the purchase of outstanding timber and mineral rights on the lands so acquired or the acquisition of water rights on adjoining lands whenever the board deems such acquisition desirable

Estimates of the amounts to be expended under this act from time to time by the Department of Revenue and the Board of Game Commissioners respectively shal be submitted to the Governor for his approval or disapproval as in the case of other appropriations made to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition for the expenditure of any moneys out of this appropriation by the Department of Revenue or by the Board of Game Commissioners in excess of the estimates approved by the Governor Subject to the foregoing provision the moneys appropriated by this act shall be paid out of the Game Fund warrant of the Auditor General drawn after requisition by the Department of Revenue or the Board of Game Commissioners as the case may be

Section 2 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2061, as follows:

An Act providing for the transfer of the State Nursery at Milton from the Department of Highways to the Department of Forests and Waters

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the State Nursery at Milton which is now operated by the Department of Highways is hereby transferred to the Department of Forests and Waters Hereafter such nursery shall be operated and maintained by the Department of Forests and Waters

Section 2 This act shall become effective immediately upon the date of its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1658, as follows:

An Act authorizing the transfer of a certain sum from the Manufacturing Fund to the General Fund and appropriating the moneys in the Manufacturing Fund for this purpose

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on the effective date of this act the State Treasurer is hereby authorized to transfer the sum of five hundred thousand dollars ($500,000.00) from the Manufacturing Fund to the General Fund upon requisition of the Auditor General The moneys in the Manufacturing Fund are hereby appropriated for the purpose of transfer as aforesaid and upon payment into the General Fund shall be available for any purposes for which the moneys in the General Fund are appropriated

Section 2 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1659, as follows:

An Act to further amend section seventeen of the act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws seven hundred ten) entitled "An act to amend section seventeen of the act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws seven hundred ten) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" by increasing certain license fees

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seventeen of the act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws seven hundred ten) entitled 'An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties'" as last amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws six hundred fifty-eight) is hereby further amended to read as follows

Section 17 License Fees Amateur Exhibitions and Matches Each applicant for a license shall before a license is issued by the commission and annually thereafter during the life of such license pay to the commission a license fee as follows Corporations or persons in cities of the first class two hundred and fifty dollars in cities of the second class one hundred dollars in cities of the third class and elsewhere twenty-five dollars physicians [ten] twenty-five dollars referees twenty-five dollars judges [five] twenty-five dollars timekeepers [five] ten dollars professional boxers [five] twenty-five dollars professional wrestlers [five] twenty-five dollars managers twenty-five dollars seconds [five] ten dollars announcers [five] ten dollars and matchmakers [ten] twenty-five dollars but the commission may issue without fee licenses to referees or physicians authorizing such referees or physicians to officiate only at boxing sparring or wrestling matches or exhibitions between amateurs and only without receiving any compensation for their services Permits for matches or exhibitions in which only amateurs participate shall be issued without fee and may be issued for a single match or exhibition or a series of matches or exhibitions or for a period not exceeding one year Permits for amateur boxing exhibitions or wrestling matches shall not be issued to any person or persons when such exhibitions or matches are conducted for individual profit Permits for amateur boxing exhibitions or wrestling matches shall be issued only to bona fide amateur athletic associations as approved by the commission

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1657, as follows:

An Act to amend Sections five and six of the act approved the fourteenth day of April one thousand nine hundred and twenty-five (Pamphlet Laws two hundred thirty-four) entitled "An act relating to Boarding Houses for Infants providing for the licensing thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare and fixing penalties" by authorizing the Department of Welfare to collect fees for licenses issued under the act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section five of the act approved the fourteenth day of April one thousand nine hundred and twenty-five (Pamphlet Laws two hundred thirty-four) entitled "An act relating to Boarding Houses for Infants providing for the licensing thereof and adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare and fixing penalties" is hereby amended to read as follows

Section 5 Issuance of License The Department of Welfare shall when satisfied that the applicant or applicants for such license are proper persons and that the place sought to be used as a boarding house for infants is a fit and suitable place for such purpose and when all the requirements of this act and the rules and regulations of the department have been complied with and upon the payment of a license fee of five dollars ($5.00) issue such license and keep a record thereof and of the application therefor

Section 2 That Section six of said act is hereby amended to read as follows

Section 6 Term and Contents of License All licenses granted by the Department shall be for a period of not more than one year and may be renewed upon the payment of an annual fee of five dollars ($5.00) The licensee or licensees the particular premises where such boarding house may be maintained operated and conducted and the number of infants which may be boarded therein at one time All license fees collected and received by the Department of Welfare under the provisions of this act shall be paid into the State Treasury through the Department of Revenue

Section 3 This act shall become effective upon the date of its final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1656, as follows:

An Act to further amend Section nine of the act approved the sixteenth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws seventeen hundred eighty) entitled "An act to fix the salaries and compensations of the judges of Supreme Court the judges of the Superior Court the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County" by reducing the compensation and further defining the traveling expenses of judges presiding in other districts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section nine of the act approved the sixteenth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws seventeen hundred eighty) entitled "An act to fix the salaries and compensations of the judges of Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County" as amended by the act approved the sixth day of May one thousand nine hundred and thirty-one (Pamphlet Laws ninety-seven) is hereby further amended to read as follows

Section 9 When any judge learned in the law is called in as now provided by law to assist the judge or judges of any other judicial district such judge so called in shall be entitled to receive for each day he is actually engaged in the performance of such duty the sum of [thirty dollars ($30)] fifteen dollars ($15) per day and actual traveling expenses not in excess of ten cents for each mile travelled to and from the place of holding court in such district

Section 2 The act shall become effective on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1264, as follows:

An Act to amend section six of the act approved the thirtieth day of March one thousand nine hundred and seventeen (Pamphlet Laws twenty-one) entitled "An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" as amended by further regulating branch offices of optometrists

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six of the act approved the thirtieth day of March one thousand nine hundred and seventeen (Pamphlet Laws twenty-one) entitled "An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" as amended by section two of the act approved the thirteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws six hundred fifty-nine) is hereby further amended to read as follows

Section 6 Every person desiring to be licensed as in this act provided shall file with the secretary of said board upon appropriate blank to be furnished by said secretary an application verified by oath setting forth the facts which entitled the applicant to examination and licensure under the provisions of this act The said board shall hold at least two examinations each year In case of failure at any standard exmination the applicant after the expirtion of six months and within two years shall have the privilege of a second examination by the board without the payment of an additional fee [In case of failure at any limited examination the applicant shall have the privilege of continuing the practice of optometry and of taking a second examination without the payment of] [an additional fee But in the event of his failure to pass the second examination on or before July first one thousand nine hundred and eighteen he shall thereafter cease to practice optometry in this Commonwealth] Every applicant who shall pass the standard examination [or the limited examination as the case may be] and who shall otherwise comply with the provisions of this act shall receive from the said board under its seal a certificate of licensure entitling him to practice optometry in this Commonwealth which certificate shall be duly registered in a record book to be properly kept by the secretary of the board for that purpose which shall be open to public inspection and a duly certified copy of said record shall be received as evidence in all courts of this Commonwealth in the trial of any case Each person to whom a certificate shall be issued by said board shall keep said certificate displayed in a conspicuous place in the office or place of business wherein said person shall practice optometry together with the photograph of said person attached to the lower right-hand corner of said certificate and shall whenever required exihibit the said certificate to any member or agent of the said board Peddling from door to door or the establishment of temporary offices or the practice of optometry by a certificate holder outside of or away from his office or place of business is specifically forbidden under penalty of revocation of certificate by the board Certificate holders may however establish a branch office or branch offices provided each such branch office be fully equipped [with the instruments necessary to] [make an optometric examination and is in charge of a regularly licensed optometrist] with all instruments required for a complete ocular examination and the person establishing such an office shall be in active charge and whose name shall be prominently displayed in such places as are customary for designating the type of practice carried on These requirements shall not be applicable however in cases of certificate holders making visual surveys and those who are serving in clinics and/or when such surveys or clinics are conducted without the sale of lenses or prisms or other optical material for profit Any certificate holder operating a branch office otherwise than as hereinbefore provided shall be guilty of a violation of this act and shall have his certificate revoked by the said board Each person to whom a certificate has been issued by said board shall before practicing under the same register said certificate in the office of the prothonotary in each county wherein he proposes to practice optometry and shall pay therefor such fee as may be lawfully chargeable for such registry The prothonotary in each county shall keep a certificate registration book wherein he shall promptly register each certificate for which the fee is paid

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. ROOT. Mr. Speaker, I move that this bill be recommitted to the Committee on Education for the purpose of a hearing.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1655, as follows:

An Act to amend the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred twenty-two) entitled "An act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain case providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" by transferring certain duties imposed by the act upon the Department of Agriculture to the Department of Revenue and the Pennsylvania State Police and repealing certain sections of the act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section 2 of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred twenty-two) entitled "An act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protec-

tion of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs owned or used by the Board of Game Commissioner providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" as amended by the act approved the sixth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws eight hundred thirty-three) is hereby further amended to read as follows

Section 2 For the purpose of this act the following terms shall have the following meanings respectively designated for each

The term "live stock" shall include horses stallions colts geldings mares sheep rams lambs bulls bullocks steers heifers cows calves mules jacks jennets burros goats kids swine confined domesticated hares and rabbits

The term "poultry" shall include all domestic fowl

The word "person" shall include State and local officers or employes individuals corporations copartnerships and associations Singular words shall include the plural Masculine words shall include the feminine and neuter

The word "owner" when applied to the proprietorship of a dog shall include every person having the right of property in such dog and every person who keeps or harbors such dog or has it in his care and every person who permits such dog to remain on or about any premises occupied by him

The term "kennel" shall mean any establishment wherein or whereon dogs are kept for the purpose of breeding sale or show purposes and which is so constructed that dogs cannot stray therefrom

The term "police officer" shall mean any person employed or elected by this Commonwealth or by any municipality county or township and whose duty it is to preserve peace or to make arrests or to enforce the law The term includes [State constabulary] members of the Pennsylvania State Police game fish and forest wardens

Section 2 That Section four of said act as amended by the act approved the sixth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws eight hundred thirty-three) is hereby further amended to read as follows

Section 4 Such license shall be issued on a form prepared and supplied by the [Secretary of Agriculture] Department of Revenue Such license shall be dated and numbered and shall bear the name of the county where such license is issued and a description of the dog licensed All licenses shall be void upon the fifteenth day of January of the following year The [Secretary of Agriculture] Department of Revenue shall also furnish and the county treasurer shall issue with each license a metal tag Such tag shall be affixed to a substantial collar The collar shall be furnished by the owner and with the tag attached shall at all times be kept on the dog for which the license is issued

It shall be unlawful for any person except the owner or his authorized agent or an agent of the [Department of Agriculture] Pennsylvania State Police to remove any license tag from a dog collar or to remove any collar with a license tag attached thereto from any dog

Section 3 That Section fifteen of said act as amended by the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws four hundred fifty-six) is hereby further amended to read as follows

Section 15 The county treasurer shall keep an accurate record of all license fees and fines collected by him or paid over to him by any justice of the peace alderman magistrate or notary public and of all money received from the sale of dogs Such record shall be a public record and open to persons interested during business hours All such moneys received by the county treasurer shall be remitted to the State Treasurer through the Department of Revenue on the first Monday of each calendar month together with a report in duplicate of each payor on forms furnished by the Department of Revenue One copy of each such report shall be transmitted by the Department of Revenue to the [Department of Agriculture] Pennsylvania State Police.

Section 4 That Section twenty of said act is hereby amended to read as follows

Section 20 If after ten days from the giving of such notice such dog has not been claimed such chief of police or his agent constable or high constable shall dispose of such dog by sale or by destruction in some humane manner No dog so caught and detained shall be sold for the purpose of vivisection All moneys derived from the sale of such dog after deducting the expense of its detention shall be paid to the county treasurer and by him paid to the State Treasurer For services under section nineteen and twenty of this act such officers shall be paid the sum of two dollars for detaining a licensed dog [and the sum of two dollars for the killing and properly disposing of carcass of each unlicensed dog by cremation burial or other approved sanitary method] All expenses incurred under this or the preceding section and not otherwise provided for shall be paid by the State Treasurer from [the fund specifically provided for by this act and appropriated] appropriations made to the Pennsylvania State Police for this purpose [upon warrant of the Auditor General and approval of the Secretary of Agriculture]

Section 5 That Section twenty-one of said act is hereby amended to read as follows

Section 21 It shall be unlawful for any police officer to fail or refuse to perform his duties under the provisions of this act or to refuse to assist in the enforcement of this law upon request of the [Secretary of Agriculture] Superintendent of Pennsylvania State Police

It shall be unlawful for any person to interfere with any officer or agent in the enforcement of this law

It shall be unlawful for any person to forcibly cut the leash or take a dog away from such officer having it in his possession when found running at large unaccompanied by the owner or keeper

Section 6 That Section twenty-six of said act as last amended by the act approved the first day of June one thousand nine hundred and thirty-one (Pamphlet Laws three hundred eleven) is hereby further amended to read as follows

Section 26 Whenever any person sustains any loss or damage to any live stock or poultry by logs or any live stock or poultry of any person is necessarily destroyed because of having been bitten by a dog except when such loss destruction or damage shall have been caused by a dog harbored by the owner of such live stock or poultry such person or his agent or attorney may immediately after the damage was done complain to any township auditor or to any justice of the peace alderman or magistrate of the township town borough or city or of any adjoining township town or borough Such complaint shall be in writing shall be signed by the person making such complaint and shall state when where and how such damage was done and by whose dog or dogs if known Claims covering damage due to rabies shall be made immediately following the death of the animal and shall be supported by a certificate from a licensed and duly qualified veterinarian or a report from the laboratory of the Department of Agriculture to the effect that such animal was affected with rabies Such township auditor justice of the peace alderman or magistrate shall at once notify an auditor of the district in which he or the claimant is resident if there be any and where there is no auditor then the controller of any such district and together they shall at once examine the place where the alleged loss or damage was sustained and the live stock or poultry injured or killed They shall then jointly fix a time for taking testimony relative to such claim and shall give notice of such time to the claimant and to the dog owner if known Such appraiser shall examine under oath or affirmation any witness called before them After making diligent inquiry in relation to such claim such appraisers shall determine whether any damage has been sustained and the amount thereof and if possible who was the owner of the dog or dogs by which such damage was done If the two appraisers can not agree as to the amount of damage sustained the [Secretary of Agriculture] Superintendent of Pennsylvania State Police through his officers or agents may appoint a disinterested citizen to assist in determining the amount of damage sustained

Any owner or keeper of such dog or dogs shall be liable to the owner of such live stock or poultry in a civil action for all damages and costs or to the Commonwealth to the extent of the amount of damages and costs paid by the Commonwealth as hereinafter provided

When the inhabitants of any city borough or township or of any part thereof have suffered an excessive amount of damage by dogs to live stock or poultry a petition may be presented to the [Secretary of Agriculture] Superintendent of Pennsylvania State Police signed by twenty or more such residents who are owners of live stock or poultry alleging such excessive damage and requesting that a quarantine be placed on all dogs within the limits of such city borough or township or such part thereof Upon receipt of such petition the [Secretary of Agriculture] Superintendent of Pennsylvania State Police may through his authorized agents have an investigation made of the facts alleged therein and if convinced that conditions in such city borough or township or such designated area demands such stringent measures he may establish a dog control quarantine therein

When such quarantine is established at least ten notices thereof shall be posted throughout the area affacted thereby and notice thereof shall also be published in at least one issue of a newspaper of general circulation throughout such city borough or township

It shall be unlawful for any person residing in the area affected by such quarantine to permit a dog owned or harbored by him to run at large in such quarantined area or to leave the premises where it is kept unless accompanied by and under the control of himself or a hanlder

Any police officer may kill any dog running at large in a quarantined area in violation of such quarantine without any liability for damages for such killing

Section 7 That Section twenty-seven of said act as amended by the act approved the nineteenth day of March one thousand nine hundred and twenty-three (Pamphlet Laws sixteen) is hereby amended to read as follows

Section 27 Upon making the examination required in section twenty-six of this act the said appraisers shall immediately make a certificate signed and sealed by them that such appraisement was regularly and duly made If by such examination it appears that any damage has been sustained by the complainant the said appraisers shall deliver the report of such examination and all papers relating to the case to the claimant or his agent or attorney upon payment of the costs incurred to that time Such report shall by him be delivered to the [Secretary of Agriculture] Pennsylvania State Police

Section 8 That Section twenty-nine of said act as last amended by the act approved the first day of June one thousand nine hundred and thirty-one (Pamphlet Laws three hundred eleven) is hereby further amended to read as follows

Section 29 Upon the [Secretary of Agriculture] Superintendent of Pennsylvania State Police receiving and approving such report if it appears thereby that a certain amount of damage has been sustained by the claimant he shall immediately draw a requisition in favor of the claimant for the amount of loss or damage such claimant has sustained according to such report together with necessary and proper costs incurred Such amount shall be paid from any appropriation to the [Department of Agriculture] Pennsylvania State Police availble for this purpose If such report is not approved and it is deemed advisable a further investigation may be made by the [Secretary of Agriculture] Superintendent of Pennsylvania State Police through his officers or agents to ascertain the amount of damage sustained No person shall receive payment for any claim until the township auditor justice of the peace alderman or magistrate before whom the claim was made has certified that due diligence was made to ascertain whose dog or dogs did the damage and the claimant has certified that the carcasses of the live stock or poultry killed and for which damages have been assessed were buried within twenty-four hours after the assessment of damages The owners of any live stock or poultry killed by dogs of live stock necessarily destroyed because of having been bitten by a dog other than a dog harbored by such person shall be paid a burial fee as follows For each horse stallion colt gelding mare bull bullock steer heifer cow mule jack jennet or burro two dollars and fifty cents for sheep ram lamb calf goat kid or swine two dollars each for the first three animals and one dollar for each additional animal for each head of poultry domestic hare or rabbit ten cents each to be included in said report and paid as other damages under this section Where said carcasses are turned over to a scavenger or reduction plant no burial fee shall be allowed

Upon payment by the State of damages of live stock or poultry by dogs the rights of the owner of such live stock or poultry against the owner of a dog to the extent of the amount of damages so paid by the State shall inure to the benefit of the State

Section 9 That Section thirty-two of said act as last amended by the act approved the first day of June one thousand nine hundred and thirty-one (Pamphlet Laws three hundred eleven) is hereby further amended to read as follows

Section 32 If in the report of the township auditor justice of the peace alderman or magistrate the name of the owner of any dog or dogs having caused loss or damage to any live stock or poultry is definnitely and conclusively shown or if a written complaint is filed with the [Secretary of Agriculture] Superintendent of Pennsylvania State Police by any owner of live stock or poultry against any dog or dogs stating that such dog or dogs has or have been seen pursuing or worrying live stock or poultry and if such charge is proven by investigation on the part of the [Secretary of Agriculture] Superintendent of Pennsylvania State Police he may notify the owner or keeper of such dog or dogs to immediately kill the same whereupon it shall be unlawful and a violation of this act for such owner or keeper to permit or cause such dog or dogs while alive to leave or be removed from such premises The killing of such dogs does not remove the liability of the owner of such damage done by his dog or dogs

Upon failure however of such owner to comply with such order within a period of ten days any police officer of the township town borough or city in which said dog or dogs are kept upon notice from the [Secretary of Agriculture] Superintendent of Pennsylvania State Police shall kill such dog or dogs wherever found For such service he shall be entitled to a fee of two dollars for each dog so killed to be paid by the State upon a certified statement to the [Secretary of Agriculture] Superintendent of Pennsylvania State Police that such dog or dogs have been killed by him The [Secretary of Agriculture] Superintendent of Pennsylvania State Police shall issue his requisition on the State Treasurer for such amount unless payment has been made by the owner or keeper of the dog or dogs

Section 10 That Section thirty-five of said act as last amended by the act approved the fourteenth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws seventeen hundred thirteen) is hereby further amended to read as follows

Section 35 The [Secretary of Agriculture] Superintendent of Pennsylvania State Police through his officers and agents shall be charged with the general enforcement of this law To this end the [Secretary of Agriculture] Superintendent of Pennsylvania State Police may employ all proper means for the enforcement of this act and may enter into agreements with local agencies and organizations to that end The said officers and agents of the [Secretary of Agriculture] Superintendent of Pennsylvania State Police in enforcement of this act are hereby authorized to enter upon the premises of any persons for the purpose of investigation upon displaying his badge of identification furnished by the [department of Agriculture] Pennsylvania State Police

Section 11 That Section sixteen of said act as last amended by the act approved the sixth day of May one thousand nine hundred and twenty-five (Pamphlet Laws five hundred thirty-two) is hereby repealed

Section 12 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1654, as follows:

An Act to further amend Section seven of the act approved the fourteenth day of April one thousand nine hundred and three (Pamphlet Laws one hundred eighty) entitled "An act to establish a Department of Mines in Pennsylvania defining its purposes and authority providing for the appointment of a chief of said department and assistants and fixing their salaries and expenses" by increasing fees to be paid by applicants to the Department of Mines for

certificates of qualification as mine foremen and assistant mine foremen in the anthracite mines and providing for the disposition of the fees received by the department

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section seven of the act approved the fourteenth day of April one thousand nine hundred and three (Pamphlet Laws one hundred eighty) entitled "An act to establish a Department of Mines in Pennsylvania defining its purposes and authority providing for the appointment of a chief of said department and assistants and fixing their salaries and expenses" as amended by the act approved the twenty-eighth day of May one thousand nine hundred and twenty-three (Pamphlet Laws four hundred fifty-six) is hereby further amended to read as follows

Section 7 Certificates of qualification to mine foremen and assistant mine foremen in the anthracite mines shall be granted by the [Chief of the] Department of Mines to each applicant who has passed a successful examination The certificates shall be in manner and form as shall be prescribed by the [Chief of the] Department of Mines and a record of all certificates granted shall be kept in the department Each certificate shall contain the full name age and place of birth of the applicant and also the length and nature of his previous service in the mines Before the examination for certificates of qualification to mine foremen and assistant mine foremen in the anthracite mines each applicant shall pay a fee of [two] four dollars and each successful applicant shall pay an addition fee of three dollars before receiving a certificate The money thus received from applicants shall be transmitted to the [Chief of the] Department of Mines [to be deposited in] and shall be paid into the State Treasury [said fees to be put in the fund of the Department of Mines for the use of the department for inspection service The] [moneys in such fund from time to time are hereby specifically appropriated to the Department of Mines for the purposes herein provided] through the Department of Revenue In case of the loss or destruction of a certificate the [Chief of the] Department of Mines shall upon the presentation of satisfactory evidence of the loss or destruction issue a copy of the certificate to the original possessor on the payment of the sum of one dollar

Section 2 This act shall become effective upon the date of its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1265, as follows:

An Act to amend section nine of the act approved the thirtieth day of March one thousand nine hundred and seventeen (Pamphlet Laws twenty-one) entitled "An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" as amended by enlarging the power of the board to refuse cancel revoke or suspend licenses

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section nine of the act approved the thirtieth day of March one thousand nine hundred and seventeen (Pamphlet Laws twenty-one) entitled "An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" as last amended by the act approved the twentieth day of March one thousand nine hundred and twenty-nine (Pamphlet Laws twenty-six) is hereby further amended to read as follows

Section 9 The Board of Optometrical Education Examination and Licensure shall refuse to grant a certificate of licensure to any applicant and may cancel revoke or suspend the operation of any certificate by it granted for any or all of the following reasons to wit the peddling from house to house or person to person or the establishment of temporary offices or practicing outside of or away from his office and the establishment of branch offices otherwise than herein provided or the use of misleading advertising or advertising either directly or indirectly a stipulated or fixed price for lenses or prisms for the correction or aid of defects of human vision or advertising or offering either directly or indirectly of special inducements or premiums in conjunction with optometric service of a character tending to deceive or mislead the public This shall also apply to any holder of a certificate of licensure practicing optometry for or acting as an assistant to any person firm or corporation either directly or indirectly after notice has been given by the said board that such person firm or corporation is violating the provisions of this act or gross incompetency or the obtaining of money by fraud or misrepresentation of the [optometrical business] optometric profession in which untruthful statements are made or the failure to deliver the certificates provided for in section six of this act or the conviction of a crime involving moral turpitude habitual intemperance in the use of ardent spirits or stimulants narcotics or any other substance which impairs the intelect and judgment to such an extent as to incapacitate for the performance of duties of an optometrist The certificate of licensure of any person convicted of a violation of section two of this act shall be ipso facto revoked

Any person who is the holder of a certificate of licensure or who is an applicant for examination for a certificate of licensure against whom is preferred any charge shall be furnished by the board with a copy of the complaint and shall have a hearing before the board at which hearing he may be represented by counsel At such hearing witnesses may be examined for and against the accused respecting the said charges which examination shall be conducted in the manner usually followed in the taking of testimony before commissions in this Commonwealth The suspension of a certificate of licensure by reason of the use of stimulants or narcotics may be revoked when the holder thereof shall have been adjudged by the said board to be cured and capable of practicing optometry The revocation or suspension for any other cause of a certificate of licensure may be removed at such time as it shall appear to the board to be just and proper to do so

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. ROOT. Mr. Speaker, I move that this bill be recommitted to the Committee on Education for the purpose of a hearing.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the While being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1650, as follows:

An Act to amend the act approved the fifteenth day of April one thousand eight hundred and seventy-three (Pamphlet Laws seventy-five) entitled "An act relating to the fees of the surveyor general" by prescribing certain fees to be charged

by the Department of Internal Affairs for services rendered by the Land Office

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section one of the act approved the fifteenth day of April one thousand eight hundred and seventy-three (Pamphlet Laws seventy-five) entitled "An act relating to the fees of the surveyor general" is hereby amended to read as follows

Section 1 Be it eancted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the fees to be collected by the [surveyor general] Department of Internal Affairs for the use of the Commonwealth shall be as follows namely

For warrant including return thereof five dollars

Patent for five acres or less five dollars

Patent for more than five acres ten dollars

Certified [Copy] copy of patent for two hundred words or less [one dollar] two dollars and twenty-five cents for every hundred words or fraction thereof additional

Certificate with seal of office on patent when mortgage is discharged one dollar and fifty cents

Every search [twenty-five] fifty cents

[Calculation of money due on land including search fifty cents]

Caveat [one dollar] two dollars

Issuing citation [one dollar] two dollars

Recording application for the making order of re-survey [one dollar] two dollars

Order of the board of property directed by the [surveyor general] Department of Internal Affairs to the county surveyor to be executed [one dollar[two dollars

Certified [Copy] copy of action or determination of board of property with seal [one dollar] two dollars

Order for valuing islands [two] five dollars

Entering application on petition to the board of property together with the minutes thereon for any other purpose than a re-survey [one dollar] two dollars

Certified copy of a draft of a single tract with certificate and seal one dollar and fifty cents

Connecting separate drafts into one general draft with certificates for each separate draft therein [seventy-five cents] one dollar

Certified [Copy] copy of general draft of town or outlots for each tract of land therein described [twenty-five] fifty cents

Extract from a general draft for each tract of land therein described [twenty-five] fifty cents

Certified [Copy] copy of draft of lots or tract of land annexed to certificate of Connecticut claimants or others for each tract [seventy-five cents] one dollar

Certified [Copy] copy of warrant application or any other right relating to but one tract of land not hereinbefore enumerated [fifty cents] one dollar

[Copy of extract from the deputy surveyor's list of returns and all other extracts not hereinbefore recited for each tract twenty-five cents]

Certified [Copy] copy of any record or paper or any part thereof not included in the foregoing for two hundred words or less [fifty cents] one dollar and [one cent for every ten words] twenty-five cents for every hundred words or fraction thereof additional

[Certifying and affixing seal of office to any copy connected draft extract certificate or minute twenty-five cents]

Blue print copy of warrantee township map each containing twenty-five tracts or less three dollars and for each additional twenty-five tracts or less three dollars

Lithoprint copy on tracing cloth of warrantee township map (in India ink) containing twenty-five tracts or less five dollars and for each additional twenty-five tracts or less five dollars

Section 2 This act shall become effective upon the date of its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1649, as follows:

An Act to reenact section one and to amend section six of the act approved the thirteenth day of June one thousand eight hundred and eighty-three (Pamphlet Laws one hundred nineteen) entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies" as amended by reestablishing the Anatomical Board of the State of Pennsylvania and making the board self-sustaining

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the thirteenth day of June one thousand eight hundred and eighty-three (Pamphlet Laws one hundred nineteen) entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies" as amended by section one of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred six) is hereby reenacted to read as follows

Section 1 The professors of anatomy the professors of surgery the demonstrators of anatomy and the demonstrators of surgery of the medical and dental schools and colleges of this Commonwealth which are now or may hereafter become incorporated together with one representative from each of the unincorporated schools of anatomy or practical surgery within this Commonwealth in which there are or from time to time at the time of the appointment of such representatives shall be not less than five scholars shall be and hereby are constituted a board for the distribution and delivery of dead human bodies hereinafter described to and among such persons as under the provisions of this act are entitled thereto The professor of anatomy in the University of Pennsylvania at Philadelphia shall call a meeting of said board for organization at a time and place to be fixed by him within thirty days after the passage of this act The said board shall have full power to establish rules and regulations for its government and to appoint and remove proper officers and shall keep full and complete minutes of its transactions and records shall also be kept under its direction of all bodies received and distributed by said board and of the persons to whom the same may be distributed which minutes and records shall be open at all times to the inspection of each member of said board and of any district attorney of any county within this Commonwealth The name of said board of distribution shall be Anatomical Board of the State of Pennsylvania

Section 2 That Section 6 of said act as amended by the act approved the first day of June one thousand nine hundred and thirty-one (Pamphlet Laws three hundred sixteen) is hereby further amended to read as follows

Section 6 Neither the Commonwealth nor any [No] county or municipality nor any officer agent or servant thereof shall be at any expense by reason o fthe delivery or distribution of any such body but all the expenses thereof and of said board of distribution shall be paid [from a State appropriation to be made biennially for such purposes] by those receiving the bodies On the first day of September one thousand nine hundred and thirty-one and quarterly thereafter it shall be the duty of the board to ascertain its full operating cost during the preceding three months and to bill each school college physician or surgeon for such sum per cadaver furnished as will equal such cost except that the sum per cadaver shall never exceed twenty dollars All moneys received or collected by the board under this act shall be [paid into the State Treasury through the Department of Revenue Upon the effective date of this act the board shall pay into the State Treasury through the Department of Revenue any unexpended and unencumbered balance of moneys in the possession of the board which were heretofore collected or received by the board under this act] used by the board for the payment of all expenses incurred in the performance of its duties under this act.

Section 3 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1651, as follows:

An Act to further amend section twenty-three of the act approved the first day of June one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by extending the provisions of the act to include natural gas companies artificial gas companies water companies steam heat companies and limited partnerships associations joint-stock associations copartnerships and persons engaged in the natural gas artifiicial gas water or steam heat business and appropriating part of the tax to the Public Service Commission of the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-three of the act approved the first day of June one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as last amended by the act approved the twenty-fifth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws six hundred sixty-two) is hereby further amended to read as follows

Section 23 That every railroad company pipe line company conduit company steamboat company canal company slack water navigation company transportation company street passenger railway company traction company and every other company association joint-stock association or limited partnership now or hereafter incorporated or organized by or under any law of this Commonwealth or now or hereafter organized or incorporated by any other State or by the United States or any foreign government and doing business in this Commonwealth and every copartnership person or persons owning-operating or leasing to or from another corporation company association joint-stock association limited partnership copartnership person or persons any railroad pipe line conduit steamboat canal slack water navigation street passenger railway traction system or other device for the transportation of freight passengers baggage or oil except taxicabs motor buses and motor omnibuses and every limited partnership association joint-stock association corporation or company engaged in or hereafter engaged in the transportation of freight or oil within this State and every telephone company telegraph company express company electric light company water-power company hydro-electric company natural gas company artificial gas company water company steam heat company palace car company and sleeping car company now or hereafter incorporated or organized by or under any law of this Commonwealth or now or hereafter organized or incorporated by any other State or by the United States or any foreign government and doing business in this Commonwealth and every limited partnership association joint-stock association copartnership person or persons engaged in telephone telegraph express electric light and power water-power hydro-electric natural gas artificial gas water steam heat palace car or sleeping car business in this Commonwealth shall pay to the State Treasurer through the Department of Revenue a tax of eight mills upon the dollar upon the gross receipts of said corporation company or association limited partnership joint-stock association copartnership person or persons received from passengers baggage and freight transported wholly within this State from telegraph or telephone messages transmitted wholly within the State from express palace car or sleeping car business done wholly within this State or from electric light and power water-power and hydro-electric natural gas artificial gas water and steam heat business and from the transportation of oil done wholly within the State The said tax shall be paid within the time prescribed by law for the payment of taxes settled by the Department of Revenue and for the purpose of ascertaining the amount of the same it shall be the duty of the treasurer or other proper officer of said company copartnership limited partnership association joint-stock association or corporation or person or persons to transmit to the Department of Revenue on or before the first days of February and August of each year a statement under oath or affirmation of the amount of gross receipts of the said companies copartnerships corporations associations joint-stock associations limited partnerships person or persons derived from all sources and of gross receipts from business done wholly within the State during the period of six months immediately proceding the first days of January and July of each year The time for filing reports may be extended estimated settlements may be made by the Department of Reveune if reports are not filed and the penalties for failing to file reports and pay the tax shall be as prescribed by the laws defining the powers and duties of the Department of Revenue Provided That in any case where the works of any corporation company copartnership association joint-stock association limited partnership person or persons are operated by another corporation company copartnership association joint-stock association limited partnership person or persons the taxes imposed by this section shall be opportioned between the said corporations companies copartnerships associations joint-stock associations limited partnerships person or persons in accordance with the terms of their respective leases or agreements but for the payment of the said taxes the Commonwealth shall first look to the corporation company copartnership association joint stock association limited partnership person or persons operating the works and upon payment by the said company corporation copartnership association joint-stock association limited partnership person or persons of a tax upon the receipts as herein provided derived from the operation thereof no other corporation company copartnership association joint-stock association limited partnership person or persons shall be held liable under this section for any tax upon the proportion of said receipts received by said corporation company copartnership association joint-stock association limited partnership person or persons for the use of said works

Nothing contained in this act shall be construed to impose any tax upon any municipality nor upon the gross receipts derived from any municipality owned and operated public utility service furnished by any municipality

No tax shall be collected under the provisions of this act from any municipality upon the gross receipts derived from the ownership and operation of any public utility or from the furnisning by any municipality of any public utility service prior to the passage of this amendment

One mill of the tax collected and paid into the General Fund of the State Treasury under the provisions of this act shall be credited by the State Treasurer from time to time to the current general maintenance appropriation to the Public Service Commission of the Commonwealth and the moneys so credited are hereby appropriated to such commission for the same purpose for which the general maintenance appropriation is available

Section 2 This act shall become effective immediately upon its passage and approval by the Governor and shall be retroactive in effect from the first day of January one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1652, as follows:

An Act to amend Sections two and six of the act approved the twelfth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred forty-one) entitled "An act providing for the preparation contents style printing and binding of the Legislative Journal and its delivery and distribution providing for the preparation printing and

binding of the Journals of the Senate and House of Representatives authorizing the appointment of official reporters expert typewriters clerks and other employes and providing for their compensation and mileage providing for the making of an appendix and index the printing of wrappers or envelopes for mailing the Legislative Journal and repealing all acts or parts of acts inconsistent herewith" by further prescribing the method of printing bills and joint resolutions in the Legislative Journal changing the number of employes of the General Assembly necessary for the preparation of the Legislative Journal and repealing part of an inconsistent act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section two of the act approved the twelfth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred forty-one) entitled "An act providing for the preparation contents style printing and binding of the Legislative Journal and its delivery and distribution providing for the preparation printing and binding of the Jornals of the Senate and House of Representatives authorizing the appointment of official reporters expert typewriters clerks and other employes and providing for their compensation and mileage providing for the making of an appendix and index the printing of wrappers or envelopes for mailing the Legislative Journal and repealing all acts or parts of acts inconsistent herewith" is hereby amended to read as follows Section 2 The Legislative Journal shall be prepared under the direction of the chief clerks of the Senate and House of Representatives by the official reporters clerks and employes of each House authorized to supervise and prepare the same and shall contain the following matters namely motions resolutions (simple and concurrent) in full petitions remonstrances and memorials by brief reference debate in full bills and joint resolutions on first reading by title on second reading [at length in the House in] [which said bill or joint resolution originates only unless amended when it shall be inserted in full and] by title only a record of amendments inserted on third reading and final passage [unless amended when it shall be inserted] in full including all amendments but if amended in the opposite house only the amendments shall be printed reports of conference committee in full in the proceedings of both Houses the yeas and nays messages and communications from either House to the other or to the Governor or messages and communications from the Governor to either House in full the biennial messages and inaugural address of the Governor and tabulated returns of elections for State officers in full in the proceedings of the Senate and by reference only in the proceedings of the House return of elections for Senators and Members in full in the proceedings of the respective Houses to which returns are made annual communications of the several State departments by brief reference reports of institutions and organizations required by law to be made to the Legislature by brief reference in the proceedings of the day on which presented and in full in an appendix reports of committees on bills by title only bills introduced by title only executive nominations when confirmed at the same time and by the same vote with but one list of yeas and nays appended in full in the proceedings of the Senate and generally what is actuall said read or done under the limitations heretofore prescribed A list of the standing committees of the Senate and House of Representatives shall be printed in solid form at the end of the proceedings in the last number of each month. The reports of all special committees presented in either House shall be printed in an appendix unless authorized by resolution to be printed in the same day's Jaurnal on which the report is presented in which case the said report shall be printed but once in separate form following the proceedings of both Houses The Legislative Journal shall include an appendix which shall contain an index to the Legislative Journal and said appendix the index to be compiled under the direction of the Librarian of the Senate and shall be prepared as concisely as possible the said appendix and index to be part of the Legislative Journal . The reports and other matters in the appendix shall be printed in separate sections Provided That the chief clerks of the respective Houses may each order not more than three thousand extra copies of any particular reports or matter appearing in the appendix to be delivered by the printer to the Division of Distribution of Documents subject to requisition as follows by the Senate three-twelfths by the House of Representatives five-twelfths and four-twelfths by the Legislative Reference Bureau The appendix shall be printed in the manner and style provided in section three of this act Five hundred and fifty copies of the appendix and four hundred copies of the index shall be printed Fifty copies of the complete unbound appendix shall be furnished and delivered by the printer to the Senate fifty copies to the House of Representatives and fifty copies to the Legislative Reference Bureau Four hundred copies each of the appendix and index shall be retained by the printer of the Legislative Journal and bound by him together with a like number of each copy of the Legislative Journal as hereinafter provided and be delivered by him to the Division of Distribtuion of Documents and be suubject to requisition as herein provided

Section 2 That section six of said act is hereby amended to read as follows

Section 6 The chief clerk of the Senate is hereby authorized to appoint at the beginning of each regular biennial session of the Senate and at such other times as may be necessary one filing clerk and one compiling clerk who shall assist in the preparation of the copy for the Legislative Journal [two] three expert stenographers who shall be known as the official reporters of the Senate [three] two expert typewriters [two] three copy-holders and [two] three proof-readers The chief clerk of the House of Representatives is hereby authorized to appoint at the beginning of each regular biennial session of the House of Representatives and at such other times as may be necessary one filing clerk and one compiling clerk who shall assist in the preparation of the copy for the Legislative Journal four expert stenographers who shall be known as the official reporters of the House of Representatives five expert typewriters two copy-holders and two proof-readers [The chief clerk of each House when found necessary to better facilitate the preparation of the copy and the printing of the Legislative Journal is hereby authorized to employ such additional help as may be required but not] [more than one additional reporter expert typewriter clerk copy-holder or proof-reader shall be employed in either House The compensation of said additional officers shall be the same amount per diem for the time employed as is paid to the regular officers] One of the official reporters in each House shall be designated by the chief clerk of each House as chief official reporter and shall have full authority over the official reporters expert typewriters clerks copy-holders and proof-readers subject to the orders of the chief clerks of the respective Houses The official reporters shall report the proceedings of the respective Houses and such other matters as may be required by the chief clerk of either House and transcribe the same and the expert typewriters shall assist in the transcribing and preparation of said copy For every day of each regular biennial special or extraordinary session and until the proceedings thereof shall be fully transcribed and completed each of said filing clerks shall receive seven dollars per diem and each of said compiling clerks shall receive nine dollars per diem each of the chief official reporters eighteen dollars per diem each of the official reporters fifteen dollars per diem each of the expert typewriters seven dollars per diem each of the proof-readers seven dollars per diem and each of the copy-holders seven dollars per diem and until the proceedings thereof are proof-read and also for the time employed on the appendix and index Each of the above named officers and employes shall return as such to the next regular biennial session following that for which they were appointed and any special or extraordinary session in the interim and those who are not reappointed or appointed or elected to some other office in the Legislature shall be allowed per diem compensation at the rates herein provided until their successors are duly appointed and qualified Each of the officers and employes authorized by this act shall be entitled to mileage for each regular biennial special or extraordinary session of the Legislature or either branch thereof and as returning officers at the rate of ten cents per mile to and from their homes to be computed by the ordinary mail-route between their homes and the State Capital The Librarian of the Senate shall appoint a competent person or persons to index the Legislative Journal and for the payment of the same the sum of fifteen hundred dollars shall be allowed The Superintendent of Public Printing and Binding is hereby authorized to appoint at the beginning of each session of the Legislature a clerk who shall be a competent printer whose duty it shall be to receive the daily copy from the Legislative Journal clerks supervise arrange and deliver the same to the

printer measure the composition of the Legislative Journal and audit all bills of the contractor or contractors for said Legislative Journal appendix and index and the binding and delivery thereof for which services said clerk shall likewise receive seven dollars per diem as aforesaid and until all the proceedings shall have been delivered to the printer and the sum of on hundred and fifty dollars a month thereafter until the Legislative Journal appendix and index have been completed and measured and all bills of the contractor or contractors for work thereon have been fully audited and approved

Section 3 That section 6 of the act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws eight hundred forty-nine) entitled "An act providing for the preparation contents style printing and binding of the Legislative Journal and the preparation printing and binding of the Journals of the Senate and House of Representatives authorizing the appointment of official reporters typewriters clerks and other employes providing for the making of an appendix and index the printing of wrappers or envelopes for mailing the Legislative Journal and repealing all acts or parts of acts inconsistent herewith" is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1647, as follows:

An Act to amend sections eight and fifteen of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred sixty-five) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" as amended by authorizing the Department of Labor and Industry to charge for the cost of making examinations of plans and eliminating duplicating and overlapping inspections of plans in certain cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eight of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred sixty-five) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" is hereby amended to read as follows

Section 8 Approval of Plans It shall be the duty of the owner architect or contractor of every building or structure as described in this act hereafter erected adapted remodeled or altered to submit to the Department of Labor and Industry for approval architectural drawings specifications or other data showing compliance with the provisions of this act and the rules and regulations of the said department which may be promulgated for the enforcement of the provisions of this act unless such drawings and specifications are for the erection adapting remodeling or altering of buildings or structures for the Commonwealth and have already been submitted to and approved by the Department of Property and Supplies No such building or structure shall be erected adapted remodeled or altered until such plans have been examined and approval given by the Department of Labor and Industry and a building permit obtained in municipalities where such permit is required by ordinance

For making the necessary examination for approval of architectural drawings specifications or other data the department shall make a charge equal to the actual cost of making such examinations not however to exceed the sum of twenty-five dollars ($25.00) and no such drawings specifications or other data shall be approved until payment is made of the fee charged therefor All fees received by the said department for making such examinations shall be paid into the State Treasury through the Department of Revenue

Any such owner architect or contractor whose drawings or specifications have been submitted to and approved by said department as herein provided may proceed with the erection adapting remodeling or altering of such building or structure without submitting such drawings or specifications to or obtaining the approval of any other department board or agency of the State government

Section 2 That Section fifteen of said act as amended by the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred twenty-three) is hereby further amended to read as follows

Section 15 Enforcement The provisions of this act shall be enforced by the Secretary of Labor and Industry by and through his authorized representatives Provided That nothing in this act shall be construed as affecting building in cities of the first class second class and second class A or in cities of the third class boroughs incorporated towns and townships which have adopted building codes or provide for the inspection of plans of buildings and that duly appointed chiefs of fire departments shall be equally responsible with the Secretary of Labor and Industry for the enforcement of the provisions of this act and the regulations of the Department of Labor and Industry pertaining to the removal of obstructions to and maintenance of exits aisles passageways and stairways leading to or from exits in all buildings covered by this act and the inspection and maintenance of emergency lighting systems fire alarms and fire extinguishing apparatus

In cities of the third class boroughs incorporated towns and townships which have adopted building codes or provides for the inspection of the plans of buildings the approval thereof by the proper authority shall be deemed a compliance with the provisions of this act but all such buildings shall be erected in accordance with the requirements hereof

For the purpose of enforcing the provisions of this act all the officers charged with its enforcements shall have the power to enter any of the buildings or structures enumerated in section two of this act and no person shall hinder or delay or interefere with any of the said officers in the performance of his duty nor refuse information necessary to determine whether the provisions of this act and the rules and regulations herein provided for are or will be complied with

Section 3 This act shall become effective upon the date of its final enactment

And said bill having been head at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and conisderation of House Bill No. 1486, as follows:

An Act to amend section four of the act approved the twelfth day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred ten) entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals conferring certain powers and duties upon the Department of Welfare and provid-

ing penalties" by increasing the license fee to be collected by the Department of Welfare

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly and it is hereby enacted by the authority of the same That Section four of the act approved the twelfth day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred ten) entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals conferring certain powers and duties upon the Department of Welfare and poviding penalties" is hereby amended to read as follows

Section 4 The Department of Welfare shall when satisfied that the applicant or appilcants for such license are proper and responsible persons that the place sought to be used as a private nursing home or hispoital is a suitable place for such purpose and is properly equipped therefor and when all the requirements of this act and the rules and regulations of the department have been complied with issue a license to the applicant upon the payment of a license fee of [ten dollars ($10.00)] fifteen dollars ($15.00) which shall be paid into the State Treasury through the Department of Revenue

Section 2 This act shall become effective upon the date of its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 406, as follows:

An Act for the protection of human life by regulating the business of exterminating germs vermin insects and rodents by the use of certain gases fumes sprays vapors or bait creating a State Board of Exterminators and providing for the licensing of persons engaged in such business imposing duties upon the Department of Health of the Commonwealth and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following words when used in this act shall for the purposes of this act have the meanings respectively ascribed to them in this section

The word board shall mean the State Board of Exterminators created by this act

The word "fumigant" shall mean and include any substance which by itself or in combination with any other substances emits or liberates a gas fumes fumes or vapor which gas fumes or vapor when liberated and used for the destruction or control of insects vermin germs rodents or other pests is lethal poisonous noxious or dangerous to human life

The word "exterminate" or "insecticide" shall mean and include any substance not a fumigant under whatever name known used for the desruction or control of insects vermin germs rodents or other pests

Section 2 The State Board of Exterminators of the Commonwealth of Pennsylvania is hereby created as a departmental administrative board in the Department of Health of the Commonwealth The said board shall consist of five members one of whom shall be an employe of the Department of Health of the Commonwealth and the remaining members of the board shall be experienced exterminators who have followed such occupation for at least five years and shall be appointed within thirty days after the approval of this act by the Governor as follows One for a period of one year one for two years one for three years one for four years and one for five years from the date of the respective appointments and at the expiration of such terms members to be appointed to fill vacancies caused by such expirations shall be appointed by the Governor for a term of five years The Governor shall in making his appointments for the first board designate the number of years for which each appointee is appointed The Governor shall by appointment fill all vacancies caused by death or resignation for the unexpired term of the deceased or retiring member Said board shall perform such duties and be vested with and exercise such powers relative to the protection of the public health and the control and regulation of the business of exterminating germs vermin insects and rodents in the State of Pennsylvania as shall in this act be prescribed and conferred upon it

Before entering upon the duties of said office the members of the board shall take the constitutional oath of office and shall file the same in the office of the Secretary of the Commonwealth and there shall be issued to each member a commission pursuant to his appointment

The board shall immediately after qualifying organize by electing a persident vice-president and secretary-treasurer from its membership The board shall hold two meetings each year one in May and one in November and on such date as it shall determine Notice of such meetings shall be given to each member two weeks in advance Special meetings may be held at such times and places and upon such notice as the majority of the board may determine The board shall adopt a seal which must be affixed to all licenses issued by it and from time to time shall adopt such rules and regulations not inconsistent with this act as it may deem necessary for the performance of its duties and shall examine and pass upon the qualifications of applicants for licenses in this Commonwealth as herein provided The officers of the board shall have power to administer oaths summon witnesses and take testimony as to matters pertaining to its duties A majority of the members of said board shall constitute a quorum for the transaction of business The secretary shall keep a record of all official actions and proceedings of the board and said records shall be prima facie evidence of matters therein contained

The board shall have the power to administer oaths to summon witnesses and to take testimony in all matters relating to its duties Said board shall issue a license to persons copartnerships associations or corporations to engage in the business of exterminating germs vermin insects and rodents as hereafter provided who shall furnish satisfactory evidence of attainment and qualification under the provisions of this act and the rules and regulations of the board Such license shall be signed by all members of the board and by the Superintendent of the Department of Health who shall act as a member ex officio and the adopted seal affixed Such a license issued to any person gives absolute authority to whom it is issued to engage in the business of exterminating vermin in this State The members of the board shall receive no salary except for attendance at examinations and special meetings of the board for which they shall receive fifteen dollars ($15.00) per diem in addition to train fare and hotel expenses

Section 3 No person copartnership association or corporation shall carry on or engage in the business of exterminating germs vermin insects or rodents in any place used by human beings for habitation recreation amusement or business nor shall assist as an employe operator helper or apprentice in such business without first having secured a license from the board therefor as hereinafter provided

Section 4 Any person copartnership association or corporation desiring to engage or carry on such business or any person desiring to assist in such business as an employe operator helper or apprentice shall make application to the board on blanks furnished by the board

Section 5 The board shall upon application and after examination as hereinafter provided grant and issue licenses as follows

(a) Fumigant exterminator licenses which shall authorize the licensee to conduct the business of exterminating vermin insects or rodents by or with the use of fumigants powder sprays or baits

(b) Insecticide Exterminator licenses which shall authorize the licensee to conduct the business of exterminating germs vermin insects or rodents by or with the use of powder sprays or baits only

(c) Employe-operator licenses which shall authorize the licensee to assist either fumigant or insecticide fumigators as the case may be

Section 6 The board shall make a thorough investigation of the training experience qualifications character and reputation of the applicants for said licenses and shall hold an examination therefor which examination shall be such as the board deems necessary to determine the fitness and reliability

of the applicant and his knowledge of the requirements of this act and rules and regulations of the board relating thereto In the case of a corporation the executive officers of said corporation shall designate what agents shall supervise and control its fumigating work which agents shall qualify and be examined as provided herein by the said board If the board approves the issuance of a license to any person copartnership association or corporation the board may issue said license if in its opinion it considers the licensee qualified to engage in said business

Section 7 Each applicant for a license shall pay to the board the sum of twenty,five dollars ($25.00) for a fumigant exterminator license fifteen dollars ($15.00) for an insecticide exterminator license two dollars ($2.00) for an employe-operator license Such fees shall be paid by the applicant to the board when the license is applied for and in the event that no license is granted by the board such fee shall be returned All licenses shall be granted for the calendar year in which issued and shall be valid until the thirty-first day of December following their issue Renewal licenses valid for one year from the first day of January shall be thereafter issued upon the payment of two dollars ($2.00) for exterminator and exception licenses and one dollar ($1.00) for employe-operator licenses

Section 8 Each exterminator and exception licensee shall in addition to the said fee execute and deliver to the board a surety bond to the Commonwealth for the benefit of any person or persons who may receive injuries acquire illness or suffer death by reason of the use of such gases fumes vapors powders sprays or baits in the sum of ten thousand dollars ($10,000.00) Or in lieu of said bond the applicant shall deposit with the board a policy or certificate of liability insurance acceptable to and approved by the board insuring or indemnifying the applicant in the sum of at least ten thousand dollars ($10,000.00) for the injury or death of one person and twenty thousand dollars ($20,000.00) for the injury or death of two or more persons resulting from the use of poisonous gases by said applicant or any of his agents or employes in the manner provided for herein The said policy shall further contain a clause obligating the insurance company issuing the same to give thirty (30) days' written notice to the board before cancellation of the same In case said policy of insurance is not replaced the license of the licensee shall forthwith be cancelled at the expiration of said thirty (30) day period

Section 9 No person holding an employe-operator fumigant exterminator permit shall engage in the occupation of fumigation or extermination except in the course of employment on behalf of a holder of a fumigant exterminator permit except that he may engage in the occupation of extermination only on behalf of a holder of an insecticide exterminator permit

Section 10 No person shall sell or give away any poisonous substance as an exterminator or insecticide unless the container bears a label legibly and conspicuously printed with the crossbones in red ink followed with the words "CAUTION This exterminator or insecticide contains (state the name of the poison) a deadly poison" together with the antidote therefor and the name and address of the manufacturer or packer and the words "poison" "caution" and "antidote" in block type of a larger size than the other wording viz

"POISON
(Symbol)
(Skull and Crossbones)
CAUTION
This exterminator or insecticide contains (insert name of poison) a deadly poison
ANTIDOTE (state briefly)
Manufactured (or packed by)
Name .....
Address .....

Section 11 No person shall sell or give away any substance as an exterminator or insecticide which contains wholly or in part flourine in salts water soluble or compounds or any other highly toxic ingredient unless the container bears the following label with the caution and the antidote therefor conspicuously and legibly printed and the words "caution" and "antidote" in block type of a larger size than the other wording viz

"CAUTION"
"This exterminator or insecticide contains (fluorine or name of other highly toxic ingredient) which is highly toxic and must be used with care pursuant to the following directions
(state directions)
ANTIDOTE (state briefly)
Manufactured (or packed by)
Name .....
Address .....

Section 12 Every person copartnership association or corporation before performing fumigation in any building vessel or other enclosed space shall notify in writing the health authorities of the city borough township or incorporated town in which the fumigation is to be performed and the fire department and the police department if any giving the location of the building vessel or enclosed space to be fumigated as well as its character and use the fumigant to be used the date and time when the fumigation will be performed This notice must be given at least twenty-four hours prior to the time set forth in the notice for such fumigation to be commenced either personally or by registered mail

No such fumigation shall be performed unless the authorities mentioned herin have been notified in accordance with the requirements of this section

Section 13 No building or enclosed space shall during the period of fumigation be occupied by human beings It shall be the duty of the operator to make or cause to be made a careful examination of all parts of such building or enclosed space in order to verify that no human beings have remained herein and that all necessary precautions had been undertaken to safeguard the lives and health of all persons occupying buildings adjoining that in which the fumigation is to be performed Provided however where a building is continuously occupied by human beings twenty-four hours a day and the room or other enclosed portion of said building to be fumigated is very small in comparison to the size of the building so that the provisions of this regulation would not be practicable then in such event upon a special written request of a holder of a fumigant permit and after an investigation conducted by the board it appears that such portion may be fumigated without danger to life or health the board may in its discretion grant permission to the said holder of a fumigant permit to perform fumigation without requiring all persons in other parts of said building to leave same subject to such conditions and restrictions as the board may impose

Section 14 It shall be the duty of the operator in charge of the work on the premises to be fumigated to make a personal inspection and examination of the premises cause all cracks crevices openings and apertures in the walls ceilings and floors to be properly and securely sealed in such manner as to confine the fumigant exclusively to the building vessel or other enclosed space intended to be fumigated and take all other practical precautions necessary to protect and safeguard the health of all persons that may in any way be affected

Section 15 No vessel shall be fumigated until the captain or other commanding officer shall have mustered the crew and caused the members thereof and all other persons therein or thereon to leave and remain away from such vessel during the process of fumigation Provided however where a part of a vessel is to be fumigated and such part is not connected with or immediately adjoining an occupied portion of the vessel and where after an investigation conducted by the board it appears to the satisfaction of the board that such portion may be fumigated without danger to life or health he may in his discretion grant permission to the holder of a permit to perform fumigation without requiring all persons in other parts of such vessel to leave the same subject to such conditions and restrictions as he may impose

Section 16 The materials and apparatus used in fumigating shall be placed in the room or rooms to be fumigated after all openings except the one used for entry and exit of the operator are properly sealed The operator placing or liberating the fumigant chemicals or gas or material shall be properly protected and safeguarded by a suitable properly tested mask and gloves He alone shall be allowed in the room or rooms to be fumigated during the placing of the chemicals gas or materials after fumigation is completed and until the premises are properly ventilated and made safe for occupancy

Section 17 Prior to the fumigation suitable warning signs shall be posted on all doors or entrances to the premises to be fumigated and upon all gangplanks ladders et cetera from the dock pier or land to the vessel as follows

DANGER

(Crossbones)	FUMIGATED WITH	(Crossbones)
(and)	(state name of	(and)
(skull)	chemical or gas)	(skull)

DEADLY POISON HIGHLY TOXIC
ALL PERSONS ARE WARNED TO KEEP A WAY

Name of Fumigator .....
Address .....
Operator in charge .....

Such sign shall be printed in red ink on white cardboard letters to be at least two inches in size At night such signs shall be illuminated so as to make the reading matter thereon plainly legible

Section 18 Notice of warning as hereinafter mentioned must be served two hours in advance of any fumigation upon the occupants of the building vessel or other space by leaving same with a responsible person therin and if not present by attaching same in a conspicuous manner on the entrance door to such apartment room or other space occupied by a human person Said notice shall state the premises or other enclosed space or part thereof that is to be fumigated the date and time of fumigation the name and address of the person or firm or corporation conducting the fumigation and the name of the operator in charge together with a danger warning to the effect that the premises so occupied must be vacated within an hour of the time the fumigation is to be commenced and not to be re-entered until the hour mentioned in said notice and all other practical warnings that may be advisable under the circumstances

Section 19 During the period fumigation is in process a capable alert watchman or watchmen shall remain on duty at the entrance or entrances to the building vessel or enclosed space fumigated and until after the fumigation is completed and until the premises are properly ventilated and again safe for human occupancy

Section 20 Every special room vault or tank maintained by a holder of a fumigant permit or a fumigant exception certificate at his place of business for the purpose of fumigating articles must be approved by the board as to the construction location and ventilation All such special rooms vaults or tanks must be gas-tight and periodically tested and inspected and all proper precautions must be made for the airing of such special rooms vaults or tanks so as to allow for the evacuation of the fumigant without endangering life or health A suitable warning notice with the word "Danger" in large type must be securely attached to every door or other entrance to said vault

No watchman and no notice as required in these regulations shall be necessary when fumigation is conducted in such approved special room vault or tank but all other precautionary measures must be taken

Section 21 Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not more than one hundred dollars ($100.00) or undergo imprisonment for not more than six months or both at the discretion of the court

Section 22 This act shall not prohibit or affect the use of formaldehyde or other insecticide or fumigant in hospitals

Section 23 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1671, as follows:

An Act to further amend section 21 of the act approved the seventh day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred) entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act by increasing the fee to be charged by the Department of Health for certified copies of records of births deaths or marriages

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section 21 of the act approved the seventh day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred) entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" as amended by the act approved the twenty-eighth day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred ninety-eight) is hereby further amended to read as follows

Section 21 That the [State Registrar] Department of Health shall upon request furnish any applicant a certified copy of the record of any births death or marriage registered under provisions of this act for the making and certification of which he shall be entitled to a fee of [fifty cents] one dollar to be paid by the applicant and any such copy of the record of a birth or death or marriage when properly certified by the [State Registrar] Department of Health to be a true copy thereof shall be prima facie evidence in all courts and places of the facts therein stated Provided That certified copies of the record of any birth death or marriage shall be furnished to honorably discharged soldiers sailors marines war nurses and their dependents without the payment of any fee For any such search of the files and records when no certified copy is made the [State Registrar] Department of Health shall be entitled to a fee of fifty cents for each hour or fractional hour of time of search to be paid by the applicant And the [State Registrar] Department of Health shall keep a true and correct account of all fees by [him] it received under these provisions and [turn] pay the same [over to the State Treasurer] into the State Treasury through the Department of Revenue

Section 2 This act shall become effective upon the date of its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1670, as follows:

An Act to amend Section 7 of the act approved the thirty-first day of May one thousand nine hundred and twenty-three (Pamphlet Laws four hundred eighty-one) entitled "An

act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen assistant mine foremen and fire bosses in the bituminous coal mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners authorizing the Chief of the Department of Mines to determine the district in which boards of examiners shall hold examinations and to designate the boards before whom applicants in the various inspection districts shall appear providing for the issuance of certificates of qualification to successful applicants fixing the fees to be paid by applicants and providing for their disposition forbidding the employment of unqualified persons as mine foremen assistant mine foremen and fire bosses providing a penalty for forging or making false statements regarding certificates" by increasing the fees to be paid to the Department of Mines by applicants for certificates of qualification as mine foremen assistant mine foremen and fire bosses in the bituminous mines and providing for the disposition of the fees received by the department

Section 1 Be it enacted by the Senate and House of Represenetatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section 7 of the act approved the thirty-first day of May one thousand nine hundred and twenty-three (Pamphlet Laws four hundred eighty-one) entitled "An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen assistant mine foremen and fire bosses in the bituminous coal mines of this Commonwealth prescribing the qualification defining the powers and duties and fixing the compensation of such examiners authorizing the Chief of the Department of Mines to determine the districts in which boards of examiners shall hold examinations and to designate the boards before whom applicants in the various inspection districts shall appear providing for the issuance of certificates of qualification to successful applicants fixing the fees to be paid by applicants and providing for their disposition forbidding the employment of unqualified persons as mine foremen assistant mine foremen and fire bosses providing a penalty for forging or making false statements regarding certificates" is hereby amended to read as follows

Section 7 Before the examination for certificates of qualification to mine foremen assistant mine foremen and fire bosses each applicant shall pay a fee of [two] four dollars and each successful applicant shall pay an additional fee of three dollars before receiving a certificate The money thus received from applicants shall be transferred to [the Chief of] the Department of Mine [to be deposited in] and shall be paid into the State Treasury [said fees to be put in the fund of the department of mines for the use of the department for inspection service The moneys in such fund from time to time are hereby specifically appropriated to the Department of Mines for the purposes herein provided] through the Department of Revenue In case of the loss or destruction of a certificate [the Chief of] the Department of Mines shall upon presentation of satisfactory evidence of the loss or destruction issue a copy of the certificate to the original possessor on the payment of the sum of one dollar

Section 2 This act shall become effective upon the date of its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1784, as follows:

An Act prescribing fees to be charged by the Secretary of the Commonwealth for filing nomination papers and nomination petitions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Secretary of the Commonwealth shall charge and collect fees for filing nomination papers and nomination petitions as follows

(a) For filing nomination papers and nomination petitions for any office voted for in the State at large one hundred dollars

(b) For filing nomination papers and nomination petitions for the office of Representative in Congress Judge of the Court of Common Pleas Orphans' Court Municipal Court and all County Courts seventy-five dollars

(c) For filing nomination papers and nomination petitions for the office of Senator in the General Assembly fifty dollars

(d) For filing nomination papers and nomination petitions for the office of Representative in the General Assembly thirty dollars

(e) For filing nomination papers and nomination petitions for the office of Associate Judge twenty-five dollars

(f) For filing nomination papers and nomination petitions for the office of Delegate or Alternate to the National Convention and Delegate-at-large to the National Convention twenty-five dollars

(g) For filing nomination papers and nomination petitions for the office of member of the State Committee twenty dollars

Section 2 Any candidate filing nomination papers and nomination petitions under two or more parties preempted or otherwise shall pay to the Secretary of the Commonwealth a filing fee for each party under which he files

Section 3 It shall be unlawful for the Secretary of the Commonwealth to file any nomination papers and nomination petitions for the filing of which a fee is prescribed by this act except upon the payment of the proper filing fee

Section 4 This act shall become effective upon the date of its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1786, as follows:

An Act to further amend section eleven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred sixty-two) entitled "An act providing for the creation and administration of a State fund for the insurance of compensation for injuries to employes of subscribers thereto declaring false oaths by the subscribers to be misdemeanors and providing penalties for the violation thereof" by making the moneys in the State Workmen's Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eleven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred sixty-two) entitled "An act providing for the creation and administration of a State fund for the insurance of compensation for injuries to employes of subscribers thereto declaring false oaths by the subscribers to be misdemeanors and providing penalties for the violation thereof" as last amended by the act approved the twenty-fifth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws seven hundred nineteen) is hereby further amended to read as follows

Section 11 The money paid in premiums by subscribers is hereby made available for the expenses of administering the Fund including the purchase through the Department of Property and Supplies of surety bonds for such officers or employes of the board as may be required to furnish them supplies materials motor vehicles workmen's compensation insurance covering the officers and employes of the board and liability insurance covering vehicles purchased out of moneys of said fund and operated by the officers and employes of the board In the event that the use of motor vehicles is required

only temporarily then such moneys in the fund are available for the payment to the Department of Property and Supplies for the use of such motor vehicles on a mileage basis at such amount per mile as the Department of Property and Supplies with the approval of the Governor shall determine

The moneys in the fund shall also be available for payment to the Insurance Department of the cost incurred by that department in examining and auditing the State Workmen's Insurance Fund at such amounts as the Insurance Department shall determine for payment to the Treasury Department of the cost of making disbursements out of the State Workmen's Insurance Fund on behalf of the State Workmen's Insurance Board at such amounts as the Treasury Department with the approval of the Executive Board shall determine for payment to the Department of Property and Supplies for space occupied in the Capitol buildings and for water light heat power telephone and other services utilized and consumed by the State Workmen's Insurance Board at such amounts as the Department of Property and Supplies with the approval of the Executive Board shall determine

The board shall keep an accurate account of the money paid in premiums by the subscribers and the disbursements on account of injuries to the employes thereof and on account of injuries to the employes thereof and on account of administering the fund and if at the expiration of any year there shall be a balance remaining after deducting such disbursements the unearned premiums on undetermined risks and the percentage of premiums paid or payable to create or maintain the surplus provided in section nine of this act and after setting aside an adequate reserve so much of the balance as the board may determine to be safely distributable shall be distributed among the subscribers in proportion to the premiums paid by them and the proportionate share of such subscribers as shall remain subscribers to the fund shall be credited to the instalment of premiums next due by them and the proportionate share of such subscribers as shall have ceased to be subscribers in the fund shall be refunded to them out of the fund in the manner hereinafter provided

Section 2 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1788, as follows:

An Act to further amend Sections three and four of the act approved the first day of May one thousand nine hundred and twenty-nine(Pamphlet Laws one thousand forty-six) entitled "An act appropriating the moneys in the Motor License Fund" by making the moneys in the Motor License Fund available for the reimbursement General fund for certain services rendered or supplied by certain departments

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Secttion three of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand forty-six) entitled "An act appropriating the moneys in the Mitor License Fund" as amended by the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred eighty-nine) is hereby further amended to read as follows

Section 3 As much of the money from time to time in the Motor License Fund as may be necessary is hereby appropriated to the Department of Revenue for the proper conduct of its work in titling and registering motor vehicles trailers and tractors licensing the operators of vehicles and enforcing the laws regulating the registration titling and operation of vehicles upon the highways and for the collection of liquid fuels taxes as follows

(a) For the payment of the salaries wages or other compensation and traveling and other necessary expenses of the Commissioner of Motor Vehicles or such other officer or officers of the department appointed by the secretary thereof to have charge of the foregoing activities of the department and such deputies directors superintendents bureau or division chiefs assistant directors assistant superintendents assistant chiefs experts engineers draftsmen acountants secretaries auditors inspectors examiners statisticians clerks stenographers bookkeepers messengers laborers and other assistants and employes as may be required in the performance of the duties above mentioned and such special deputy attorneys general assistant deputy attorneys general and attorneys as may be assigned by the Attorney General to the department or for handling any legal business pertaining to its work

(b) For the payment of the salaries wages or other compensation board lodging uniforms arms and equipment and their maintenance and traveling and other necessary expenses of State Highway Patrolmen

(c) For the purchase maintenance and repair of furniture furnishings stationery supplies materials equipment fuel motor vehicles and printing and binding and for the payment of premiums on policies of insurance covering motor vehicles operated by employes of the department and surety bonds for officers or employes of the department required to furnish such bonds but all such purchases shall be made and all such contracts of insurance and surety bonds shall be placed through the Department of Property and Supplies as purchasing agent

(d) For the payment of postage telegrams telephone rentals and toll charges and rentals for or royalties upon leased office equipment or other devices or machines

(e) For the construction through the Department of Property and Supplies or other purchase and repair or maintenance of buildings for the use of the State Highway Patrol

(f) Through the Department of Property and Supplies to purchase or lease lands and to construct thereon highways and buildings suitable for the examination of applicants for operators' licenses or to purchase or lease lands for the use of of the State Highway Patrol

(g) For the payment of transportation medical attendance and hospital charges of employes injured or killed in line of duty and the payment of workmen's compensation to injured employes or dependents of deceased employes or the payment of premiums upon policies insuring the Commonwealth against workmen's compensation liability to employes or dependents of employes of the department Provided That such insurance shall be carried only with the approval of the Governor

(i) For the payment of traveling expenses and witness fees in the amount of two ($2) dollars per capita per diem to witnesses testifying for the Commonwealth at hearing and for the payment of fees charged by the physicians for examining persons suspected of operating motor vehicles while intoxicated whenever such persons are found as a result of such examination not to be intoxicated except that no sum in excess of five ($5) dollars shall be paid to any physician for such an examination

(j) For the payment of expenses in connection with traffic safety educational work exhibits photography models and other exhibition or educational accessories and for all other expense of every kind and description necessary effectively to carry on this work

(k) For the purchase of registration plates and any other expense incidental thereto

(l) For the payment of rewards for detection of fraud

(m) For all other expenses of every kind and description necessary for the performance by the department of the aforesaid work

(n) For payment to the Department of the Auditor General of the cost incurred by that department in auditing requisitions drawn on the Motor License Fund and in auditing annually periodically or specially the aforesaid affairs of the Department of Revenue at such amounts as the Department of the Auditor General with the approval of the Executive Board shall determine

(o) For payment to the Treasury Department of the cost of making disbursements out of the Motor License Fund on behalf of the Department of Revenue in the performance of the duties above mentioned at such amounts as the Treasury Department with the approval of the Executive Board shall determine

(p) For payment to the Department of Property and Supplies for space occupied in the Capitol buildings and for water light heat power telephone and other services utilized and consumed by the Department of Revenue in the performance of

the above mentioned duties at such amounts as the Department of Property and Supplies with the approval of the Executive Board shall determine

Section 2 That Section four of said act as amended by the act approved the twenty-ninth day of May one thousand nine hundred eighty-nine) is hereby further amended to read as follows

Section 4 The remainder of the money from time to time in the Motor License Fund is hereby appropriated to the Department of Highways for the following purposes

(a) For the payment of the salaries wages or other compensation and the traveling and other necessary expenses of the Secretary of Highways such deputies directors superintendents bureau or division chiefs assistant directors assistant superintendents assistant chiefs experts scientists engineers surveyors draftsmen accountants secretaries auditors inspectors examiners statisticians clerks stenographers bookkeepers messengers laborers and other assistants and employes as may be required for the proper conduct of the work of the department and such special deputy attorneys general assistant deputy attorneys general and attorneys as may be assigned by the Attorney General to the department or for handling any legal business pertaining to its work

(b) For the purchase maintenance and repair of furniture furnishings stationery supplies materials equipment fuel motor vehicles and printing and binding and for the payment of premiums on policies of insurance covering motor vehicles operated by employes of the department and surety bonds for officers and employes of the department required to furnish such bonds but all such purchases shall be made and all such contracts of insurance and surety bonds shall be placed through the Department of Property and Supplies as purchasing agent except that the Department of Highways may purchase directly equipment materials and supplies necessary for the construction and repair of highways if such equipment materials or supplies are not on the schedule of the Department of Property and Supplies

(c) For the payment of rentals for branch buildings and repairs thereto

(d) For the payment of postage telegrams telephone rentals and toll charges and rentals for or royalties upon leased office equipment or other devices or machines

(e) For maintaining reconstructing replacing and repairing or assisting in maintaining reconstructing replacing and repairing State highways State-aid highways and any other highways which the department may be authorized to maintain reconstruct replace and repair or assist in maintaining reconstructing replacing and repairing and of such bridges as the department may be authorized by law to maintain reconstruct replace and repair or to assist in maintaining reconstructing replacing and repairing

(f) For constructing and improving or assisting in constructing and improving State highways State-aid highways and any other highways or streets and any bridges which the department may be authorized by law to construct or improve or assist in constructing or improving but the moneys expended by the department under this clause for construction and improvement of highways without expense to the political subdivisions of the State shall be allocated among the several counties in such manner and to such an extent as shall from time to time be provided by law and in the absence of or beyond any such statutory direction shall be expended as the department shall determine and the moneys expended for State aid and upon city streets shall be expended to the extent to which such expenditures shall from time to time be authorized by law

(g) For the maintenance and repair of all interstate bridges over the Delaware River between the Commonwealth and the State of New Jersey now owned or to be acquired or constructed from Morrisville Bucks County to Milford Pike County and of interstate bridges between this Commonwealth and the State of New York now owned or which may hereafter be acquired or constructed

(h) For the payment of transportation medical attendance and hospital charges for employes injured or killed in line of duty and the payment of workmen's compensation to injured employes or the dependents of deceased employes or the payment of premiums upon policies insuring the Commonwealth against workmen's compensation liability to employes or dependents of employes of the department Provided That such insurance shall be carried only with the approval of the Governor

(i) For purchasing acquiring and leasing lands in the name of the Commonwealth containing stone suitable for use in the construction improvement reconstruction replacement or maintenance of highways and to quarry and prepare the stone therein for the use in the construction improvement reconstruction replacement and maintenance of highways to manufacture any other material used in the construction improvement reconstruction replacement or maintenance thereof whether for use by the department in the construction improvement reconstruction replacement or maintenance of highways or for selling the same to contractors engaged in such work or to political subdivisions of the State for the construction improvement reconstruction replacement and maintenance of roads as may now or hereafter be provided by law

(j) For the erection of such buildings and the purchase of such machinery as may be necessary or essential for the proper prosecution of the work of quarrying or manufacturing stone or materials for the construction improvement reconstruction replacement or maintenance of highways

(k) Subject to the approval of the Governor and of the Department of Property and Supplies for the purchase or acquisition of land in the name of the Commonwealth for the purpose of erecting thereon garages storage sheds laboratories or other buildings necessary in connection with the construction improvement reconstruction replacement or maintenance of highways and for the erection on land thus acquired of such garages storage sheds laboratories or other buildings

(l) To propagate or purchase trees shrubs vines or grasses for planting on or along the State highways and to maintain the same

(m) For the purchase installation and maintenance of signs and traffic signals on State highways

(n) For the payment of traveling expenses and witness fees in amount of two ($2) dollars per capita per diem to witness testifying for the Commonwealth

(o) For the payment of damages to property heretofore or hereafter caused or occasioned in connection with the work of the department in the construction improvement maintenance and repair or in the preparation of materials for such purpose of roads highways or bridges under the jurisdiction of the department and for which the Commonwealth is responsible for maintenance and attributed to negligence or carelessness on the part of the employes of the department not exceeding however the sum of twenty-five thousand ($25,000) dollars during any fiscal biennum All claims for damages to property payable hereunder shall be submitted to the Secretary of Highways in writing verified by affidavit and the secretary shall investigate the same and determine the amount to be paid if any subject to the approval of the Attorney General

(p) For all other expenses of every kind and description necessary effectively to carry on the work of the department as authorized by law

(q) For payment to the Department of the Auditor General of the cost incurred by that department in auditing requisitions drawn on the Motor License Fund and in auditing annually periodically or specially the aforesaid affairs of the Department of Highways at such amounts as the Department of the Auditor General with the approval of the Executive Board shall determine

(r) For payment to the Treasury Department of the cost of making disbursements out of the Motor License Fund on behalf of the Department of Highways in the performance of the duties above mentioned at such amounts as the Treasury Department with the approval of the Executive Board shall determine

(s) For payment to the Department of Property and Supplies for space occupied in the Capitol buildings and for water light heat power telephone and other services utilized and consumed by the Department of Highways in the performance of the above mentioned duties at such amounts as the Department of Property and Supplies with the approval of the Executive Board shall determine

Section 3 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1789, as follows:

An Act to further amend paragraph (a) of section nine of the act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled "An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing the Banking Department Act of nineteen hundred and nineteen with table of contents" by making the moneys in the Banking Department Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That paragraph (a) of section nine of the act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled "An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing the Banking Department Act of nineteen hundred and nineteen with table of contents" as last amended by the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred ninety-six) is hereby further amended to read as follows

Section 9 Maintenance of Departments

(a) Expenses All moneys derived by the department from fees assessments charges penalties and otherwise shall be paid by the secretary through the Department of Revenue into the State Treasury for safe keeping and shall by the State Treasurer be placed in a separate fund to be available for the use of the department upon requisition of the secretary All such moneys so paid into the State Treasury are hereby specifically appropriated to the department for the purpose of paying the salaries of the secretary the deputies the examiners the other employes of the department and such special deputy attorneys general assistant deputy attorneys general and attorneys as may be assigned by the Attorney General to the department or for handling any legal business pertaining to its work [and] the expenses of the department including the rental and furniture of such rooms or quarters as the secretary may deem necessary outside of the Capitol and for the purchase through the Department of Property and Supplies of surety bonds for such officers or employes of the department as may be required to furnish them supplies materials motor vehicles workmen's compensation insurance covering the officers and employes of the department and liability insurance covering vehicles purchased out of moneys of said fund and the employes of the department operating said vehicles for payment to the Department of the Auditor General of the cost incurred by that department in auditing requisitions drawn on the Banking Department Fund and in auditing annually periodically or specially the aforesaid affairs of the Department of Banking at such amounts as the Department of the Auditor General with the approval of the Executive Board shall determine for payment to the Treasury Department of the cost of making disbursements out of the Banking Department Fund on behalf of the Department of Banking in the performance of the duties above mentioned at such amounts as the Treasury Department with the approval of the Executive Board shall determine for payment to the Department of Property and Supplies for space occupied in the Capitol buildings and for water light heat power telephone and other services utilized and consumed by the Department of Banking in the performance of the above mentioned duties at such amounts as the Department of Property and Supplies with the approval of the Executive Board shall determine In the event that the use of motor vehicles is required only temporarily then such moneys in the fund are available for the payment to the Department of Property and Supplies for the use of such motor vehicles on a mileage basis at such amount per mile as the Department of Property and Supplies with the approval of the Governor shall determine

Estimates of the amounts to be expended under this act from time to time by the Department of Banking shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations made to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition for the expenditure of any moneys out of this appropriation by the Department of Banking in excess of the estimates approved by the Governor Subject to the foregoing provision the Auditor General shall upon requisition of the secretary from time to time draw warrants upon the State Treasurer for the amounts specified in such requisitions not exceeding however the amount in such fund at the time of the making of any such requisition

Section 2 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

(SPEAKER GROVER C. TALBOT IN THE CHAIR)

HOUSE BILL No. 1681 MADE SPECIAL ORDER

Mr. SOWERS. Mr. Speaker, I move that House Bill No. 1681, Printer's No. 341, entitled:

An Act to regulate and restrain the traffic in malt brewed and vinous beverages as herein defined; providing for the licensing of the manufacture, sale, transportation and distribution of such beverages; imposing taxes and license fees; and providing for collection and distribution of revenues therefrom; restricting ownership and interest in licensed places; providing penalties, and repealing existing acts.

be made a special order of business at 2.15 A. M.

The motion was agreed to.

BILLS INTRODUCED AND REFERRED

By Messrs. P. STERLING, STEEDLE, McCLURE and FLYNN. (By request of Joint Legislative Committee on the Finances).

HOUSE BILL No. 2107.

An Act to further amend section six hundred and three of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P .L. 789), entitled, as amended, "An act relating to insurance; establishing an insurance department, and amending, revising and consolidating the law relating to the licensing, qualification regulation, examination, suspension and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations, or exchanges; providing penalties; and repealing existing laws," by further regulating the licensing of insurance agents.

Referred to the Committee on State Government.

By Messrs. P. STERLING, FLYNN, STEEDLE and McCLURE. (By request of Joint Legislative Committee on the Finances.)

HOUSE BILL No. 2108.

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws, one hundred seventy-seven), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal School, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and

administrative officers, and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor, Lieutenant Governor and certain other executive and adiminstrative officers, providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," repealing certain sections; adding certain new sections; eliminating certain administrative agencies; reducing or eliminating salaries of certain public officers; abolishing boards of trustees of State institutions; and generally further reorganizing the conduct of the administrative work of the Commonwealth.

Referred to the Committee on State Government.

By Mr. WITKIN. HOUSE BILL No. 2109.

An Act to amend section two of the act approved the twenty-seventh day of March, one thousand nine hundred and twenty-three, (P. L. 34), entitled "An act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in, and posssession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacturing thereof; defining intoxicating liquor; providing for penalties, forfeitures, and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws;" defining intoxicating liquor.

Referred to the Committee on Judiciary General.

MR. BLUMBERG IN THE CHAIR)

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 1850, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (Pamphlet Laws nine hundred five) entitled "For the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by prohibiting the issuance of certain registration plates unless applied for on a form prescribed and furnished by the department and accompanied by an extra fee

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five hundred one of the act approved the first day of May one thousand nine hundred twenty-nine (Pamphlet Laws nine hundred five) entitled "For the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operation thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended to read as follows

Section 501 Registration Plates to be Furnished by Department

(a) The department shall furnish to every owner whose motor vehicle is registered and for each registration applied for by a manufacturer jobber or dealer in motor vehicles trailers or semitrailers two registration plates and to every owner of a registered trailer semitrailer motorcycle or bicycle with motor attached and for each registration applied for by a manufacturer jobber or dealer in motorcycles or bicycles with motor attached one registration plate

(b) Every registration plate shall have displayed upon it the registration number assigned to the vehicle the name of the Commonwealth which may be abbreviated the year number for which it is issued and any other identification the department may deem necessary The required letters and numerals on such plate or plates shall be not more than five (5) inches in height to be plainly legible from a distance of one hundred (100) feet during daylight except that the required letters and figures on motorcycle motorcycle dealer and bicycle with motor attached plates shall be not more than three and one-half (3½) inches in height

(c) All registration plates shall be assigned to vehicles in the order in which applications for registration are received in the department except such registration plates hereafter designated as "special numbers"

The following registration plates of the series issued by the department shall be classified as "special numbers" and shall not be issued unless application is made as provided

Registration plates numbering from one (1) to nine thousand nine hundred ninety-nine (9999) inclusive from A to Z inclusive without numerals from AA to ZZ inclusive without numerals single letter plates followed by one or two numerals single numeral plates followed by one letter double numeral plates followed by one letter and double letter plates followed by one or two numerals but not to exceed the numeral forty-nine (49) of any series

(d) The department may issue registration plates bearing special designation only to elected members of the legislature judges diplomatic representatives of foreign countries and commissioned officers of the National Guard which plates shall be classified as "special numbers"

(e) The department may issue registration plates bearing special designation to officials of the Commonwealth for use on motor vehicles owned by the Commonwealth

(f) "Special numbers" shall be assigned and issued in the following order

Registration plates without letter numbering from one (1) to two hundred fifty (250) inclusive shall be assigned and issued by the department in the order designated by the Governor

Registration plates bearing special designations shall be assigned and issued to elected members of the General Assembly according to their seniority in the Senate and House of Representatives as determined and furnished to the department by the Secretary of the Senate and Chief Clerk of the House of Representatives

Registration plates bearing special designations shall be assigned and issued to judicial members according to their seniority in the different courts as determined and furnished to the department by the Secretary of the Commonwealth

Registration plates bearing special designations shall be assigned and issued to commissioned officers of the National Guard according to their seniority as determined and furnished to the department by the Adjutant General of the Department of Military Affairs of this Commonwealth

Registration plates bearing special designations shall be assigned and issued to diplomatic representatives of foreign countries according to the alphabetical order of the countries represented within this Commonwealth as determined by the

department from information furnished by the Department of State of the Federal Government

The remaining registration plates designated herein as "special numbers" shall be assigned and issued in the order in which applications for same are received in the department and it shall be the duty of the department to stamp the date and time of receipt on such applications

(g) No special number shall be assigned and issued unless an application for same is made upon a form prescribed and furnished by the department and accompanied by a fee provided herein which shall be in addition to any other form and fee now required by law

The applicant shall set forth in his application four preferences as to the special number desired The department in honoring said application shall give effect so far as the number requested is available in the order in which the applicant has stated his preferences

[(c)] (h) It shall be unlawful to display on any vehicle an altered defaced or forged registration plate or for any employe of the department to issue or assign to any person any registration plates designated as a "special number" except when application is made and accompanied by the fee as provided

Penalty Any person violating any of the provisions of subsection [(c)] (h) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty ($50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 2 That section seven hundred two of said act be and the same is hereby amended to read as follows

Section 702 Motor Vehicles

(a) The fee for annual registration of motor vehicles except as provided in this act shall be at the rate of forty (.40) cents for each horespower or fractnonal part thereof Provided That the minimum fee payable for such annual registration shall be ten ($10) dollars

(b) The fee for registration plates designated as a "special number" under the provisions of this act shall be five ($5) dollars which fee shall be in addition to the registration fee

Section 3 The provisions of this act shall become effective on the first day of July one thousand nine hundred thirty-three Provided however these provisions shall not apply to registration plates issued or to be issued for the year one thousand nine hundred thirty-three

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1033, as follows:

An Act to amend section seven hundred twenty-two of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that the records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended exempting certain veterans' organizations from payment of fees for registration and certificates of titles of motor vehicles owned and used by them

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsyvania in General Assembly met and it is hereby enacted by the authority of the same That section seven hundred twenty-two of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" which was amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws seven hundred fifty-one) is hereby further amended to read as follows

Section 722 Exemptions from Fees

(a) No fee shall be charged for a certificate of title or registration of motor vehicles trailers and semitrailers owned and used by (a) the Federal Government (b) any state other than Pennsylvania which issues titles or registrations to this Commonwealth without charge (c) the Commonwealth of Pennsylvania(d) any city borough incorporated town township county poor or school district of this Commonwealth (e) any duly authorized volunteer fire force hospital humane society or anticruelty society in this Commonwealth (f) by the American Red Cross (g) by churches (h) Girl Scouts of America (i) Boy Scouts of America (j) Salvation Army (k) duly chartered Post or Organization of the American Legion Veterans of Foreign Wars or United Spanish War Veterans of this Commonwealth or La Societe Des Forty Hommes et Eight Chevaux [(k)] (1) mine industrial ambulances [(1)] (m) ambassadors ministers consular representatives and other diplomatic representatives who are entitled to exemption under the terms of a treaty but all such vehicles except those owned and used by the Federal Government shall be titled and registered and shall display registration plates as is now provided for privately owned motor vehicles trailers and semitrailers

(b) No fee shall be required when a certificate or assigned certificate of title is returned to the department for cancellation

(c) No fee shall be charged for replacement or substitution of registration card registration plates operators license card learners permit card or certificate of title when satisfactory proof is furnished the secretary of loss of same in the mails

(d) No fee shall be charged for certified copies or certified photostatic copies of any department record furnished to Federal State county or municipal authorities

(e) No fee shall be charged for special hauling permits issued to the Commonwealth of Pennsylvania any city borough incorporated town township county poor or school district of this Commonwealth

(f) No fee shall be charged for transfer of registration for the succeeding year when such transfer has been received and completed by the department prior to January first of such succeeding year

(g) No fee shall be charged for a certificate of junk issued to any person

(h) No fee shall be charged a manufacturer jobber or dealer for a certificate of title to a motor vehicle when assignement of certificate of title accompanies the application for certificate of title

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 1662, as follows:

An Act to further amend Section fourteen of an act approved the thirteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws two hundred eighty-six) entitled "An act to provide for the health safety and welfare of minors by forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" by requiring minors or their parents or guardians to pay to physicians a fee not in excess of one dollar ($1.00) for physicial examinations made in connection with certificates of physical fitness required by the act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section fourteen of an act approved the thirteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws two hundred eighty-six) entitled "An act to provide for the health safety and welfare of minors by forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" as last amended by the act approved the twenty-first day of March one thousand nine hundred and twenty-nine (Pamphlet Laws forty-five) is hereby further amended to read as follows

Section 14 The certificate of physical fitness required by this act shall be signed by a physician approved by the board of school directors of the school district in which said minor resides and shall state that the said minor has been thoroughly examined by the said physician at the time of the application for an employment certificate and is physically qualified for the employment specified in the statement of the prospective employer In any case where the said physician shall deem it advisable he may issue a certificate of his physical fitness for a limited time at the expiration of which time the holder shall again appear and submit to a new examination before being permitted to continue at work Provided however That in school districts of the first second third and fourth classes the physical examination of a minor provided for by this act shall be made by a physician employed by the board of school directors of the school district in which such minor resides or employed by the Commonwealth as the case may be that the certificate of physical fitness provided for by this act shall be signed by said physician and that [no] the fee or other compensation for such service shall be [required to be] paid by such minor or by his parent or guardian Such fee or other compensation shall not exceed one dollar per examination

Section 2 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of Whole being in in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 1663, as follows:

An Act to amend Section two of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to domestic animals and providing for their appraisement when about to be slaughtered to prevent the spread of disease and regulating payments by the Commonwealth in such cases and the payment of salvage by butchers" by reducing the amount of compensation payable by the Commonwealth for bovine animals destroyed to prevent the spread of disease

Section 1 Be it enacted by the Senate and House of Representaitves of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section two of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to domestic animals and providing for their appraisement when about to be slaughtered to prevent the spread of disease and regulating payments by the Commonwealth in such cases and the payment of salvage by butchers" is hereby amended to read as follows

Section 2 The Commonwealth hereby agrees to compensate owners of domestic animals slaughtered to prevent the spread of disease Such compensation shall be determined as follows

(a) The amount of compensation paid by the Commonwealth together with the salvage and any compensation received by the owner from other sources shall not in any case exceed ninety per cent of the appraised value of the animal and

(b) The amount of compensation paid by the Commonwealth shall not in any case exceed the sum of sixty dollars for a horse jack or mule [forty] thirty dollars for a nonregistered bovine animal [seventy] fifty-five dollars for a pure bred registered bovine animal ten dollars for a nonregistered sheep goat or pig twenty-five dollars for a pure bred registered sheep goat or pig

Claims for purebred registered animals shall be supported by proper certificates of registration and transfer papers issued by recognized purebred registry associations

Section 2 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

PERMISSION GRANTED COMMITTEE TO SIT DURING SESSION OF HOUSE

Mr. McCLURE asked and obtained permission for the Committee on Judiciary General to sit during the session of the House.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1440, as follows:

An Act to amend section one of the act approved the eleventh day of June one thousand eight hundred and seventy-nine (Pamphlet Laws one hundred forty-eight) entitled "An act to require all magistrates and other officials in cities of the first second and third class authorized to take acknowledgments and administer oaths to perform such service free of charge for soldiers and widows of soldiers when making affidavit to papers for the purpose of drawing pensions" by extending the provisions of said act to include bonuses compensation and war risk insurance and extending the application of the act to all political subdivisions of the State

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the eleventh day of June one thousand eight hundred and seventy-nine (Pamphlet Laws one hundred forty-eight) entitled "An act to require all magistrates and other officials in cities of the first second and third class authorized to take acknowledgments and adiminster oaths to perform such service free of charge for soldiers and widows of soldiers when making affidavit to papers for the purpose of drawing pensions" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter it shall be the duty of any magistrate alderman justice of the peace or any other person authorized to take acknowledgements and administer oaths to perform such service for any soldier widow or orphan of a soldier or soldier's parents who may apply to them for the purpose of making affidavit to papers for the purpose of obtaining pensions bonuses compensation and war risk insurance free of charge therefor [Provided That the provisions of this act shall only apply to magistrates aldermen justices of the peace or other persons authorized to take acknowledgments in cities of the first second and third class]

The provisions of this act shall be in full force and effect in all of the political subdivisions of this Commonwealth

Section 2 This act shall be effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2059, as follows:

An Act creating and appropriating a special fund in the State Treasury for the purpose of insuring the Commonwealth against losses of public moneys or securities arising from embezzlement or theft thereof by or the malfeasance of its officers and employes except the officers and employes of the Treasury Department prohibiting the purchase of surety bonds for officers and employes covered by the fund and providing for the investment of the moneys in the fund and the ascertainment of losses to be paid out of the fund

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there is hereby created in the State Treasury a special fund to be known as the Fidelity Insurance Fund for the purpose of insuring the Commonwealth against losses of public moneys or securities arising from the embezzlement or theft thereof by or the malfeasance of the officers and employes of any department board or commission of the Commonwealth except the Treasury Department

Section 2 The fund created by this act and all interest increments and additions thereto shall be and remain in the custody of the State Treasurer and subject to the approval of the Governor shall be invested and reinvested by the Board of Finance and Revenue in investments in which said board may lawfully invest moneys other than those in the State sinking fund Provided however That current receipts and income applicable to said fund shall be deposited at interest in a legal depository for State moneys until the same shall accumulate in sufficient amounts to justify the investment thereof in interest-bearing securities as hereinbefore provided

Section 3 The Fidelity Insurance Fund shall be available for expenditures in the manner hereinafter provided for the indemnification or reimbursement of the Commonwealth for any losses of public moneys or securities due to the embezzlement or theft thereof by or the malfeasance of State officers or employes of any department board or commission of the Commonwealth except the the Treasury Department and for no other purpose whatsoever The Board of Finance and Revenue is hereby authorized and directed to make sale from time to time of such part of such securities as may be necessary for the purposes of this act

Section 4 Whenever any monetary loss is sustained by the Commonwealth due to the embezzlement or theft of public moneys or securities by or the malfeasance of any State officer or employe of any department board or commission except the Treasury Department the department board or commission with which said officer or employe is connected shall make report of such loss to the Government Provided That departmental administrative boards or commissions shall make such report through the department with which they are connected Upon receipt of such report the Governor shall call upon the Auditor General to make promptly a special audit of any books records and accounts necessary to ascertain the amount of loss sustained and copies of said audit shall be promptly submitted to the Governor

Section 5 Any such monetary loss sustained by the Commonwealth and ascertained in the manner herein provided shall be certified by the Governor to the Auditor General who by his warrant shall direct the State Treasurer to transfer from the Fidelity Insurance Fund into the proper fund in the State Treasury a sum equal to the loss sustained by such fund and for such purpose any moneys in the Fidelity Insurance Fund are hereby appropriated

Section 6 For the purpose of providing capital for the Fidelity Insurance Fund the Legislature shall appropriate for payment into the fund sixty per centum of the amount from the General Fund and each special operating fund in the State Treasury which was appropriated by the Legislature for the biennium ending the thirty-first day of May one thousand nine hundred and thirty-three for the purpose of fidelity bonds for officers and employes of the Commonwealth except those of the Treasury Department

Section 7 After the effective date of this act it shall be unlawful for any department board or commission to purchase secure or obtain surety bonds for State officers or employes Provided however That such bonds shall be purchased for the officers and employes of the Treasury Department in the manner now provided by law

Section 8 Any monetary loss recovered or collected by the Commonwealth following defalcation embezzlement or theft of State moneys or securities by any officer or employe of the Commonwealth except officers and employes of the Treasury Department shall be paid into the fund created by this act All income arising from interest upon deposits of the moneys in such fund in any bank or upon securities in which the moneys in said fund are invested shall also be paid into the said fund

Section 9 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideratoin of House Bill No. 2060, as follows:

An Act to amend Section three of the act approved the thirty-first day of March one thousand nine hundred and twenty-seven (Pamphlet Laws ninety-one) entitled "An act relating to municipal indebtedness imposing certain powers and duties upon the Department of Internal Affairs and the officers of counties cities of the third class boroughs towns townships school districts of the second third and fourth classes and poor districts in connection with proceedings to incur and increase indebtedness and the establishing and maintaining of sinking funds fixing the maximum maturity of refunding bonds and providing penalties" by authorizing the Department of Internal Affairs to charge and collect fees for examining and approving proceedings relating to municipal indebtedness

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section three of the act approved the thirty-first day of March one thousand nine hundred and twenty-seven (Pamphlet Laws ninety-one) entitled "An act relating to municipal indebtedness imposing certain powers and duties upon the Department of Internal Affairs and the officers of counties cities of the third class boroughs towns townships school districts of the second third and fourth classes and poor districts in connection with proceedings to incur and increase indebtedness and the establishing and maintaining of sinking funds fixing the maximum maturity of refunding bonds and providing penalties" is hereby amended to read as follows

Section 3 The mayor of each city of the third class the burgess of each borough or town the president of the board of county commissioners of each county the president of the township commissioners of each first class township the chairman of the board of township supervisors of each second class township the president of each school board and the president or chairman of the board of poor directors or overseers of each poor district which shall have any proceedings for the incurring or increasing of indebtedness except notes issued in anticipation of revenue for not more than one year shall before any bonds or evidence of indebtedness are actually issued and sold certify to the Department of Internal Affairs a complete and accurate copy of the proceedings had for such incurring or increasing of indebtedness together with the assessed valuation of the property subject to taxation within the respective municipality the total amount of the existing indebedness [and] the several amounts claimed as permitted deductions in ascertaining the real indebtedness of such municipality and a fee of ten dollars ($10.00) plus an additional fee of one-half of one mill on each dollar of the aggregate par value of bonds certificates or evidences of indebtedness to be issued and sold by such municipality All fees received hereunder shall be paid by the Department of Internal Affairs into the State Treasury through the Department of Revenue

Any officer of any such municipality who shall fail or refuse to certify any such proceedings or other facts as required by this section or who shall wilfully certify any such proceedings or facts which are false or inaccurate shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo imprisonment for a period not exceeding six months or both

Section 2 This act shall become effective immediately upon the date of its final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1668, as follows:

An Act to repeal paragraph (x) of section one of Article II and section eight of Article IV and to amend section forty-seven of Article VI of an act approved the twenty-sixth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred seventy-four) entitled "An act defining public service companies and providing for their regulation by prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a Public Service Commission for the regulation aforesaid prescribing and defining the powers and duties of such Commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said companies providing for the ascertainment by the Commission of the expense and damages resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the commission its officers counsel and employes prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determinations by the courts of common pleas and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders subject to an appeal to the Supreme Court prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains' by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commisison and sections one and two of the act aprpoved the fourth day of June one thousand eight hundred and eighty-three entitled 'An act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals' and an act entilted 'To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloaded within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars' approved twenty-fourth day of May Anno Domini one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act" by eliminating the duties of the Public Service Commission pertaining to the investigation of accidents and authorizing additional fees to be collected for papers filed with the commission

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section forty-seven of article VI of an act approved the twenty-sixth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred seventy-four) entitled "An act defining public service companies and providing for their regulation by prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations en-

gaged or about to engage in the business of public service companies creating and establishing a Public Service Commission for the regulation aforesaid prescribing and defining the powers and duties of such Commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said companies providing for the ascertainment by the Commission of the expense and damages resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the commission its officers counsel and employes prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its order and determinations by the courts of common pleas and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders subject to an appeal to the Supreme Court prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains' by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act approved the fourth day of June one thousand eight hundred and eighty-three entitled 'An act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals' and an act entiteld 'To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloaded within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars' approved twenty-fourth day of May Anno Domini one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act" as amended by the act approved fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws six hundred eighty-four) is hereby further amended to read as follows

Section 47 The commission shall charge and collect the following fees for filing papers and for copies of all official orders documents papers records et cetera

For copies of papers and records not required to be certified or otherwise authenticated by the commission ten cents for each folio of one hundred words

For certified copies of official documents and orders filed in its office fifteen cents for each folio of one hundred words and one dollar for each certificate under seal affixed thereto

For copies of testimony and proceedings taken or had before the commission or a commissioner not required to be certified or otherwise authenticated by the commission ten cents for each folio of one hundred words

For certified copies of testimony and proceedings taken or had before the commission or a commissioner fifteen cents for each folio of one hundred words and one dollar for each certificate under seal affixed thereto

For certifying a copy of any report made by any public service company to the commission two dollars

For each certified copy of the annual report of the commission one dollar and fifty cents

For filing original tariffs and schedules five dollars and for figling each supplement thereto one dollar

For the filing of each application for a certificate of public convenience the sum of five dollars

For the filing of each certificate of notification the sum of [ten dollars] one mill upon each one hundred dollars of the par value of stock and securities issued and upon a face value of fifty dollars for each share of stock issued without par value

For the filing of each application for a certificate of valuation the sum of twenty-five dollars

No fee shall be charged or collected for copies of papers records official documents testimony or proceedings furnished to public officers for use in their official capacity nor for the annual report of the commission in the ordinary course of distribution All fees charged and collected by the commission shall be paid into the State Tresaury through the Department of Revenue

Section 2 That paragraph (x) of section one of Article II and section eight of Article IV of said act are hereby repealed

Section 3 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

MOTION TO RECOMMIT

Mr. FLYNN. Mr. Speaker, I move that this bill be recommitted to the Committee on Federal Relations for the purpose of a hearing.

On the question,

Will the House agree to the motion?

Mr. STERLING. Mr. Speaker and members of the House, the motion just made by the gentleman from Elk, Mr. Flynn, refers to House Bill No. 1668. This is one of the Joint Legislative Committee bills and comes to the House from the State Government Committee. The Chairman of that Committee was hopeful that each of the bills that now appear upon the calendar be advanced.

I want to call the attention of the gentleman from Elk to the fact that the committee to which he wants this bill referred is not a committee that has considered the bill. I hope that he will withdraw his motion to recommit. If it is committed it should go to the State Government Committee.

Mr. FLYNN. Mr. Speaker, then I amend my motion and move that the bill be recommitted to the Committee on State Government. I would like to be heard on this particular bill.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1669, as follows:

An Act to amend Sections three and four of the act approved the twenty-seventh day of April one thousand nine hundred and eleven (Pamphlet Laws one hundred one) entitled "An act for the assignment of judges to districts other than their own for the purpose of expediting business with provision for their compensation" by further regulating the assignment of judges to districts other than their own and requiring such judges to itemize their expenses in reports filed with the Auditor General

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section three of the act approved the twenty-seventh day of April one thousand nine hundred and eleven (Pamphlet Laws one hundred one) entitled "An act for the assignment of judges to districts other than their own for the purpose of expediting business with provision for their compensation" is hereby amended to read as follows

Section 3 Any president judge of any such court where there is only one judge or a majority of any such court where there is more than one judge being of the opinion that it is

necessary for the purpose of expediting the business of the said court shall have the power to call upon any of said judges so registered as aforesaid by transmitting a written request to the prothonotary of the supreme court who shall forthwith send such request to the judge so called upon If no particular judge is designated in the call then the prothonotary shall transmit the request to one of the judges who is registered upon the docket as having time to spare during the period named in said call [and the] The judge who responds to any [such] call under this section and files with the prothonotary a certificate that his own work has been completed or that a substitute judge will not be required in his district because of his absence shall thereupon be assigned to specially preside in the district from which the call has come for the purpose of transacting the business thereof with the same power and authority as vested in the judge or judges of said district Provided That no judge shall be assigned to any district while any judge thereof is assigned to and presiding in another district under the provisions of this act

Section 2 That Section four of said act is hereby amended to read as follows

Section 4 Each judge so assigned and presiding in said court as aforesaid shall at the end of the month in which he is so engaged make and forward to the Auditor General on a blank form to be furnished for that purpose the place or places where he presided as judge the name of the court the number of cases heard and nature of the same that is criminal civil or inequity [and] the number of days engaged and an itemized list of official expenses incurred during such assignment

Section 3 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1666, as follows:

An Act to amend Section nine of the act approved the thirteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws six hundred forty-four) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purpose" by increasing the fee to be charged by the Department of Welfare for certificates of registration

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section nine of the act approved the thirteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws six hundred forty-four) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" is hereby amended to read as follows

Section 9 A fee of [two] ten dollars shall be paid to the Department of Welfare by every association copartnership corporation or individual at the time of filing the original statement All fees shall be paid by the department into the State Treasury through the Department of Revenue

Section 2 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1741, as follows:

An Act to amend Section Ten as amended of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" by providing for the construction and maintenance of certain bridges in boroughs by the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that section ten of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State high-

way and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commisisoner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State-aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township borough county or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as last amended by Act of Assembly approved the twenty-sixth day of June one thousand nine hundred thirty-one (Pamphlet Laws one thousand three hundred eighty-eight) is hereby further amended to read as follows

Section 10 Anything herein contained or any apportionment of the State into highway districts shall not be construed as including or in any manner interfering with the roads streets and highways in any of the cities boroughs or incorporated towns of the Commonwealth Provided That where any road street or highway or bridge over a stream within the limits of any borough or in any incorporated town shall form a continuation of any of the State highways [as herein described] within the limits of any borough or incorporated towns the Department of Highways shall improve or reconstruct any section or sections of such road street or highway which have heretofore been maintained by the Department of Highways or such bridge over a stream to such width as it may deem advisable at the expense of the Commonwealth And provided further That nothing [herein contained shall authorize the Department of Highways to construct reconstruct or maintain any bridge over a stream on any State highway or any continuation thereof within the limits of any borough or incorporated town which have heretofore been maintained in whole or in part by the borough or incorporated town nor shall anything] herein contained shall authorize any assessment to be made against the Commonwealth by reason of or to assist in the elimination of any grade crossing on any highway within the limits of a borough or incorporated town as herein designated and no such assessment shall hereafter be made under any act of Assembly heretofore enacted

The maintenance of any road street or highway or bridge over a stream or of any part or parts thereof which forms a continuation of any highway herein designated in any borough or incorporated town shall be done by the Department of Highways at the expense of the Commonwealth Provided That all improvements reconstruction and maintenance of any road street or highway or bridge over a stream in boroughs or incorporated towns shall be of such width and type as may be determined by the Secretary of Highways

No opening shall be made in the surface of any improved highway which is maintained by the Department of Highways under the authority of this act within the limits of any borough or incorporated town until and unless a permit has been obtained for such opening either from the municipal authorities or from the Department of Highways pursuant to an ordinance passed subsequent to the approval of this act authorizing the Department of Highways to act for the municipality Where a permit is not obtained from the Department of Highways as above provided the borough or incorporated town shall require a cash deposit or bond conditioned upon the proper restoration of the surface and shall be responsible to the Department of Highways for the cost of the restoration of such surface in accordance with the adopted standards of the Department of Highways for the particular type of construction Any person firm or corporation opening the improved surface of any street or highway without having first obtained a permit as hereinbefore provided shall upon summary conviction before a magistrate be sentenced to pay a fine of not more than twenty-five ($25) dollars and in addition thereto the cost of prosecution and surface restoration costs and in default of the payment thereof shall undergo imprisonment for not more than five days

Section 2 This act shall become effective immediately upon its approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORT FROM COMMITTEE

Mr. ROOT, from the Committee on Judiciary General, reported as committed, House Bill No. 2109, entitled

An Act to amend section two of the act approved the twenty-seventh day of March, one thousand nine hundred twenty-three (P. L. 34), entitled "An act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in, and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; defining intoxicating liquor; providing for penalties, forfeitures, and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws"; defining intoxicating liquor.

and asked unanimous consent for the bill to be read for the first time.

The SPEAKER. Will the House give its unanimous consent for this bill to be read for the first time? Are there objections? The Chair hears none and consent is granted.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2109, entitled:

An Act to amend section two of the act aproved the twenty-seventh day of March, one thousand nine hundred twenty-three (P. L. 34), entitled "An act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic, in, and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; defining intoxicating liquor; providing for penalties, forfeitures, and the abatement of nuisances; and repealing existing alcoholic laws and alcoholic liquor license laws"; defining intoxicating liquor.

And said bill having been read at length the first tme,

Ordered, To be laid aside for second reading.

REPORT FROM COMMITTEE

Mr. BALDI, from the Committee on Ways and Means, reported as committed, House Bill No. 2081 (Senate Bill No. 645), entitled

An Act to amend section five of the act approved the nineteenth day of August, one thousand nine hundred and thirty-two (P. L. 92), entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors, as herein defined; prescribing the method and manner of collecting such tax; and providing penalties;" extending the time for payment of the emergency relief sales tax by extending the time of payment of said tax under certain circumstances.

and asked unanimous consent for the bill to be read for the first time.

The SPEAKER. Will the House give its unanimous consent for this bill to be read for the first time? Are there objections? The Chair hears none and consent is granted.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2081 (Senate Bill No. 645), entitled:

An Act to amend section five of the act approved the nineteenth day of August, one thousand nine hundred and thirty-two (P. L. 92), entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors, as herein defined; prescribing the method and manner of collecting such tax; and providing penalties;" extending the time for payment of the emergency relief sales tax by extending the time of payment of said tax under certain circumstances.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill 1661, as follows:

An Act to amend Section three hundred nine of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by prescribing the method of determining the weekly wages of claimants in certain cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section three hundred nine of the act approved the second day of June one thousand nine hundred fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by the act approved the twenty-sixth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred forty-two) is hereby further amended to read as follows

Section 309 Wherever in this article the term "wages" is used it shall be construed to mean the money rate at which the service rendered is recompensd under the contract of hiring in force at the time of the accident and shall not include gratuities received from the employer or others nor shall it include amounts deducted by the employer under the contract of hiring for labor furnished or paid for by the employer and necessary for the performance of such contract by the employe but shall include board and lodging received from the employer Whenever the employe receives board and lodging as a part of his wages the board shall be rated at fifty cents per day and board together with lodging shall be rated at one dollar per day for the purpose of computing wages In seasonal occupations the employe's weekly wages shall be taken to be one-fiftieth of the total wages which he has earned from all occupations during the year immediately preceding the accident unless it be shown that during such year by reason of exceptional causes such method of computation does not ascertain fairly the earnings of the employe in which case the period for calculation shall be extended so far to give a basis for the fair ascertainment of his average weekly earnings In continuous employments if immediately prior to the accident the rate of wages was fixed by the day or hour or by the output of the employe his weekly wages shall be taken to be five and one-half times his average earnings at such rate for a working day and using as a basis of calculation his earnings during so much of the preceding six months as he worked for the same employer Provided however That if the employe regularly and habitually worked more or less than five and one-half days per week the weekly wage shall be found by multiplying his average earnings for each working day by the average number of days during each week that said employe actually worked for said employer during the period of three months immediately preceding the date of the accident for which compensation is claimed [six six and one-half or seven according to the customary number of working days constituting an ordinary week in his occupation or trade] Where the employe is working under concurrent contracts with two or more employers his wages from all employers shall be considered as if earned from the employer liable for compensation

In cases where the employe has been in the employ of the employer less than one full week and by reason of the shortness of time during which the employe has been in the employment of the employer or the nature or terms of the employment it is impracticable to ascertain the average weekly wages as hereinbfore provided the average weekly amount which during the six months previous to the injury has been earned by other persons employed by the same employer under similar contracts of hiring or if there are no persons so employed by other persons employed by other employers under similar contracts of hiring under similar conditions shall be taken as the basis for the ascertainment of the weekly wages of such employe

Section 2 This act shall become effective upon the date of its final enactment

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1660, as follows:

An Act to amend Sections one two fifteen and nineteen of the act approved the sixth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred eighty-eight) entitled "An act to protect the health of the persons employed in bakeries by requiring the ventilation drainage sanitation and purity of bakeries the cleanliness of persons employed therein and of all bakery products tools implements ingredients and other things used in connection with their manufacture delivery and sale by regulating and in certain cases restricting the use of such bakeries by regulating the manufacture sale and delivery of such products by requiring all persons employed or permitted to work therein to be certified as free from certain diseases and skin affections by prohibiting the presence of all animals by requiring a certificate of compliance and regulating the issuance of same by providing for the enforcement of this act and by providing penalties for violations hereof" by reenacting and changing definitions in the act and transferring the duties imposed by the act upon the Department of Labor and Industry to the Department of Health

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section one of the act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred eighty-eight) entitled "An act to protect the health of the persons employed in bakeries by requiring the ventilation drainage sanitation and purity of bakeries the cleanliness of persons employed therein and of all bakery products tools implements ingredients and other things used in conection with their manufacture delivery and sale by regulating and in certain cases restricting the sale of such bakeries by regulating the manufacture sale and delivery of such products by requiring all persons employed or permitted to work therein to be certified as free from certain diseases and skin affections by prohibiting the presence of all animals by requiring a certificate of compliance and regulating the issuance of same by providing for the enforcement of this act and by providing penalties for violation hereof" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same [That all bakeries shall be drained and plumbed in the manner as is now or may hereafter be prescribed by law and the rules and regulations promulgated by the proper authority in pursuance of law]

The following words and terms when used in this act shall have the meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Bakery" All buildings or parts of buildings cellars and basements wherein labor is employed and which are used for the mixing and other preparation of all ingredients entering into the manufacture as well as the manufacture and handling of all bakery products intended for sale

"Products" All macaroni bread cakes crackers biscuits pies crullers rolls pretzels and all other things usually manufactured in a bakery and intended for human consumption as well as all ingredients entering into their manufacture

"Person" Every natural person firm corporation association and copartnership

"Department" The Department of Health of this Commonwealth

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 2 That section two of said act is hereby amended to read as follows

Section 2 All bakeries shall be drained and plumbed in the manner as is now or may hereafter be prescribed by law and the rules and regulations promulgated by the proper authority in pursuance of law

All bakeries shall be well lighted and shall be so constructed that at least two hundred cubic feet of fresh air per minute will be admitted to that part of the bakery where one and not more than three persons are employed in the manufacture of such products If more than three persons are so employed therein then for each such person over three spending three hours or more at a time therein the quantity of air admitted shall be increased by [a] at least sixty-six cubic feet If to produce the ventilation herein required it becomes necessary in any particular instance to install mechanical means for that purpose such means shall be of a permanent practical and substantial nature capable of producing the ventilation therein required and shall be approved by the department Provided however That where in bakeries established at the time of the passage of this act compliance with the provisions of this section requires alterations or additions or where such mechanical means become necessary their completion or installation shall not be required prior to the first day of July one thousand nine hundred and twenty or within such additional period of time as the department may specify

Section 3 That section fifteen of said act is hereby amended to read as follows

Section 15 The Department of [Labor and Industry] Health acting through its duly constituted agency and proper agents shall be charged with the enforcement of the provisions of this act It shall have exclusive power to institute proceedings to punish violations hereof except as to sections one eleven and fourteen of this act the provisions of which may be enforced and proceedings for the violation of which may be instituted by the proper State or local authorities All orders of the department must be complied with within ten days after receipt of written notice thereof or within such additional period of time as the department may specify

Section 4 That section nineteen of said act as amended by the act approved the eighteenth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws five hundred forty-three) is hereby further amended to read as follows

Section 19 Any person violating any of the provisions of this act shall upon conviction for the first offense be fined ten dollars and costs and upon non-payment thereof be imprisoned in the county jail for not more than ten days Upon conviction for a second like offense such person shall be fined twenty-five dollars and costs and upon non-payment thereof be imprisoned in the county jail for not more than twenty days In addition the department may suspend the certificate from the bakery where the violation occurred for such period as the department may decide not to exceed thirty days Upon conviction for a third like offense such person shall be fined fifty dollars and costs and upon non-payment thereof be imprisoned in the county jail for not more than thirty days In addition the department may suspend the certificate for the bakery where the violation occurred for such period as it may decide or may revoke it Before any application for a certificate may be refused or before any certificate hereinbefore provided for may be suspended or revoked by the department the applicant accused or any person affected shall be given a hearing to be held upon not less than ten days' written notice at a place to be designated by the department The notice shall state the reasons for the contemplated refusal or the nature time and place of the offense charged or the nature of the disqualification alleged as well as the time and place of the hearing The hearing shall be conducted in accordance with such rules and regulations as the department may from time to time prescribe and a copy of which shall accompany such notice

Prosecutions for violations of the provisions of this act may be instituted by the Department of [Labor and Industry] Health and shall be in the form of summary proceedings before an alderman magistrate or justice of the peace Upon conviction after a hearing the penalties provided in this act shall be imposed and shall be final unless an appeal be taken in the manner prescribed by law

Section 5 That the definitions preceding Section one of said act as originally enacted are hereby repealed

Section 6 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1111, as follows:

An Act providing for the protection of persons employed in the anthracite coal mines by requiring attendants at certain ventilating fans and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it is unlawful to operate any gaseous anthracite coal mines unless the ventilating fan used for the purpose of supplying air to the persons working therein shall be under the constant supervision and care of an attendant Provided however That this section shall not prohibit the placing of two or more fans under the supervision of one attendant if in the opinion of the mine inspector of the district the locations of the said fans are such that the attendant can readily detect any stoppage or reduction in the speed of any of the fans and if the written permission of such mine inspector so to do is first obtained

Section 2 Any owner operator superintendent or the agent or employe of any such owner or operator who shall violate any provisions of this act or who shall permit the operating of two or more fans under the supervision of one attendant without first obtaining the written permission of the mine inspector of the district or who shall hinder or delay any officer in the performance of his duty in the enforcement of this act shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than two hundred dollars ($200) or undergo an imprisonment of not less than two months or both at the discertion of the court

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1128, as follows:

An Act to amend the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as amended by authorizing council to designate a depository for borough funds and setting forth the effect thereof to secure indemnity bonds and insurance policies and to invest borough funds allowing compensation to president of council while acting as burgess permitting the payment of bonds premiums for borough officials altering the requirement for the levying of taxes defining the effect of non-notice of tax levies altering the provisions relating to tax abatements and penalties altering the expense allowance

of tax collectors fixing the status of land acquired by the borough and providing for the disposition thereof under certain circumstances limiting the requirements of assessment ordinances in sewer construction proceedings permitting the acquisition of land for park purposes in adjacent boroughs and cities and authorizing condemnation proceedings to secure land for airports

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand and six of the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as last amended by section five of the act approved the ninth day of June one thousand nine hundred and thirty-one (Pamphlet Laws three hundred eighty-six) is hereby further amended to read as follows

Section 1006 Duties of Council It shall be the duty of the council a majority of whom shall be a quorum

I To meet statedly at least once a month

II To make and preserve full records of their proceedings

III To enact revise repeal and amend such laws rules regulations and ordinances not inconsistent with the laws of the Commonwealth as it shall deem beneficial to the borough and to provide for the enforcement of the same

IV Except where otherwise in this act provided to publish once in one newspaper printed in the county every enactment regulation ordinance or other general law at least ten days before the same shall take effect

V To cause notices to be served as required by law or ordinance in a manner council may by motion or other action decide

VI To keep open for public inspection in a place provided by the borough any plans of highways that may be made

VII To appoint and remove a treasurer and secretary Council in its discretion may appoint a solicitor a street commissioner and such other officers as it shall deem necessary The treasurer and secretary shall not be members of council

VIII To fix the compensation of the treasurer secretary street commissioner high constable and such other officers and employes as they may appoint to be paid from the borough treasury by orders drawn thereon

IX To fix the amount of security to be given by the treasurer collector of borough taxes the high constable and of such other officers and employes as it may designate

X To direct annually the publication of the accounts of the treasurer

XI To mitigate or remit fines and forfeitures in reasonable cases

XII Whenever the borough funds have been exhausted the borough may by resolution make temporary loans on the credit of the borough in anticipation of taxes to be collected and to issue a certificate of indebtedness therefor All such loans shall be repaid from the first moneys available from taxes in anticipation of which the same were made

XIII To appoint and revoke appointment of one or more depositories for borough funds and fix and approve security to be furnished by any such depository

When funds of a borough are deposited in a designated depository it shall be in the corporate name of the borough and withdrawn therefrom as provided in Section 1105

XIV The borough treasurer shall deposit all such funds in the depository or depositories designated by the borough and when so deposited the borough treasurer shall be released and discharged from further liability

XV To secure such indemnity bonds or policies of insurance as they may deem necessary to protect the borough from loss by reason of fire windstorm burglary larcency dishonesty of employes insolvency depositor or otherwise and to pay for such protection the usual or customary costs

XVI To make temporary investment of borough funds in bonds of the Federal Government or the Commonwealth of Pennsylvania when in its judgment the interests of the borough will be enhanced thereby and to dispose of any such securities when the funds may be needed by the borough Such purchase or sale to be made by the president and secretary of council on a resolution adopted by the council

Section 2 That section one thousand and thirty of said act is hereby amended to read as follows

Section 1030 When President of Council to Act as Burgess Whenever the burgess is absent or incapacitated the duties of his office shall be discharged by the president of council While discharging the duties of the burgess the president of council shall be entitled to the same salary or fees as the burgess would receive and during the time such salary is paid to the president of council as acting burgess the burgess shall not be paid compensation

Section 3 That section one thousand one hundred twenty-eight of said Act is hereby amended to read as follows

Section 1128 Compensation The borough police shall receive a stated salary to be fixed by [ordinance] council at the time of appointment and it shall be unlawful for any borough policeman to charge or accept any fee or other compensation in addition to his salary for any service performed pertaining to his duties or office except public rewards and legal mileage allowed for traveling expenses

Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding fifty dollars and costs or undergo imprisonment not exceeding thirty days or both

Section 4 That section one thousand one hundred and three of said act is hereby amended to read as follows

Section 1103 Bonds Whenever an employe or official of any borough is required to give bond endorsed by a surety company for the faithful performance of his duties the borough may pay the premium thereon

Section 5 That clause fifty-three of section one thousand two hundred and two of said act as last amended by section thirteen of the act approved the ninth day of June one thousand nine hundred and thirty-one (Pamphlet Laws three hundred eighty-six) is hereby further amended to read as follows

LIII Regulation of Contracts To make contracts or purchases in connection with proper legal requirements of the borough Provided That all contracts or purchases other than purchases for water electric light and other public works of the borough or for improvement made by its employes or where the State or county is a party with the borough to a street improvement made by any borough involving an expenditure of over five hundred dollars ($500) shall be in writing and shall not be made except with and from the lowest responsible bidder after due notice by the secretary published once a week for three weeks at intervals of seven days in one newspaper published in such borough and if no newspaper is published therein then by publication in one newspaper printed in the county and circulating generally in the borough and such bids shall be received opened and read in open meeting of council at a time fixed by such notice and not earlier than twenty-one days after the first publication thereof

In case of an emergency so declared by the affirmation vote of two-thirds of all the members of said council or a majority of council plus one when the number composing such council is less than nine the notice shall be published at least one week prior to the time fixed therein for opening bids

The acceptance of bids shall only be made by public announcement at the meeting at which bids are received or at a subsequent meeting the time and place of which shall be publicly announced when bids are received If for any reason one or both of the above meetings shall not be held the same business may be transacted at subsequent meetings provided that one week's notice thereof shall be published in the newspaper aforesaid

The successful bidder when advertising is required herein shall be required to furnish a bond with sufficient surety in the amount of fifty per centum of the amount of the contract within ten days after the contract has been awarded and upon failure to furnish such bond within such time the previous award shall be void

It shall not be lawful for any burgess or member of council of any borough or any officer agent or employe thereof to be in any way interested either directly or indirectly in any contract for the sale or furnishing of any supplies or materials to be furnished to or for the use of such borough involving the expenditure by the borough of more than ten dollars in any one month or more than one hundred dollars in any year or to receive any reward or gratuity from any person interested in such contract or sale nor shall any such burgess member of council officer agent or employe of any borough be a member of any partnership or a stockholder or officer of any corporation or an agent or employe of any individual partnership or corporation in any way interested in any contract for the

sale or furnishing of any supplies or materials to be furnished to or for the use of or any work to be done for such borough involving the expenditure by the borough of more than ten dollars in any one month or more than one hundred dollars in any year and any person violating these provisions or any of them shall forfeit his office or appointment in such borough and also shall be guilty of a misdemeanor and upon conviction thereof be sentenced to pay a fine not exceeding five hundred dollars

Section 6 That section one thousand three hundred and one of said act as amended by section twelve of the act approved the ninth day of June one thousand nine hundred and thirty-one (Pamphlet Laws three hundred eighty-six) is hereby further amended to read as follows

Section 1301 General Levy The council of the borough shall have power by ordinance to levy and collect annually for general borough purposes any tax not exceeding fifteen (15) mills on the dollar on the valuation assessed for county purposes as now is or may be provided by law All property offices professions and persons made taxable by the laws of this Commonwealth for county rates and levies may in the discretion of council be taxed after the same manner for general borough purposes No action on the part of the borough authorities fixing the tax rate for any year at a mill rate need include a statement expressing the rate of taxation in dollars and cents on each one hundred dollars of assessed valuation of taxable property

Section 7 That section one thousand three hundred and seven of said act is hereby amended to read as follows

Section 1307 Notices to Taxables Each tax collector shall within thirty days after receiving the tax duplicate notify each taxable whose name shall appear on said duplicate Such notice shall contain the rate of taxation the valuation of the property of such taxable the occupation of such taxable and the full amount of taxes for which said taxable shall be liable for the current year Such notice shall further state that such taxes are payable shall designate a place and time when they shall be paid and shall further state the time within which an abatement of the tax will be allowed when the full amount of tax will be collected and when an additional percentage will be added as a penalty Such notice shall be mailed to the last known post office address of each of said taxables

Before any allowance is made by the council of the borough for commissions due the tax collector he shall make an affidavit setting forth that he has complied with the provisions of this section

Failure to receive notice shall not relieve any taxable from the payment thereof and he shall be charged with his taxes as though he had received notice but the failure or refusal of a tax collector to exercise diligence and care in the preparation and mailing of notices shall make him and his bondsman liable for any loss to the borough by reason of such neglect

Section 8 That section one thousand three hundred and eight of said act as amended by section fourteen of the act approved the ninth day of June one thousand nine hundred and thirty-one (Pamphlet Laws three hundred eighty-six) is hereby further amended to read as follows

Section 1308 Abatements and Penalties All persons who shall within [ninety] sixty days from the date of notice make payment of any taxes charged against them in the duplicate shall be entitled to a reduction of five per centum from the amount thereof All persons who shall fail to make payment of any taxes charged against them in said duplicate [for six] within four months [after notice given as aforesaid] from the date of said notice shall be charged [five] one-half of one per centum per month additional on the taxes charged against them [which shall be added thereto by the tax collector and collected by him] for each and every month or part thereof that the same shall remain delinquent and unpaid after said four months period

Section 9 That section one thousand three hundred and ten of said act is hereby amended to read as follows

Section 1310 Expenses of Tax Collector The Tax collector may retain out of the taxes collected actual needful expenditures by him for printing postage books blanks and forms

Section 10 That subheading (a) of article fourteen of said act is hereby amended by adding thereto the following sections to read as follows

Section 1416 Title Acquired In all cases where land is taken under eminent domain proceedings other than for highway purposes or is acquired by gift purchase or otherwise the title obtained by the borough shall be in fee simple provided that in particular instances a different title may by agreement be acquired

Section 1417 Land Transferable If the project or purpose for which any land has been taken received or acquired shall be abandoned or found not to be desirable for the best interests of the borough the land thus obtained may be used for other municipal purposes or sold leased or otherwise disposed of

Section 11 That section two thousand one hundred and eight of said act is hereby amended to read as follows

Section 2108 Assessments of Cost Whenever any borough shall so determine to construct any sewer it shall by ordinance assess the cost thereof as a sewage tax upon the property adjoining or adjacent to the same either by the foot-front rule or in such other manner as to the burgess and town council may seem equitable which assessment duly certified under the seal of the borough attested by the burgess or the president of council and secretary shall be collectible from the owner of such property

Such certificate of assessment shall be prima facie evidence in any suit for the recovery of the same of the correctness and validity of such assessment

The assessment herein referred to shall be computed under the terms of the ordinance but the individual assessments need not be expressed therein

Section 12 That section two thousand seven hundred and two of said act is hereby amended to read as follows

Section 2702 Power to Acquire Boroughs may enter upon appropriate and acquire by gift devise purchase lease or otherwise private property within the limits of the borough or in adjacent townships or any borough may designate and set apart any lands or buildings owned by the borough and not dedicated or devoted to other public uses and two or more boroughs may jointly appropriate and acquire by gift devise purchase lease or otherwise private property within the limits of any township adjacent to either of such boroughs for the purpose of making enlarging and maintaining public parks parkways and playgrounds playfields swimming pools public baths bathing places indoor recreation centers and gymnasiums All the costs and expenses relative to any such property acquired by two or more boroughs jointly shall be paid by the respective boroughs in such proportions as may be agreed upon by the councils thereof

Boroughs may likewise acquire private property within the limits of another borough or city for the purposes designated in this section if the other borough or city shall by ordinance signify its consent thereto

Section 13 That section two thousand four hundred and ninety of said act as added by section twenty-four of the act approved the ninth day of June one thousand nine hundred and thirty-one (Pamphlet Laws three hundred eighty-six) is hereby amended to read as follows

Section 2490 Authority to Secure Lands for Airports All boroughs are hereby authorized and empowered to acquire by lease or purchase or condemnation proceedings any land lying either within or without the limits of such boroughs which in the judgment of the corporate authorities thereof may be necessary and desirable for the purpose of establishing and maintaining municipal airdromes aviation landing fields and airport facilities

The proceedings for the condemnation of lands under the provisions of this act and for the assessment of damages for property taken injured or destroyed shall be conducted in the manner provided by article fourteen of the act to which this is an amendment The title acquired by the borough exercising the power of condemnation shall be a title in fee simple

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

TIME EXTENDED ON BILL

Mr. STERLING. Mr. Speaker, I move that the time on House Bill No. 452, Printer's No. 111, entitled

An Act authorizing the transfer to, and acceptance by, the Commonwealth of the Philadelphia Hospital for Mental Diseases at Byberry, and for the management and operation thereof as a State Mental Health Hospital.

on page 46 of today's calendar, bill on second reading postponed, be extended five days.

The motion was agreed to.

BILLS ON SECOND READING

The SPEAKER. The Chair now lays before the House a number of Senate Bills that appeared on the first reading calendar on last Thursday and do not appear on the second reading calendar today.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1444 (Senate Bill No. 47), entitled:

An Act to amend section one hundred and forty-three of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto"; changing the condition of the county treasurer's bond.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1442 (Senate Bill No. 37), entitled:

An Act to amend section two of the act, approved the twenty-eighth day of June, one thousand eight hundred and ninety-five (P. L. 408), entitled "A supplement to the twenty-fourth section of an act, entitled 'An act to provide revenue by taxation, approved the seventh day of June, one thousand eight hundred and seventy-nine,' approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section, by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign insurance companies to the treasurers of the several cities and boroughs within this Commonwealth," as amended; providing for additional payments to relief fund associations of fire departments and fire companies of cities, boroughs and townships which afford fire protection to adjoining boroughs and townships; providing that the burgess of boroughs and secretaries of boards of supervisors shall certify that such fire protection is afforded.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1357 (Senate Bill No. 356), entitled:

A Joint Resolution proposing an amendment to article fifteen section four of the Constitution of the Commonwealth of Pennsylvania

The first section was read as follows:

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section four of article fifteen is hereby amended to read as follows

Section 4 The General Assembly is hereby authorized to provide for the consolidation of the county poor districts cities boroughs and townships of the county of Allegheny and the offices thereof into a consolidated city and county with the constitutional and legal capacity of a municipal corporation to be known as "Greater Pittsburgh" or "Metropolitan Pittsburgh" or "City of Pittsburgh (Metropolitan)" and to provide for a charter for its government and to fix the name thereof in the charter The said charter shall be submitted to the electors of said county at a special or general election to be provided for therein If the majority of the electors voting thereon in the county as a whole and at least a majority of the electors voting thereon in each of a majority of the cities boroughs and townships thereof vote in the affirmative the act shall take effect for the whole county

If rejected the said charter may be resubmitted by the county commissioners to the electors from time to time but not oftener than once in two years until adopted Until a charter shall have been adopted as aforesaid the General Assembly shall have the power to amend or modify the said charter in which event the charter as amended or modified shall be submitted and resubmitted as aforesaid

It shall be competent subject to the police power of the State for the Legislature to provide in said charter

I For the exercise by the consolidated city of all the powers and duties vested in the county of Allegheny and the poor districts thereof and such other powers appropriate to a municipality as may be specified therein except such powers as are specifically reserved by this section to the municipal divisions herein provided for

II For the election of a board of commissioners by districts and/or at large by the electors of the consolidated city the number to be fixed by the charter in lieu of present county commissioners in which board shall be vested all the powers of the consolidated city except as otherwise provided in the charter

III For the organization of a government for the consolidated city and for the appointment and/or election of any officers thereof created by the Constitution or otherwise and to provide for their powers and duties

IV For the organization and reogranization of all courts other than those of record in the consolidated city and for the appointment and/or election of the judges and officers thereof and for the procedure thereof including the right to provide that said court or courts the courts of record which courts may exercise the jurisdiction powers and rights of the magistrates aldermen and justices of the peace and such other jurisdiction and powers as may be conferred by law

V For the transfer to and the assumption by the consolidated city of the property and indebtedness of the county of Allegheny and the poor districts thereof and of such property and indebtedness of the cities borough and townships thereof as relate to the powers and duties of said consolidated city and to provide for an equitable adjustment and arrangement with respect thereto and for the payment of such indebtedness and for this purpose taxation therein arising thereby shall be uniform taxation within the meaning and intent of other provisions of the Constitution

VI For the assessment of property for taxation the levying and collecting of taxes and the payment of the cost of any public or municipal improvement in whole or in part by special assessment upon abutting and non-abutting property specially benefited thereby

VII For the creation by the board of commissioners of districts for the purpose of regulating the location height area bulk and use of buildings and premises

VIII For the creation of indebtedness by the consolidated city within the limits now or hereafter imposed upon cities by other provisions of the Constitution Such power to create indebtedness shall not impair the power of the municipal divisions within the consolidated city to create indebtedness within the limits now or hereafter imposed upon such municipalities by other provisions of the Constitution

IX For the creation by the board of commissioners of special districts for the purpose of carrying on or carrying out any public or municipal improvement not for the exclusive benefit of any one municipal division and for the payment of the cost and maintenance of such property or improvement or any part thereof special taxes may be levied throughout such special districts respectively separate and apart from the general consolidated city tax

X For the exercise of such powers by the consolidated city as may be necessary to enable it to carry on and carry out such municipal and metropolitan powers and functions as

the General Assembly may deem advisable and expedient and for the general welfare of the said city and its inhabitants

Provided however That it is the intent of this section that substantial powers be reserved to the cities boroughs and townships situated in Allegheny County To this end the charter shall provide for the continued existence of the said cities boroughs and townships as municipal divisions of the consolidated city under their present names and forms of government subject to the laws now or hereafter provided for government of municipalities of their respective forms and classes and to the powers conferred upon the consolidated city by the charter and with their present boundaries Any two or more of said municipal divisions or portions thereof may with the consent of a majority of the electors voting thereon in each of such divisions at any special or general election be united to form a single municipal division Wherever a portion of a municipal division is involved the election shall be held in the entire municipal division of which the said portion is a part

The said municipal divisions shall have and continue to have the following powers

I The Constitutional and legal capacity of municipal corporations

II The power to levy and collect taxes and to incur indebtedness subject to the limitations which are or may be imposed by law upon cities boroughs or townships of corresponding classification for the purpose of carrying out any lawful power of said divisions

III The power to acquire own construct maintain operate or contract for all kinds of public property works improvements utilities or services which shall be within the municipal division and where authorized by law without the limits of the municipal division Subject however to the right and power of the consolidated city to construct acquire maintain and/or operate public Works improvements utilities and services of all kinds including through streets highways and/or bridges for the use and benefit of the consolidated city and its inhabitants

IV The power to maintain a local police force and local fire department either paid or volunteer with the necessary buildings appurtenances and equipment therefor which may be independent of or supplemental to the police force and fire department of the consolidated city

V All other powers not specifically granted by the charter to the consolidated city Provided however That a municipal division may surrender by a majority vote of the electors voting thereon at any general or special election any of its powers to the consolidated city subject to the acceptance thereof by the board of commissioners

After a charter has been adopted as aforesaid it may be amended as follows

I In matters which relate only to the powers of the consolidated city and which do not reduce the powers of any one or more of the municipal divisions thereof by the General Assembly Provided however That any amendment which changes or modifies the form of government of the consolidated city or the number of or manner of election of the commissioners thereof shall not be effective until such amendment shall have been ratified by a majority of the electors of the consolidated city voting thereon at a general or special election to be provided for in said amendment

II In matters which reduce the powers of any one or more of the municipal divisions of the consolidated city such amendment enacted by the General Assembly shall not be effective until it shall have been ratified at a general or special election to be provided for in said amendment by a majority of the electors voting thereon in all of the municipal divisions affected thereby and by a majority of the electors voting thereon in each of a majority of said municipal divisions so affected

On the question,

Will the House agree to the section?

Mr. STEEDLE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Section 1, page 3, line 11, by striking out the word "the" following the word "courts" and inserting in lieu thereof the following: "be."

Amend Section 1, page 4, line 25, by striking out the word "May" and inserting in lieu thereof: "may."

Amend Section 1, page 6, line 3, by striking out the word "Works" and inserting in lieu thereof: "works."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agreed to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

A Joint Resolution proposing an amendment to article fifteen section four of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1073 (Senate Bill No. 369), entiled:

An Act to amend section one of the act approved the twenty-first day of March, one thousand nine hundred and twenty-nine (P. L. 37), entitled "An act for the compensation by counties of persons detained as material witnesses in criminal prosecutions"; reducing the compensation of detained witnesses.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1072 (Senate Bill No. 360), entitled:

An Act to validate sheriff's deeds acknowledged previous to the return day of the writ by virtue of which the real estate was sold or acknowledged defectively.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and considera- of House Bill No. 1843 (Senate Bill No. 638), entitled:

An Act providing for the appointment by the court of quarter sessions of the directors of the poor of the Erie County Poor District and abolishing the elected directors; providing for the appointment and compensation of a director of welfare, investigators, assistants, experts and employes, and for the employment and compensation of elected directors whose terms have not expired and repealing existing laws.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1456 (Senate Bill No. 375), entitled:

An Act fixing and regulating the fees, commissions, mileage and other costs chargeable by sheriffs for their official acts and the services of their deputies, watchmen, appraisers and other agents, requiring prepayment of same, unless secured or chargeable to the county, and delivery of itemized receipts therefor; requiring certain payments by the counties, including the compensation of special deputies; providing for the taxation and collection of fees, commissions, mileage and other costs; requiring salaried sheriffs to account to their counties for certain fees and commissions collected and repealing inconsistent laws, general, special or local.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 796 (Senate Bill No. 252), entitled:

An Act to amend section fifty-four of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto"; providing that counties shall also pay the premiums on bonds of county officers given to the Commonwealth.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 789 (Senate Bill No. 173), entitled:

An Act to amend section six of the act approved the thirty-first day of March, one thousand eight hundred and seventy-six (P. L. 13), entitled "An act to carry into effect section five, of article fourteen, of the Constitution, relative to the salaries of county officers and the payment of fees received by them into the State or county treasury, in counties containing over one hundred and fifty thousand inhabitants," by providing for the payment in full of salaries of county officers out of the fees earned before payment of salaries of deputies, clerks or assistants.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1359 (Senate Bill No. 389), as follows:

An Act to amend sections six seventeen and twenty-six of the act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws seven hundred ten) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" as amended by extending the provisions of said act so as to include bookers booking agents representatives of booking agencies for services of wrestlers modifying license fees in certain cases exempting amateur boxing or wrestling in schools colleges and universities

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six of the act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws seven hundred ten) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" as amended by section three of the act approved the twenty-ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred sixty) is hereby further amended to read as follows

Section 6 Corporations and Persons Required to Procure Licenses Definitions All corporations or persons physicians referees judges announcers matchmakers timekeepers professional boxers professional wrestlers their managers and seconds bookers booking agents or agencies or representatives of booking agencies for services of wrestlers shall be licensed by the said commission and no such corporation or person shall be permitted to participate either directly or indirectly in any such boxing sparring or wrestling match or exhibition or the holding thereof unless such corporation and all such persons shall have first procured a license from the commission For the purpose of this act a "professional boxer" or a "professional wrestler" is deemed to be one who competes for money or teaches or pursues or assists in the practice of boxing or wrestling as a means of obtaining a livelihood or pecuniary gain and any contest conforming to the rules regulations and requirements of this act shall be deemed to be a boxing match and not a prize fight

Section 2 That section seventeen of the said act as amended by section seven of the act approved the twenty-ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred sixty) is hereby further amended to read as follows

Section 17 License Fees Each applicant for a license shall before a license is issued by the commission and annually thereafter during the life of such license pay to the commission a license fee as follows Corporations or persons in cities of the first class two hundred and fifty dollars in cities of the second class one hundred dollars in cities of the third class fifty dollars and elsewhere twenty-five dollars bookers booking agents or representatives of booking agencies for services of wrestlers one thousand dollars physicians ten dollars referees twenty-five dollars judges five dollars timekeepers five dollars professional boxers five dollars professional wrestlers five dollars managers twenty-five dollars seconds five dollars announcers five dollars and matchmakers ten dollars but the commission may issue without fee licenses to referees or physicians authorizing such referees or physicians to officiate only at boxing sparring or wrestling matches or exhibitions between amateurs and only without receiving any compensation for their services Permits for matches or exhibitions in which only amateurs participate shall be issued without fee and may be issued for a single match or exhibition or a series of matches or exhibitions for a period not exceeding one year

Section 3 That section twenty-six of the said act as amended by section twelve of the act approved the twenty-ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred sixty) is hereby further amended to read as follows

Section 26 The provisions of this act shall not prohibit any duly constituted organization or association organized for a lawful purpose from having boxing sparring and wrestling matches and exhibitions in connection with entertainments when such matches or exhibitions are conducted not for profit Provided That before such match or exhibition is held a permit is granted by the commission

None of the provisions of this act shall apply to boxing sparring or wrestling matches conducted or sponsored by or for any university college or secondary school wherein all of the contestants are students regularly enrolled as such in the universities colleges or secondary schools participating in such matches In all such cases matches shall be conducted under the supervision management and control of the authorities of the university college or secondary school conducting or sponsoring the same or under the supervision and control of an intercollegiate or interscholastic association of which all participating colleges universities and secondary schools are members

And said bill having been read at length, the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. REED. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary Local for the purpose of further study.

The motion was agreed to.

(SPEAKER GROVER C. TALBOT IN THE CHAIR)

The SPEAKER. The Chair desires to publicly thank the gentleman from Philadelphia, Mr. Blumberg, for his efficiency in handling the work at the desk.

BILL ON THIRD READING (SPECIAL ORDER)

The SPEAKER. The hour of 2.15 having arrived the Chair lays before the House the special order fixed for this hour, being House Bill No. 1681, Printer's No. 341.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1681, entitled:

An Act to regulate and restrain the traffic in malt brewed and vinous beverages as herein defined providing for the licensing of the manufacture sale transportation and distribution of such beverages imposing taxes and license fees and providing for collection and distribution of revenues therefrom restricting ownership and interest in licensed places providing penalties and repealing existing acts

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shal lthe bill pass finally?

Mr. SOWERS. Mr. Speaker and members of the House, probably no more important bill will come before you this session than the present bill.

The present bill is a revenue raiser, and it is estimated that it will raise during the next two years from twenty-four million to thirty million dollars.

he bill is before you tonight as a special order of business and needs attention tonight for that reason. Legal beer goes into effect Friday. If the bill is passed by the House tonight, it will go over to the Senate tonight and will be referred by the Senate to a committee tomorrow and then that committee will report it out and it will have first reading. It will then be referred back to a committee. I wish to say to the members of the House that the numerous objections here and there to the bill will then be ironed out in that Senate Committee and practically every objection will be met.

I ask the members of this House to vote aye on this bill and vote so with a reliance that the Senate will amend the bill to meet the wishes of everybody.

Mr. SARIG. Mr. Speaker and members of the House, in order to expedite matters and knowing that the time is short, I will ask the Democratic members to vote for the bill as it is in the hope and with the understanding that it will be amended further in the Senate.

Mr. LEONARD P. KANE. Mr. Speaker and members of the House, due to the lateness of the hour, I am going to make my remarks brief, especially in view of Mr. Sowers' remarks on the same subject.

I do want to say, however, that I consider this one of the most important bills before the House.

We have been wrangling on this bill for a period of six weeks. There have been several propositions submitted. We considered commission forms, and after going into the statistics, we found that they were not very practicable.

We also considered the question of dividing the state into several sections. We found that it would be impossible to appoint commissions to cover these different sections on account of taking in five or six or ten or more counties, and finally the committee agreed on this bill, House Bill No. 1681, which is known as the Sowers-Conner bill.

There are several controversial matters between the Governor's bill and this bill. The Governor has seen fit to criticize this bill. The Governor's plan corresponds to ours in a great many details, word for word, but there are two or three points with which he does not agree; that is, the form of licensing and how to get licenses.

Under the Governor's plan he proposes that the Department of Revenue shall issue the licenses. He is quoted as saying that these licenses could be issued the same as automobile plates. I think you will all agree with me that that plan would not be practicable. All that would be necessary there would be to enclose ten or fifteen dollars with your application and mail it on here to Harrisburg.

He also proposes that licenses be granted to grocery stores, delicatessen, barbecue and weiner stands and drug stores. If that plan were adopted I think the beer gardens would grow up more enormously in the future than the Tom Thumb golf courses did in the past few years.

In regard to licensing grocery stores, I have reliable information that at the present time one of the large chain stores has an option on a brewery down east, and if they are granted a permit to sell beer they will put it on the market at cost or even below cost in order to get additional patronage. That would force our local brewers out of business, they would be compelled to close their plants and dismiss the employes that they have at the present time.

In regard to giving licenses to delicatessen stores and confectionery stores, I merely dwell on that matter because I think you will agree with me that it is not practicable. We all know that the usual meeting house for high schools is usually a confectionery store, and I don't think that any member of this House would want to see beer sold there.

Our plan is to give it o the judges of the county courts, because we feel that the citizens of Pennsylvania have respect and confidence in their judges. There will not be any politics played. The Governor has seen fit to throw smoke screens up and cry that it must be kept out of politics, and suggests that it be given to the Department of Revenue. It seems to me that when anyone suggests jobs to the Governor himself it seems to be philanthropic with him.

Under the Governor's plan no publicity would be given to the applications. Under the Sowers-Conner bill it is proposed that applicants file their applications at least three weeks in advance and that the notice shall be published by the clerks of the courts in local papers for at least three times.

If we had the Department of Revenue issuing licenses no one would know who was receiving the licenses, and if you wanted to make a complaint you would have to travel several hundred miles down here at great expense and inconvenience. The judges are familiar with the conditions in their own counties and are always around to receive any reasonable complaints. The Department of Revenue is ignorant of the conditions surrounding the local counties.

The Governor also proposes to tax the brewers $2.48 a barrel. Under the Sowers-Conner bill the tax will be one dollar a barrel. We have found from the manufacturers that

it would be impossible to sell beer to the working man for five cents a glass if they had to pay $2.48 tax. Another bad feature is that the brewers outside of Pennsylvania could ship beer into Pennsylvania in competition with our local brewers.

I ask that House Bill No. 1681 be given the united support of all the Republicans, Democrats, Socialists and Independents. It does not matter whether you are classified as wet or dry. That is not the question now. The Congress of the United States and the President have decided that question for you. So I beg you all to give this House Bill No. 1681, your united support.

Mr. FITZGERALD. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Sowers.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Sowers, permit himself to be interrogated?

Mr. SOWERS. Mr. Speaker, I will.

Mr. FITZGERALD. Mr. Speaker, did I understand the gentleman to say that this bill was to be amended in the Senate?

Mr. SOWERS. Mr. Speaker, I so stated.

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the gentlemen from Philadelphia, Mr. Sowers.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Sowers permit himself to be interrogated?

Mr. SOWERS. Mr. Speaker, I will. One question, it is too late for many.

Mr. ANDREWS. Mr. Speaker, I would like to ask the gentleman from Philadelphia, Mr. Sowers, just one question. I understood that this bill is to be amended to meet objections. Whose objections?

Mr. SOWERS. The gentleman's objection, Mr. Speaker. Now, I have answered the one question.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156

Andrews,	Gallagher,	Maloney,	Sarig,
Baldi,	Gartner,	Marcks,	Sautter,
Barnhardt,	Gorman,	Mason,	Schrope,
Bechtel,	Green,	McBride,	Schwab,
Beech,	Greenstein,	McGinnis,	Schwartz,
Bennett,	Griffith,	McGrail,	Scorza,
Blumberg,	Habbyshaw,	McGregor,	Shenkel,
Boyd,	Haines,	McHenry,	Shettel,
Brancato,	Hamilton,	Melchiorre,	Shreiner,
Brennan,	Harmuth,	Metzler,	Shugarts,
Brown, J. E.,	Harris,	Mohn,	Simon,
Brown, W. L.,	Hart,	Moore,	Sinwell,
Cannon,	Heffernan,	Munley,	Sowers,
Caputo,	Hefferon,	Myers,	Spann,
Carey,	Heffner,	Nothnagle,	Stank,
Carson,	Hermansen,	O'Connor,	Steedle
Chervenak,	Hester,	O'Keefe,	Sterling, P.,
Cohen,	Himes, L. R.,	O'Neill,	Sterling, R. B.,
Conner,	Hoffman,	O'Rourke,	Stevens,
Cooke,	Holmes, J. B.,	Patterson,	Stiteler,
Cordier,	Hoopes,	Pennock,	Storb,
Craig,	Horst,	Perry, D. R.,	Tahl,
Cramer,	Hough,	Perry, J. J.,	Terry,
Dane,	Howard,	Peters,	Turner,
Davies,	Jaffe,	Powell,	Wagner,
Denning,	Kane, J. J.,	Powers,	Walker, G. E.,
Downey, G. E.,	Kane, L. P.,	Price,	Weidemann,
Downey, J.,	King,	Quinn,	Welsh,
Duffy,	Kinney,	Raub,	Westrick,
Dwyer,	Lane,	Rectenwald,	Williams, J. J.,
Ederer,	Laubach,	Reed,	Wilson, L. M.,
Emhardt,	Lenahan,	Reilly,	Wilson, T. B.,
Eroe,	Lewis,	Rice,	Witkin,
Evans,	Long,	Roan,	Woodside,
Fitzgerald,	Lovett, J. E.,	Root,	Yeakel,
Flanagan,	Lynch, J. R.,	Roth,	Yourishin,
Fleisher,	Lynch, M.,	Royle,	Zimmerman,
Flinchbaugh,	Male,	Ruby,	Talbot,
Flynn,	Malina,	Ruth,	Speaker.
Forrest,			

NAYS—22

Baker,	Hutton,	Meredith,	Wade,
Brownfield,	Jones,	Schrock,	Wall,
DeFrehn,	Lord,	Sheffer,	Way,
Gillette,	Lovett, W. S.,	Shellenberger,	Wood,
Hewitt,	McCandless,	Stott,	Wright,
Holmes, J. L.,	McElwee,	Surface,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASON FOR VOTE

Mr. WOODSIDE. Mr. Speaker, I desire to file the following reason for my vote on this bill:

Because prompt passage of a regulatory measure is important and because I believe that the court can better protect the people from the evils arising from the sale of beer than a political commission I vote "aye" on House Bill No. 1681.

ADJOURNMENT

Mr. HOUGH. Mr. Speaker, I move that this House do now adjourn until tomorrow, April 4, 1933, at 11 A. M.

The motion was agreed to, and (at 2.35 A. M.) the House adjourned until April 4, 1933, at 11.00 A. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1933 — 130th of the General Assembly

Vol. 15 — HARRISBURG, PA., TUESDAY, APRIL 4, 1933. — No. 42

SENATE

TUESDAY, April 4, 1933

The Senate met at 11 o'clock A. M.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

PRAYER

The Chaplain, Rev. George P. Donehoo, offered the following prayer:

Almighty God, the Director and Guide of all movements among men, we beseech Thee that we may come to the source wherein that law in history is revealed in Thy word, that it is still the foundation of all of the movements of men. Help us to study the history of Thy people as it is written in Thy word and see that that same law is working now. May we see the function which fear has played in all the affairs of nations and of men. Take from us all fear, and may we have our lives and the life of our Commonwealth and nation founded not upon theory but upon knowledge as it is revealed in Thy word. Guide us and direct us and direct this Senate and this State by the knowledge of the law of God as it is written in His Word, and may it be so in our own individual lives that fear may be taken away and joy given in all that we do. We ask in Christ's Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HUNSICKER, the further reading was dispensed with, and the Journal was approved.

PETITION

PROTESTING AGAINST THE REPEAL OR MODIFICATION OF THE "SUNDAY LAWS"

The Chair cleared his table and laid before the Senate petition from citizens of Valencia and community, Butler County, protesting against the repeal or modification of the "Sunday Laws."

Which was referred to the Committee on Law and Order.

FINAL REPORT OF THE PENNSYLVANIA STATE COMMISSION FOR THE COMMEMORATION OF THE 200TH ANNIVERSARY OF THE BIRTH OF GEORGE WASHINGTON

The Chair laid before the Senate the final report of the Pennsylvania State Commission for the Commemoration of the 200th Anniversary of the Birth of George Washington.

(For report see appendix)

HOUSE MESSAGES

RESOLUTION AUTHORIZING PRINTING OF THE PROCEEDINGS OF MEMORIAL SERVICE FOR HONORABLE AUGUSTUS F. DAIX, Jr.

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in resolution of the Senate as follows:

In the Senate, April 3, 1933.

Resolved (if the House of Representatives concur), That five hundred copies of the proceedings of the memorial service held in honor of the late Honorable Augustus F. Daix, Jr,. be printed for the use of the Senate.

RESOLUTION AUTHORIZING PRINTING OF THE PROCEEDINGS OF MEMORIAL SERVICE FOR HONORABLE FRED M. SPROUT.

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution of the Senate as follows:

In the Senate, April 3, 1933.

Resolved (if the House of Representatives concur), That five hundred copies of the proceedings of the memorial service held in honor of the late Honorable Fred M. Sprout be printed for the use of the Senate.

HOUSE BILL FOR CONCURRENCE

He also presented for concurrence bill of the House of Representatives as follows:

House Bill No. 168 (Senate Bill No. 890), entitled:

An Act to regulate and restrain the traffic in malt, brewed and vinous beverages as herein defined; providing for the licensing of the manufacture, sale, transportation and distribution of such beverages, imposing taxes and license fees; and providing for collection and distribution of revenue therefrom; restricting ownership and interest in licensed places; providing penalties, and repealing existing acts.

Which was committed to the Committee on Finance.

NOMINATIONS BY THE GOVERNOR

Secretary to the Governor being introduced presented communications in writing from His Excellency the Governor of the Commonwealth, which were read as follows and referred to the Committee on Executive Nominations:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public for terms of four years to compute from the date set opposite their names:

MONTGOMERY COUNTY

Miss Elizabeth B. Hoffman, Lansdale, April 7, 1933.

BERKS COUNTY

George W. Gillingham, Reading, April 9, 1933.

WASHINGTON COUNTY

Wm. J. Iams, Washington, April 13, 1933.

LAWRENCE COUNTY

Norman A. Martin, New Castle, April 14, 1933.

ALLEGHENY COUNTY

Henry W. Baldwin, Pittsburgh, April 16, 1933.

PHILADELPHIA COUNTY

H. H. Sinnamon, Philadelphia, April 29, 1933.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, April 4, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

J. Paul Flaherty, East Pittsburgh.

BERKS COUNTY

A. A. Lesher, Lenhartsville.

BLAIR COUNTY

Frank L. Stonebraker, Tyrone.

CAMBRIA COUNTY

Boyd E. Thompson, Portage.
Miss Verna Williams, Ebensburg.

FAYETTE COUNTY

Mike Unetich, Republic.

LAWRENCE COUNTY

George F. Sherman, New Castle.

LUZERNE COUNTY

Will A. Shiffer, Pittston.

MONROE COUNTY

Joseph L. Williams, Pocono Manor.

SCHULYKILL COUNTY

Michael Cutler, Minersviller.

WAYNE COUNTY

Mrs. Kathryn K. Krautter, Newfoundland.

GIFFORD PINCHOT.

REPORTS FROM COMMITTEE

Mr. LANIUS, from the Committee on Education, reported as amended, Senate Bill No. 478, entitled:

An Act to amend paragraph two of section four as amended and paragraph two of section six as amended, and paragraph nine to section eight of the act approved the eighteenth day of July one thousand nine hundred seventeen (Pamphlet Laws one thousand forty-three) entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties," by providing for the payment of administrative expenses from excess interest earnings making an appropriation therefor and providing for the reduction in the rate of payment to State Annuity Reserve Account Number Two.

Mr. BATCHELOR, from the Committee on Judiciary General, reported as committed, Senate Bill No. 762, entitled:

An Act to amend the act approved the twenty-fifth day of February, one thousand eight hundred and seventy-five (P. L. 4), entitled "A supplement to the act, approved March thirty-first, one thousand eight hundred and sixty, entitled 'An act to consolidate revise and amend the penal laws of this Commonwealth,' further defining the offence of kidnapping, and affixing additional penalties thereto," by increasing the penalty for kidnapping with intent to extort money for restoration.

Mr. TRAINER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 816 (House Bill No. 974), entitled:

An Act providing that whenever a husband or wife creates a trust fund of personal property, reserving for himself or herself during his or her life time any part of the income or benefits therefrom, and disposing of the principal or income upon his or her death, such trust shall be subject to the rights of the surviving spouse under the intestate laws.

Mr. SALUS, from the Committee on Judiciary General, reported as committed, Senate Bill No. 715 (House Bill No. 1325), entitled:

An Act providing that the lien of any tax or municipal claim assessed upon or with respect to real property and of any judgment entered therefor and any execution to enforce such lien or judgment shall be limited to the property against which said tax has been assessed and shall not impose personal liability upon the owner of such property.

TIME OF NEXT MEETING

Mr. ARMSTRONG offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 4, 1933.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene Monday evening, April 10, at nine o'clock; and when the House of Representatives adjourns this week it reconvene Monday evening, April 10, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION RELATIVE TO REFUNDING DEFERRED PAYMENTS OF GASOLINE TAX

Mr. CHAPMAN offered the following resolution, which was twice read and referred to the Committee on Finance:

In the Senate, April 4, 1933.

Whereas, As a result of the bank holiday and moratorium which occurred during the early part of March, 1933, with numerous banks through out the State of Pennsylvania still closed or operating under restrictions, causing the accounts of many firms and individuals to be impounded and collection of funds thereby seriously interfered with; therefore, be it

Resolved, That the Board of Finance and Revenue of the State of Pennsylvania be authorized under section 503, of the Fiscal Code to refund any determination set up by the Department of Revenue under the Liquid Fuels Tax Act approved May 21, 1931 (P. L. 149), effective June 1, 1931, for the failure to pay gasoline taxes by holders of Liquid Fuels Permit within the State, and also to refund any interest assessed on deferred payments as a result of the banking situation.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 68, entitled:

An Act increasing the discretionary powers of boards of school directors in school districts of the second class with reference to the assessment, levy and collection of taxes.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 391, entitled:

An Act to amend sections six hundred and fifteen, six hundred and sixteen and six hundred and twenty of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as amended, limiting the circumstances under which an operator's license or learner's permit may be suspended; providing that an appeal from such action by the secretary shall act as a supersedeas; and modifying the penalties for violations of license provisions.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON FINAL PASSAGE POSTPONED

Mr. BENNETT. Mr. President, I move that the Senate do now resume the consideration of Senate Bill No. 275, on final passage, postponed, entitled:

Mr. GRAFF. Mr. President, I second the motion.

The motion was agreed to.

An Act requiring State-aided hospitals under certain conditions immediately to admit indigent veterans as herein defined, and to provide care and treatment for them until they can be accommodated in Federal institutions.

And the question recurring,

Shall the bill pass finally?

Mr. BENNETT. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. BENNETT. Mr.: President, I voted "aye."

Mr. GRAFF. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. GRAFF. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. BENNETT. Mr. President, I ask unanimous consent to amend section 2, page 2, line 4, 5 and 6 by striking out all the words beginning with the word "upon" in line 4 and ending with the word "veteran" in line 6, and inserting in lieu thereof: "if said indigent veteran."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 438, as follows:

An Act for unemployment relief authorizing the Department of Agriculture to purchase and improve agricultural land and lease and stock such land for unemployment relief providing for the sale of such land to the lessees

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the some That Acquisition For the purposes of this act the Department of Agriculture hereinafter called the department may acquire title to lands within the Commonwealth suitable for agriculture or to be used as hereinafter provided by purchase gift or otherwise Lands so acquired may be designated by the department as State emergency relief farms. The department may also acquire title to such lands by condemnation proceedings in the same manner as provided for the condemnation of lands for State forests The department may purchase repair maintain and subject to the provisions of the Administrative Code of one thousand nine hundred twenty-nine erect such buildings or other improvements on lands so acquired as may be deemed necessary for the proper utilization maintenance and protection of such lands or for farm purposes as hereinafter provided The department may purchase land from which the ownership of minerals oil or gas and the right to mine and drill or remove the same have been excepted or from which water rights or timber rights or other rights have been excepted or reserved Provided That such exceptions or reservations will not interfere with the proper use of the land for which it was acquired. The secretary shall represent the department in the execution of contracts for all purchases and leases

Section 2 Title and Control The title to any land acquired by purchase gift or otherwise shall be approved by the Attorney General and shall be taken by the department in the name of the Commonwealth The deed to any such land shall be deposited with the Secretary of Internal Affairs The entire control of such land shall be under the direction of the department

Section 3 Purchase Price No land shall be purchased at a price to exceed ten dollars per acre The department subject to the approval of the Governor may expend for the purchase of lands during any year such amount as in its opinion can be allotted for that purpose

Section 4 Sale and Exchange Whenever the department shall deem it to the best interests of the Commonwealth it may with the consent of the Governor authorize the exchange of any lands or any part thereof to which title has been acquired by purchase gift or otherwise together with the buildings improvements and appurtenances thereof for privately owned lands of equal or greater value and adapted for agricultural purposes under the provisions of this act

The Attorney General shall prepare the necessary deeds or records to consummate such exchange or sale and the deeds or transfer papers shall be executed by the secretary of the department The proceeds of such sale shall be deposited in the General Fund

Section 5 Fixed Charges Lands to which title has been taken in the name of the Commonwealth by purchase gift or otherwise shall be exempt from the payment of all taxes during the ownership of the Commonwealth except that the Commonwealth shall pay to the county township and school district in which such land lies the sum of cents per acre annually in such proportion as the tax levies of such subdivision bear to each other in lieu of local taxes

Section 6 Division and Preparation of Tracts The department may survey and mark off the lands so purchased into plots of about five to fifty acres each of tillable land and wood lots with ready access to existing public roads Whereever the same is required the department may build or repair a dwelling house and a barn and other conveniences on each of said plots and dig or drill a well thereon Provided That the cost of no single plot together with the improvements thereon shal exceed one thousand two hundred dollars

Section 7 Leases of Plots Said plots shal be leased by the department through an agency or agencies created for the purpose to the heads of unemployed families resident in the State who are capable of tilling the same and who are at the time receiving aid from public sources at a yearly rental of ten per centum of cost to begin at such time as shall be fixed by the department together with a covenant that the lessee shall till the soil keep the fences and improvements in repair keep the buildings insured in an amount equal to their cost to the State and in addition to the payment of rent to pay to the local authorities the acreage tax herein stipulated

Section 8 Supplies and Stock Furnished The department may at the request of any such lessee furnish the necessary farm implements seed and fedtilizers to properly cultivate and plant such plot and may further furnish each such lessee upon request at a cost not to exceed one hundred and fifty dollars one cow one sow fifty chickens and a horse or mule

Section 9 Conveyances The rental money paid to the department shall be credited first to the payment of interest at a rate to be fixed by the department not exceeding six per centum on the unpaid balances of the actual investment by the State in each such lessee including the cost of the land and repairs thereof The balance of such rent shall be credited to the principal of such cost until the whole thereof shall be paid at which time the secretary of the department shall execute in the name of the Commonwealth and deliver a deed prepared by the Attorney General conveying a fee simple title to such plot to the lessee and/or his heirs

Section 10 Rules and Regulations The department may adopt and promulgate rules and regulations covering the failure by the lessees to perform the duties required of them under this act and such rules shall be embodied in the contract or lease and shall be binding on the lessee

Section 11 Disposition of Funds Moneys received by the department under the provisions of this act shall be paid into the State Treasury

Section 12 Effective Date This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Scnes,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 454, as follows:

An Act authorizin school districts to issue and sell bonds for certain purposes and for a certain period of time providing for a trust fund and a sinking fund for the payment thereof and defining the duties of the officers and members of the school board in relation to said funds and fixing a penalty for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly mt and it is hereby enacted by the authority of the same That to meet the emergency occasioned by the extraordinary decrease in tax collections due to business depression and widespread unemployment it shall be lawful for the board of school directors of any school district to issue and sell at not less than par bonds bearing interest at a rate not exceeding six (6) per centum per annum payable in not more than ten (10) years from the date of issue in an amount not exceeding the amount of uncollected taxes due on real estate at the date of the adoption of the resolution authorizing such action Any subsequent borrowing under the provisions

of this act shall be limited to an amount which when added to the amount or amounts previously borrowed shall not exceed the amount of uncollected taxes and the proceeds of any bonds issued under the provisions of this act by any school board shall be used only for the payment of the operating expenses of the school district

Section 2 For the purpose of creating a sinking fund for the payments of the bonds issued under the provisions of this Act the board of directors of the school district issuing the same shall annually (until payment of said bonds and the interest and any taxes covenanted to be paid thereon" be fully provided for) levy and collect in addition to other taxes a tax sufficient to pay the interest to be paid thereon which tax shall be called the "Emergency Sinking Fund Tax" which shall be paid into the school district treasury and shall be kept separate and distinct from all other funds in a fund to be called "Emergency Sinking Fund" and shall be applied towards the redemption of said bonds and the payment of the interest and taxes if any thereon and to no other purpose whatever and the said bonds when so redeemed shall be cancelled

Section 3 Each resolution authorizing the issuing of said bonds shall recite an amount of the uncollected taxes then due of which amount of uncollected taxes an amount at least equal to the amount of the proposed issue of bonds shall become a trust fund for the redemption of said bonds and the payment of the interest and taxes if any thereon and it shall be the duty of the secretary of the school board to credit the Emergency Sinking Fund and of the treasurer of the school district to deposit in the said Emergency Sinking Fund immediately upon receipt thereof any and all said uncollected taxes provided that the amount of said uncollected taxes received and deposited in the Emrgncy Sinking Fund in any yar may be deducted the following year from the amount of the annual tax levy to be levied and collected for the redemption of said bonds and the payment of the interest and taxes if any thereon

Section 5 Any person who shall directly or indirectly apply or use any of said uncollected taxes to or for any purpose other than the Emergency Sinking Fund shall be guilty of a misdemeanor and upon conviction thereof shall ze fined in a sum not exceeding One Thousand Dollars ($1,000.00) or imprisoned for a term not exceeding one (1) years or either or both in the discretion of the court

Section 5 "The trust fund and the emergency sinking fund covering each issue of bonds" under the provisions of this Act shall be like numbered and in consecutive order consecutively numbered and the amount thereof as well as the uncollected taxes shall be deducted from the gross indebtedness in ascertaining th net indebtedness of the school district

Section 6 The temporary emergency power hereby granted shall be in addition to the powers granted school districts tc issue bonds and create indebtedness under existing law

Section 7 Any bonds issued under the provisions of this Act shall be in accordance with the provisions of the Constitution and the Act of April twentieth one thousand eight hundred seventy-four entitled "An act to regulate the manner of increasing the indebtedness of municipalities etc" as supplemented and amended and shall require the approval of the Department of Internal Affairs

Section 8 This Act shall become effective immediately upon its approval by the Governor and remain in force and effect only for five (5) years thereafter

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Ealy,	Lanius,	Rice,
Aron,	Einstein,	Mansfield,	Roberts,
Batchelor,	Fay,	McClure,	Salus,
Baumer,	Frazier,	Miller,	Scott,
Bell,	Gelder,	Norton,	Snyder,
Bennett,	Graff,	Owlett,	Sones,
Boyd,	Harris,	Parkinson,	Sordoni,
Brandt,	Harvey,	Pethick,	Staudenmeier,
Buckman,	Homsher,	Pierson,	Thompson,
Chapman,	Howell,	Prince,	Trainer,
Clark,	Hunsicker,	Quigley,	Williamson,
Coyne,	Krause,	Reed,	Ziesenheim,

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

Th Senate proceeded to the third reading and consideration of Senate Bill No. 476, entitled:

An Act ratifying and confirming certain contracts for the erection of joint county bridges where the bridges have been erected and accepted

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted" aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. GELDER. Mr. President, I ask unanimous consent that Senate Bill No. 514 (House Bill No. 456), on third reading, entitled:

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees

and miscellaneous receipts making an appropriation and providing for refunds" by requiring certain motor vehicles to be equipped with laminated safety glass fixing penalties and providing for the suspension or revocation by the Public Service Commission of certificates of public convenience of common carriers for violation of the provisions of this act.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

Th Senate proceeded to the third reading and consideration of Senate Bill No. 525 (House Bill No. 206), entitled:

An Act requiring the Board of County Commissioners of counties of the second class on approval of the president judge of the court of common pleas of said counties to fix the compensation of fire marshals and to require the Board of County Commissioners of counties of the second class subject to the approval of the common pleas court to provide for the retirement of such fire marshals on annual pensions after twenty years of service, such compensation and pension to be payable by the county.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

Th Senate proceeded to the third reading and consideration of Senate Bill No. 537, entitled:

An Act to amend section one of the act, approved the twenty-fifth day of June, one thousand eight hundred and ninety-five (P. L. 310), entitled "A further supplement to 'An act to provide for the incorporation and regulation of certain corporations', approved April twenty-ninth, one thousand eight hundred and seventy-four," by providing that all corprations organized not for profit, shall have authority to issue capital stock to an amount not exceeding five hundred thousand dollars.

And said bill having been read at length the third time, and agreed to,

On the question

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

Th Senate proceeded to the third reading and consideration of Senate Bill No. 659, entitled:

An Act to amend section two hundred twenty-six of an act approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws, three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by prescribing the conditions upon which school directors may be employed by their respective school districts during the term for which they are elected or appointed.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Senate Bill No. 671, on third reading, entitled:

An Act to amend sections three hundred twelve, three hundred thirteen, three hundred fourteen, three hundred seventeen, three hundred eighteen, three hundred nineteen, three

hundred twenty, three hundred twenty-one, three hundred twenty-two, three hundred twenty-three, three hundred twenty-four, three hundred twenty-five and three hundred twenty-six, of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by changing the amount of contributions to the retirement fund, the retirement age, the length of service necessary to entitle members to retirement allowance, upon being totally disabled, and increasing the number of members of the retirement board, and authorizing counties of the second class to make appropriations to an employes retirement fund.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

Th Senate proceeded to the third reading and consideration of Senate Bill No. 700, entitled:

An Act to amend section three hundred and twenty-five of the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith"; by providing for the security to be given by depositories of school funds.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House Representatives for concurrence.

BILL OVER IN ORDER

Mr. GELDER. Mr. President, I ask unanimous consent that Senate Bill No. 717, on third reading, entitled:

An Act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

Th Senate proceeded to the third reading and consideration of Senate Bill No. 732, entitled:

An Act to further amend Section two of an act, approved the twenty-ninth day of March, eighteen hundred and ninety-nine (Pamphlet Laws, twenty-one), entitled "An act to establish a board for the examination of accountants, to provide for the granting of certificates to accountants, and to provide a punishment for the violation of this act," as amended, by providing for the certification of accountants in certain cases without examination.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Armstrong,	Ealy,	Lanius,	Rice,
Aron,	Einstein,	Mansfield,	Roberts,
Batchelor,	Fay,	McClure,	Salus,
Baumer,	Frazier,	Miller,	Scott,
Bell,	Gelder,	Norton,	Snyder,
Bennett,	Graff,	Owlett,	Sones,
Boyd,	Harris,	Parkinson,	Sordoni,
Brandt,	Harvey,	Pethick,	Staudenmeier,
Buckman,	Homsher,	Pierson,	Thompson,
Chapman,	Howell,	Prince,	Trainer,
Clark,	Hunsicker,	Quigley,	Williamson,
Coyne,	Krause,	Reed,	Ziesenheim,

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 746, entitled:

An Act to amend section two hundred and four of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the scond, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidtaing the laws relating thereto," by providing that the coroner shall act in case the sheriff resigns.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 748, as follows:

An Act authorizing and regulating the reorganization of banks and trust companies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any plan for the reorganization of a bank or a trust company which the Department of Banking shall deem equitable and to the best interests of all depositors other creditors and shareholders may be adopted subject to any terms or conditions prescribed by the Department of Banking in the manner hereinafter provided in this act

Section 2 The plan of reorganization shall be valid only if approved after such notice as the Department of Banking shall sanction by the holders of at least seventy-five per centum of the outstanding shares of capital stock of the bank or the trust company and by depositors and other creditors of such bank or of such trust company to whom is due at least seventy-five per centum of the total amount of all liability of the bank or the trust company to depositors and other creditors However claims of depositors or other creditors which will be satisfied in full under the provisions of the plan of reorganization shall not be included among the total deposits and other liabilities of the bank or the trust company in computing the seventy-five per centum thereof required by this section

Section 3 In the case of a bank or a trust company which has restricted the withdrawal of deposits and which has received or is receiving new deposits in accordance with the provisions of Act Number six approved the eighth day of March one thousand nine hundred thirty-three entitled "An act relating to banks trust companies savings banks and other banking institutions providing for the protection of depositors therein and empowering the Secretary of Banking to permit the withholding of payments to depositors under certain conditions" the plan of reorganization shall provide for the payment in full of all such new deposits After a plan of reorganization has become effective such new deposits need not be segregated and in the event of the subsequent liquidation of such bank or such trust company by the Secretary of Banking or by liquidating trustees such new deposits shall have no preference over any other deposits but the bank or the trust company shall give notice of such fact by registered mail to all depositors who have made such new deposits in such bank or such trust company at the address appearing for them on the books or other records of the bank or the trust company The bank or the trust company shall accord to such new depositors a period of at least fifteen days after the mailing of such notice and prior to the mingling of such funds with its other funds within which to withdraw such new deposist The notice required by this section shall be in such form as shall be approved by the Department of Banking

Section 4 Any plan of reorganization which shall have been adopted and approved in the manner provided by this act shall be binding upon all depositors other creditors and shareholders of the bank or the trust company whether or not they have consented to such plan of reorganization

Section 5 This act shall apply to all banks or trust companies within this Commonwealth incorporated under general or special Act of General Assembly whether or not they are operating upon a restricted basis in accordance with the provisions of the aforementioned Act Number six approved the eighth day of March one thousand nine hundred thirty-three but it shall not apply to banks or trust companies in possession of the Secretary of Banking

Section 6 If any part of this act shall be declared unconstitutional by any court the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

Section 7 The power of a bank or a trust company to reorganize in the manner provided by this act shall be in addition to any power to reorganize granted and notwithstanding any limitation imposed by existing law The operation of any act or part of any act inconsistent herewith shall be suspended during the period this act shall continue to be effective

Section 8 This act shall become effective immediately upon its approval by the Governor and shall continue to be effective until the thirty-first day of March one thousand nine hundred thirty-five

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 764, as follows:

An Act to amend section one as amended by the act approved the second day of May one thousand nine hundred and twenty-eight) entitled "An act authorizing the Secretary of Highways with the approval of the Governor to establish construct and maintain roads parallel to existing State Highways in order to relieve traffic congestion providing certain conditions and restrictions for the assessment and payment of damages for property taken thereby and providing that such highway when constructed shall become a part of the system of State highways of the Commonwealth" by providing that roads taken over as parallel highways may intersect or cross over the highway to which they are parallel

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred twenty-eight) entitled "An act authorizing the Secretary of Highways with the approval of the Governor to establish construct and maintain roads parallel to existing State highways in order to relieve traffic congestion providing certain conditions and restrictions for the assessment and payment of damages for property taken thereby and providing that such highways when constructed shall become a part of the system of State highways of the Comomnwealth" as amended by the act approved the twentieth day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred forty(is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Secretary of Highways with the approval of the Governor is authorized to take over existing public roads and streets in boroughs and townships approximately

parallel to State highways between any or all of the points named in the line or route of such State highway and construct and maintain the same according to the standards of the department for the construction and maintenance of State highways Any public road taken over under the provisions of this act as a parallel highway may intersect with or cross over the highway to which it is parallel

Section 2 This act shall become effective upon its approval by the Governor

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 771, entitled:

An Act to amend section twenty-one of the act, approved the seventh day of June, one thousand nine hundred and fifteen (P. L. 900), entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of berths and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics, as required to be established by the State Department of Health; and, in order to secure prompt and faithful registration of births, marriages, deaths, and diseases, of practitioners of medicine and surgery, of midwives, nurses, and undertakers, and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages, and diseases throughout the State, as provided in section ten of an act, entitled 'An act creating the Department of Health and defining its powers and duties,' approved the twenty-seventh day of April, nineteen hundred and five, and providing penalties for violations of this act," as amended, by providing for special certificates of the birth of adopted persons; and requiring school authorities to accept such certificates for certain purposes.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 834, entitled:

An Act empowering cities, boroughs, incorporated towns and townships to charge and collect annual rentals for the use of certain sewers, sewage systems and treatment works, including charges for operation, inspection, maintenance, repair, depreciation and the amortization of indebtedness and interest thereof.

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

RECONSIDERATION OF SENATE BILL No. 834

Mr. McCLURE. Mr. President, I move to reconsider the vote by which the Bill passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. McCLURE. Mr. President, I voted "aye."

Mr. HARRIS I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. HARRIS. Mr. President, I voted "aye."

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the reconsideration of Senate Bill No. 834, entitled:

An Act empowering cities boroughs incorporated towns and townships to chargs and collect annual rentals for the use of certain sewers, sewage systems and treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon

The first section of the bill was read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any city except cities of the first class borough incorporated town or township shall hereafter construct any sewer or sewage system or sewage treatment works either wholly or partially at public expense or shall have acquired the same either wholly or partially at public expense such city borough incorporated town or township may provide by ordinance or resolution for the collection of an annual rental or charge for the use of such sewer sewage system or sewage treatment works from the owners of the property served by it whether such property is located within or without the corporate limits of such city borough town or township

The second section of the bill was read as follows:

Section 2 Any such annual rental or chage shall be sufficient to meet but shall not exceed the amount expended annually by the city borough incorporated town or township in the operation maintenance repair alteration inspection depreciation or other expenses in relation to such sewer sewage system or sewage treatment works together with such nanual amount as may be necessary to provide for the amortization of the indebtedness incurred by the city borough incorporated town or township in the construction or acquisition of such sewer sewage system or sewage treatment works and interest thereon in order that said improvements may become self-liquidating The amount required for sinking fund and interest shall be paid into the sinking fund and shall not be used for any other purpose The said annual rental or charge shall be apportioned equitably according to the amount and character of discharge among the properties served by the said sewer sewage system or sewage treatment works

On the question,

Will the Senate agree to the section?

Mr. McCLURE. Mr. President, I move to amend section 2, page 2, line 16, by striking out the word "charge" and inserting in lieu thereof the following: "whatever charge shall be decided upon by the city, borough, incorporated town or township;" also lines 17 and 18, by striking out the words "according to the amount and character of discharge."

Mr. HARRIS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third and fourth sections of the bill were read as follows and agreed to.

Section 3 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 4 This act shall become effective immediately upon final enactment

The title of the bill was read as follows and agreed to :

An Act empowering cities, boroughs, incorporated towns and townships to charge and collect annual rentals for the use of certain sewers, sewage systems and treatment works, including charges for operation, inspection, maintenance, repair, depreciation and the amortization of indebtedness and interest thereof

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 843, entitled:

A Supplement to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (Pamphlet Laws eight hundred sixty-nine), entitled "An act providing for the organization, government, discipline, maintenance and regulation of the armed land forces of this Commonwealth," as amended, authorizing any officer of the National Guard, with the approval of the Governor, as Commander-in-Chief thereof, to continue to hold his position for a certain time after he reaches the age of retirement.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence .

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 84, as follows:

An Act making an appropriation to carry into effect the provisions of an act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of this act to appropriate certain moneys and providing penalties" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of four million one hundred fifteen thousand nine hundred thirty eight dollars ($4,115,938) is hereby specifically appropriated for the two fiscal years beginning the first day of June one thousand nine hundred and thirty-three for the purpose of carrying into effect the provisions of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of this act to appropriate certain moneys and providing penalties" as amended

Section 2 Upon the approval of this act the State Treasurer after deducting from the entire amount appropriated for salaries and office expenses and for the unorganized counties shall divide the balance into two equal parts

The one part hereinafter referred to as the second part shall be held intact for distribution on and after the first day of June one thousand nine hundred and thirty-four in the manner hereinafter provided

The other part shall upon the approval of this act be distributed among the several counties organized under the Mothers' Assistance System according to a budget for each county prepared by the Secretary of Welfare after taking into consideration the following basis of distribution

(1) The number of families receiving assistance on the thirty-first day of May one thousand nine hundred and thirty-two (2) in addition provision for other eligible families which could not be aided from the fund available for the past biennium the number of additional families needing aid in each county to be determined by the following formula

In counties where the number of eligible families on the waiting list the thirty-first day of May one thousand nine hundred and thirty-two was greater than the number representing the average yearly increase of families aided during the biennium ending the thirty-first day of May one thousand nine hundred and thirty-two allowance may be determined by the former number In counties where the average yearly increase of families aided is the greater number allowance may be determined by this number rather than by the eligible waiting list The apportionment to each county shall be based upon the average grant per family prevailing in such county during the year ending the thirty-first day of May one thousand nine hundred and thirty-two

Section 3 On the first day of June one thousand nine hundred and thirty-four the State Treasurer shall set aside out of the second part to each county organized at the beginning of the biennium under the Mothers' Assistance System a sum equal to the apportioned to it under the preceding section by the Secretary of Welfare provided the amount so set aside to any county together with the unexpended balance of the amount apportioned to the county during the first year shall constitute the tSate's assistance during the second year to such county

Section 4 No county shall receive its allotment of the State appropriation available for any year under the method of distribution provided by this act unless such county has accepted the provisions of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) as amended and has placed at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such year No county shall receive any sum from the State under sections two and three of this act unless such county shall appropriate a like sum for the same purpose

Section 5 Out of the amount hereinbefore appropriated the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary shall be set apart to be apportioned to the counties heretofore unorganized under the Mothers' Assistance System At the beginning of the first year of the biennium the State Treasurer shall set aside for each of the counties unorganized prior to the first day of June one thousand nine hundred and thirty-three equal parts of ten thousand dollars ($10,000) At the beginning of the second fiscal year of the biennium the State Treasurer shall set aside for the counties which have organized during the first fiscal year the amounts designated by the Secretary of Welfare who shall on the first day of June one thousand nine hundred and thirty-four reapportion to the counties organizing during the first fiscal year the balance remaining on that date of the sum set aside for the unorganized counties the reapportionment to be determined by the need as presented by the counties

Section 6 Out of the amount hereinbefore appropriated the sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary shall be set apart and applied for the payment of the salaries of the State Supervisor of the Mothers' Assistance Fund and of such assistants clerks and other employes as may be required for the proper conduct of the work of the supervisor for the traveling hotel and other expenses of the supervisor and her assistants for the cost of making special investigations and for incidental contingent and other expenses of every kind and description necessary for the proper administration of the Mothers' Assistance System

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 185, as follows:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eighty-nine thousand one hundred dollars $89,100 or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the maintenance of a school of medicine

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 223, as follows:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of forty-five thousand dollars ($45,000) or so much thereof as may be necessary is hereby specifically appropriated to the Downingtown Industrial and Agricultural School of Downingtown Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 243, as follows:

An Act making an appropriation to the Trustees of the University of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one million three hundred thirty-six thousand five hundred (1,336,500) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Trustees of the University of Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the general maintenance of the University and the purchase of such apparatus and equipment as the trustees may deem necessary for the best interests of the University of Pennsylvania

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 244, as follows:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museums

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-seven thousand dollars ($27,000) be and the same is hereby specifically appropriated to the Board of Trustees of the Philadelphia Museums for the distribution of geographical collections and educational material among the public and other free schools of this Commonwealth and for the preparation and installation of exhibits for the two fiscal years beginning June first one thousand nine hundred and thirty-three payment to be made according to law

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 253, as follows:

An Act making an appropriation to the Moore Institute of Art Science and Industry Philadelphia School of Design for Women at Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of thirty-six thousand dollars ($36,000) or so much thereof as may be necessary is hereby specifically appropriated to the Moore Institute of Art Science and Industry Philadelphia School of Design for Women at Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for general maintenance Provided That in such school there shall be maintained a free scholarship for one pupil of each county in the State to be filled by appointment of the Governor of the Commonwealth except that for counties having more than one Senator as many scholarships shall be provided as there are senatorial districts in such counties and in the case of the failure of any county to be properly represented by an appointee or appointees at the opening of any school year October first then the Governor shall have the power to fill such vacancy or vacancies by the appointment of applicants from other counties of the State In each quarterly statement by the board of directors of the said institution to the Auditor General shall be included a statement of the names and residences of all pupils filling free scholarships as provided by this act

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 267, as follows:

An Act to amend section eighteen of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (Pamphlet Laws two hundred seven) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" changing the method of service of writs on persons who are without the Commonwealth and providing for the effect of a return nihil habet on persons named in such writs or added thereto when such persons cannot be located

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eighteen of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (Pamphlet Laws two hundred seven) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" is hereby amended to read as follows

Section 18 The sheriff to whom the scire facias is given for service shall add to the writ as parties defendant all persons other than those named therein who may be found in possession of the property described or any part thereof and in case no one is found in possession by the sheriff he shall post a true copy of the writ on the most public part of said property and he shall add to the said writ the names of any persons not already named therein whom he may ascertain to have an interest in the property described or any part thereof which writ shall then be further served as follows

(a) By serving as in the case of a summons such of those named in the writ or added thereto as may be found in the county in which the writ issued and

(b) Where the sheriff has information that those named in the writ or added thereto or any of them may be found in any other county of this Commonwealth the said person shall be served as in the case of a summons by the sheriff of the county in which the said defendants or any of them may reside he being deputized for that purpose by the sheriff of the county in which the writ issues and

(c) In case any of those named in the writ or added thereto [cannot be found by the sheriff or their residences within this Commonwealth are unkonwn to him or in case they] are known to reside without the Commonwealth the said writ may be served by [advertising a copy thereof or a brief notice of the contents of the same once a week for three successive weeks in one newspaper of general circulation in the county and in the legal periodical if any designated by the court for that purpose] mailing a true and attested copy of the writ to such persons in a registered letter to their post office addresses But if the sheriff shall certify in his return of service that he has been unable to find certain of those named in the writ or added thereto or their addresses and alleges service as above set forth on those who can be served such return of nihil habet as to the ones he was unable to locate shall constitute a full service of such writ Provided however That any defendant may accept service of said writ in person or by counsel with the same effect as if duly served therewith by the sheriff

Where the said writ [or the brief notice of the contents thereof have been advertised as aforesaid the same shall have the same effect as if the writ had been personally served and all those named therein or added thereto as to whom publication has been made shall file their affidavit of defense as required by the said writ within fifteen days after the date of the last weekly advertisement of the said writ and] has been so served all those named therein or added thereto who have been so served [as in case of a summons] shall file their affidavit of defense as required by said writ within fifteen days after such service Service of any such writ may be made at any time within three months from the date on which it was issued but it shall be served and returned at the earliest date possible and the plaintiff may require its return at any time whether or not it be actually served

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 416, as follows:

An Act making an appropriation to the Woman's Medical College of Pennsylvania located at East Falls Philadelphia

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seventy-two thousand nine hundred dollars ($72.900) or so much thereof as may be necessary is hereby specifically appropriated to the Woman's Medical College of Pennsylvania located at East Falls Philadelphia for the support and promotion of medical education for the two fiscal years beginning June first one thousand nine hundred and thirty-three payment to be made according to law

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 442, as follows:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eighty-one thousand dollars ($81,000) is hereby specifically appropriated to the Pennsylvania Museum and School of Industrial Art for the two fiscal years beginning June first one thousand nine hundred and thirty-three for maintenance and the purchase of apparatus supplies and equipment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 616, as follows:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of soldiers sailors marines female field clerks yeomanettes and nurses who were killed in action or died during the World War and conferring certain duties upon the State Veterans' Commission

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Military Affairs to be used during the fiscal biennium beginning June first one thousand nine hundred and thirty-three for paying gratuities for the children having a legal residence in Pennsylvania between the ages of sixteen and twenty-one years of soldiers sailors marines female field clerks yeomanettes or members of the enlisted nurse corps of the United States who had a legal residence in Pennsylvania at the time of their entry into the service of the United States and who were killed in action or died from other cause during the World War between the sixth day of April one thousand nine hundred and seventeen and the second day of July one thousand nine hundred and twenty-one

Section 2 Gratuities shall be paid out of the appropriation made by this act for the account of such children as shall be certified by the State Veterans' Commission as coming within the class described in section one of this act and as attending any State or State-aided educational or training institution of a secondary or college grade or other institution of higher education within this Commonwealth Payments not to exceed the sum of two hundred dollars ($200) per school year per child shall be made to such institutions upon the submission by such institutions of proof that bills have been incurred or contracted for board and room rent for such children in a definite amount for the current school year Such proof shall be submitted to the State Veterans' Commission which shall attach the same to the requisitions prepared for payments out of the appropriation made by this act

Where a child within the class described is completing an educational or training course and before completing the course the child arrives at the age of twenty-one years it shall be lawful for the gratuity to be paid until the course is completed Provided however That gratuities may not be paid for any child for a longer period than four scholastic years

Section 3 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 665 (House Bill No. 747), entitled:

An Act to amend section five hundred and three of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as amended providing for appeals from refusals of the Board of Finance and Revenue to allow refunds

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 676, as follows:

An Act to amend section four of the act approved the fourth day of April one thousand nine hundred and one (Pamphlet Laws seventy) entitled "An act fixing the term of office of notaries public regulating the appointment and prescribing certain duties thereof" reducing the fee for a notary public's commission

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four of the act approved the fourth day of April one thousand nine hundred and one (Pamphlet Laws seventy) entitled "An act fixing the term of office of notaries public regulating the appointment and prescribing certain duties thereof" is hereby amended to read as follows

Section 4 That before any commission shall be issued to any notary public appointed under this act a receipt from the State Treasurer shall first be produced showing the payment of [twenty-five] fifteen dollars into the State Treasury for the use of the Commonwealth Provided Such receipt shall not be required for a commission issued for the term of four years when such full term shall follow consecutively the recess appointment

Section 2 The act approved the nineteenth day of February one thousand eight hundred and seventy-three (Pamphlet Laws thirty-six entitled, "An act to authorize the Governor to appoint additional notaries public" is hereby repealed

Section 3 This act shall become effective January first one thousand nine hundred thirty-four

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 703, as follows:

An Act requiring cities boroughs towns townships school districts and poor districts to issue serial bonds when incurring increasing or refunding indebtedness and imposing powers and duties on the Department of Internal Affairs

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter any city borough town township school district or poor district incurring indebtedness or increasing or refunding its indebtedness shall do so only through the issue of serial bonds or other serial obligations of which an approximate equal proportionate amount shall mature annually during the full term for which such bonds or obligations were issued The Department of Internal Affairs shall not approve any proceedings for the incurring increasing or refunding of indebtedness by any such municipality or quasi-municipality unless such proceedings submitted shall provide therein for the issuing of serial bonds in accordance with the provisions of this act

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 729, as follows:

An Act requiring corporations of the second class to furnish reports to shareholders to file such reports with the Secretary of the Commonwealth giving the Secretary power to prescribe forms and make regulations prescribing penalties providing for certain exemptions and repealing inconsistent acts and parts of acts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this Act shall be known as the Corporation Financial Report Act

Section 2 The directors of every corporation of the second class shall cause to be sent or made available to shareholders within three months after the close of its fiscal year a financial report for such fiscal year Such report shall be prepared in conformity with accepted accounting practice in the particular kind of business carried on by the corporation and shall include a balance sheet as of the closing date of the preceding fiscal year a statement of income and profit and loss changes in the surplus or deficit accounts for the year ended on that date and the number of shares issued and outstanding and the stated value thereof

Section 3 Such reports shall be verified by a certified public accountant or firm of certified public accountants who are not directors or employees of the corporation and who shall be selected for the ensuing fiscal year by a committee of three shareholders who are not directors or employees Such committee shall be elected at each annual meeting of the shareholders If there are not three shareholders other than the dirctors or employees able and willing to serve on such committee the accountant shall be selected by the directors

Section 4 The scope and extent of the verification referred to in the preceding sections shall be in accordance with the principles outlined by the Federal Reserve Board of the United States in its publication entitled "Verification of Financial Statement"

Section 5 The financial reports and accompanying certificate of the accountant selected as hereinbefore provided shall be filed within the said three months period in the office of the Secretary of the Commonwealth by every corporation doing business in the Commonwealth together with a filing fee of $5.00

Section 6 The Secretary of the Commonwealth shall be empowered to grant an extension of the time prescribed for furnishing reports to shareholders and for filing copies thereof with him not exceeding three months upon application by a corporation for such cause as the Secretary may deem sufficient He may also by regulations prescribe the forms upon which the reports shall be furnished permit the filing of consolidated reports and make such other regulations as he may deem proper He shall review such reports and may require supplemental information

Section 7 The Court of Common Pleas of the County wherein the corporation has its principal place of business or the Court of Common Pleas of Dauphin County shall have jurisdiction to require the officers or directors to furnish the reports prescribed in this act upon application by any shareholder

Section 8 Any officer or director who shall wilfully refuse or neglect to furnish such reports as are required by this act shall be guilty of a misdemeanor and upon conviction may be sentenced to pay a fine not exceeding one thousand dollars or undergo an imprisonment not exceeding six months Any accountant knowingly or wilfully filing or causing to be filed a materially false report shall be guilty of a misdemeanor and upon conviction may be sentenced to pay a fine not exceeding one thousand dollars or undergo an imprisonment not exceeding six months

Section 9 Any foreign corporation registered to do business in this Commonwealth which shall fail to file such reports prescribed by this act shall have its license to do business in this Commonwealth revoked and shall be liable to pay a fine not exceeding one thousand dollars which penalties shall be imposed by the Secretary of the Commonwealth thirty days after notice in writing to the said corporation unless the reports shall have then been filed before the expiration of the said time

Section 10 This act shall not be deemed to apply to any banking or insurance corporation or corporation under the jurisdiction of the Interstate Commerce Commission of the United States or Public Service Commission of this Commonwealth Any other corporation desiring to be exempted from the provisions of this act must obtain a waiver signed by shareholders holding not less than eighty per centum of the total capital stock outstanding at the close of the last fiscal year The aforesaid waiver shall be filed with the Secretary of the Commonwealth at or before the time set for the filing of the required report and shall remain in full force until or unless application is made to the Secretary of the Commonwealth in writing by a shareholder of record thereof requesting a copy of the report required under the provisions of this act Thereupon the Secretary of the Commonwealth after verifying that the applicant is a shareholder shall re-

quire the corporation to file the prescribed report or in lieu thereof a new waiver as of the end of the last fiscal period

Section 11 The provisions of this act shall be severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect the validity of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted by the General Assembly had such unconstitutional provisions not been included therein

Section 12 All acts or sections of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 754, as follows:

An Act to further amend section five of the act approved the nineteenth day of April one thousand nine hundred and one (Pamphlet Laws eighty-eight) entitled "An act relating to replevin and regulating the practice in cases where the writ of replevin is issued" as amended providing that no affidavit of defense shall be required before the return day of the writ

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of the act approved the nineteenth day of April one thousand nine hundred and one (Pamphlet Laws eighty-eight) entitled "An act relating to replevin and regulating the practice in cases where the writ of replevin is issued" as amended by of the act approved the nineteenth day of March one thousand nine hundred and twenty-three (Pamphlet Laws fourteen) is hereby amended to read as follows

Section 5 The defendant or party intervening shall within fifteen days after the filing of such declaration file an affidavit of defense thereto setting up the acts denying plaintiff's title and showing his own title to said goods and chattels and in event of his failure so to do upon proof that a copy of said declaration was served upon him of his attorney judgment may be entered for the plaintiff and against the defendant or party intervening which judgment shall operate to forfeit any counter bond given by him The court may enter judgment with like effect for want of a sufficient affidavit of defense or for such goods and chattels as may be admitted to be the property of the plaintiff in the affidavit of defense or may enter judgment with like effect for such goods and chattels as to which the court may adjudge the affidavit of defense insufficient And in the event of judgment being rendered in favor of the plaintiff for a portion of such goods and chattels replevied he may proceed to recover such goods and chattels by writ of retorno habendo or the value thereof after assessment of damages on a wirt of injury of damages issued and the case shall be proceeded in for recovery of the balance If the defendant has been duly summoned and does not appear at the return-day of the writ the plaintiff having filed his declaration may file a common appearance for the defendant and proceed in the cause as in other cases Where the writ has been returned nihil habet as to the defendant it shall be lawful for the plaintiff at and after the third term of the court after the execution of the writ to take judgment against the defendant for default of appearance Provided That the plaintiff fifteen days prior to the entry of said judgment shall have filed his declaration And provided further That no affidavit of defense shall be required to be filed under the provisions of this act in any case before the return day of the writ

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed or a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 758, as follows:

An Act limiting the jurisdiction of The Public Service Commission over carriers of property on the public highways

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That The Public Service Commission of the Commonwealth of Pennsylvania shall have no authority or jurisdiction whatever over persons firms or corporations engaged in the transportation of property by means of vehicles registered in accordance with the Vehicle Code with respect to or to the extent to which such registered vehicles shall be engaged in the transportation of property over any public roads streets or highways in Pennsylvania except in such cases where such persons firms or corporations shall be granted by the Public Service Commission certificates of public convenience as common carriers as defined in this act for conveyance of property on the highway

Section 2 The term common carrier as used in this act and as applied to transportation of property on the highway shall be construed to mean only such persons firms or corporations as shall heretofore have been or shall hereafter be granted certificates of public conveyance to operate motor vehicles on the highway in the conveyance of general property as common carriers over designated routes at specified intervals of time and at stated prices

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 809 (House Bill No. 256), entitled:

An Act to validate acts done by corporations before the recording of their charters.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 847 (House Bill No. 1500), entitled:

An Act for the development and use of unredeemed seated and unseated lands purchased by county commissioners at tax sales; providing for the holding and permanent retention of such lands by the county for forest or recreational uses beneficial to the local community, or for their transfer to the State under suitable restrictions for similar uses subject to certain annual charges, providing for the use of revenues derived from such lands; providing a procedure for the discharge of liens of record against such lands by sale after notice to owners and lien creditors; providing for the sale by the counties of such lands as are retained by the county; providing for the appointment by local State forest advisory councils and conferring powers upon the Department of Forests and Waters and the Board of Game Commissioners with respect to the acquisition and exchange of such lands, their proper organization and development, and the acceptance of gifts of lands.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 848, as follows:

A Supplement to the act approved the eighth day of May one thousand nine hundred and nineteen (Pamphlet Laws one hundred forty-eight) entitled "An act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New Jersey of certain toll bridges over the Delaware River" and its amendments authorizing the commission created under said act to borrow money from the Reconstruction Finance Corporation for the purpose of constructing toll bridges to charge tolls thereon and to repay loans from tolls collected

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the commission constituted under the act to which this act is a supplement and its amendments for the acquisition of toll bridges over the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey is hereby constituted a commission to act in conjunction with a similar commission or body of the State of New Jersey for the purpose of providing for the erection and construction of additional toll bridges across the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey

The phrase "joint commission" as used in this act shall be construed to mean the commission hereby constituted and the similar commission or body of the State of New Jersey

Section 2 The said joint commission is hereby authorized and empowered to enter into arrangements with the Reconstruction Finance Corporation for the advancement of the necessary funds to effect the construction of any birdge or bridges across the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey including the cost of ground for its site and approaches Said arrangements are to be effected without any financial obligation on the part of the Commonwealth

Section 3 The joint commission after making the necessary arrangements for the advancement of funds from said Reconstruction Finance Corporation to provide for the cost thereof and with the approval of the Governor of the State of New Jersey and the Governor of the Commonwealth of Pennsylvania is hereby authorized and empowered to have prepared the necessary and proper plans and specifications for the construction of any bridge across the Delaware River and the approaches thereto as shall be decided upon and for which arrangements have been made as provided in section two of this act and to select the location for the same determine the size type and method of construction thereof to plan and fix its boundaries and the approaches thereto and to make all necessary estimates of the probable cost of its construction and the acquisition of ground for its site and approaches to proceed to acquire the ground for the sites of the abutments and the approaches to such bridge in the manner hereinafter provided to enter into necessary contracts to build and equip any such bridge and the approaches thereto to obtain such consent as may be necessary of the Government of the United States and the approval of the Secretary of War and to cause a survey and map to be made of all lands structures rights of way franchises easements and other interests in land lying within the Commonwealth including lands under water and riparian land owned by any person corporation or municipality the acquisition of which may be deemed necessary for the construction of such bridge and to cause such maps and surveys to be filed in its office

Section 4 All proceedings for the exercise of the right of eminent domain in the Commonwealth in connection with the erection of such bridge and the acquisition of sites for the approaches thereto shall be had in the manner provided by said act approved the eighth day of May one thousand nine hundred and nineteen (Pamphlet Laws one hundred forty-eight) entitled "An act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New Jersey of certain toll bridges over the Delaware River" for the acquisition of interstate toll bridges over the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey to which this act is a supplement

Section 5 Upon the completion of any bridge or bridges authorized under the provisions of this act the said joint commission shall collect tolls from the users of such bridge in such amount and upon such terms and conditions as may be necessary to cover maintenance charges interest on and repayment of the loan made in such period of time as may be required by the Reconstruction Finance Corporation When sufficient tolls have been collected to cover maintenance charges and to repay any balance due the Reconstruction Finance Corporation for advancements made as herein provided said bridge or bridges shall become free and the collection of tolls shall thereupon cease Thereafter said bridge or bridges shall be maintained repaired and operated by the said joint commission as other bridges across the Delaware River that have heretofore been freed of toll are now by law maintained repaired and operated

Section 6 All tolls collected for the use of said bridge or bridges shall be deposited in such manner and in such depositories as may be agreed upon by the joint commission and the Reconstruction Finance Corporation and shall be used only for the purpose of paying toll collection costs and maintenance charges and repayment of advancements received from the Reconstruction Finance Corporation Toll collection costs maintenance charges and repayments to the Reconstruction Finance Corporation from said fund will be made by the treasurer of the joint commission in accordance with arrangements entered into between the joint commission and the Reconstruction Finance Corporation

Section 7 The said joint commission shall not proceed to exercise or carry out any authority or power herein or hereby given until the State of New Jersey by appropriate legislation shall fix and vest like powers in said joint commission

Section 8 The said joint commission in its discretion is hereby authorized and empowered to provide and equip any such bridge and the approaches appurtenant thereto with such conduits pipes supplies and other appliances as may be necessary or convenient for the installation maintenance and operation of telegraph telephone electric light or power and other public facilities and to enter into leases or contracts with public service companies to install such facilities and for the maintenance operation and use thereof and to fix collect and receive suitable charges rents rentals or tolls for the privilege of leasing operating using or maintaining such facilities

Section 9 The said joint commission is hereby authorized and empowered in its discretion to provide for and regulate the operation of motor busses or similar vehicles on or across any such bridge

Section 10 This act shall become effective immediately upon its final enactment and the final enactment by the State of New Jersey of a substantially similar act

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably tor order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 870 (House Bill No. 1487), entitled:

An Act making appropriations to the State Emergency Relief Board for allocation and reallocation to political subdivisions charged by law with the care of the poor or to other substituted agencies for direct and work relief defining the purposes for which such moneys may be expended providing for the audit of such expenditures and prescribing the powers and duties of the State Emergency Relief Board of cities coextensive with counties and of counties

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same

(a) The sum of five million dollars ($5,000,000) is hereby specifically appropriated to the State Emergency Relief Board for allocation and payment over to political subdivisions charged by law with the care of the poor or to such other agency as may be set up or selected in accordance with this act for the months of June July August September October and November of the year one one thousand nine hundred and thirty-three

(b) The sum of fifteen million dollars ($15,000,000) is hereby specifically appropriated to the State Emergency Relief Board for allocation and payment over to political subdivisions charged by law with the care of the poor or to such other agencies as may be selected or set up in accordance with the provisions of this act for the month of December one thousand nine hundred and thirty-three for the calendar year one thousand nine hundred and thirty-four and for the months of January February March April and May one thousand nine hundred and thirty-five Provided however That the appropriation made by this clause (b) shall be contingent upon the receipt of sufficient revenues for the General Fund from a bond issue to defray the expenses of the Commonwealth or from loans and transfers from the Motor License Fund or from other sources so as to at all times keep said General Fund balanced and avoid the incurring of any deficiency and in case at any time there are insufficient moneys in the General Fund or estimated to be collected in the biennium for the General Fund to meet the appropriation made by this clause and a deficiency will or is likely to occur at the end of the fiscal biennium then and in that event no further moneys shall be paid out by the Auditor General and the State Treasurer under the appropriation made by this clause

On the question,
Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 1, page 3, line 6, by striking out after the word "loans" the following: "and transfers."

Mr. ELY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

Mr. CHAPMAN. Mr. President, I desire to offer amendments to this bill and ask that all the amendments to be read now for the information of the Senate.

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were read as follows:

Amend title, page 1, line 2 of title, by striking out the words "and for allocation and reallo-."

Amend title, page 1, lines 3 and 4 of title, by striking out all of said lines.

Amend title, page 1, line 5 of title, by striking out the party-word "cies."

Amend title, page 1, line 7 of title, by striking out the word "and."

Amend title, page 1, lines 9 and 10, by striking out the words "of cities coextensive with counties and of counties" and insert in lieu thereof "and imposing duties upon certain State departments."

Amend section 1, page 1, lines 4 to 8, by striking out all of said lines, both inclusive.

Amend section 1, page 2, lines 1 to 10, by striking out all of said lines, both inclusive.

Amend section 2, page 2, line 11, by striking out the following: "Section 2."

Amend section 2, page 2, line 13, by striking out the words "for allocation and payment over."

Amend section 2, page 2, lines 14 and 15, by striking out all of said lines.

Amend section 2, page 2, line 16, by striking out the words: "or selected in accordance with this act."

Amend section 2, page 2, line 21, by striking out the words "for allocation and payment over to political."

Amend section 2, page 2, lines 22 and 24, by striking out all of said lines.

Amend section 2, page 2, line 24, by striking out the words "up in accordance with the provisions of this act."

Amend section 4, page 4, line 5, by striking out the words "political subdivision to which allocated."

Amend section 4, page 4, lines 6 to 10, by striking out all of said lines, both inclusive, and insert in lieu thereof "State Emergency Relief Board; and any sum set apart in any county for work relief may be expended in the construction and improvement of primary, secondary and rural State highways, and bridges thereon, whether or not such bridges have been taken over by the Commonwealth.

"Whenever the State Emergency Relief Board has determined to expend any part of a county's allocation for work relief on State highways, and bridges thereon, it shall pay such part of the county's allocation into the Motor License Fund, and it shall thereafter be expended, in accordance with existing laws, by the Department of Highways in such county in the construction and improvement of such State highways, and bridges thereon, as shall have been designated by the State Emergency Relief Board; and the labor employed by the department (other than that required for supervision, engineering and in the operation of road machinery) in such construction work shall be furnished by residents of such county in need of employment, to be selected in accordance with the rules and regulations of the State Emergency Relief Board.

"The Department of Highways may cumulate the respective amounts in the Motor License Fund credited to a county until sufficient funds are available to undertake the construction work authorized by this section.

"Section 5. The amount available in any county over and above the sum set aside by the State Emergency Relief Board for work relief shall be available for expenditure for the purchase of food, clothing, fuel, and shelter for the unemployed in such county, through such public and private agencies as shall be designated by the State Emergency Relief Board, and under such rules and regulations as the board shall adopt.

"Section 6. The amounts expended under the provisions of this act shall be audited by the Auditor General as provided by law."

Amend Bill, page 4, lines 11 to 28, by striking out all of said lines, both inclusive.

Amend bill, page 5, lines 1 to 28, by striking out all of said lines, both inclusive.

Amend bill, page 6, lines 1 to 29, by striking out all of said lines, both inclusive.

Amend bill, page 7, lines 1 to 27, by striking out all of said lines, both inclusive.

Amend section 9, page 7, lines 28, by striking out the figure "9" and insert in lieu thereof "7."

Amend section 10, page 8, line 8, by striking out the figure "10" and insert in lieu thereof "8."

Mr. CHAPMAN. Mr. President, I withdraw the amendments.

The PRESIDENT. The amendments have been withdrawn.

And the question recurring,

Will the Senate agree to the section as amended?

It was agreed to.

The second, third, fourth, fifth, sixth, seventh, eighth and ninth sections of the bill were read as follows and agreed to.

Section 2 The State Emergency Relief Board shall make allocations monthly of the amounts to be distributed from the appropriations made by section one of this act among the several counties of this Commonwealth on a ratio that the estimated number of unemployed in a county bears to the estimated total number of unemployed persons in the entire Commonwealth as shown by the latest available tables compiled and issued by the Department of Labor and Industry The State Emergency Relief Board may in its discretion vary the amounts to be allocated from the appropriation made by section two from month to month but no allocation for any one or more months shall be so increased as to prevent the spread of said appropriation over the twenty-four month period provided for in section one

Section 3 The moneys so allocated to a county shall be available for expenditure in that county only for work relief or for food clothing fuel and shelter for those persons who are without means of support as may be determined by the

political subdivisions to which allocated and none of said moneys shall be expended by such political subdivisions for administration purposes but the cost of administration shall be absorbed by the political subdivision and be paid from moneys received by taxation or otherwise

Section 4 (a) In counties coextensive with cities the money allocated to the county shall from time to time be paid by the State Treasurer on requisition of the State Emergency Relief Board into the city treasury and shall be expended by or under the supervision of the department of welfare of the city or by said department and any other political subdivisions in such cities charged by law with the care of the poor or by such other agency or agencies as the council of any such city may by ordinance provide

(b) Where a political subdivision charged by law with the care of the poor is coextensive with a county the amount allocated to the county from time to time shall be paid by the State Treasurer on requisition of the State Emergency Relief Board to the treasurer of such political subdivision

(c) In other counties where the territory of political subdivisions charged by law with the care of the poor are not coextensive with a county the amount allocated to a county for any month shall be reallocated by the State Emergency Relief Board among the various political subdivisions located wholly or party within such county on such equitable basis as the Board shall determine and when so reallocated the amount payable to any such political subdivision shall be paid to the treasurer thereof Provided however That in any county where each borough and township constitutes a separate poor district the State Emergency Relief Board may substitute the county commissioners of the county as the agency to administer the expenditure of such funds for the entire county and where the county commissioners are so designated as the agnecy they shall have authority to expend county moneys to pay the cost of administering the distribution of such moneys

Section 5 The State Emergency Relief Board shall have power to supervise the expendtiures of political subdivisions and other agencies of the moneys allocated under the provisions of this act and may at any time require any political subdivision or agency selected or set up by it to justify the need for additional moneys for relief purposes and the manner in which the moneys theretofore allocated to it have been applied or expended and to withhold payments in whole or in part from such subdivision or agency until need for further funds or the manner of future expenditures is justified by said political subdivision or agency in such manner as the Board may require Any allocations which have been withheld for lack of need shall be added to the amount to be allocated to all counties in any subsequent month or months

Where the State Emergency Relief Board shall be of the opinion that any political subdivision or agency selected or set up has been extravagant incompetent or negligent in the performance of its duties or in the expenditure of moneys allocated to it the Board shall have power to substitute or create any other agency to expend such moneys in accordance with this act and to permit such other agency to use a reasonable sum of the amount allocated to it to be allowed by the Board for administration expenses

The State Emergency Relief Board may discontinue allocations and payments under the provisions of this act at any time if in its opinion no further necessity for State-aid exists

Section 6 Each political subdivision charged by law with the care of the poor and the State Emergency Relief Board through any agency which it may select or set up or create shall have authority under the provisions of this act any law to the contrary nothwithstanding to expend the moneys received from the appropriations made by this act for work performed for the subdivision to which allocated or for any county city borough town township or school district or for the Commonwealth or for the purpose of providing food clothing fuel and shelter for persons residing within their respective districts who have gained a legal settlement and who are without means of support In no case shall any appropriation be used for paying cash commonly known as a "dole" to persons entitled to relief

No person shall be entitled to work or direct relief from the appropriations made by this act unless such person shall on account of financial circumstances be in actual need or work or direct relief Any person who shall receive aid from any political subdivision or agency under the provisions of this act as the result of false representations as to his or her need shall upon conviction thereof in a summary proceeding be sentenced to pay a fine not exceeding twenty-five dollars ($25.00) and costs of prosecution and in default of the payment of such fine and costs may be imprisoned for a period not exceeding ten days

Section 7 The amounts paid to political subdivisions under the provisions of this act and by them expended shall be audited by the auditors of such political subdivisions in the same manner and with like effect as other expenditures made by such subdivision

The Auditor General on his own initiative and at the request of the State Emergency Relief Board shall audit the accounts of any political subdivision or any other agency with respect to moneys received and expended under the provisions of this act in like manner and with like power and authority as is provided by the laws of the Commonwealth for audits in connection with the fiscal affairs of the State Government

Section 8 The sum of forty thousand dollars ($40,000) or so much thereof as may be necessary is hereby specifically appropriated to the State Emergency Relief Board for printing the payment of the compensation and expenses of clerical and other assistants required for supervision of the expenditures of the appropriations made by this act for postage traveling expenses and for all other incidenital and necessary expenses incurred by the said Board in administering this act

Section 9 This act shall become effective immediately upon final enactment

The title of the bill was read as follows and agreed to.

An Act making appropriations to the State Emergency Relief Board for allocation and reallocation to political subdivisions charged by law with the care of the poor or to other substituted agencies for direct and work relief defining the purposes for which such moneys may be expended providing for the audit of such expenditures and prescribing the powers and duties of the State Emergency Relief Board of cities coextensive with counties and of counties

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS SIGNED

The PRESIDENT (Lieutenant Governor Edward C. Shannon) announced that the Clerk Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 94, entitled:

An Act to amend section three hundred and eighty-six of the act approved the fourteenth day of July, one thousand nine hundred and seventeen (P. L. 840), entitled "General Township Act" as amended; by adding thereto paragraph eleven, authorizing townships to contract with other municipalities for fire protection.

House Bill No. 298, entitled:

An Act to amend section one of the act approved the thirteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws six hundred seventy-six), entitled "An act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service men' authorizing county commissioners to provide markers and burial plots for such deceased service men at the expense of such county in which they shall die or have a legal residence at the time of their death and providing for the burial of widows of soldiers sailors or marines" as amended broadening the definition of the term "deceased service men."

House Bill No. 850, entitled:

An Act to amend section two of an act approved the twentieth day of April, one thousand nine hundred and twenty-seven (Pamphlet Laws, three hundred twenty-one), entitled "An act authorizing the Secretary of Highways to designate by letter, or to name, number, or combine State highways, or

any part or parts thereof, in such manner as in his discretion will best accommodate and inform the traveling public using the highways of the Commonwealth, and facilitate the keeping of maps and records of the Department of Highways; and to include, in any route designated for the convenience of the traveling public, any township road or roads," by including public roads.

House Bill No. 1187, entitled:

An Act empowering a court in which a suit for the recovery of damages for personal injuries to a minor is pending to make an order authorizing a compromise or settlement to be made for such minor, and empowering a court in which a judgment is obtained for such minor, or by which a compromise or settlement is approved, to fix counsel fees and other expenses incident to said suit; and to award the balance to a duly appointed guardian of such minor and limiting the liability of said guardian to the sum of money thus coming into his hands.

House Bill No. 1240, entitled:

An Act creating a presumption of reasonableness of certain contracts for counsel fees made by the next friend or guardian of a minor, provided the same be evidenced by writing.

House Bill No. 127, entitled:

An Act to amend section one thousand two hundred of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "Fiscal Code" taking out of the operation of the Fiscal Code questions relating to the lien and payment of liquid fuel taxes, and referring such questions to the provisions of the liquid fuels tax acts.

HOUSE BILL No. 38, entitled:

An Act to amend section one of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred forty-seven) entitled "An act placing upon the Commonwealth the responsibility for the construction and maintenance of certain bridges on State highway routes or continuations of State highway routes in boroughs incorporated towns cities of the third class and townships under certain conditions and restrictions and appropriating money in the motor license fund for such purposes providing for a limitation of the Commonwealth's liability for reconstruction and maintenance in certain cases under orders of court or the Public Service Commission providing for the Commonwealth to succeed to the rights of the county under certain existing agreements or contracts authorizing the department to issue licenses to public service companies for occupancy of such bridges in accordance with existing laws subject to certain conditions and restrictions providing for the crediting of certain moneys to the motor license fund and providing for the return to the county or disposal of said bridges in certain cases and repealing certain acts with reference to county bridges" placing on the Commonwealth the responsibility for the construction and maintenance of additional county bridges and eliminating the provisions which places upon the counties fifty per centum of the cost of construction and maintenance of certain bridges

House Bill No. 192, entitled:

An Act to amend section two of the act approved the tenth day of April one thousand eight hundred and seventy-nine (Pamphlet Laws sixteen) entitled "An act relating to mutual saving fund building and loan associations regulating the mode of charging premiums bonus or interest in advance of withdrawals of repayment and collection of loans also restricting the power to levy excessive fines and defining the rights and liabilities of married women stockholders and prescribing the non-application to these associations of the bonus tax and registry laws for corporations" by further regulating withdrawals

Whereupon,

The PRESIDENT (Lieutenant Governor Edward C. Shannon) in the presence of the Senate signed the same.

HOUSE MESSAGES

HOUSE RESOLUTION RECALLING FROM GOVERNOR HOUSE BILL No. 490

The Clerk of the House of Representatives being introduced, presented for concurrence Resolution of the House of Representatives, which was twice read as follows, considered and agreed to:

Resolved (if the Senate concur) That House Bill No. 490, entitled:

An Act to amend section one of the act approved the twenty-sixth day of August one thousand nine hundred thirty-two (Pamphlet Laws one hundred), entitled "An act authorizing the abatement of penalties on local taxes" providing further for the abatement of tax penalties

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE RESOLUTION RECALLING FROM GOVERNOR HOUSE BILL No. 126

He also presented for concurrence resolution of the House of Representatives, which was twice read as follows, considered and agreed to:

Resolved (if the Senate concur), That House Bill No. 126, entitled:

An Act to amend section one thousand four hundred one of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "Fiscal Code" limiting the lien and procedure for collection of taxes, bonus and other moneys due the Commonwealth in certain cases.

be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk inform the House of Representatives accordingly.

CONGRESS MEMORIALIZED TO ENACT LEGISLATION WHICH WILL EQUALIZE THE BURDEN OF TAXATION BETWEEN RIVER AND RAILROAD TRANSPORTATION

He also presented extract from the Journal of the House of Representatives which was twice read as follows and referred to the Committee on Federal Relations:

In the House of Representatives, January 16, 1933.

Whereas, In many cases boats on rivers are operated in open competition with railroad transportation, and

Whereas, Boats so operated are not compelled to maintain rights of way in the manner required of railroads and as a consequence can offer lower rates for transportation, and

Whereas, The belief prevails that river transportation is not subjected to a burden of Federal and State taxation equal to that imposed on railroads, and

Whereas, Railroad transportation is essential to the development of the commerce and business of the United States, and

Whereas, River transportation is in most instances a matter of interstate commerce over which the Federal Government has control, therefore be it

Resolved (if the Senate concur), That the General Assembly memorialize Congress of the United States to enact legislation which will equalize the burden of taxation between river and railroad transportation in order to enable railroads to secure a fair share of the business

Resolved, That a copy of this resolution be forwarded by the Chief Clerk of the House of Representatives to the President of the Senate and Speaker of the House of Representatives of the United States.

REPORTS FROM COMMITTEES

Mr. SCOTT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT, from the Committee on Appropriations reported as amended, Senate Bill No. 367, entitled:

A Further Supplement to the act approved the first day of April, one thousand eight hundred and sixty-three (P. L. 213), entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges," and making an appropriation for carrying the same into effect.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 728, entitled:

A Supplement to act number fifteen-A, approved the eleventh day of June, one thousand nine hundred thirty-one (Appropriation Acts of one thousand nine hundred thirty-one, page sixteen), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-one; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-one," providing for a deficiency in the appropriation to the Department of Forests and Waters for the extinction and control of forest fires for the fiscal biennium ending May thirty-first, one thousand nine hundred thirty-three.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 756, entitled:

An Act making an appropriation to the Department of Military Affairs for the use of the State Armory Board for the partial payment of arbitration award to the general contractors for services rendered in connection with the construction of the Wilkes-Barre Artillery Armory.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 863 (House Bill No. 664), entitled:

An Act making an appropriation for the purpose of maintaining the public roads through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 867 (House Bill No. 1163), entitled:

A Supplement to the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred thirty) entitled "An act relating to the erection of a dam at the outlet of Pymatuning Swamp and the establishment of a reservoir for the flood control of the Shenango and Beaver rivers conferring and continuing certain powers and duties on the Department of Forests and Waters in relation to the establishment and maintenance of such reservoir providing for the acquisition of necessary lands therefor and the necessary agreements and releases relating thereto and the disposition of surplus land and materials" and making an appropriation to the Department of Forests and Waters to carry into effect the provisions of said act.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 888, entitled:

An Act making an appropriation to the Department of Welfare to pay for the care, treatment, removal, and maintenance of the indigent insane in Dixmont Hospital, at Dixmont, Allegheny County.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 889, entitled:

An Act making an appropriation to the Department of Welfare to pay for the care, treatment, removal and maintenance of the indigent insane in county and poor district hospitals.

Mr. PARKINSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PARKINSON, from the Committee on Military Affairs, reported as committed, Senate Bill No. 1, entitled:

An Act authorizing counties of the second class and cities of the second class to appropriate sums of money to aid in defraying the expenses of entertaining the stated convention of the National Encampment of the United Spanish War Veterans in the year one thousand nine hundred and thirty-four.

Mr. PARKINSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

NOTARIES PUBLIC

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, April 3, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Carl H. Frey, Oakmont.
Miss Bernadette Stewart, Pittsburgh.

DELAWARE COUNTY

Miss Kathryn Madonna, Upper Darby.

LEHIGH COUNTY

Mrs. Dora G. Witt, Allentown.

LYCOMING COUNTY

Harry C. Parsons, Williamsport.

PHILADELPHIA COUNTY

John W. Jackson, Philadelphia.
Harold S. Obrian, Philadelphia.
Harry Raudenbush, Philadelphia.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 3, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Samuel Papernick, Glassport.

DELAWARE COUNTY

Thomas Davis, Upper Darby.

PHILADELPHIA COUNTY

James E. Hoppe, Philadelphia.

FAYETTE COUNTY

Clyde B. Miller, Uniontown.

LACKAWANNA COUNTY

Zigmunt Strznewsky, Throop.

LAWRENCE COUNTY

Joseph R. McFate, New Castle.

LUZERNE COUNTY

Miss Sarah J. Baicker, Wilkes-Barre.

PHILADELPHIA COUNTY

Miss Clara A. Ivory, Philadelphia.
Chas. Z. Klauder, Jr., Philadelphia.
H. Guy Boohar, Philadelphia.
Oscar Chorney, Philadelphia.
Howard T. Long, Philadelphia.
Elmer F. Strunk, Philadelphia.
Howard A. Weaver, Philadelphia.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 3, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

COLUMBIA COUNTY

Mrs. Annie Ansbach, Berwick, April 3, 1933.

LANCASTER COUNTY

Harry H. Eshleman, Lancaster, April 15, 1933.

PHILADELPHIA COUNTY

Miss M. Meaney, Philadelphia, April 22, 1933.

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. BELL,

That Rule 38, which requires reports of committees on nominations made by the Governor to lie on the table one day be dispensed with and the Senate do now resolve itself into Executive Session for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

Whereupon

A motion was made by Mr. BELL,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. HOMSHER. Mr. President, I move that the Executive Session do now rise.

Mr. CLARK. Mr. President, I second the motion.

The motion was agreed to.

BILL INTRODUCED

Mr. EINSTEIN. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EINSTEIN read in his place and presented to the Chair, Senate Bill No. 891, entitled:

An Act making an appropriation to the first Allegheny Day Nursery, Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

REPORT FROM COMMITTEE

Mr. QUIGLEY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. QUIGLEY, from the Committee on Repeal Bills reported as committed, Senate Bill No. 866 (House Bill No. 1146), entitled:

An Act to repeal section three of the act approved the eighth day of April, one thousand eight hundred and fifty-two (P. L. 296), entitled, "An act relative to county offices of Clarion County; to certain streets in the borough of Brookville, and to hawkers and peddlers in Bedford County."

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess for twenty-five minutes.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. BELL. Mr. President, I aks unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BELL, from the Committee on New Counties and County Seats, reported as amended, Senate Bill No. 833, entitled:

An Act to amend section five hundred and fifteen of the act approved, the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entiled "An act relating to counties of the fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," requiring approval of court to agreements by counties for the payment of land taken, injured or destroyed.

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Public Health and Sanitation, reported as amended, Senate Bill No. 641 (House Bill No. 534), entitled:

An Act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Health and providing penalties.

Mr. BRANDT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BRANDT, from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 878, entitled:

An Act to amend section fifty-one of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," as amended, regulating the holding of the office of district attorney where no person is elected or the elected district attorney fails to qualify.

Mr. HOWELL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOWELL, from the Committee on New Counties and County Seats, reported as amended, Senate Bill No. 812 (House Bill No. 876), entitled:

An Act to amend sections one hundred ten four hundred seven four hundred eight five hundred thirty six hundred twelve six hundred twenty-one six hundred twenty-two eight hundred eight one thousand seven hundred and fifteen one thousand eight hundred and six two thousand sixty-three two thousand seventy two thousand three hundred and one two thousand three hundred and two and three thousand two hundred and one to repeal sections two thousand seventy-one two thousand seventy-two two thousand seventy-three two thousand seventy-four two thousand seventy-five three thousand two hundred and two three thousand two hundred and three three thousand two hundred and four three thousand two hundred and five and three thousand two hundred and six and to add sections two hundred nine two hundred nine a three thousand two hundred and two and three thousand two hundred and three to the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand two hundred six) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" regulating advertising fixing the voting powers at county conventions of townships officers correcting certain section headings providing the security to be given by depositories prescribing penalties for delinquent taxes permitting certain municipal claims to be embraced in one claim and providing that the width of sidewalks may be fixed by resolution regulating the carrying of Workmen's Compensation Insurance providing for the laying out and ordaining of sidewalks for the removal of shrubbery and obstructions within highways for the filling of vacancies in office for the reestablishment of a first class township as a second class township and defining the powers and duties of the planning commission.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MANSFIELD, from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 820, entitled:

An Act relating to seated lands purchased by county commissioners at county treasurer's sale of seated lands for collection of taxes; authorizing the county commissioners to sell the same at private sale under the circumstances.

BILLS INTRODUCED

Mr. NORTON. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT Is there objection? The Chair hears none.

Mr. NORTON read in his place and presented to the Chair Senate Bill No. 892, entitled:

An Act to amend section one of the act approved the fourteenth day of April, one thousand eight hundred and eighty-one (P. L. 10), entitled "An act granting power to counties, cities (except cities of the first and second class), boroughs, municipalities and school districts in this Commonwealth, which have issued bonds or other interest-bearing evidences of indebtedness, to redeem the same and issue new bonds therefor, with or without interest coupons attached," as amended, by extending the provisions of the said act to cities of the first and second classes and providing that the refunding bonds. issued under the provisions thereof may bear interest at a rate of six per centum and providing further that said bonds shall be payable at any time not exceeding twenty years after the date thereof.

Which was committed to the Committee on Finances.

Mr. SHAPIRO. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SHAPIRO read in his place and presented to the Chair Senate Bill No. 893, entitled:

An Act to amend section one of the act approved the twenty-sixth day of April, one thousand nine hundred and twenty-nine (P. L. 836), entitled "An act providing for a separate ballot when constitutional amendments or other questions are submitted to the vote of the people" by providing that such constitutional amendments or other questions may be printed upon a separate ballot.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 894, entitled:

An Act to repeal an act approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 627), entitled "An act providing a method for preventing any elector from depositing in the ballot box, at primary, municipal, general or other elections, any ballot other than that received from the election officer; and imposing penalties."

Which was committed to the Committee on Elections.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess until 4.30 this afternoon.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. BELL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BELL, from the Committee on Public Roads and Highways reported as committed, Senate Bill No. 726 (House Bill No. 1219), entitled:

An Act to amend sections eight and sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight)), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended by providing for the payment of all damages due to the change of width grades lines and locations of State highways in boroughs towns and townships including the removal of structures by the Commonwealth.

Mr. ZIESENHEIM. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ZIESENHEIM, from the Committee on Municipal Affairs reported as amended, Senate Bill No. 531 (House Bill No. 1099), entitled:

An Act authorizing counties cities boroughs townships of the first and second class and school districts to issue and sell bonds for certain purposes and for a certain period of time; providing for a trust fund and a sinking fund for the payment thereof and defining the duties of the officers and governing bodies of the said municipalities in relation to said funds; and fixing a penalty for the violation thereof.

Also from the Committee on Public Roads and Highways, re-reported as committed, Senate Bill No. 322, entitled:

An Act to eliminate reckless and irresponsible drivers from the public highways, and to protect the safety of users of the public highways by providing in certain cases for the suspension and revocation of operator's licenses and privileges (whether resident or non-resident), and for the establishment of ability to respond in damages for injury to property and persons, including injuries resulting in death caused by the use or operation of motor vehicles (including unlicensed operators and unregistered motor vehicles); conferring powers and imposing duties upon the Department of Revenue, the Insurance Commissioner, insurance carriers, and clerks of the courts; requiring certain provisions in motor vehicle liability insurance policies; and providing penalties.

Mr. PARKINSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PARKINSON, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 794, entitled:

An Act establishing certain public roads and streets in the City of Pittsburgh and County of Allegheny as a State highway, and providing for their construction and maintenance by the Department of Highways, subject to certain terms and conditions.

Mr. BATCHELOR. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BATCHELOR, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 737 (House Bill No. 1220), entitled:

An Act to amend section ten of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioners and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; prinicipal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioners; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and porviding that existing contracts are not affected by provisions of this act," as amended relieving boroughs and incorporated towns from

the responsibility for maintenance of highways and bridges under the control of the Department of Highways of the Commonwealth of Pennsylvania.

Mr. BAUMER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BAUMER, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 793, entitled:

An Act to amend Section two of the act approved the twenty-second day of June, A. D. one thousand nine hundred thirty-one (Pamphlet Laws seven hundred twenty), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities ,persons, associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," by changing certain routes.

Mr. FAY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FAY, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 876, entitled:

An Act to amend clause (a) of section four hundred and eleven of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety, regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferirng powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by providing for transfer of registration from husband and wife to either spouse.

Mr. PARKINSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public for terms of four years to compute from the date set opposite their names:

MONTGOMERY COUNTY

Miss Elizabeth B. Hoffman, Lansdale, April 7, 1933.

BERKS COUNTY

George W. Gillingham, Reading April 9, 1933.

WASHINGTON COUNTY

William J. Iams, Washington, April 13, 1933.

LAWRENCE COUNTY

Norman A. Martin, New Castle, April 14, 1933.

ALLEGHENY COUNTY

Henry W. Baldwin, Pittsburgh, April 16, 1933.

PHILADELPHIA COUNTY

H. H. Sinnamon, Philadelphia, April 29, 1933.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

J. Paul Flaherty, East Pittsburgh.

BERKS COUNTY

A. A. Lesher, Lenhartsville.

BLAIR COUNTY

Frank L. Stonebraker, Tyrone.

CAMBRIA COUNTY

Boyd E. Thompson, Portage.
Miss Verna Williams, Ebensburg.

FAYETTE COUNTY

Mike Unetich, Republic.

LAWRENCE COUNTY

George F. Sherman, New Castle.

LUZERNE COUNTY

Will A. Shiffer, Pittston.

MONROE COUNTY

Joseph L. Williams, Pocono Manor.

SCHUYLKILL COUNTY

Michael Cutler, Minersville.

WAYNE COUNTY

Mrs. Kathryn K. Krautter, Newfoundland.

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous censent,

A motion was made by Mr. BUCKMAN,

The Rule 38, which requires reposts of committees on nominations made by the Governor to lie on the table one day, be dispensed with, and the Senate do now resolve itself into

Executive Session for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. FAY. Mr. President, I move that the Executive Session do now rise.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 810 (Senate Bill No. 895), entitled:

An Act to amend section thirteen of the act approved the seventeenth day of May, one thousand nine hundred and seventeen (P. L. 208), entitled "Pharmaceutical Practice Law," as amended, removing the provision which prohibited the sale of medicine containing substances of glandular origin except by registered pharmacists and assistants.

Which was committed to the Committee on Public Health and Sanitation.

House Bill No. 1374 (Senate Bill No. 896), entitled:

An Act relating to the minimum salaries and annual increments of the teaching and supervisory staffs of the public schools; granting power to the State Council of Education to permit, as to certain school districts, temporary reductions in the salary schedules; authorizing the State Council of education to suspend mandatory provisions of the act approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws, three hundred nine), entitled "Public School Code," and of its amendments and supplements; prohibiting school districts from demanding or accepting gifts or donations from members of the teaching and supervisory staffs, and empowering the Superintendent of Public Instruction to forfeit certain State subsidies for violations thereof; and temporarily superseding any inconsistent acts and parts of acts.

Which was committed to the Committee on Education.

TIME OF NEXT MEETING

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, April 4, 1933.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene Monday evening, April 10, at nine o'clock; and when the House of Representatives adjournes this week it reconvene Monday evening, April 10, at nine o'clock.

RESOLUTION RELATIVE TO AKRON DISASTER

He also presented extract from the Journal of the House of Representatives which was twice read as follows:

In the House of Representatives, April 4, 1933.

A few days ago the world learned that man in his eternal struggle for conquest of the last frontier, the upper elements, had successfully soared over the highest mountain;

Late news flashes of this morning stun us with the intelligence that the Akron, America's pride, the world's greatest dirigible, has gone down to destruction;

Among those apparently lost are Rear Admiral William A. Moffett, Chief of the Bureau of Aeronautics of the United States Navy, as well as other Navy and Army officers, and the officers and crew of that magnificent ship;

The names of these illustrious men are added thereby to the terrible total of heroes who have given their lives that man may free himself from the natural shackles to which man was born and which, God-like, he will ever struggle to break, at whatever cost;

Since this must be and man must suffer if men will conquer, and if we of the present be worthy of our forefathers who, at the price of death and over many years have forced humanity upwards to be the controller of its destiny and not the slave of its environment, it is for us only to view with pride sorrow the sacrifice of the pathfinders, therefore be it

Resolved (if the Senate concur), That the General Assembly of the Commonwealth of Pennsylvania by this resolution seeks to express in a poor way its pride in America's gallant dead, its sorrow in America's overwhelming loss, and its solemn faith that they have not died in vain, and that America, in the future, as in the past, will falter not, nor count the cost ,in the age-long battle to make man truly the conqueror.

Mr. EINSTEIN. Mr. President, I move the adoption of the resolution just read.

Mr. FRAZIER. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the House of Representatives be informed accordingly.

AMENDMENT TO HOUSE BILL No. 70, RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 70, entitled:

An Act to amend sections sixty-nine and seventy-one of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred ninety-four) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain power upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by increasing the obligation of the Commonwealth in the construction of certain structures located on such highways

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 1, page 2, line 17, by striking out after the figure "69" the words: "[This act is not intended and shall not]"

Amend section 1, page 2, by striking out lines 18 to 28 inclusive and inserting in lieu thereof the following: "The Commonwealth through the Department of Highways shall maintain construct and reconstruct all drainage structures and bridges which are the responsibility of the township on any highway taken over under the provisions of this act except storm of sanitary sewers."

Amend section 1, page 3, line 1, by striking out the bracket before the word "other."

Amend section 1, page 3, line 1, by striking out the bracket after the word "structures."

Amend section 1, page 3, line 1, by inserting before the word "such" a bracket.

Amend section 1, page 3, line 1, by inserting after the word "bridges" a bracket.

Amend section 1, page 3, line 2, by striking out the bracket before the word "county."

Amend section 1, page 3, line 2 by striking out the bracket after the word "township."

Amend section 2, page 3, line 12, by inserting a bracket before the word "specifically."

Amend section 2, page 3, line 12, by inserting a bracket after the word "specifically."

Amend page 4, by inserting after the line 11 the following: "Section 3. All acts or parts of acts inconsistent herewith be and the same are hereby repealed.

"Section 4. This act shall become effective upon its approval by the Governor."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency the Governor of the Commonwealth, which were read as follows and referred to the Committee on Executive Nominations:

ALDERMAN

Commonwealth of Pennsylvaina,
Governor's Office, Harrisburg, April 4, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the appointment of Homer C. Errett, of Greensburg, Westmoreland County, as Alderman of the Fifth Ward of the City of Greensburg, Westmoreland County, vice W. Irwin Hunter, deceased, until the first Monday in January, 1934.

GIFFORD PINCHOT.

BILLS INTRODUCED

Mr. McCLURE. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McCLURE read in his place and presented to the Chair, Senate Bill No. 897, entitled:

An Act authorizing the issuance of scrip certificates for relief purposes by political subdivisions of this Commonwealth; providing for the printing and issuance of scrip and stamps by the Commonwealth, for the creation of a scrip redemption fund in the State Treasury and for the redemption of scrip therefrom; imposing duties on the State Emergency Relief Board and the State Treasurer; appropriating the moneys in the scrip redemption fund; imposing penalties; and making an appropriation.

Which was committed to the Committee on Appropriations.

Mr. BAUMER. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BAUMER read in his place and presented to the Chair, Senate Bill No. 898, entitled:

An Act authorizing municipalities and townships to provide work for unemployed persons by removing, repairing and replacing sidewalks.

Which was committed to the Committee on Municipal Affairs.

REPORTS FROM COMMITTEES

Mr. HOWELL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOWELL, from the Committee on Finance, reported as amended, Senate Bill No. 890 (House Bill No. 1681), entitled:

An Act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined creating a commission for each of several districts, defining their powers and the powers of the courts of districts of the first class providing for the licensing of the manufacture sale transportation and distribution of such beverages imposing taxes and license fees and providing for collection and distribution of revenues therefrom restricting ownership and interest in licensed places making appropriations providing penalties and repealing existing acts.

Mr. SORDONI. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SORDONI, from the Committee on Banks and Building and Loan Associations, reported as committed, Senate Bill No. 446, entitled:

An Act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of banking corporations, with or without fiduciary powers, including the conversation of national banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts.

Also from the Committee on Banks and Building and Loan Associations, reported as committed, Senate Bill No. 625, entitled:

An Act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities and immunties of such associations and their offcers, drectors, shareholders, attorneys and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposig duties upon the courts, recorders of deeds, and certain State departments, commissions and officers; establishing limitations of actions; imposing penalties and repealing certain acts and parts of acts.

Also from the Committee on Banks and Building and Loan Associations, reported as committed, Senate Bill No. 315, entitled:

An Act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons and appropriating the Banking Department Fund; authorizing the department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions, with supervised corporations, associations or persons; prescribing and limiting the powers and duties of certain courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts.

Mr. SORDONI. Mr. President, with the explanation to the Senate I wish to say that these bills are the Department of Banking Code and the Building and Loan Association Code. It is especially understood, that these bills are to be reported from committee, pass first and second reading and then be recommitted for amendment. The amendments are being prepared at the present time by the Department of Banking and Department of Justice in cooperation with the Chairmen of the Senate and House Committees and certain bankers throughout the State. We expect to have the thing entirely ironed out by Monday, when the amendments will be presented; and we are doing this in order to speed action.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 158

Mr. HOWELL offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 4, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 158, entitled "An act to amend section six as amended and section eight of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) enttled 'An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation' prohibiting persons from being candidates for more than one party nomination," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1, entitled:

An Act authorizing counties of the second class and cities of the second class to appropriate sums of money to aid in defraying the expenses of entertaining the stated convention of the National Encampment of the United Spanish War Veterans in the year one thousand nine hundred and thirty-four.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 315, entitled:

An Act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercise supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons and appropriating the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions, with supervised corporations, associations or persons; prescribing and limiting the powers and duties of certain courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authoriing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 367, entitled:

A Further Supplement to the act approved the first day of April, one thousand eight hundred and sixty-three (P. L. 213), entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges," and making an appropriation for carrying the same into effect.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 446, entitled:

An Act relating to the business of banking and to the exercise of fiduciary powers by corporations; providing for the organization of banking corporations, with or without fiduciary powers, including the conversion of national banks into state banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers of private bankers, and of the officers, directors, trustees, shareholders, attorneys,, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 478, entitled:

An Act to amend paragraph two of section four as amended and paragraph two of section six as amended, and paragraph one and five of section eight as amended and to add paragraph nine to section eight of the act approved the eighteenth day of July one thousand nine hundred seventeen (Pamphlet Laws one thousand forty-three) entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing for the payment of administrative expenses from excess interest earnings making an appropriation therefor and providing for the reduction in the rate of payment to State Annuity Reserve Account Number Two.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 531 (House Bill No. 1099), entitled:

An Act authorizing counties, cities, boroughs, townships of the first and second class and school districts to issue and sell bonds for certain purposes and for a certain period of time providing for a trust fund and a sinking fund for the payment thereof and defining the duties of the officers and governing bodies of the said municipalities in relation to said funds and fixing a penalty for the violation thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 625, entitled:

An Act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, attorneys, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 641 (House Bill No. 534), entitled:

An Act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Health and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 715 (House Bill No. 1325), entitled:

An Act providing that the lien of any tax or municipal claim assessed upon or with respect to real property and of any judgment entered therefor and any execution to enforce such lien or judgment shall be limited to the property against which said tax has been assessed and shall not impose personal liability upon the owner of such property

An Said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 726 (House Bill No. 1219), entitled:

An Act to amend sections eight and sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of

township, or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended, by providing for the payment of all damages due to the change of width, grades, lines and locations of State highways in boroughs, towns and townships, including the removal of structures, by the Commonwealth.

An Said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 728, entitled:

A Supplement to act number fifteen-A, approved the eleventh day of June, one thousand nine hundred thirty-one (Appropriation Acts of One Thousand Nine Hundred Thirty-one, page sixteen), entitled "An act to provide for the ordinary expense of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-one; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-one," providing for a deficiency in the appropriation to the Department of Forests and Waters for the extinction and control of forest fires for the fiscal biennium ending May thirty-first, one thousand nine hundred thirty-three.

An Said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 737 (House Bill No. 1220), entitled:

An Act to amend section ten of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township, or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town requiring contracts by counties, townships, boroughs and incorporated town with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended, relieving boroughs and incorporated towns from the responsibility for maintenance of highways and bridges under the control of the Department of Highways of the Commonwealth of Pennsylvania.

An Said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 756, entitled:

An Act making an appropriation to the Department of Military Affairs for the use of the State Armory Board for the partial payment of an arbitration award to the general contractors for services rendered in connection with the construction of the Wilkes-Barre Artillery Armory.

An Said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 762, entitled:

An Act to amend the act approved the twenty-fifth day of February, one thousand eight hundred and seventy-five (P. L. 4), entitled "A supplement to the act, approved March thirty-first, one thousand eight hundred and sixty, entitled 'An act to consolidate, revise and amend the penal laws of this Commonwealth,' further defining the offence of kidnapping, and affixing additional penalties thereto," by increasing the penalty for kidnapping with intent to extort money for restoration.

An Said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 793, entitled:

An Act to amend Section Two of the Act approved the twenty-second day of June, A. D. One thousand nine hundred thirty-one (Pamphlet Laws seven hundred twenty), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A. and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebted-

ness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," by changing certain routes.

An Said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 794, entitled:

An Act establishing certain public roads and streets, in the City of Pittsburgh and County of Allegheny as a State highway, and providing for their construction and maintenance by the Department of Highways, subject to certain terms and conditions.

An Said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 812 (House Bill No. 876), entitled:

An Act to amend sections one hundred ten four hundred seven four hundred eight five hundred thirty six hundred twelve six hundred twenty-one six hundred twenty-two eight hundred eight one thousand seven hundred and fifteen one thousand eight hundred and six two thousand sixty-three two thousand seventy-two thousand three hundred and one two thousand three hundred and two and three thousand two hundred and one to repeal sections two thousand seventy-one two thousand seventy-two two thousand seventy-three two thousand seventy-four two thousand seventy-five three thousand two hundred and two three thousand two hundred and three three thousand two hundred and four three thousand two hundred and five and three thousand two hundred and six and to add sections two hundred nine two hundred nine a three thousand two hundred and two and three thousand two hundred and three to the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand two hundred six) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" regulating advertising fixing the voting powers at county conventions of township officers correcting certain section headings providing the security to be given by depositories prescribing penalties for delinquent taxes permitting certain municipal claims to be embraced in one claim and providing that the width of sidewalks may be fixed by resolution regulating the carrying of Workmen's Compensation Insurance providing for the laying out and ordaining of sidewalks for the removal of shrubbery and obstructions within highways for the filling of vacancies in office for the reestablishment of a first class township as a second class township and defining the powers and duties of the planning commission.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 816 (House Bill No. 974), entitled:

An Act providing that whenever a husband or wife creates a trust fund of personal property reserving for himself or herself during his or her life time any part of the income or benefits therefrom and disposing of the principal or income upon his or her death such trust shall be subject to the rights of the surviving spouse under the interstate laws.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 820, entitled:

An Act relating to seated lands purchased by county commissioners at county treasurer's sale of seated lands for collection of taxes; authorizing the county commissioners to sell the same at private sale under the circumstances.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 833, entitled:

An Act to amend section five hundred and fifteen of the act approved, the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," requiring approval of court to agreements by counties for the payment of land taken, injured or destroyed.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 863 (House Bill No. 664), entitled:

An Act making an appropriation for the purpose of maintaining the public roads through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 866 (House Bill No. 1146), entitled:

An Act to repeal section three of the act approved the eighth day of April one thousand eight hundred and fifty-two (Pamphlet Laws two hundred ninety-six), entitled "An act relative to the county offices of Clarion County to certain streets in the borough of Brookville and to hawkers and pedlers in Bedford County.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 867 (House Bill No. 1163), entitled:

A Supplement to the act approved the second day of May one thousand nine hundred twenty-nine) entitled "An act relating to the erection of a dam at the outlet of Pymatuning Swamp and the establishment of a reservoir for the flood control of the Shenango and Beaver Rivers conferring and continuing certain powers and duties on the Department of Forests and Waters in relation to the establishment and maintenance of such reservoir providing for the acquisition of necessary lands therefor and the necessary agreements and releases relating thereto and the disposition of surplus land and materials" and making an appropriation to the Department of Forests and Waters to carry into effect the provisions of said act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 876, entitled:

An Act to amend clause (a) of section four hundred and eleven of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal

claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by providing for transfer of registration from husband and wife to either spouse.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 878, entitled:

An Act to amend section fifty-one of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," as amended, regulating the holding of the office of district attorney where no person is elected or the elected district attorney fails to qualify.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 888, entitled:

An Act making an appropriation to the Department of Welfare to pay for the care, treatment, removal and maintenance of the indigent insane in Dixmont Hospital, at Dixmont, Allegheny County.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 889, entitled:

An Act making an appropriation to the Department of Welfare to pay for the care, treatment, removal and maintenance of the indigent insane in county and poor district hospitals.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 890 (House Bill No. 1681), entitled:

An Act to regulate and restrain the traffic in malt brewed and vinous and friut juice beverages as herein defined creating a commission for each of several districts, defining their powers and the powers of the courts of distircts of the first class providing for the licensing of the manufacture sale transportation and distribution of such beverages imposing taxes and license fees and providing for collection and distribution of revenues therefrom restricting ownership and interest in licensed places making appropriations providing penalties and repealing existing acts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

REPORT FROM COMMITTEE

Mr. GELDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER, from the Committee on Public Roads and Highways re-reported as amended, Senate Bill No. 403, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905), entitled "For the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrains and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates alderman justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissable as evidence imposing owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by revising existing regulations for length height and weight of certain vehicles changing method of enforcement and providing certain penalties.

ADJOURNMENT

Mr. SCOTT. Mr. President, I move that the Senate do now adjourn until tomorrow morning at 11 o'clock.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5.53 P. M. until Wednesday, April 5, 1933, at 11 o'clock A. M.

HOUSE OF REPRESENTATIVES

TUESDAY, April 4, 1933

The House met at 11 o'clock A. M.

The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Chaplain, Rev. George F. Conner, offered the following prayer:

Almighty God, our Heavenly Father, Thou hast called the ladies and gentlemen of this General Assembly into a large place of opportunity and responsibility, sustain them with Thy wisdom and power. This Legislature is struggling with the unprecedented problems of a new day. We pray, for new spiritual understanding, new meanings of life, new patience, new courage, a new attitude of love toward God and our fellow men.

Give to Thy servants the members of the House, clear insights and large sympathies, that they may surmount all barriers of race, creed and party, in an honest endeavor to formulate just laws for the people of Pennsylvania. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesetrday, when, on motion of Mr. Duffy the further reading was dispensed with and the Journal approved.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 538 (HOUSE BILL No. 2110).

An Act prohibiting the publication printing or radio broadcasting of advertisements or notices of insurance companies, associations, exchanges or persons not authorized to do business in this Commonwealth; requiring certificates from the Insurance Department before accepting insurance or broadcasting the same by radio; and fixing penalties.

Referred to the Committee on Insurance.

SENATE BILL No. 72 (HOUSE BILL No. 2111).

An Act prescribing penalties to be imposed upon conviction of stealing poultry.

Referred to the Committee on Agriculture.

SENATE BILL No. 77 (HOUSE BILL No. 2112).

An Act to amend the act, approved the eleventh day of June, one thousand eight hundred and seventy-nine (P. L. 148), entitled "An act to require all magistrates and other officials in cities of the first, second and third class, authorized to take acknowledgements and administer oaths, to perform such service free of charge for soldiers and widows of soldiers, when making affidavit to papers for the purpose of drawing pensions," extending the provisions of the act to all officers taking oath, and to papers other than those connected with pensions.

Referred to the Committee on Military Affairs.

SENATE BILL No. 144 (HOUSE BILL No. 2113).

An Act to amend section two of the act approved the twenty-ninth day of April, one thousand nine hundred and fifteen (P. L. 200), entitled "An act creating, in counties having over eight hundred thousand, and less than one million five hundred thousand, inhabitants, according to the last preceding United States census, a board to fix and determine the number and compensation of employes in all county offices, boards, bureaus, departments, and divisions thereof; prescribing the powers and duties of said board, and regulating appeals from the decision thereof"; defining the voting power of members of the salary board.

Referred to the Committee on Counties.

SENATE BILL No. 237 (HOUSE BILL No. 2114).

An Act to amend the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eight classes; and revising, amending and consolidating the laws relating thereto," by adding a new sub-division providing for the appointment of a fire marshal in counties of the second class.

Referred to the Committee on Counties.

SENATE BILL No. 643 (HOUSE BILL No. 2115).

An Act dedicating and setting aside certain lands in Cameron and Clinton Counties as a public park and pleasure ground, to be known s "Bucktail State Park;" and imposing certain powers and duties in connection therewith upon the Department of Forests and Waters and the Department of Justice of the Commonwealth.

Referred to the Committee on Forestry.

SENATE BILL No. 678 (HOUSE BILL No. 2116).

An Act to amend sections four hundred and twenty-two and four hundred and twenty-three of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto"; removing the expenditure limit within which counties may contribute to the cost of the funerals of deceased service persons.

Referred to the Committee on Counties.

SENATE BILL No. 691 (HOUSE BILL No. 2117).

An Act to amend section fifty-seven of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by requiring the county commissioners to furnish office supplies for county officers not located in county buildings or at the county seat.

Referred to the Committee on Counties.

SENATE BILL No. 695 (HOUSE BILL No. 2118).

An Act to preserve the continuity of service of officers and enlisted men of the Pennsylvania National Guard who are mustered into the service of the United States during the World War and afterward were enlisted or commissioned in the said National Guard.

Referred to the Committee on Military Affairs.

SENATE BILL No. 702 (HOUSE BILL No. 2119).

An Act to repeal the act, approved the twentieth day of April, one thousand nine hundred twenty-seven (Pamphlet Laws, three hundred ten), entitled "An act regulating the compensation of sheriffs for boarding prisoners confined in the county jail in the counties of the seventh class."

Referred to the Committee on Counties.

SENATE BILL No. 761 (HOUSE BILL No. 2120).

An Act to amend section seven hundred and twenty-two of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribing fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, borough, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," as amended, exempting Young Men's Christian Associations and Young Women's Christian Associations from payment of fees for certificate of title or registration of motor vehicles trailers and semi-trailers owned and used by them.

Referred to the Committee on Highways.

SENATE BILL No. 763 (HOUSE BILL No. 2121).

An Act to amend sections one and four of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred four), entitled "An act authorizing the Secretary of Highways with the approval of the Governor to establish the width and lines of State highways for future construction where it appears uneconomical to widen existing highways providing for acknowl-

edgment by the Secretary of Highways and recording of plans therefor in the proper county and providing further that no allowance shall be made for buildings or improvements erected or made within the limits of any such highway and providing for the payment of damages" by providing for the maintenance of the existing highway.

Referred to the Committee on Highways.

SENATE BILL No. 767 (HOUSE BILL No. 2122).

An Act to add section seven hundred and thirty-seven to the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh, and eighth classes; and revising, amending and consolidating the laws relating thereto," by authorizing two or more counties jointly, with the consent of the Department of Highways, to levy and collect tolls and certain toll bridges acquired and rebuilt by such counties for the purpose of paying off the indebtedness incurred or reimbursing such counties for moneys expended in the acquisition, rebuilding and maintenance of such toll bridges.

Referred to the Committee on Counties.

SENATE BILL No. 773 (HOUSE BILL No. 2123).

An Act to repeal section thirteen of the Act approved the twenty-fifth day of March, one thousand eight hundred and forty-two (P. L. 192), entitled "An act to appoint commissioners to re-survey and mark that portion of the county line, which divides the township of Bristol, in the county of Philadelphia, from the township of Cheltenham, in the county of Montgomery, and for other purposes."

Referred to the Committee on Repeal Bills.

SENATE BILL No. 413 (HOUSE BILL No. 2124).

An Act approved the twenty-sixth day of July, one thousand nine hundred thirteen (Phamphlet Laws, one thousand three hundred seventy-four), entitled "An act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining and limiting their powers, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries and compensation of the members of the Commission, its officers, counsel and employes; prescribing and regulating the practice and procedure before such Commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the Commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act; and for the violation of the orders of said Commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven entitled 'An act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals;' and an act, entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act, by regulating the issuance of securities by public service companies; by giving the Commission authority to suspend proposed changes in rates and making provision for reparations in connection therewith; by requiring public service companies to carry proper and reasonable depreciation accounts; by giving the Commission jurisdiction over the holders of the voting capital stock of public service companies; by giving the Commission jurisdiction over transactions and contracts between holding companies and affiliated interests and public service companies defining holding companies; affiliated interests and parties in interest to such contract by regulating the business of manufacture sale or lease of appliances and equipment by public service companies by giving the Commission jurisdiction to prescribe minimum rates by striking out the provisions relating to Certificates of Notification and certificates of valuation, and by imposing penalties.

Referred to the Committee on Public Utilities.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL NO 321.

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the expenses of government; defining the powers and duties of the Governor, the Auditor General, the State Treasurer and the Board of Finance and Revenue in relation thereto; providing for the payment of interest on, and the redemption of, such bonds and making an appropriation.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 94.

An Act to amend section three hundred and eighty-six of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight nundred forty), entitled "An act concerning townships and revising amending and consolidating the law relating thereto" as amended by adding thereto paragraph eleven authorizing townships to contract with other municipalities for fire protection.

HOUSE BILL No. 298.

An Act to amend section one of the act approved the thirteenth day of May one thousand nine hundred and twenty five (P. L. 676) entitled "An act providing for the burial of certain persons who have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service men' authorizing county commissioners to provide markers and burial plots for such deceased service men at the

expense of such county in which they shall die or have a legal residence at the time of their death and providing for the burial of widows of soldiers sailors or marines" as amended broadening the definition of the term "deceased service men"

HOUSE BILL No. 850.

An Act to amend Section Two of an act approved the twentieth day of April one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred twenty-one) entitled "An act authorizing the Secretary of Highways to designate by letter or to name number or combine State highways or any part or parts thereof in such manner as in his discretion will best accommodate and inform the traveling public using the highways of the Commonwealth and facilitate the keeping of maps and records of the Department of Highways and to include in any route designated for the convenience of the traveling public any township road or roads" by including public roads.

HOUSE BILL No. 1240.

An Act creating a presumption of reasonableness of certain contracts for counsel fees made by the next friend or guardian of a minor provided the same be evidenced by writing.

HOUSE BILL No. 1187.

An Act empowering a court in which a suit for the recovery of damages for personal injuries to a minor is pending to make an order authorizing a compromise or settlement to be made for such minor and empowering a court in which a judgment is obtained for such minor or by which a compromise or settlement is approved to fix counsel fees and other expenses incident to said suit and to award the balance to a duly appointed guardian of such minor and limiting the liability of said guradian to the sum of money thus coming into his hands.

REPORTS FROM COMMITTEES

Mr. McCANDLESS, from the Committee on Highways, reported as committed, House Bill No. 1775, entitled:

An Act authorizing agreements between the Department of Highways and local authorities to provide for the construction and maintenance of streets and highways in cities, counties, boroughs, towns and townships, under certain conditions; providing for assessments on abutting property owners; and making an appropriation.

Mr. MERRELL, from the Committee on Highways, reported as committed, House Bill No. 1774, entitled:

An Act establishing portions of certain highways lying partially within the corporate limits of cities, boroughs or incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth.

Mr. BLUMBERG, from the Committee on Judiciary General, reported as committed, House Bill No. 68, entitled:

An Act for the relief of owners and operators of motor vehicles from liability for injuries, death and loss suffered by guests, except in certain cases.

Mr. SCHROCK, from the Committee on Highways, reported as amended, House Bill No. 1615, entitled:

An Act denying a right of action to the Commonwealth to collect certain claims from boroughs for the maintenance of State highways.

Mr. WOODSIDE, from the Committee on Judiciary General, reported as committed, House Bill No. 911, entitled:

An Act to amend sections four and five of the act, approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on non-payment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," by providing for the extension of the period during which such taxes shall remain liens on real estate; and authorizing the filing of such liens in the prothonotary's office.

Mr. BLUMBERG, from the Committee on Insurance, reported as amended, House Bill No. 1698, entitled:

An Act supplementing the act, approved the first day of June, one thousand eight hundred and eighty-nine (P. L. 420), entitled, "A further supplement to an act entitled, 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by providing for the return of tax imposed on premiums received by foreign companies writing motor vehicle insurance, to municipalities for payment into police pension funds.

Mr. RUTH, from the Committee on Counties, reported as committed, House Bill No. 1504, entitled:

An Act to amend the title, section ten, and sections two hundred and two hundred and two, as amended, of the act, approved the fourteenth day of May, one thousand nine hundred and twenty-five (P. L. 762), entitled "An act concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth, except in counties of the first and second class; and revising, amending, consolidating, and changing the law relating thereto," extending the provisions of said act to counties of the first and second classes.

Mr. DUNMIRE, from the Committee on Counties, reported as committed, House Bill No. 548, entitled:

An Act to amend section one of the act approved the seventeenth day of March, one thousand nine hundred and twenty-one (P. L. 32), entitled "An act fixing the salaries of court criers and tipstaves in counties of the third class"; authorizing the judges to fix the salaries of court criers and tipstaves within certain limits.

Mr. SNYDER, from the Committee on Counties, reported as committed, House Bill No. 1254, entitled:

An Act to amend section one of the act, approved July ninth, one thousand nine hundred nineteen (Pamphlet Laws seven hundred ninety-five), entitled "An act to fix the salaries of district attorneys in counties having a population of less than one million inhabitants, by striking out the provisions thereof that relate to counties having a population of less than fifty thousand inhabitants and making certain changes in relation to counties having a population of fifty thousand or more, and less than one thousand inhabitants.

Mr. BLUMBERG, from the Committee on Judiciary General, reported as committed House Bill No. 2010, entitled:

An Act establishing courts of record in second class counties for control, care and treatment of delinquent, neglected and dependent children under eighteen years of age; defining their jurisdiction, powers and duties, and regulating procedure therein; providing for the transfer of certain powers, functions and duties from other courts; providing for the election of judges thereof; the appointment of referees, probation officers, other necessary staff officers and assistants; providing for the housing of same; and providing for detention facilities.

Mr. ROOT, from the Committee on Judiciary General, reported as committed, House Bill No. 1726, entitled:

An Act creating a commission to study the laws relating to poor districts and to draft such new laws as may be necessary to revise and codify such laws and establish State supervision over poor boards.

Mr. WOODSIDE, from the Committee on Judiciary General, reported as committed, House Bill No. 2094 (Senate Bill No. 707), entitled:

An Act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates, justices of the peace and aldermen, unless names and addresses of prosecutors, defendants and witnesses appear on the transcript thereof.

Mr. McELWEE, from the Committee on Highways, reported as amended, House Bill No. 1445 (Senate Bill No. 361), entitled:

An Act to amend section sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats; prinicipal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth govtrning same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended, providing that in awarding damages to abutting property owners for changing the width or existing lines and location of State highways, the benefits to such property may be considered in mitigation thereof.

Mr. McBRIDE, from the Committee on Counties, reported as committed, House Bill No. 1210 (Senate Bill No. 325), entitled:

A Supplement to the act approved the third day of April one thousand nine hundred and three (Pamphlet Laws one hundred thirty-seven), entitled "An act regulating the confinement of children under the age of sixteen years awaiting trial," providing for the management of houses of detention for juveniles in counties of the second class imposing expense in connection therewith on the county and permitting and authorizing the county commissioners thereof to appropriate money or issue bonds for the purchase of lands or erecting constructing and equipping of buildings for such purpose.

Mr. ROAN, from the Committee on Counties, reported as committed, House Bill No. 1212 (Senate Bill No. 348), entitled:

An Act permitting sheriffs in counties of the third class to collect the cost of schedules of distribution on sheriff's sales of real estate.

RESOLUTION

RECALLING HOUSE BILL No. 126 FROM THE GOVERNOR

Mr. ROOT offered a resolution which was twice read, considered and adopted:

In the House of Representatives, April 3, 1933.

Resolved (if the Senate concur), That House Bill No. 126, entitled "An act to amend section one thousand four hundred one of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled 'An act [to amend the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled 'An act] relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivsion of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and very debtor or creditor of the Commonwealth' limiting the lien and procedure for collection of taxes bonus and other moneys due the Comomnwealth in certain cases," be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION NO. 7

Mr. LANE. Mr. Speaker, I desire to call up at this time Resolution No. 7, Printer's No. 7.

The resolution was read by the Clerk as follows:

In the House of Representatives, January 16, 1933.

Whereas, In many cases boats on rivers are operated in open competition with railroad transportation; and

Whereas, Boats so operated are not compelled to maintain rights of way in the manner required of railroads, and as a consequence can offer lower rates for transportation; and

Whereas, The belief prevails that river transportation is not subjected to a burden of Federal and State taxation equal to that imposed on railroads; and

Whereas, Railroad transportation is essential to the development of the commerce and business of the United States; and

Whereas, River transportation is in most instances, a matter of interstate commerce over which the Federal Government has control; therefor be it

Resolved (if the Senate concur) That the General Assembly memoralize Congress of the United States to enact legislation which will equalize the burden of taxation between river and railroad transportation, in order to enable railroads to secure a fair share of the business;

Resolved, That a copy of this resolution be forwarded by the Chief Clerk of the House of Representatives to the President of the Senate and Speaker of the House of Representatives of the United States.

On the question,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

HONORABLE WILLIAM CLOUD ALEXANDER PRESENTED TO THE HOUSE

The SPEAKER. The House is honored this morning by having with it a former member from the County of Delaware. This former member is known to a great many of you, and it is quite a pleasure to present him at the present time, the Honorable William Cloud Alexander.

Mr. ALEXANDER. Mr. Speaker and members of the House, it is surely a great pleasure to me to say a word or two to you. I only wish I knew something to say to you that might be of some benefit, that might help you in the many problems that you are wrestling with. You have my sympathy. I know just how hard it is for you to do what is most important at the present time. I say that because I can see that there is pulling and halting by certain politicians, and you are drawn many times from the straight path that you would like to follow.

These times that we are going through, as you all know without my saying so to you, are hard times. This is no time for any of us to play politics. We should have our minds only on one thing; we should ask ourselves the question on each act, what can we do that is most beneficial to our country at the present time, and that should be the only motive that should move you in your actions.

Back in 1777, that wonderful editor, Thomas Paine, said, "These are the times that try men's souls. The summer soldier and the sunshine patriot will in this crisis flinch from his purpose, but he who stands to the end is entitled to the thanks of all men and women."

In these times of 1933 that is just as applicable as it was in the dark days of the Revolution, and it would be well for us to all hark back to those times when they threw aside all politics, and when the only thought was just for their country and its prosperity.

I see by the newspapers that they are criticizing you again as usual. I have not yet seen the newspapers lay down any program which you could follow. I have always been opposed, for either myself or anyone else, criticizing someone for what they are doing, unless we can offer something better, so that these poeple who are criticizing you and don't offer something better, there is no use in your paying any attention to them. I am sure, however, that you are working hard and that you are trying to do your best, and I hope that you may succeed.

RESOLUTION

RECALLING HOUSE BILL No. 490 FROM THE GOVERNOR

Mr. TURNER asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, April 4, 1933.

Resolved (if the Senate concur), That House Bill No. 490, entitled "An act to amend section one of the act approved the twenty-sixth day of August one thousand nine hundred and thirty-two (Pamphlet Laws one hundred) entitled 'An act authorizing the abatement of penalties on local taxes' providing further for the abatement of tax penalties and providing for an extension of time for delivery of duplicates to collectors of delinquent taxes in certain cases," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

MOTION TO RECOMMIT

Mr. PHILIP STERLING. Mr. Speaker, I move that House Bill No. 808, Printer's No. 465, entitled

An Act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of expenses of the Department of Banking by supervised corporations, associations or persons and appropriating to the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions, with supervised corporations, associations or persons; prescribing and limiting the powers and duties of certain courts and their prothonotaries, registers of wills, recorders of deeds, and certain State Departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts.

on page 21 of today's calendar, bills on second reading, be recommitted to the Committee on Banking, for the purpose of further study.

The motion was agreed to.

HOUSE BILL NO. 1374 MADE SPECIAL ORDER

Mr. WILSON. Mr. Speaker, I move that House Bill No. 1374, Printer's No. 496, entitled

An Act relating to the minimum salaries and annual increments of the teaching and supervisory staffs of the public schools granting power to the State Council of Education to permit as to certain school districts temporary reductions in the salary schedules authorizing the State Council of Education to suspend mandatory provisions of the act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" and of its amendments and supplements prohibiting school districts from demanding requesting or accepting gifts or donations from members of the teaching and supervisory staffs and empowering the Superintendent of Public Instruction to forfeit certain State subsidies for violations thereof relating to the effect of payment of salaries which are less than those prescribed by salary schedules and temporarily superseding any inconsistent acts and parts of acts.

be made a special order on final passage at 11.45 o'clock this morning.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1076, entitled:

An Act requiring the Secretary of the Commonwealth to inquire into the purposes of the incorporators of labor groups

and to approve or disapprove their incorporation or right to do business within the Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1880, entitled:

An Act to amend section nine hundred and seven of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers, and of all deputies and other assistants and employes in certain departments, boards, commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing that the Attorney General may retain and employ attorneys to represent the Commonwealth, in criminal proceedings, in the various districts of the Commonwealth, if requested to do so by the court of the district having jurisdiction thereof, and providing for the repeal of all acts inconsistent therewith.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1582, entitled:

An Act authorizing the State Emergency Relief Board to create a fact-finding committee to formulate a work-relief program for the Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1885, entitled:

An Act to regulate and improve the civil service of the Commonwealth of Pennsylvania, to make any violation of its provisions a misdemeanor, and to provide penalties for any violation thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 10, entitled:

An Act to repeal the act approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (Pamphlet Laws, two hundred seventy-eight), entitled, "An act creating a 'Greater Pennsylvania Council' for the promotion of the economic, social, industrial, agricultural, educational, civic, and recreational welfare of the Commonwealth of Pennsylvania and its citizens, prescribing the organization, powers, and duties of said council and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1426, entitled:

An Act to amend sections six and seven of the act, approved the third day of June, one thousand nine hundred and nineteen (P. L. 366), entitled "An act reorganizing the Department of State Police; creating therein a Bureau of Fire Protection; providing for a State Police Force, and defining the powers and duties of the same, including the enforcement of the laws relating to game, fish, forestry, and water supply, and certain other laws, and including the collection of information useful for the detection of crime, and the apprehension of criminals; providing for the equipment, maintenance, and transportation of such police; providing for barracks and substations therefor; and prescribing penalties," as amended, by transferring the State Highway Patrol to the State Police Force; fixing the compensation of the present and added personnel of the State Police Force; limiting their right to maintenance; and providing for their assignment to State Police duties and to State Highway Patrol duties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2103, entitled:

An Act providing for the reimbursement by the State of counties for costs and the maintenance of prisoners imposed as the result of prosecutions under laws, providing that fines and penalties imposed under such laws or forfeited bail recovered as the result of such prosecutions shall be payable into the State Treasury or any fund thereof; providing for the audit of the accounts of counties by the Auditor General, and for the collection of amounts due from counties, and for appeals by counties to the Board of Finance and Revenue; and imposing powers and duties on the Auditor General, Department of Revenue, and Department of Highways, and certain duties upon counties, and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1505, entitled:

An Act to further amend clause (a) of section four of the act, approved the eighteenth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, five hundred forty-nine), entitled "An act to permit the use of voting machines for recording and computing the vote at all elections, including primaries, in any county, city, borough or township of the Commonwealth, at the option of the electors thereof; prescribing regulations with reference to the adoption, requirements, examination, purchase, installation, preparation, custody and demonstration of use of voting machines; providing rules and regulations for the conduct of elections held with voting machines; prescribing the qualifications, number and duties of election officers in the election districts in which voting machines may be used; placing duties upon County Commissioners and the Secretary of the Commonwealth; providing for redivision of wards of cities and boroughs into election districts, and the consolidation of election districts; providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used; and providing penalties for violation of the provisions of this act," as amended, by providing that the Courts of Quarter Sessions may order that one additional voting machine be provided in certain election districts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 6, entitled:

An Act to further amend paragraph eight of section one thousand two hundred ten, of an act, approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet

Laws, three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue, and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended, decreasing the minimum salaries of county superintendents and assistant county superintendents.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1760, entitled:

An Act providing for the assessment of costs, for the acquiring and adopting of or connectiing with existing sewers of adjacent municipalties by townships or boroughs and the maintenance thereof and providing for filing of liens therefor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1198, entitled:

An Act relating to dentistry; defining and providing for the licensing and registration of dentists, and dental hygienists, and for the revocation and suspension of such licenses and registrations subject to appeal, and for their reinstatement; defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction; providing penalties; and repealing existing laws.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 11, entitled:

An Act to amend clause (b) of section two of the act approved the twenty-second day of June, one thousand nine hundred thirty-one (Pamphlet Laws, six hundred eighty-two), entitled "An act relating to domestic animals and providing for their appraisement when about to be slaughtered to prevent the spread of disease; and regulating payments by the Commonwealth in such cases, and the payment of salvage by butchers," by reducing the amount of payments to be made by the Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1425, entitled:

An Act to reenact section one of the act, approved the thirteenth day of June, one thousand eight hundred and eighty-three (P. L. 119), entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized use and traffic in human bodies," as amended, reestablishing the Anatomical Board of the State of Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 427, entitled:

An Act making an appropriation to the Sleighton Farm School for Girls, situate in Delaware County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1061, entitled:

An Act making a deficiency appropriation out of the Motor License Fund for the purpose of carrying into effect the provisions of the act approved the first day of June, one thousand nine hundred and thirty-one (P. L. 301), entitled, "An act providing for the acquisition, construction, improvement, operation, and maintenace of bridges over rivers and navigable waters within the Commonwealth; authorizing the issuance of bridge revenue bonds, free from taxation and payable solely from the bridge earnings, to pay the cost of such bridges and improvements thereof; providing for the collection of bridge tolls for the payment of such bonds, and for the cost, of maintenance, operation, and repair of the bridges; constituting such bonds legal investments in certain instances; prescribing conditions upon which such bridges shall become free bridges; conferring powers and imposing duties on the State Bridge Commission; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; and providing for condemnation"; specifying the purposes for which such appropriation shall be expended and providing for the return of said appropriation to the Motor License Fund.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 353, entitled:

An Act making an appropriation to the Jefferson Medical College, of Philadelphia, for medical education.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 95, entitled:

An Act to amend section one of the act approved the twenty-fourth day of June, one thousand nine hundred and nineteen (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage, stationery, and supplies, as may be necessary for the conduct of their offices, and repealing all acts or parts of acts inconsistent therewith," as amended, decreasing the compensation of members of the General Assembly, and the amount they shall receive for postage and mileage.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 267, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania, located at East Falls, Philadelphia.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 141, entitled:

An Act to amend sections two and three, section four as amended, sections seven and eight, and section nine as amended of the act, approved the sixteenth day of May, one thousand nine hundred and twenty-nine (P. L. 1780), entitled

"An act to fix the salaries and compensation of the judges of Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Allegheny County," by reducing the salaries of judges.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 583, entitled:

An Act making an appropriation to the several fire companies of the city of Harrisburg, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1612, entitled:

An Act making an appropriation to the Trustees of Temple University, at Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 425, entitled:

An Act making an appropriation to The Glen Mills Schools for Boys, situate in Delaware County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 186, entitled:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State property.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 503, entitled:

An act making an appropriation to the Johnson Industrial School of Scranton, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 416, entitled:

An Act making an appropriation to the Board of Commissioners of Navigation for the River Delaware and its Navigable Tributaries.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1138, entitled:

An Act making an appropriation for the purchase of a history of the One Hundred and Ninth Field Artillery of the Pennsylvania National Guard, and providing for the distribution thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 615, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry (Philadelphia School of Design for Women) at Philadelphia Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 705, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1580, entitled:

An Act empowering and directing the State Emergency Relief Board to establish, operate and maintain camps in or adjacent to State forest lands to shelter unmarried, unemployed men and homeless and migratory men and youths, and to employ such men and youths in useful labor; and making an appropriation to carry this act into effect.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 397, entitled:

An Act to amend section nine of the act approved the sixteenth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand seven hundred eighty) entitled "An act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County" as amended reducing the compensation of judges presiding in other districts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2070, entitled:

An Act to amend section one of act number three hundred twenty-nine-A, approved the fifteenth day of May, one thousand nine hundred twenty-nine (Appropriation Acts of One Thousand Nine Hundred Twenty-nine, page one hundred sixty-one), entitled "An act making an appropriation to the Department of Property and Supplies for the purchase or condemnation of additional lands for the Commonwealth of Pennsylvania," by extending the scope of the appropriation to the Department of Property and Supplies for the purchase or condemnation of additional lands for the State Military Reservation, and ratifying certain expenditures heretofore made by said department.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1260, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of and the purchase of apparatus and equipment for the University of Pittsburgh, and for the maintenance of teaching facilities in hospitals for students in the School of Medicine.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 415, entitled:

An Act making an appropriation to the Board of Commissioners of Navigation for the River Delaware and its Navigable Tributaries.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

SPECIAL ORDER ON HOUSE BILL No. 1374 RESCINDED

Mr. WILSON. Mr. Speaker, I move that the action of the House in making House Bill No. 1374 a special order for 11.45 be rescinded.

On the question,

Will the House agree to the motion?

Mr. WILSON. Mr. Speaker, may I say to the House that the only reason I make this motion is that after the special order had been made it appeared that the bill was not on the members' desks. As soon as it is I will make a motion to make it a special order for whatever time it appears we can reach it.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

The SPEAKER. The Chair requests the gentleman form Delaware, Mr. Turner, to approach the rostrum and preside over the deliberations of this body.

(MR. TURNER IN THE CHAIR)

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1635, as follows:

An Act to amend section eleven of the act approved the eleventh day of May one thousand nine hundred and twenty-five (Pamphlet Laws five hundred sixty-one) entitled "An act to provide for the selection of jurors to serve in the several courts criminal and civil of counties of the second class and defining the qualifications of such jurors providing for the organization of a commission for the selection of jurors in such counties and prescribing its powers and duties and authorizing it to investigate as to the quafilications of prospective jurors imposing the expense of maintaining and operating said commission upon said counties and requiring the county commissioners to provide suitable quarters equipment and supplies authorizing the the employment of the necessary clerks and other employes and providing for a salary board composed of the commission the county commissioners and the controller of said counties to fix the number and compensation of such employes requiring county officers and boards to furnish information to said commission concerning taxables resident in said county as to their eligibility for jury service repealing inconsistent legislation and prescribing punishment for the violation hereof" by changing the method of giving notice to persons selected as jurors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eleven of the act approved the eleventh day of May one thousand nine hundred and twenty-five (Pamphlet Laws five hundred sixty-one) entitled "An act to provide for the selection of jurors to serve in the several courts criminal and civil of counties of the second class and defining the qualifications of such jurors providing for the organization of a commission for the selection of jurors in such counties and prescribing its powers and duties and authorizing it to investigate as to the qualifications of prospective jurors imposing the expense of maintaining and operating said commission upon said counties and requiring the county commissioners to provide suitable quarters equipment and supplies authorizing the employment of the necessary clerks and other employes and providing for a salary board composed of the commission the county commissioners and the controller of said counties to fix the number and compensation of such employes requiring county officers and boards to furnish information to said commission concerning taxables resident in said county as to their eligibility for jury service repealing inconsistent legislation and prescribing punishment for the violation hereof" is hereby amended to read as follows

Section 11 When a sufficient number of names shall have been selected from the taxables to serve on the juries in the several courts of the respective counties as aforesaid the said names shall be printed and copied in a list or lists accessible to the public in the office of the commission and in the office of the prothonotary of the respective county and thereupon notice by [registered] first class mail shall be given to each of said taxables so selected If any of said taxables shall object to jury service at any particular portion of the year because such service would inflict hardship upon him or her it shall be the duty of such taxable in person or by writing to so inform the commission within ten (10) days after the mailing of such notices There shall be four jury wheels from one of which the names of jurors for service during the first quarter of the year shall be drawn from the second of which the names of jurors for service during the second quarter of the year shall be drawn from the third of which the names of jurors for service during the third quarter of the year shall be drawn from the fourth of which the names of jurors for service during the fourth quarter of the year shall be drawn If any taxable shall satisfy said commission that service during any particular portion of the year would inflict great hardship upon him or her the name of such taxable shall not be placed in the jury wheel from which names are to be drawn for such period After said list has been printed and made up the name of taxables thereon distributed throughout the year as the commission shall decide in compliance with the foregoing provisions shall be written or printed on slips of paper equally distributed as far as the requirements may be in said four jury wheels and placed therein by the sheriff Said wheels shall be kept in the office of the commission and the said names shall be placed therein by the sheriff whenever necessary The said jury wheels shall not be removed at any time from the office of said commission and shall be so constructed that they can be opened only by a key which shall at all times be in the custody of the sheriff of the county and said wheels shall be opened only when required to be opened for the depositing of names therein or the drawing of names therefrom in accordance with the provisions of this act and no names shall be put therein or withdrawn therefrom in accordance with the provisions of this act except as herein provided and only at the times and under the circumstances herein provided for

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL POSTPONED

Mr. PHILIP STERLING. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1674, as follows:

An Act authorizing the transfer of the Pennsylvania State Forest School at Mont Alto from the Commonwealth of Pennsylvania to Pennsylvania State College

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Forests and Waters is hereby authorized and empowered with the approval of the Governor and on behalf of the Commonwealth to execute and deliver to the Board of Trustees of Pennsylvania State College an appropriate legal instrument or instruments granting and conveying unto Pennsylvania State College all the rights title and interest of the Commonwealth in and to the Pennsylvania State Forest School at Mont Alto including the equipment therein and the grounds thereto annexed and used in connection with such school on condition that Pennsylvania State Celleg shall operate and maintain the school to provide professional education in forestry and maintain a close association of theory and practice and to train forest rangers and forest inspectors

Such grant and conveyance shall not be made or become effective until the Board of Trustees of Pennsylvania State College shall operate and maintain the school to provide progrant and conveyance upon the condition prescribed by this act and shall furnish the Department of Forests and Waters with a certified copy of such resolution

Section 2 All legal instruments authorized or required to carry out the purposes of this act shall be approved by the Department of Justice It shall be the duty of the Department of Forests and Waters to file with the Department of Internal Affairs a copy of any instrument or instruments executed and delivered by it under this act

Section 3 If and when the Pennsylvania State College assumes the control and management of the Pennsylvania State Forest School at Mont Alto the terms of all officers and employes or State employes of such school shall cease and terminate The officers and employes of the School shall thereupon become employes of the Pennsylvania State College subject to the control and direction of the board of trustees of such college

Section 4 This act shall become effective upon the date of its final enactement

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL POSTPONED

Mr. PHILIP STERLING. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1680, as follows:

An Act to repeal Section 11 and to amend Sections 3 4 5 6 7 8 and 9 of the act approved the second day of March one thousand nine hundred and twenty-one (Pamphlet Laws twelve) entitled "An act relating to vocational rehabilitation accepting the provisions and benefits of the act of Congress approved the second day of June one thousand nine hundred and twenty entitled 'An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment' providing for the rehabilitation of disabled persons and their return to civil employment and providing for the cooperation of the State Board of Education and the Department of Labor and Industry in carrying out the provisions of this act" by transferring the duties imposed by the act upon the Department of Labor and Industry to the Department of Health

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section 3 of the act approved the second day of March one thousand nine hundred and twenty-one (Pamphlet Laws twelve) entitled "An act relating to vocational rehabilitation accepting the provisions and benefits of the act of Congress approved the second day of June one thousand nine hundred and twenty entitled 'An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment' providing for the rehabilitation of disabled persons and their return to civil employment and providing for the cooperation of the State Board of Education and the Department of Labor and Industry in carrying out the provisions of this act" is hereby amended to read as follows

Section 3 The State Treasurer is hereby designated and appointed custodian of all moneys received by the Commonwealth from appropriations made by the Congress of the United States for the vocational rehabilitation of persons disabled in industry or otherwise and is authorized to receive and provide for the proper custody of the same and to make disbursements therefrom upon the order of the State [Board] Council of Education and warrant of the Auditor General

Section 2 That Section 4 of said act is hereby amended to read as follows

Section 4 The State [Board] Council of Education is hereby designated as the State Board for the purpose of cooperating with the Federal Board for Vocational Education in carrying out the provisions and purposes of said Federal Act providing for the vocational rehabilitation of persons disabled in industry or otherwise and is empowered and directed to cooperate with said Federal Board in the administration of said act of Congress to prescribe such courses of vocational training as may be necessary for the vocational rehabilitation of persons disabled in industry or otherwise and provide for the supervision of such training and to direct the disbursement and administer the use of all funds provided by the Federal Government for the use of this State for the vocational rehabilitation of such persons

Section 3 That Section 5 of said act is hereby amended to read as follows

Section 5 It shall be the duty of the State [Board] Council of Education and the Department of [Labor and Industry] Health of this Commonwealth to formulate a plan of cooperation [through the Bureau of Rehabilitation of the Department of Labor and Industry] in accordance with the provisions of this act and said act of Congress Such plan shall become effective when approved by the Governor of the Commonwealth

Section 4 That Section 6 of said act is hereby amended to read as follows

Section 6 The State [Board] Council of Education shall appoint a competent agent who shall under its direction and control supervise the work of rehabilitation conducted by the [Bureau of Rehabilitation of the] Department of [Labor and Industry] Health under the provisions of this act for the purpose of recommending for approval by the State [Board] Council of Education such of the work of rehabilitation which means the requirements of the Federal act for the rehabilitation of persons disabled in industry or otherwise When such work in rehabilitation has been approved by the State [Board] Council of Education the State [Board] Council of Education shall reimburse the Department of [Labor and Industry] Health from Federal funds available for rehabilitation in so far as such administration meets the provisions of the Federal act and has been approved by the State [Board] Council of Education

The Department of [Labor and Industry] Health shall place at the disposal of the agent of the State [Board] Council of Education all of its records and reports concerning rehabilitation carried on under the provisions of this act and shall provide facilities for the inspection of the actual work of rehabilitation

Section 5 That Section seven of said act is hereby amended to read as follows

Section 7 It shall be the duty of the [Chief of the Bureau of Rehabilitation] Department of Health to direct as hereinafter provided and subject to the supervision provided in section six of this act the rehabilitation of any persons disabled in industry or in any legitimate occupation and their return to civil employment Provided That said duty of the [chief of the bureau] department shall not be construed to apply to aged or helpless persons requiring permanent custodial care or to blind or deaf persons under the care of any State or semi-State institution or to any epileptic or feeble-minded person or to any person who may not be susceptible to such rehabilitation

Section 6 That Section eight of said act is hereby amended to read as follows

Section 8 The [Chief of the Bureau of Rehabilitation] Department of Health shall have power [with the approval of the Commissioner of Labor and Industry] and its duty shall be

(a) To establish relations with all public and private hospitals to require prompt and complete reports of any disabled persons under treatment in such hospitals The persons thus reported may be promptly visited by representatives of the [Bureau of Rehabilitation] Department of Health who shall make record of their condition and report to the [chief of the bureau] department who shall then determine whether the person is suceptible to rehabilitation Such person as may be found susceptible shall be acquainted by the [chief of the bureau] Department of Health with the rehabilitation facilities offered by the State and the benefits of entering upon remunerative work at an early date Any disabled person who chooses to take advantage of these rehabilitation facilities shall be registered with the [chief of the bureau] Department of Health and a report kept of every such person and the measures taken for his or her rehabilitation The [chief of the bureau] Department of Health shall proffer to any such person counsel regarding the selection of a suitable occupation and of an appropriate course of training and shall initiate definite plans for beginning rehabilitation as soon as the physical condition of the person permits

(b) To receive applications of any disabled persons for advice and assistance regarding their rehabilitation The persons thus known to be disabled may be visited examined and advised in the same manner and for the same purpose as specified in clause (a) of this section

(c) To make a survey to ascertain the number and condition of disabled person within the Commonwealth The persons thus known to be disabled may be visited examined registered and advised in the same manner and for the same purpose as specified in clause (a) of this section

(d) To arrange with the Superintendent of Public Instruction for training courses in the public schools in the Commonwealth in selecting occupations for disabled persons registered with the [chief of the bureau] department

(e) To arrange with any educational institution for training courses in selected occupations for disabled persons registered with the [chief of the bureau] department

(f) To arrange with any public or private organization or commercial industrial or agricultural establishment for training courses in selected occupations for disabled persons registered with the [chief of the bureau] department

(g) To arrange for social service for the visiting of disabled persons registered with the [chief of the bureau] department and of their families in their homes during the period of training and after its completion to give advice regarding any matter that may affect rehabilitation

(h) To make such studies and reports as may be helpful for the operation of this act

(i) To cooperate with any department of the Federal Government or of the Government of this Commonwealth or with any private agency in the operation of this act

Section 7 That Section nine of this said act is hereby amended to read as follows

Section 9 The Department of [Labor and Industry through the Bureau of Rehabilitation] Health subject to the supervision provided in section six of this act shall have general supervision management and direction of all matters within the provisions of this act except that when the [Bureau of Rehabilitation] department discovers disabled persons entitled to receive assistance or training under the provisions of this act who desire to go into public educational institutions or classes or institutions of higher education in Pennsylvania the names of such persons shall be certified to the State [Board] Council of Education and when such persons enter these institutions or classes to receive training such training shall be under the direct supervision and control of the State [Board] Council of Education

Section 8 That Section eleven of this act is hereby repealed

Section 9 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL POSTPONED

Mr. PHILIP STERLING. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1653, entitled:

An Act to amend sections one three and four of the act approved the first day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred seventeen) entitled "An act fixing the number compensation mileage and duties of the officers and employes of the General Assembly and providing for their election or appointment term of office and manner of filling vacancies" by changing the number of employes of the General Assembly

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the first day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred seventeen) entitled "An act fixing the number compensation mileage and duties of the officers and employes of the General Assembly and providing for their election or appointment term of office and manner of filling vacancies" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after June thirtieth one thousand nine hundred and nineteen the officers and employes of each branch of the Legislature shall be as follows namely

[I] (a) In the Senate there shall be in addition to the President and President pro tempore as provided for by the Constitution one secretary one chief clerk one assistant clerk who shall be the reading clerk one librarian one assistant librarian one journal clerk one assistant journal clerk one executive clerk one message clerk [five] three clerks in the transcribing room one of whom shall be a competent typewriter one clerk to prepare the history of legislation in the Senate one sergeant-at-arms [one chief assistant sergeant-at-arms who shall be the chief doorkeeper] and [eight] six assistant sergeant-at-arms one postmaster [one assistant postmaster one messenger one assistant messenger] one superintendent of folding room [four] two pasters and folders [one clerk to the President one stenographer to the President] one clerk to the President pro tempore one stenographer to the President pro tempore one assistant to the secretary one stenographer to the chief clerk two stenographers to the Senate librarian one messenger in the Senate library one chaplain one day watchman one night watchman [twelve] six clerks to committees one custodian of the Senate Chamber three assistant custodians of the Senate Chamber [two custodians of committee rooms] one custodian of washroom one superintendent of storerooms one custodian of the basement one page to the President [one page to the President pro tempore] one chief page and fourteen pages The [clerk the stenographer

and the page to the President shall be appointed by the President the] clerk the stenographer and the page to the President pro tempore shall be appointed by the President pro tempore the assistant to the secretary and the clerk to prepare the history of legislation in the Senate shall be appointed by the secretary the stenographer to the chief clerk the superintendent of storerooms and the assistant custodians of the Senate Chamber shall be appointed by the chief clerk the assistant librarian the stenographers to the librarian and the messenger in the Senate library shall be appointed by the librarian but all the other officers and employes shall be elected by the Senate unless otherwise specified

[II] (b) In the house of Representatives there shall be in addition to the Speaker as provided for by the Constitution one chief clerk one assistant clerk one resident clerk one assistant resident clerk one journal clerk one assistant journal clerk one reading clerk one assistant reading clerk [two] one desk [clerks] clerk one message clerk [nine] five clerks in the transcribing room one of whom shall be a competent typewriter one clerk to prepare the history of legislation in the House one sergeant-at-arms one chief assistant sergeant-at-arms who shall be the chief doorkeeper [sixteen] twelve assistant sergeant-at-arms one postmaster one assistant postmaster one messenger [three assistant messengers] one superintendent of folding room [eight] four pasters and folders one Speaker's clerk one stenographer to the Speaker one stenographer to the chief clerk one stenographer to the resident clerk one messenger in the House library one chaplain one day watchman one night watchman [fifteen] eleven clerks to committees [two custodians of committee rooms] one custodian of the hall of the House four assistant custodians of the hall of the House [one custodian of washroom one custodian of basement] one superintendent of storerooms one Speaker's page one chief page and twenty pages The clerk the stenographer and the page to the Speaker shall be appointed by the Speaker the stenographer to the chief clerk the superintendent of the storerooms the clerk to prepare the history of legislation in the House and the assistant custodians of the hall of the House shall be appointed by the chief clerk the assistant resident clerk the stenographer to the resident clerk and the messenger in the House library shall be appointed by the resident clerk but all the other officers and employes shall be elected by the House of Representatives unless otherwise specified

The second section was read as follows:

Section 2 That section three of said act is hereby amended to read as follows

Section 3 From and after June thirtieth one thousand nine hundred and nineteen the compensation of the officers and employes of the General Assembly hereinbefore provided for shall be as follows to wit The President pro tempore of the Senate and the Speaker of the House of Representatives in addition to their salaries as members of the Legislature shall each receive one thousand dollars for each regular biennial session and five hundred dollars for each special or extraordinary session the secretary of the Senate shall rceive the sum of seven thousand five hundred dollars per annum the chief clerks shall each receive six thousand dollars per annum the assistant clerks of the Senate and House of Representatives shall each receive two thousand dollars for each regular biennial session and ten dollars per diem for each special or extraordinary session and one hundred and seventy-five dollars per month during the interim between legislative sessions the librarian of the Senate and the resident clerk of the House of Representatives shall each receive four thousand five hundred dollars per annum the assistant librarian of the Senate and the assistant resident clerk of the House of Representatives shall each receive three thousand six hundred dollars per annum the journal and reading clerks shall each receive two thousand dollars for each regular biennial session and ten dollars per diem for each special or extraordinnary session the desk clersk assistant reading clerks assistant journal clerks and executive clerk shall each receive eighteen hundred dollars for each regular biennial session and ten dollars per diem for each special or extraordinary session For each regular biennial special or extraordinary session the message clerks sergeants-at-arms and the clerks having in charge the preparation of the Senate and House histories shall each receive eight dollars per diem for each regular biennial special or extraordinary session the assistant to the secretary of the Senate shall receive ten dollars per diem and two hundred dollars per month during the interim between legislative sessions for each regular biennial special or extraordinary session the stenographers to the Senate librarian and the stenographer to the resident clerk shall each receive eight dollars per diem and one hundred and fifty dollars per month during the interim between legislative sessions for each regular biennial special or extraordinary session the clerks in the transcribing rooms and clerks to committees chaplains clerks to President pro tempore and Speaker postmasters chief assistant sergeants-at-arms stenographer to the President pro tempore stenographer to the Speaker of the House stenographers to the chief clerks superintendents of folding rooms and the assistant sergeants-at-arms shall each receive seven dollars per diem for each regular biennial special or extraordinary session the assistant postmasters messengers assistant messengers and paster and folders [the custodians of committee rooms and the custodian of the washroom of the House of Representatives] shall each receive six dollars per diem the superintendents of the storerooms of the Senate and House of Representatives shall each receive two thousand four hundred dollars per annum the messenger in the Senate library and the messenger in the library of the House of Representatives shall each receive twelve hundred dollars per annum the custodian of the Senate Chamber and the custodian of the hall of the House of Representatives the watchman of both Houses the custodian of the washroom of the Senate and the custodian of the basement of the Senate [and the custodian of the basement of the House of Representati es] shall each receive the sum of one hundred and fifty dollars per month for each regular biennial special or extraordinary session the assistant custodians of the Senate Chamber and the hall of the House of Representatives shall each receive three dollars per diem and seventy-five dollars per month during the interim between legislative sessions for each regular biennial special or extraordinary session [the page to the President] the page to the President pro tempore the Speaker's page and the chief pages shall each receive three dollars per diem and the pages shall each receive two dollars per diem [the clerk to the President shall receive fifteen hundred dollars per annum and the stenographer to the President shall receive one thousand two hundred dollars per annum]

On the question,

Will the House agree to the section?

Mr. STERLING. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Section 2, page 6, lines 25 and 26, by striking out with ligh-faced brackets the words "two thousand four hundred dollars per annum" and insert in lieu thereof "the salary now provided by law."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section and title were separately read and agreed to as follows:

Section 3 That Section four of said act is hereby amended to read as follows:

Section 4 In addition to the officers and employes herein specified the chief clerk of the Senate is hereby authorized to appoint for the session not more than [four] six stenographers for the use of the members and officers of the Senate and the chief clerk of the House of Representatives is hereby authorized to appoint for the session not more than [six] eight stenographers for the use of the members and officers of the House of Representatives The salary of each of the stenographers specified in this section shall be five dollars per diem

An Act to amend Sections one three and four of the act approved the first day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred seventeen) entitled "An act fixing the number compensation mileage and duties of the officers and employes of the General Assembly and providing for their election or appointment term of office and manner of filling vacancies" by changing the number of employes of the General Assembly.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL POSTPONED

Mr. PHILIP STERLING. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2062, as follows:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which is shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by reducing the number of assistant county superintendents and the salaries of county and assistant superintendents abolishing State teachers college districts and certain State teachers colleges and auhorizing the Superintendent of Public Instruction with the approval of the State Council of Education to assign a professional service area to each State teachers college

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand one hundred twenty-six of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundrd nine) entitled "An act to stablish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by the act approved the twenty-fourth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand seventy-eight) is hereby further amended to read as follows

Section 1126 Every county superintendent having more than [one hundred and fifty] two hundred and seventy-six and not more than [three hundred and fifty] four hundred and seventy-five teachers under his supervision shall have an assistant superintendent every county superintendent having more than [three hundred and fifty] four hundred and seventy-five and not more than six hundred and seventy-five teachers under his supervision shall have two assistant superintendents every county superintendent having more than six hundred and seventy-five and not more than eight hundred and seventy-five teachers under his supervision shall have three assistant superintendents and for each additional four hundred teachers or major fraction thereof under his supervision a county superintendent shall have an additional assistant superintendent And the school directors of any county at their convention for electing a county superintendent may authorize the appointment of additional assistant superintendents to those herein provided for

Section 2 That paragraph eight of Section one thousand two hundred eight of said act as amended by the act approved the seventh day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred eighty-seven) is hereby further amended to read as follows

Eight County superintendents [of counties] having [a] supervision over school districts with an aggregate population of less than twenty thousand (20,000) minimum annual salary [three thousand dollars ($3,000)] two thousand five hundred dollars ($2,500) county superintendents [of counties] having [a] supervision over school districts with an aggregate population of twenty thousand and more but less than forty-five thousand (45,000) minimum annual salary [three thousand five hundred dollars ($3,500)] two thousand nine hundred and seventy-five dollars ($2,975) county superintendents [of counties] having [a] supervision over school districts with an aggregate population of forty-five thousand and more but less than one hundred and fifty thousand (150,000) minimum annual salary [four thousand dollars ($4,000)] three thousand four hundred dollars ($3.400) county sueprintendents [of counties] having [a] supervision over school districts with an aggregate population of one hundred and fifty thousand (150,000) or more minimum annual salary [four thousand five hundred dollars ($4,500)] three thousand eight hundred and twenty-five dollars ($3,825) all assistant county superintendents minimum annual salary [three thousand dollars ($3,000)] two thousand five hundred dollars ($2,500)

Section 3 That Section 2001 of said act as amended by the act approved the twenty-fifth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws seven hundred twelve) is hereby further amended to read as follows

Section 2001 There shall be [thirteen] twelve State Teachers [College Districts in this Commonwealth as now provided and one State Teachers College in each district] Colleges as follows

The State Teachers College of West Chester
The State Teachers College of Millersville
The State Teachers College of Kutztown
Th State Teachers College of East Stroudsburg
The State Teachers College of Mansfield
The State Teachers College of Bloomsburg
The State Teachers College of Shippensburg
The State Teachers College of Lock Haven
The State Teachers College of Indiana
The State Teachers College of California
The State Teachers College of Slippery Rock
The Cheyney Training School for Teachers

The Superintendent of Public Instruction with the approval of the State Council of Education shall determine and assign to each State Teachers College a professional service area

[Delaware Chester Bucks and Montgomery Counties shall be the first State Teachers College Districts and the State Teachers College in West Chester shall be the State Teachers College in this district

Lancaster York and Lebanon Counties shall be the Second State Teachers College District and the State Teachers College at Millersville shall be the State Teachers College in this district

Berks Schuylkill and Lehigh Counties shall be the Third State Teachers College District and the State Teachers College at Kutztown shall be the State Teachers College of this district

Northampton Carbon Monroe Pike Luzerne Lackawanna and Wayne Counties shall be the fourth State Teachers College District and the State Teachers College at East Stroudsburg shall be the State Teachers College in this district

Wyoming Sullivan Susquehanna Bradford Lycoming and Tioga Counties shall be the fifth State Teachers College District and the State Teachers College at Mansfield shall be the State Teachers College in this district

Dauphin Northumberland Columbia Montour Union Snyder Perry Juniata and Mifflin Counties shall be the sixth State Teachers College District and the State Teachers College at Bloomsburg shall be the State Teachers College in this district

Cumberland Adams Franklin Fulton Bedford Huntingdon and Blair Counties shall be the seventh State Teachers College District and the State Teachers College at Shippensburg shall be the State Teachers College in this district

Centre Clinton Clearfield Elk Potter and Cameron Counties shall be the eighth State Teachers College District and the State Teachers College at Lock Haven shall be the State Teachers College in this district

Cambria Indiana Armstrong and Westmoreland Counties shall be the ninth State Teachers College District and the State Teachers College at Indiana shall be the State Teachers College in this district

Washington Fayette Greene and Somerset Counties shall be the tenth State Teachers College District and the State Teachers College at California shall be the State Teachers College in this district

Allegheny Butler and Beaver Counties shall be the eleventh State Teachers College District and the State Teachers College at Slippery Rock shall be the State Teachers College in this district

Lawrence Mercer Venango Crawford and Erie Counties shall be the twelfth State Teachers College District and the State Teachers College at Edinboro shall be the State Teachers College in this district

Jefferson Clarion Forest Warren and McKean Counties shall be the thirteenth State Teachers College District and the State Teachers College at Clarion shall be the State Teachers Collge in this district]

Sction 4 That Section two thousand and four of said act as amended by the act approved the twenty-fifth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws seven hundred twelve) is hereby further amended to read as follows

Section 2004 Each college shall provide practice teaching facilities so organized and administered that the students of the college shall acquire therein a practical knowledge of the art of teaching under the instruction and supervision of their proper teachers It shall be lawful for the [board of trustees of any college] Department of Public Instruction and the board of school directors of any district in this Commonwealth to enter into an agreement between such [board of trustees] department and board of school directors by which all or part of the pupils of such school district may be instructed in the training school in [such] a designated college upon terms mutually agreeable to the [board of trustees] department and the board of school directors concerned It shall also be lawful for the [board of trustees of any college] department and the board of school directors of any district or districts to enter into an agreement upon terms mutually satisfactory in accordance with which all or part of the classes of such district or districts may be available for practice teaching facilities for the students of [such] any designated college [Such actions of the said school district or school districts and the boards of trustees of such colleges shall be entered respectively upon the minutes of the said respective boards and must be approved by the Superintendent of Public Instruction] The [board of trustees of any college] Department of Public Instruction may provide for the transportation of students of [the] any designated college to and from the place or places where such practice teaching facilities are available

Section 5 That Section two thousand and eight of said act as amended by the act approved the twenty-fifth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws seven hundred twelve) is hereby further amended to read as follows

Section 2008 The Cost of boarding and tuition shall be fixed by the [trustees of the several State Teachers Colleges with the approval of the Superintendent] Department of Public Instruction but no difference in the charge for boarding and tuition shall be made in favor of any students pursuing similar studies

Section 6 That Section two thousand and nine of said act as last amended by the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred forty-three) is hereby further amended to read as follows

Section 2009 The tuition of all students at the State Teachers Colleges who are residents of Pennsylvania and who meet such requirements as the board of presidents of the State Teachers Colleges may prescribe and who sign an agreement to teach in the public schools of this Commonwealth for not less than two years and who are pursuing therein regular courses for the preparation of teachers shall be paid by the Commonwealth and sufficient appropriations shall be made for this purpose [The trustees of any State Teachers College when it does not interfere with its purpose to educate and prepare teachers may with the approval of the Superintendent of Public Instruction] The Department of Public Instruction may admit to any State Teachers College other students than those preparing to teach provided the admission of such students does not interfere with the education and preparation of teachers in such college Provided That all such students except those in the practice school shall pay regular tuition And provided That when there is insufficient room for all who apply preference shall be given to residents of Pennsylvania and those preparing to teach

Section 7 This act shall become effective upon the date of its final enactment Provided however That any provision of this act diminishing the salary or emoluments of any county superintendent or assistant county superintendent now holding office shall not become effective until the first day of July one thousand nine hundred and thirty-four

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL POSTPONED

Mr. PHILIP STERLING. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1785, as follows:

An Act authorizing the Department of Mines to charge a fee for making examinations and inspections of anthracite and bituminous mines

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the effective date of this act whenever the Department of Mines shall make an examination and inspection of any bituminous or anthracite mine as required by law the department shall charge and collect from the person copartnership association or corporation which owns or operates the mine an inspection fee in the sum of three mills per ton of coal mined at such mine during the calendar or fiscal year immediately preceding the time of examination and inspection All fees collected hereunder shall be paid by the Department of Mines into the State Treasury through the Department of Revenue

Section 2 This act shall become effective upon the date of its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HERMANSEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for the purpose of a public hearing.

On the question.

Will the House agree to the motion?

Mr. PHILIP STERLING. Mr. Speaker, may I point out to the gentleman from Luzerne that this bill came from the Committee on State Government.

Mr. HERMANSEN. That will be all right, Mr. Speaker, I will substitute State Government.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1847, as follows:

An Act to protect the public health defining and providing for the licensing of bakeries and regulating the inspection maintenance and operation of bakeries and premises stores and shops connected therewith defining and regulating the manufacture sale and offering for sale of Bakery products conferring powers on the Department of Agriculture and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That DEFINITIONS The following words and terms as used in this act shall be construed as follows

"Bakery" means and includes all buildings and parts of buildings cellars and basements used for the manufacture and handling of bakery products intended for sale and for the mixing and other preparation of ingredients and materials entering into the manufacture of bakery products

"Bakery products" means and includes bread rolls cakes cookies crackers ice cream cones crullers doughnuts biscuits pies macaroni spaghetti noodles alimentary pastes pretzels potato chips and all other products whatever manufactured in a bakery and intended for human consumption as well as the ingredients and materials entering into their manufacture

"Person" means an individual copartnership association and corporation

"Department" means the Department of Agriculture of the Commonwealth of Pennsylvania

Section 2 CLEANLINESS AND SANITATION REQUIRED It is unlawful for any person to manufacture bakery products in an unclean or insanitary bakery or under unclean or insanitary conditions or to use unclean or insanitary fixtures furnishings machinery apparatus equipment implements utensils and receptacles or unclean insanitary or unwholesome ingredients or materials in a bakery or to sell expose or offer for sale bakery products in an unclean or insanitary store or shop connected with a bakery

Every bakery and every store or shop connected with a bakery shall be maintained and operated with strict regard for the purity and wholesomeness of the bakery products manufactured produced sold or offered for sale therein or therefrom and in accordance with the following requirements

(a) Bakery Products shall not at any time be wrapped in anything except clean unused wrappers

(b) Bakery products shall not be touched or handled by prospective purchasers until purchased

(c) All vehicles boxes baskets and other receptacles in which bakery products are contained deposited received or stored shall at all times be kept clean covered ventilated and screened or otherwise protected

(d) No person who is afflicted with a communicable disease or skin affliction shall be employed or permitted to work in a bakery Each employe shall be examined at least once every six months by a duly licensed physician and the certificate of the physician showing freedom from disease or affliction shall be kept on file in the bakery

Section 3 ANNUAL LICENSE AND LICENSE FEE It shall be the duty of every person whether a resident or nonresident of this Commonwealth operating a bakery to apply to the Department of Agriculture for a license to do so and to register with the department all bakery products baked prepared manufactured or compounded in such bakeries before the first day of January one thousand nine hundred thirty-four and annually thereafter before the first day of January of each succeeding year and pay to the Department of Agriculture at the time said application for registration and license is filed an annual fee as follows For bakeries using less than one hundred barrels of flour per week five dollars ($5.00) for bakeries using one hundred barrels and less than two hundred barrels of flour per week ten dollars ($10.00) and bakeries using two hundred barrels or more per week twenty dollars ($20.00) Provided however That any person operating a bakery in Pennsylvania who does not use more than fifty pounds of flour flour substitute flour mixture or potatoes a week in the preparation of bakery products shall not be required to register such bakery products pay a license fee or obtain a license

The application for a license and registration shall be made on a form to be supplied by the department and shall show trade names of all products and principal address of bakery The application shall have attached thereto the affidavit of the person applying for the license that the facts set forth therein are true and correct

From and after the first day of January one thousand nine hundred and thirty-four it shall be unlawful for any person to operate a bakery for the manufacture of bakery products unless said bakery is duly licensed in accordance with the provisions of this act

Upon approval of application for registration and license and payment of required license fee and also upon approval of sanitary conditions in a bakery and every store or shop connected therewith the Department of Agriculture shall issue to each applicant a license or certificate of registration which shall expire at the end of each calendar year and which will authorize the operation of said bakery and the baking compounding manufacturing and sale of said bakery products for the calendar year or portion thereof for which a license or certificate of registration shall be issued

All wrappers of any kind whatsoever in which bakery products shall be wrapped shall be printed or marked in a clear and legible manner with the trade name or kind of bakery product which it purports to be

Section 4 INSPECTIONS SUSPENSION AND REVOCATION OF LICENSES APPEALS The department through its duly authorized officers inspectors agents and other assistants shall be permitted at all reasonable times to inspect any bakery or part thereof the premises connected therewith and the operation of such bakery Any person refusing or interfering with such inspection shall be guilty of a violation of this act

If as the result of any inspection it shall appear that any bakery or part thereof or premises connected therewith is being maintained or operated in violation of any of the provisions of this act or the rules and regulations of the department adopted pursuant thereto the department shall cause written notice thereof to be served upon the person operating said bakery together with an order commanding an abatement of such violation and a compliance with this act and the rules and regulations of the department within a reasonable period of time stated in the notice If the instructions set out in the notice are not complied with within the time therein stated the department shall suspend or revoke the license issued to the bakery and such license shall not be reinstated until the order of the department is complied with

Any person aggrieved by the department in suspending or revoking any license may appeal from the action of the department to the court of common pleas of Dauphin County but such appeal shall not operate as a supersedeas to the order of the department The Court shall fix a day for hearing the appeal of which due notice shall be given to the department After hearing the appeal de novo the court shall affirm modify or reverse the action of the department as to it seems just and proper The action of the court shall be final

Section 5 RULES AND REGULATIONS The Department of Agriculture shall make adopt and promulgate rules and regulations for the purpose of carrying into effect the provisions of this act and of fixing and defining the standards for the maintenance and operation of bakeries in accordance with the requirements of this act

Section 6 PENALTY Any person who violates any of the provisions of this act or any of the rules and regulations of the department adopted under the authority of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00) or to undergo imprisonment of not less than thirty days or more than sixty days or both

All fines imposed and recovered for any violation of the provisions of this act shall be paid to the Department and all such fees paid under the provisions of this act shall be paid into the State Treasury through the Department of Revenue

Section 7 EFFECTIVE DATE This act shall become effective on the first day of June one thousand nine hundred and thirty-three

Section 8 REPEALS The act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred eighty-eight) entitled "An act to protect the health of the persons employed in bakeries by requiring the ventilation drainage sanitation and purity of

bakeries the cleanliness of persons employed therein and of all bakery products tools implements ingredients and other things used in connection with their manufacture delivery and sale by regulating and in certain cases restricting the use of such bakeries by regulating the manufacture sale and delivery of such products by requiring all persons employed or permitted to work therein to be certified as free from certain diseases and skin affections by prohibiting the presence of all animals by requiring a certificate of compliance and regulating the issuance of same by providing for the enforcement of this act and providing penalties for violations thereof" and its amendments are hereby repealed

All other acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1667, as follows:

An Act to repeal sections two three six and eight and to amend sections one four and five of the act approved the eighteenth day of July one thousand nine hundred and nineteen (Pamphlet Laws ten hundred forty-five) entitled "An act providing for the establishment of a bureau of Rehabilitation in the Department of Labor and Industry and conferring upon the Commissioner of Labor and Industry the power to supervise and direct the rendering of certain physically handicapped persons fit to engage in remunerative occupations providing for the appointment of a chief of the bureau subordinate officers and employes and furnishing suitable accommodations and making an appropriation" by transferring to the Department of Health the powers and duties imposed by the act upon the Department of Labor and Industry and repealing certain sections of the act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the eighteenth day of July one thousand nine hundred and nineteen (Pamphlet Laws ten hundred forty-five) entitled "An act providing for the establishment of a Bureau of Rehabilitation in the Department of Labor and Industry and conferring upon the Commissioner of Labor and Industry the power to supervise and direct the rendering of certain physically handicapped persons fit to engage in remunerative occupations providing for the appointment of a chief of the bureau subordinate officers and employes and furnishing suitable accommodations and making an appropriation" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That (a) the term ["bureau"] "department" as used in this act shall mean [Bureau of Rehabilitation] Department of Health of this Commonwealth

(b) The term ["commissioner"] "secretary" shall mean the [Commissioner of Labor and Industry] Secretary of Health

(c) The term "physically handicapped person" or "persons" wherever used in this act shall mean any resident or residents of the Commonwealth of Pennsylvania whose capacity to earn a living is in any way destroyed or impaired through industrial accident occurring in the Commonwealth

(d) "Rehabilitation" shall mean the rendering of a physically handicapped person fit to engage in a remunerative occupation

Section 2 That Section four of said act is hereby amended to read as follows

Section 4 It shall be the duty of the [Chief of the Bureau of Rehabilitation] department to direct as hereinafter provided the rehabilitation of any physically handicapped person Provided That said duty of the [chief of the bureau] department shall not be construed to apply to aged or helpless persons requiring permanent custodial care or to blind or deaf persons under the care of any State or semi-State institution or to any epileptic or feeble-minded person or to any person who may not be susceptible to such rehabilitation

Section 3 That Section five of said act is hereby amended to read as follows

Section 5 The [Chief of the Bureau of Rehabilitation] department shall have the power [with the approval of commissioner] and its duty shall be

(a) To establish relations with all public and private hospitals to require prompt and complete reports of any physically handicapped persons under treatment in such hospitals The persons thus reported may be promptly visited by representatives of the [Bureau of Rehabilitation] department who shall make record of their condition and report to the [chief of the bureau] department who shall then determine whether the person is susceptible to rehabilitation Such persons as may be found susceptible shall be acquainted by the [chief of the bureau] department with the rehabilitation facilities offered by the State and the benefits of entering upon remunerative work at an early date Any physically handicapped person who chooses to take advantage of these rehabilitation facilities shall be registered with the [chief of the bureau] department and a record shall be kept of every such person and the measures taken for his or her rehabilitation The [chief of the bureau] department shall proffer to any such person counsel regarding the selection of a suitable occupation and of an appropriate course of training and shall initiate definite plans for beginning rehabilitation as soon as the physical condition of the person permits

(b) To receive applications of any physically handicapped persons for advice and assistance regarding their rehabilitation The persons thus known to be physically handicapped may be visited examined and advised in the same manner and for the same purposes as specified in clause (a) of this section

(c) To make a survey to ascertain the number and condition of physically handicapped person within the Commonwealth The persons thus known to be physically handicapped may be visited examined registered and advised in the same manner and for the same purpose as specified in clause (a) of this section

(d) To arrange for such therapeutic treatment as may be necessary for the rehabilitation of any physcially handicapped persons who have registered with the [chief of the bureau] department

(e) To procure and furnish at cost to physically handicapped persons who have registered with the [chief of the bureau] department limbs and other orthopedic and prosthetic appliances to be paid for in easy instalments when such appliances cannot be otherwise provided Provided however That if it be shown that any physically handicapped person is unable to pay for such artifical limbs or other appliances the [chief of the bureau] department may direct [with the approval of the commissioner] that such limbs or appliances shall be supplied to such physically handicapped person and the cost thereof paid out of the funds appropriated for the rehabilition activitives of the [bureau] department such payments to be made by the State Treasurer on the warrant of the Auditor General [or] on requisition of the [Commissioner of Labor and Industry] secretary

(f) To arrange with the Superintendent of Public Instruction for training courses in the public schools in the Commonwealth in selected occupations for physically handicapped persons registered with the chief of the [bureau] department

(g) To arrange with any educational institution for training courses in selected occupations for physically handicapped persons registered with the [chief of the bureau] department

(h) To arrange with any public or private organization or commercial industrial or agricultural establishment for training courses in selected occupations for physically handicapped persons registered with the chief of the [bureau] department

(i) To provide maintenance costs during the prescribed period of training for physically handicapped persons registered with the [chief of the bureau] department Providing That when the payment of maintenance costs is authorized by the [chief of the bureau] department with the approval of the Governor it shall not exceed fifteen dollars ($15.00) per week and the period during which it is paid shall not exceed twenty weeks unless an extension of time is granted by the [commissioner] secretary said payments to be made by the State Treasurer on the warrant of the Auditor General on requisition of the [Commissioner of Labor and Industry] secretary

(j) To arrange for social service for the visiting of physically handicapped persons registered with the [chief of the bureau] department and of their families in their homes during the period of treatment and training and after its completion to give advice regarding any matter that may affect rehabilitation

(k) To conduct investigations and surveys of the several industries located in the Commonwealth to ascertain the occupations within each industry in which physically handicapped persons can enter upon remunerative employment under favorable conditions and work with normal effectiveness and to determine what practicable changes and adjustments in industrial operations and practices may facilitate such employment

(l) To make such studies and reports as may be helpful for the operation of this act

(m) To cooperate with any [department] agency of the Federal Government or of the Government of this Commonwealth or with any private agency in the operation of this act

Section 4 That Sections two three six and eight of said act are hereby repealed

Section 5 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL POSTPONED

Mr. PHILIP STERLING. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1897, as follows:

An Act to further amend section twenty-four of an act approved the first day of June Anno Domini one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by further defining deductions in case of reinsurance

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-four of an act approved the first day of June one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred seventy) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" (Pamphlet Laws one hundred twelve) as last amended by the act approved the twenty-sixth day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand four hundred and eight) is hereby further amended to read as follows

Section 24 It shall be the duty of the president secretary or other proper officer of each and every insurance company association or exchange incorporated by or under any law of this Commonwealth except life insurance companies and companies doing business upon the mutual plan without any capital stock and purely beneficial associations whose funds for the benefit of members their families or heirs are made up entirely of the weekly or monthly contributions of their members and the accumulated interest thereon to make report in writing to the Department of Revenue on or before the fifteenth day of March in each year setting forth the entire amount of premiums premium deposits or assessments received by such company association or exchange during the year ending with the thirty-first day of December preceding whether the said premiums premium deposits or assessments were received in money or in the form of notes credits or any other substitutes for money and whether the same were collected in this Commonwealth or elsewhere and every such company association or exchange shall pay into the State Treasury through the Department of Revenue within the time prescribed by law for the payment of State taxes settled by the Department of Revenue in addition to any other taxes to which it may be liable under the first and twenty-first sections of this act a tax of eight mills on the dollar upon the gross amount of said premiums premium deposits and assessments received from business transacted within this Commonwealth

Such company association or exchange in reporting for taxation may deduct from the gross premiums premium deposits and assessments all amounts returned on policies cancelled or not taken and all premiums paid for reinsurance where such reinsurances are effected in companies associations and exchanges authorized to transact business in this Commonwealth by contracts or agreements entered into or executed by all parties thereto within this Comonwealth If such contract or agreement is not entered into or executed by all parties thereto within this Commonwealth such company association or exchange in reporting for taxation may not deduct such premiums so paid unless the tax thereon is paid when due by the company in which such reinsurance is effected and mutual companies associations exchanges and stock companies with participating features which may for any reason be required to report under this act in addition to the aforesaid deductions may deduct that portion of the advanced premiums deposits or assessments returned in cash or credited to members or policy holders whether as dividends earnings savings or return deposits upon the expiration or termination of their contracts Provided That hereafter the annual tax upon premiums of insurance companies of other states or foreign governments shall be at the rate of two per centum upon the gross premiums of every character and description received from business done within this Commonwealth within the entire calendar year preceding The penalties for failure to make report and pay the tax as herein required shall be as provided by law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HAMILTON. Mr. Speaker, I move that this bill be recommitted to the Committee on Insurance for the purpose of further consideration.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1125, entitled:

An Act fixing the compensation and mileage of jury commissioners in counties of the sixth class

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter the compensation of the jury commissioners in counties of the sixth class shall be six dollars per diem for each and every day not exceeding forty days in any year necessarily employed in the discharge of their duties together with six cents per mile circular from and to their homes once each and every week so employed

On the question,

Will the House agree to the section?

Mr. McELWEE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 1, line 6, by striking out the word "forty" and insert in lieu thereof "sixty five."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section and title were separately read and agreed to as follows:

Section 2 The act approved the eighth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand six hundred thirty-four) entitled "An act fixing the compensation and mileage of auditors and jury commissioners in counties of the sixth class" is hereby repealed in so far as it fixes the compensation of jury commissioners in counties of the sixth class

An Act fixing the compensation and mileage of jury commissioners in counties of the sixth class

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1898, as follows:

An Act to further amend section seven hundred fourteen of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securties belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fee or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further defining deductions in case of reinsurance

Section 1 Be it enacted by the Senate and House of Repre-ntatives of the Commonwealth of Pennsylvania in General ssembly met and it is hereby enacted by the authority of ie same That section seven hundred fourteen of the act)proved the ninth day of April one thousand nine hundred nd twenty-nine (Pamphlet Laws three hundred forty-three) ntitled "An act relating to the finances of the State gov-nment providing for the settlement assessment collection nd lien of taxes bonus and all other accounts due the Com-onwealth the collection and recovery of fees and other money property due or belonging to the Commonwealth or any ency thereof including escheated property and the pro-eds of its sale the custody and disbursement or other dis-sition of funds and securities belonging to or in the pos-ssion of the Commonwealth and the settlement of claims ainst the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as last amended by the act approved the first day of June one thousand nine hundred thirty-one (Pamphlet Laws three hundred eighteen) is hereby further amended to read as follows

Section 714 Reports by Foreign Insurance Companies Every stock or mutual insurance company association or exchange of another State or foreign government authorized to do business in this Commonwealth shall make report to the Department of Revenue on or before the fifteenth day of March of each year showing the gross premiums of every character and description received from buisness transacted in the Commonwealth during the year ending the thirty-first day of December preceding whether said premiums were received in money or in the form of notes credits or any other substitute for money or whether the same were collected in this Commonwealth or elsewhere In making such report such companies associations and exchanges shall assess the tax provided by law upon the gross amount of such premiums premium deposits and assessments received from business transacted within this Commonwealth during such year but in so doing may deduct from the gross premiums received all premiums returned or policies cancelled or not taken and all premiums actually paid for reinsurances where the same are effected in companies duly licensed to do business in this Commonwealth by contracts or agreements entered into or executed by all parties thereto within this Commonwealth If such contract or agreement is not entered into or executed by all parties thereto within this Commonwealth such company association or exchange in reporting for taxation may not deduct such premiums so paid unless the tax thereon is paid when due by the company in which such reinsurance is effected and life insurance companes may deduct dividends declared and actually used by policyholders in payment of renewal premiums and mutual companies associations and exchanges may deduct that proportion of the advance premium or deposit returned to members upon the expiration of their contracts for the purposes of this section "gross premiums" are defined to be the amount of dues fees and premiums stated in the policy contracts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HAMILTON. Mr. Speaker, I move that this bill be recommitted to the Committee on Insurance for the purpose of further consideration.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1412, entitled:

An Act making an appropriation to the committee created to investigate the affairs of the special poor districts of Philadelphia and to make report thereon

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the

same That the sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby specifically appropriated to the committee created by resolution of the House of Representatives at the Special Session of the Legislature in the year one thousand nine hundred and thirty-two for the purpose of investigating the affairs of the special poor districts of the city of Philadelphia and the expenditures by said poor districts of money appropriated by the Talbot Act and to make report of its findings and recommendations to the Legislature of one thousand nine hundred and thirty-three said appropriation to be for the payment of the expenses necessarily incurred by said committee in the discharge of its duties for the compensation of clerks stenographers and experts employed by said committee and for postage and all other incidental expenses

Payments from said appropriation shall be made by requisition of the chairman of said committee upon the Auditor General upon the filing of itemized vouchers in the manner provided by law

On the question,

Will the House agree to the section?

Mr. TAHL. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 1, line 4, by striking out after the word "of" and before the word "dollars" the following: "[fifteen thousand]" and inserting in lieu thereof the following: "twelve thousand five hundred."

Amend section 1, page 1, line 4, by striking out after the word "dollars" and before the word "or" the following: [($15,000)]" and inserting in lieu thereof the following: "($12,500)."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section and title were separately read and agreed to as follows:

Section 2 This act shall become effective immediately upon final enactment

An Act making an appropriation to the committee created to investigate the affairs of the special poor districts of Philadelphia and to make report theron

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. BLUMBERG. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1714, as follows:

An Act authorizing the Department of Agriculture to establish and promulgate standards of quality condition and fill of containers of canned food and standards of containers or receptacles therefor and for the marking branding and labeling thereof and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Agriculture may after investigation and public hearing from time to time as far as practicable establish and promulgate standards of quality condition and fill of containers of canned food and may establish and promulgate standards for receptacles for canned food by which its quality value or quantity may be determined and may make regulations governing the marks brands and labels which may be required upon receptacles and containers for canned food for the purpose of showing the name and address of the producer or packer or distributor the quantity nature and quality of the product or any of them and for the purpose of preventing deception with reference thereto

Any standard for any canned food or any standard for any container or receptacle for canned food or any requirement for marking containers or receptacles for canned food now or hereafter made mandatory under authority of the Congress of the United States shall forthwith as far as applicable be established or prescribed and promulgated by the department as the official standard or requirement in this Commonwealth

No standard established or requirement for marking prescribed under this section shall become effective until the expiration of not less than three months after it shall have been promulgated

Section 2 Whenever any standard of quality condition or fill of container of canned food becomes effective under this act it shall be unlawful for any person thereafter to pack for sale offer for sale consign for sale or sell any such canned food manufactured or prepared within this Commonwealth under such standard grade or classification so established or in imitation thereof unless it conforms to such standards subject to such variations therefrom as may be allowed in the rules and regulations made under this act except that any such canned food may be packed canned offered or consigned for sale or sold without conforming to the standard for the grade or other classification applicable thereto if the container is not described marked or labeled in such a way as to indicate or to appear upon ordinary observation that the contents conform to the standard

The department is authorized to make such rules and regulations under this act as may be deemed necessary to prevent deception with reference to any standards made effective under the act

Whenever any standard for a receptacle or container for canned food becomes effective under this act it shall be unlawful for any person thereafter to manufacture for sale or shipment pack for sale offer for sale consign for sale or sell or ship any such receptacle or container either filled or unfilled to which the standard is applicable unless the receptacle or container conform to the standard subject to such variations therefrom as may be allowed in the regulations made under this act The Department of Agriculture and the Department of Internal Affairs by their joint action are authorized to make such rules and regulations under this act as may be deemed necessary to enforce the provisions of this section relating to such standard receptacles or containers

Whenever any requirement for the marking branding or labeling of a receptacle or container for canned food becomes effective under this act it shall be unlawful for any person thereafter to can pack for sale offer for sale consign for sale or sell and deliver any such canned food in a receptacle or container to which such requirement is applicable unless the receptacle or container be marked branded or labeled according to such requirement or unless such product be brought from outside the Commonwealth and offered for sale consigned for sale or sold in the original package

The department is authorized at any time through its agents to cause such investigations classifications and tests to be be made and such certificates to be issued and upon payment or tender of payment of the market value thereof to cause such samples to be taken as may be deemed necessary to enforce the provisions of this section

Section 3 In carrying out the provisions of this act the department its employes or agents are authorized to enter on any business day during the usual hours of business any store storehouse warehouse cold-storage plant packing house stock yard railroad yard railroad car or any other building or place where canned food is marketed

Section 4 In carrying out the provisions of this act the department or its employes or agents designated for the purpose may require the attendance before it or any of them of any person engaged in the canning sale storage distribution or preparation of canned food or of any employe of such person

may administer oaths to and take testimony of any such person or his employe and may require the production by such persons or their employes of any books records and other documentary evidence relating to the same

Section 5 The department is authorized to make and promulgate such regulations as may be necessary to carry out the provisions of this act

Section 6 Any person violating or failing or refusing to comply with any of the provisions of this act or with intent to deceive answers or reports falsely in response to any of the requirements of this act or who wilfully interferes with the department or its employes or agents in the execution or on account of the execution of his or their duties prescribed in this act shall be prosecuted in a summary proceeding before any alderman magistrate or justice of the peace of the proper city or county and upon being convicted thereof shall be punished for the first offense by a fine of not more than twenty-five dollars and upon conviction of the second offense by a fine of not less than twenty-five dollars nor more than one hundred dollars and upon conviction of the third and each subsequent offense by a fine of not less than one hundred dollars nor more than five hundred dollars In default of the payment of any fine as aforesaid any person convicted shall be sentenced to serve one day in the jail of the proper county for each dollar of the fine and costs

Any violations of the provisions of this act relating to standard receptacles or containers for canned food which may be established as herein provided for shall be prosecuted in a summary proceeding before any alderman magistrate or justice of the peace of the proper city or county by the inspectors of weights and measures of the respective cities and counties and the Department of Internal Affairs or its agents.

Section 7 The term "person" as used in this act includes individuals partnership associations and corporations

The word "department" as used in this act means the Department of Agriculture

The words "canned food" as used in this act means any food which is in hermetically sealed containers and is sterilized by heat

Section 8 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1891, as follows:

An Act making an appropriation to the Department of Properayt and Supplies to erect steps from the Soldiers and Sailors Memorial Bridge to Baum and Linden streets

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for the erection and construction of a pair of steps one from the south side of the Soldiers and Sailors Memorial Bridge to Linden street and the other the same side of said bridge to Baum street said appropriation being made to carry into effect the agreement of the officers of the Commonwealth with residents on said streets at the time said bridge was constructed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1124, as follows:

An Act to amend section two hundred and ninety-five of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by limiting the compensation of the clerk to the jury commissioners in counties of the sixth class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two hundred and ninety-five of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 295 Clerk Except as hereinafter provided the jury commissioners are hereby authorized to appoint a clerk and fix his compensation with the consent and approval of the salary board if there be such a board or if not then of the county commissioners for his employment with said jury commissioners in the preparation and in filling the jury wheel or in drawing jurors but in no case shall the compensation of such clerk in counties of the sixth class exceed the amount received by any jury commissioner from such county for the same period of time Said appointment of a clerk shall be made within thirty days after the jury commissioners qualify for office and if the jury commissioners shall fail to make such appointment within said time or shall thereafter for a period of thirty days fail to fill any vacancy in said position the county commissioners shall appoint a clerk for them The compensation of said clerk shall be fixed by the salary board or the commissioners as the case may be In counties of the third class the clerk of the jury commissioners shall be appointed and his compensation fixed by the court of common pleas

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1040, as follows:

An Act to amend section one of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as amended by exempting certain non-interest or non-dividend paying loans and stocks from payment of tax

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as amended by the acts approved the thirtieth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred nine) and the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred seventy-one) is hereby further amended to read as follows:

Section 1 Be it enacted by the Senate and the House of Representatives of the Commonwealth of Pennsylvania in Gen-

eral Assembly met and it is hereby enacted by the authority of the same That all personal property of the classes hereinafter enumerated owned held or possessed by any person persons copartnership or unincorporated association or company resident located or liable to taxation within this Commonwealth or by any joint-stock company or association limited partnership bank or corporation whatsoever erected or incorporated by under or in pursuance of any law of this Commonwealth or of the United States or of any other State or government and liable to taxation within this Commonwealth whether such personal property be owned held or possessed by such person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation in his her their or its own right or as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation is hereby made taxable annually for county purposes and in cities coextensive with counties for city and county purposes at the rate of four mills on each dollar of the value thereof and no failure to assess or return the same shall discharge such owner or holder thereof from liability therefor that is to say

All mortgages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and those made taxable for State purposes by section seventeen hereof all loans paying interest issued by any corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other State or government including car trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof except such loans as are made taxable for State purposes by section seventeen hereof all interest or dividend paying shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other State or government except shares of stock in any bank corporation or limited partnership that may be liable to a tax on its shares or its capital stock for State purposes under the laws of this Commonwealth or relieved from the payment of tax on its shares or capital stock for State purposes by the laws of the Commonwealth all moneys loaned or invested in other States Territories the District of Columbia or foreign counties all other moneyed capital in the hands of individual citizens of the State all stages omnibuses hacks cabs and other vehicles used in transporting passengers for hire except steam and street passenger railway cars owned used or possessed within this Commonwealth by any person or persons or by any corporate body or bodies all annuities yielding annually over two hundred dollars Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to loans shares of stock or other securities held by bankers or brokers solely for trading purposes nor to accounts or debit balances owing by customers of bankers or brokers in the usual courses of business And provided That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock but nothing herein contained shall be construed to relieve or exempt individual depositors in savings institutions having no capital stock from any taxation to which such depositors may be subject and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to make any report or pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner shall return and pay the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for county purposes and in cities coextensive with counties for city and county purposes shall be taxed or taxable for any other local purpose or for State purposes under the laws of this Commonwealth And provided further That the provisions of this section shall not apply to personal property of the class hereinabove enumerated hereafter received from any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or from any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any State or government other than this Commonwealth and not doing business within this Commonwealth by any person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or for the use benefit or advantage of any joint-stock company or association limited partnership bank or corporation formed erected on incorporated by under or in pursuance of any law of the United States or of any State or government other than this Commonwealth and not doing business within this Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1808, as follows:

An Act to amend section one thousand eight hundred and six of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" defining the powers of persons appointed to police State Parks

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand eight hundred and six of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof includ-

ing the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended to read as follows

Section 1806 Parks The Department of Forests and Waters shall have the power and its duty shall be

(a) To supervise maintain improve regulate police and preserve all parks belonging to the Commonwealth except the Pennsylvania State Park at Erie Washington Crossing Park Valley Forge Park and Fort Washington Park

Persons appointed by the Department for the purpose of policing parks shall have all the powers and prerogatives conferred by law upon members of the police force of cities of the first class and upon constables of the Commonwealth They shall have power to make arrests without warrant for all violations of law and of the rules and regulations of the Department which they may witness and to take offenders before a justice of the peace alderman or magistrate for a hearing

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1383, as follows:

An Act to amend the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for depositories of county funds in counties of the third class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended as follows

That the sub-heading immediately preceding section four hundred and five of said act is hereby amended to read as follows

(e) Depositories in Second and Third Class Counties

Section 2 That said act is hereby further amended by adding thereto after section four hundred and seven thereof the following new section

Section 408 Depositories in Third Class Counties The county commissioners of all counties of the third class shall from time to time designate by resolution a depository or depositories for all county funds Such depository or depositories shall be banks banking institutions or trust companies located in the Commonwealth

Depositories so designated shall upon receipt of notice of their selection as a depository of county funds furnish a bond to secure payment of deposits and any interest to the county secured by a surety company or individual sureties or by the depositing in escrow of securities to be approved by the county commissioners Such bonds shall be in a sum to be fixed by resolution of the county commissioners

The county treasurer shall upon the designation of such depository or depositories immediately transfer thereto all county funds and shall thereafter keep such deposits solely in such depository or depositories in the name of the county

Neither county commissioners nor treasurer complying with the provisions of this section nor their surety or sureties shall be chargeable with losses of county funds caused by the failure or negligence of such depository or depositories

Section 3 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1278, as follows:

An Act to amend section four hundred and twenty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended providing that the county commissioners shall provide for the graves of service men foundations for headstones furnished by the United States Government and proper lettering on family monuments placed in lots containing the bodies of service men

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four hundred and twenty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" which was amended by section one of the act approved the ninth day of June one thousand nine hundred and thirty-one (Pamphlet Laws four hundred one) is hereby further amended to read as follows

Section 426 Markers for Graves Headstones The county commissioners of the several counties of this State shall from time to time as is considered expedient by the commissioners procure appropriate markers made of suitable material for the grave of each and every deceased service man or woman buried within the limits of any city borough township or district Upon the petition of any five reputable freeholders of the city borough township or district where any such deceased service man or woman is buried a marker shall be placed upon the grave of such deceased service man or woman for the purpose of permanently marking and designating such grave for memorial purposes When such deceased service man or woman shall have been a veteran of any war for which the Government of the United States issued discharge buttons the markers designated for their graves shall include a facsimile of said discharge button The county commissioners may upon the petition of any five reputable freeholders of the city borough township or district within the county of which any deceased service man or woman may have been a resident place such marker upon his or her grave when he or she is buried without the limits of said county

It shall also be the duty of the county commissioners of each county in this State upon or at any time subsequent to the death of any service man who shall be buried within their counties on the application of any relatives or on the application of any friends of such deceased service man if such application by friends has been approved by any organization of veterans of any war in which the United States was engaged and provided that there be no objection by the nearest relative to cause a headstone to be placed at the head of the grave of each deceased service man containing his name and if possible the organization to which he belonged or in which he served in letters raised or cut in at least three-sixteenths of an inch deep on such headstone to be of either marble or granite and to be placed or set in a concrete base or if a headstone has been provided for such grave by the United States Government the county commissioners shall provide the foundation therefor or if a family monument has been placed in the lot contain-

ing the body of the service man they shall provide the aforesaid lettering therefore and the expense for the same shall be paid out of the funds of the county in which such deceased service man died or shall have had his legal residence Provided however That the expense shall not exceed the sum of fifty dollars for each headstone or foundation or lettering on the family monument and the county commissioners of each county acting under this section shall draw a warrant on the treasurer of their county for the payment of said expense in favor of the party or parties furnishing such headstone foundation or lettering on the family monument

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 660, as follows:

An Act to amend clause (b) section four hundred fifteen article four of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as amended further defining group life insurance

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause (b) section four hundred fifteen article four of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as amended by the act approved the twenty-fifth day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand three hundred sixty-two) is hereby further amended to read as follows

(b) The following forms of life insurance are hereby declared to be group life insurance within the meaning of this act (1) Life insurance covering the members of one or more companies batteries troops battalions divisions or other units of the National Guard or naval militia of any State written under a policy issued to the commanding general of the National Guard or commanding officer of the naval militia as the case may be who shall be deemed to be the employer for the purposes of this act the premium on which is to be paid by the members of such units for the benefit of persons other than the employer Provided however That when the benefits of the policy are offered to all eligible members of the unit of the National Guard or naval militia not less than seventy-five per centum of the members of such a unit may be so insured (2) life insurance covering the members of one or more troops or other units of the State troopers or State police of any State written under a policy issued to the commanding officer of the State troopers or State police who shall be deemed to be the employer for the purposes of this act the premium on which is to be paid by the members of such units for the benefit of persons other than the employer Provided however That when the benefits of the policy are offered to all eligible members of a unit of the State troopers or State police not less than seventy-five per centum of the members of such a unit may be so insured and (3) life insurance covering the members of any labor union or organization of police employed by any municipal county or State authority or any organization or association of State employes or public school teachers or nurses written under a policy issued to such union or organization which shall be deemed to be the employer for the purposes of this act the premium on which is to be paid by the union or organization or by the union or organization and its members jointly and insuring its members for the amounts of insurance based upon some plan which will preclude individual selection for the benefit of persons other than the union or organization or the officials of either Provided however That when the premium is to be paid by the union or organization and its members jointly and the benefits are offered to all eligible members not less than seventy-five per centum of such members may be so insured Provided further That when members apply and pay for additional amounts of insurance a smaller percentage of members may be insured for such additional amounts if they pass satisfactory medical examination

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 1821, as follows:

An Act making an appropriation to the Department of the Auditor General to defray the expenses of the committee to investigate and study charges made against the Public Service Commission appointed pursuant to resolution number ten of the House of Representatives adopted on the seventeenth day of Fberuary one thousand nine hundred and thirty-one

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-two thousand seven hundred sixty-five dollars and forty cents ($22,765.40) or so much thereof as may be necessary is hereby specifically appropriated to the Department of the Auditor General for the purpose of paying the following expenses incurred by the committee to investigate and study charges made against the Public Service Commission of the Commonwealth of Pennsylvania appointed pursuant to resolution number ten of the House of Representatives adopted on the seventeenth day of February one thousand nine hundred and thirty-one

To pay for services rendered in furnishing daily copies of transcripts of testimony in proceedings taken before said committee

To pay the daily expenses of the members of said committee appointed by the Speaker of the House of Representatives and of those appointed by the Governor at the rate of five dollars per day for each day that each of such members were in attendance upon the sessions of said committee

Payment of claims for such expenses may be made upon requisition of the Auditor General upon presentation to him and verification of such claims

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1077, entitled:

An Act to amend sections four thousand three hundred one four thousand three hundred two four thousand three hundred four four thousand three hundred six and four thousand three hundred seven of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two) entitled "An

act relating to cities of the third class and amending revising and consolidating the law relating thereto" providing that where there is an association or organization heretofore or hereafter chartered for the purpose of administering the police pension fund such fund shall be placed under the direction and control thereof and making certain changes in the police pension system

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections four thousand three hundred one four thousand three hundred four four thousand three hundred six and four thousand three hundred seven of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" are hereby amended to read as follows

Section 4301 Police Pension Fund Direction of Cities shall establish by ordinance a police pension fund to be maintained by an equal and proportionate monthly charge against each member of the police force which shall not exceed annually three per centum of the pay of such member which fund in all cases where there is now or where there may be in the future a duly chartered designated and authorized organization or association to hold receive and disburse the funds or moneys for the purpose of pensioning the police officers of the city shall be under the direction and control of its proper and duly elected officers who shall have under their direction and control all moneys paid into the fund for the purpose and under such rules and regulations as provided by its by-laws if same do not conflict with any of the laws of this Commonwealth but in all other cases shall be under the direction of council or committed to the direction of such officers of the city [as may be designated by council and applied under such regulations] as council may by ordinance prescribe In both such cases the said fund shall be for the benefit of such members of the police force as shall receive honorable discharge therefrom by reason of service age or disability and the families of such as may be injured or killed in the service but such allowances as shall be made to those who are retired by reason of the disabilities of age shall be in conformity with a uniform scale

Section 4306 Designation of Organization to Manage Pension Fund [The organization] In all cases wherein an organization is now or shall hereafter be chartered for the purpose of having in charge the distribution of the police pension [funds] fund herein mentioned [shall consist only of such as is by ordinance designated as] it shall be considered the official and authorized organization or association to hold receive and distribute the funds [of] or moneys for the purpose of pensioning the police officers of the city and shall be so designated by proper ordinance but in all other cases the ordinance shall fix and designate the official and authorized organization or association to hold receive and distribute the funds or moneys for the purpose of pensioning the police officers of the city

Section 4307 Trusts for Benefit of Police Pension Fund Any city may take by gift grant devise or bequest any money or property real personal or mixed in trust for the benefit of such pension fund and the care management investment and disposal of such trust funds or property shall be vested in [such officer or officers of such city for the time being as the city may designate and such care management and disposal shall likewise be directed by ordinance and the said trust funds shall be governed thereby] the organization or association chartered for the purposes herein expressed to be controlled by its by-laws if same do not conflict with any of the laws of this Commonwealth and in case said organization or association is not chartered shall become vested in the officers designated by council by proper ordinance the income from any such gift grant devise or bequest to be considered a part of the pension fund and shall be controlled by the law governing the same but shall at all times be subject to such directions not inconsistent therewith as the donors of such funds and property may prescribe

On the question,

Will the House agree to the section?

Mr. MASON. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Section 1, page 3, line 15, by placing a heavy-faced bracket following the word "disability."

Amend Section 1, page 3, line 29, by removing the heavy-faced bracket after the word "right."

Amend Section 1, page 4, line 1, by removing the heavy-faced bracket, which appears at the beginning of the line, before the word "to."

Amend Section 1, page 4, line 2, by revoming the heavy-faced bracket, which appears at the end of the line, after the word "ordinance."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act to amend sections four thousand three hundred one, four thousand three hundred two, four thousand three hundred four, four thousand three hundred six, and four thousand three hundred seven, of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," providing that where there is an association or organization heretofore or hereafter chartered for the purpose of administering the police pension fund, such fund shall be placed under the direction and control thereof; and making certain changes in the police pension system.

On the question,

Will the House agree to the title?

Mr. MASON. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, line 1 and 2, by striking out the words "four thousand three hundred two."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committe of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1511, as follows:

An Act to amend section four hundred and twenty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by defining the term "service man or woman"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the

same That section four hundred and twenty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" which was amended by the act approved the ninth day of June one thousand nine hundred and thirty-one (Pamphlet Laws four hundred one) is hereby further amended to read as follows

Section 426 Markers for Graves Headstones The county commissioners of the several counties of this State shall from time to time as is considered expedient by the commissioners procure appropriate markers made of suitable material for the grave of each and every deceased service man or woman buried within the limits of any city borough township or district The term "service man or woman" as used in this section shall include any person who shall have been a member of the armed forces of the United States at any time in which the armed forces of the United States were in open hosilities against a recognized enemy Upon the petition of any five reputable freeholders of the city borough township or district where any such deceased service man or woman is buried a service man or woman for the purpose of permanently marking and designating such grave for memorial purposes When such deceased service man or woman shall have been a veteran of any war for which the Government of the United States issued discharge buttons the markers designated for their graves shall include a facsimile of said discharge button The county commissioners may upon the petition of any five reputable freeholders of the city borough township or district within the county of which any deceased service man or woman may have been a resident place such marker upon his or her grave when he or she is buried without the limits of said county

It shall also be the duty of the county commissioners of each county in this State upon or at any time subsequent to the death of any service man who shall be buried within their counties on the application of any relatives or on the application of any friends of such deceased service man if such application by friends has been approved by any organization of veterans of any war in which the United States was engaged and provided that there be no objection by the nearest relative to cause a headstone to be placed at the head of the grave of each deceased service man containing his name and if possible the organization to which he belonged or in which he served in letters raised or cut in at least three-sixteenths of an inch deep on such headstone to be of either marble or granite and to be placed or set in a concrete base and the expense for the same shall be paid out of the funds of the county in which such deceased service man died or shall have had his legal residence Provided however That the expense shall not exceed the sum of fifty dollars for each headstone and the county commissioners of each county acting under this section shall draw a warrant on the treasurer of their county for the payment of said expense in favor of the party or parties furnishing such headstone

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 1831, as follows:

An Act authorizing and empowering cities of the second class of this Commonwealth to make application to the Board of Viewers for a report as to probable damages in an improvement or improvements contemplated to be made by such cities and authorities and empowering the Viewers to make a report thereon

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That cities of the second class of the Commonwealth are hereby authorized and empowered to make application to the Board of Viewers for report as to probable damages to property appropriated or damaged by an improvement or improvements contemplated by such cities before an Ordinance shall be passed providing for such taking and appropriation upon the request of the proper authorities of such cities for said report

Section 2 That said viewers shall make a true report concerning the matters submitted to them in relation to said improvement or improvements shall hear parties interested and their witnesses and shall estimate and determine the value of the lands to be taken and appropriated and any damages that may be sustained by reason of said taking and appropriation and to whom the same is to be payable and having so estimated and determined the value of the property and damages which may be sustained they shall make report to be signed by them or any two of them and thereupon file the same with the Clerk of Council of such City

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1368, as follows:

An Act to amend section one thousand nine hundred and seven of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by making city liable for payment of compensation to persons injured while employed under a contract executed in violation of provisions of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand nine hundred and seven of the act approved the twenty-tihrd day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" is hereby amended to read as follows

Section 1907 Acceptance by Contractor of Workmen's Compensation Act All contracts executed by any city or any officer or bureau or board thereof which involve the construction or doing of any work involving the employment of labor shall contain a provision that the contractor shall accept in so far as the work covered by any such contract is concerned the provisions of the Workmen's Compensation Act of one thousand nine hundred and fifteen and any supplements or amendments thereto and that the said constractor will insure his liability thereunder or file with the city with whom the contract is made a certificate of exemption from insurance from the Bureau of Workmen's Compensation of the Department of Labor and Industry

Every officer of any city or bureau or department thereof who shall sign on behalf of the said city any contract requiring in its performance the employment of labor shall require before the said contract shall be signed proof that the said contractor with whom the contract is made shall have accepted the Workmen's Compensation Act of one thousand nine hundred and fifteen and any supplements or amendments thereto and proof that the said contractor has insured his liability thereunder in accordance with the terms of the said act or that the said contractor has had issued to him a certificate of exemption from insurance from the Bureau of Workmen's Compensation of the Department of Labor and Industry

[Any] In any contract executed in violation of the provisions of this section [shall be null and void] the Commonwealth or any municipal corporation division or subdivision of the Commonwealth being a party thereto shall be regarded as the employer and liable to pay compensation to any person entitled to compensation under the laws of the Commonwealth as the result of employment pursuant to such contract

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1020, as follows:

An Act to further amend section one of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes"

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as last amended by the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred nine) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same All personal property of the classes hereinafter enumerated owned held or possessed by any person persons copartnership or unincorporated association or company resident located or liable to taxation within this Commonwealth or by any joint-stock company or association limited partnership bank or corporation whatsoever formed erected or incorporated by under or in pursuance of any law of this Commonwealth or of the United States or of any other State or government and liable to taxation within this Commonwealth whether such personal property be owned held or possessed by such person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation in his her their or its own right or as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation is hereby made taxable annually for county purposes and in cities coextensive with counties for city and county purposes at the rate of four mills on each dollar of the value thereof and no failure to assess or return the same shall discharge such owner or holder thereof from liability therefor that is to say

All mortgages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and those made taxbale for State purposes by section seventeen hereof all loans issued by any corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other State or government including car-trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof except such loans as are made taxable for State purposes by section seventeen hereof all shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other State or government except shares of stock in any bank corporation or limited partnership that may be liable to a tax on its shares or its capital stock or liable to a franchise tax for State purposes under the laws of this Commonwealth or relieved from the payment of tax on its shares or capital stock or relieved from the payment of a franchise tax for State purposes by the laws of the Commonwealth all moneys loaned or invested in other States Territories the District of Columbia or foreign countries all other moneyed capital in the hands of individual citizens of the State all stages omnibuses hacks cabs and other vehicles used in transporting passengers for hire except steam and street passenger railway cars owned used or possessed within this Commonwealth by any person or persons or by any corporate body or bodies all annuities yielding annually over two hundred dollars Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to loans shares of stock or other securities held by bankers or brokers solely for trading purposes nor to accounts or debit balances owing by customers of bankers or brokers in the usual courses of business And provided That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock but nothing herein contained shall be construed to relieve or exempt individual depositors in savings institutions having no capital stock from any taxation to which such depositors may be subject and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life or fire insurance corporation having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to make any report or pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner shall return and pay the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for county purposes and in cities coextensive with counties for city and county purposes shall be taxed or taxable for any other local purpose or for State purposes under the laws of this Commonwealth And provided further That the provisions of this section shall not apply to personal property of the class hereinabove enumerated hereafter received from any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or from any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any State or government other than this Commonwealth and not doing business within this Commonwealth by any person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or for the use benefit or advantage of any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United

States or of any State or government other than this Commonwealth and not doing business within this Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 324, as follows:

An Act to further amend section one of the act approved the thirteenth day of June one thousand eight hundred and eighty-three (Pamphlet Laws one hundred eighteen) entitled "An act ceding concurrent jurisdiction of this State over certain lands owned or hereafter acquired by the United States" by providing that certain descriptions and plans heretofore required to be filed with the Secretary of the Commonwealth shall hereafter be filed in the Department of Internal Affairs and requiring the transfer to the Department of Internal Affairs of such descriptions and plans now filed with the Secretary of the Commonwealth.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the thirteenth day of June one thousand eight hundred and eighty-three (Pamphlet Laws one hundred eighteen) entitled "An act ceding concurrent jurisdiction of this State over certain lands owned or hereafter acquired by the United States" as amended by the act approved the seventeenth day of March one thousand nine hundred five (Pamphlet Laws forty-five) is hereby further amended to read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the jurisdiction of this State is hereby ceded to the United States of America over all such pieces or parcels of land not exceeding ten acres in any one township ward of city or borough within the limits of this State as have been or shall hereafter be selected and acquired by the United States for the purpose of erecting postoffices custom houses or other structures exclusively owned by the general government and used for its purposes Provided That an accurate description and plan of such lands so acquired verified by the oath of some officer of the general government having knowledge of the facts shall be filed with the [Secretary of the Commonwealth] Department of Internal Affairs of this State as soon as said United States shall have acquired possession of the same And provided further That this cession is upon the express condition that the State of Pennsylvania shall so far retain concurrent jurisdiction with the United States in and over all lands acquired or hereafter acquired as aforesaid that all civil and criminal process issued by any court of competent jurisdiction or officers having authority of law to issue such process and all orders made by such court or judicial officers duly empowered to make such orders and necessary to be served upon any person may be executed upon said land and in the buildings that may be erected thereon in the same way and manner as if jurisdiction had not been ceded as aforesaid

All such descriptions and plans heretofore filed with the Secretary of the Commonwealth shall as soon as it may conveniently be done be transferred to the Department of Internal Affairs and the Department of Internal Affairs shall give to the Secretary of the Commonwealth proper receipts for such descriptions and plans

Section 2 This act shall be effective immediately upon its approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 504, as follows:

An Act to amend paragraph (b) of section four hundred forty-eight of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain department boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by providing for the place where Veterans' Commission records shall be filed and the place where its office shall be established providing for the employment of veterans by said commission

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That paragraph (b) of section four hundred forty-eight of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normanl Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by section one of the act approved the first day of June one thousand nine hundred and thirty-one (Pamphlet Laws three hundred fifty) is hereby further amended to read as follows

(b) The State Veterans Commission shall consist of the Adjutant General ex officio and five members all of whom shall have served in the armed forces of the United States while a state of war existed between the United States of America and another sovereign power and shall be members in good and regular standing of a Pennsylvania branch post lodge or club of a recognized national veterans organization active in this Commonwealth

Three members of the commissions shall constitute a quorum

The commission shall select from its number a chairman and a secretary

All records of the commission shall be filed in the Department of Military Affairs State Capitol Harrisburg Pennsylvania in space provided by the Adjutant General

All employes functioning under the jurisdiction of the commission shall be honorably discharged veterans in so far as is practicable and all such employes shall be provided with the office space necessary for the proper conducting of their

various duties said space to be allotted by the Adjutant General in the Department of Military Affairs State Capitol Harrisburg Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. McGRAIL. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government for the purpose of further study.

The motion was agreed to.

MOTION TO POSTPONE RECONSIDERED

Mr. PHILIP STERLING. Mr. Speaker, my attention has just been called to an inadvertent error. On page 8 of today's calendar I moved to place House Bill No. 1635, Printer's No. 329, entitled:

An Act to amend section eleven of the act approved the eleventh day of May, one thousand nine hundred and twenty-five (P. L. 561), entitled, "An act to provide for the selection of jurors to serve in the several courts, criminal and civil, of counties of the second class, and defining the qualifications of such jurors; providing for the organization of a commission to the selection of jurors in such counties, and prescribing its powers and duties, and authorizing it to investigate as to the qualifications of prospective jurors; imposing the expense of maintaining and operating said commission upon said counties, and requiring the county commissioners to provide suitable quarters, equipment, and supplies; authorizing the employment of the necessary clerks and other employes, and providing for a salary board composed of the commission, the county commissioners, and the controller of said counties, to fix the number and compensation of such employes; requiring county officers and boards to furnish information to said commission concerning taxables resident in said county as to their eligibility for jury service; repealing inconsistent legislation; and prescribing punishment for the violation hereof," by changing the method of giving notice to persons selected as jurors.

on the postponed calendar. I move that the vote by which this bill was placed on the postponed calendar be reconsidered.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 979, as follows:

An Act to amend section five of the act approved the twenty-ninth day of June one thousand nine hundred and twenty-three (Phamplet Laws nine hundred forty-four) entitled "An act relating to salaries compensation bonds offices and supplies of certain county officers their deputies and clerks in counties of the sixth class" providing that county officers shall be members of the salary board when matters affecting their offices are under consideration

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of the act approved the twenty-ninth day of June one thousand nine hundred and twenty-three (pamphlet Laws nine hundred forty-four) entitled "An act relating to salaries compensations bonds offices and supplies of certain county officers their deputies and clerks in counties of the sixth class" is hereby amended to read as follows

Section 5 The salary board in all counties of the sixth class which shall be composed of the county commissioners and the county treasurer shall fix and determine annually the number and the salaries to be paid to the clerks and deputies required for the proper discharge of business in the office of the county officers whose salaries are fixed by this act Whenever the number or salaries of the clerks and deputies in any county office are being considered by the salary board the county officer occupying such county office shall be a member of the salary board and be entitled to vote so long as matters affecting his office are under consideration and no longer Any such county officer deputy or clerk dissatisfied with amount of salary allowed by the salary board may appeal from the action of such board to the court of common pleas of the county which court shall after hearing make an order fixing the salaries of such appointees

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 909, as follows:

An Act to amend section nine hundred thirty-one of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eight classes and revising amending and consolidating the laws relating thereto" providing for vacation of county roads in boroughs

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General assembly met and it is hereby enacted by the authority of the same That section nine hundred thirty-one of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eight classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 931 Vacation as County Roads Upon petition of the county commissioners the court of quarter sessions may vacate as a county road any portion or portions of any abandoned or condemned turnpike road or any portion or portions of any turnpike road purchased by the county or of any road the permanent location or improvement whereof has been ordered or made under this or former acts relating to county roads All portions of such roads so vacated shall become and be township or borough roads as the case may be Written notice of the contents of said petition and the time when the same will be presented to the court shall be given by the county commissioners to the supervisors [or] commissioners or council of the township or townships borough or boroughs through which said road passes at least ten days before the date of presenting the same At the time said petition is presented the court may fix a time for a hearing in open court or refer the matter to an examiner to take testimony and report his findings to the court at such time as the court shall direct At any hearing in open court or before an examiner appointed by the court all parties in interest may appear and be heard After such hearing the court if it shall find that the conditions prescribed by this act [has] have been complied with may grant the prayer of the petitioners and make a decree accordingly or make such order in the premises as to right and justice shall appertain

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1539, as follows:

An Act to amend section sixteen of the act approved the twenty-third day of May one thousand nine hundred and seven (Pamphlet Laws two hundred six) entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania making violations of its provisions to be misdemeanors and providing penalties for violations thereof" regulating the promotion of patrolmen

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section sixteen of the act approved the twenty-third day of May one thousand nine hundred and seven (Pamphlet Laws two hundred six) entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania making violations of its provisions to be misdemeanors and providing penalties for violations thereof" is hereby amended to read as follows

Section 16 Vacancies in positions in the competitive class shall be filled so far as practicable by promotions from among persons holding positions in a lower grade in the department office or institution in which the vacancy exists Promotions shall be based upon merit to be ascertained by tests to be provided by the Civil Service Commission and upon the superior qualifications of the person promoted as shown by his previous service and experience But no patrolman shall be promoted to the position of sergeant or to a higher position until he shall first have had five years service as a patrolman The commission shall have the power to determine in each instance whether an increase in salary constitutes a promotion No promotion shall be made to a position in the competitive class from a position in another class except after such competitive examination and certification as is provided for original entrance to the competitive class Provided however That persons holding positions in the labor class may be promoted to positions in the lowest grade of the competitive class upon promotion examinations as provided in this section when such examination is specifically authorized by the commission No person shall be promoted to a position for original entrance to which there is required by this act or the rules adopted pursuant thereto an examination involving essential tests or qualifications different from or higher than those required for original entrance to positions held by such persons except as above provided

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 903, as follows:

An Act to amend section four hundred and twenty-three of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by requiring application for payment of allowance for burial of widows of certain soldiers sailors or marines to be made within one year

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four hundred and twenty-three of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follews

Section 423 Burial of Widows of Deceased Service Men The county commissioners of each county are hereby directed to expend the sum of seventy-five dollars ($75.00) from the county funds towards the funeral expenses of any widow of any person who served in the Army or Navy of the United States during any war in which the United States was engaged or served in the Army or Navy of the United States where a state or condition of war existed in the United States or any foreign country or territory or upon the high seas or who was in active service of the militia of the State of Pennsylvania under and in pursuance of any proclamations issued by the Governor during the Civil War and not duly mustered into the service of the United States and who was honorably discharged or relieved from such service upon due proof being made of such facts Provided however That the county commissioners shall not contribute any moneys toward the funeral expenses of any such widow of a soldier sailor or marine where the total expense of any such funeral including said allowance of seventy-five dollars shall exceed four hundred dollars nor unless application for the payment of such moneys shall be made within one year after the date of the burial of such widow of a soldier sailor or marine

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 846, as follows:

An Act to appropriate money in the Motor License Fund to the Department of Highways for the purpose of paying commissary supplies heretofore furnished said Department

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of Five hundred Dollars Forty-eight Cents ($500.48) is hereby specifically appropriated to the Department of Highways from the Motor License Fund for the payment of commissary supplies heretofore furnished to the Department of Highways

Section 2 The money appropriated by this act in the Motor License Fund shall be paid out of the fund upon warrant of the Auditor General drawn after requisition by the Department of Highways

Section 3 This act shall become effective upon its approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 786 (Senate Bill No. 49), as follows:

An Act to amend sections one hundred and eighty-three and three hundred and sixty-six of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto" providing for the appointment of the county treasurer as tax collector in certain cases and for the filling of vacancies where a tax collector fails to give bond

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one hundred and eighty-three of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto" is hereby amended to read as follows

Section 183 If the electors of any township of the second class shall fail to choose a tax collector or if any person elected to such office shall fail to qualify or if a vacancy shall occur in the office by death resignation failure to give bond or otherwise the county commissioners upon presentation of a petition of any citizen who is a resident of the township setting forth the facts shall appoint a person to fill the vacancy for the unexpired term of the person whose place he is appointed to fill

In cases when the person elected to the office shall fail to give the required bond and take the required oath of office the county commissioners before making the appointment shall declare the office vacant

Whenever a vacancy exists in the office of tax collector in any township of the second class and no person resident within the township is willing to accept the appointment to fill such vacancy the authorities authorized to levy and assess taxes in the township may petition the county commissoners for the appointment of [a] the county treasurer as tax collector [whereupon the court may appoint any citizen of the county to collect such taxes] Where the county treasurer is so appointed he shall have authority to appoint a deputy to assist in the collection of the taxes set forth in the duplicates delivered to him The county treasurer shall be entitled to retain for his own use the commissions payable for the collection of said taxes and for the payment of his deputy and shall not be required to pay the same over to the county If the county treasurer so appointed shall fail to file bond the county commissioners upon petition may appoint any suitable resident of the county to perform the duties of tax collector for the unexpired term

Section 2 That section three nundred and sixty-six of said act is hereby amended to read as follows

Section 366 The collector of taxes of townships of the second class shall before he enters upon the duties of his office take and subscribe an oath of office and file the same in the office of the court of quarter sessions and shall annually enter into a bond to the Commonwealth in not more than the amount of taxes charged and assessed in the duplicates with at least two sufficient sureties or one trust or bonding company The bond shall be approved by the court of quarter sessions and shall be filed in the office of the clerk of said court The condition of the bond shall be that the collector shall well and truly pay over or account for the whole amount of taxes charged and assessed in the duplicates which shall be delivered to him This bond does not cover the collection and payment over of school taxes Where the county treasurer is appointed as tax collector if the condition of his bond as county treasurer does not secure the payment over and accounting of moneys other than county moneys the court of quarter sessions shall fix the amount of the special bond to be given by the county treasurer for payment over and accounting of other than county taxes

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1241, as follows:

An Act relating to memorial halls in counties of the second class erected in honor of the veterans of the wars of the United States and providing for the use upkeep and management and control of such halls

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That when heretofore there has been erected in any county of the second class a hall as a memorial to the soldiers of any war or wars in which the United States of America was engaged and such hall has been and is maintained by said county under authority of existing laws such hall shall hereafter be under the control and management of a board of managers The personnel of such board the method of selection of the members thereof and the extent of its authority shall be as hereinafter provided

Section 2 The board of managers shall consist of

(a) Ex officio members (five)

The president judge of the court of common pleas of such county

The judge of said court next oldest in commission

The county commissioners of the county

(b) Elective members (twelve)

Veterans of the Civil war and representing such veterans (three)

Veterans of the Spanish American War and representing such veterans (three)

Veterans of the World War and representing such veterans (three)

Sons of Veterans of the Civil War and representing such sons of veterans (three)

Section 3 The elective members of the board shall be chosen as follows

(a) The elective members of the existing board shall be and continue as members of such board until removed by death resignation or otherwise

(b) The county organization of the United Spanish War Veterans and the county organizations of the American Legion and the Veterans of Foreign Wars acting as a unit shall within sixty days of the date when this act becomes effective each elect from among their membership one member to such board and shall certify such election to the secretary of the existing board whereupon the persons so elected shall be members of the board

Section 4 Whenever thereafter vacancies occur in the board caused by the resignation or death of an elective member of the board as constituted under existing law such vacancies shall be filled by the following organizations out of their membership upon notice by the secretary of the board

Sons of Veterans of the War for the Supression of the Rebellion

United Spanish War Veterans

Veterans of Foreign Wars and American Legion acting as a unit

That is to say the first vacancy so caused shall be filled by the county organization of the Sons of Veterans of the War for the Supression of the Rebellion the second vacancy by the county organiaztion of the United Spanish War Veterans and the third vacancy by the county organizations of the Veterans of Foreign Wars and the American Legion acting as a unit and so on in rotation until the membership of the board is composed as is set forth in section two hereof

Section 5 Vacancies occurring thereafter among the elective members of the board shall be filled by the organization or organizations which chose the member whose place it is desired to fill Provided however That whenever it may appear that it is impossible to fill any vacancy in the board caused by the death or resignation of a member thereof who represented the veterans of the Civil War because no organization survives to choose such member or no person survives who can qualify for such membership vacancies so created and existing shall upon notice from the secretary be filled by the county organization of the Sons of Veterans of the War for the Supression of the Rebellion that is to say that when no member representing the veterans of the civil war shall remain on said board the elective personnel of the board shall be as follows

Elective members (twelve)

Sons of Veterans of the Civil War (six)

Veterans of the Spanish American War (three)

Veterans of the World War (three)

Section 6 The organization of the board and its powers and duties and the powers and duties of the county commisisoners and the various courts of such county with respect to such memorial hall and the provisions for the maintenance and repair of such hall shall be and continue as provided under existing law

Section 7 Said memorial hall shall be in honor of the soldiers sailors and marines from such county who served in the Army and Navy of the United States in the War for the Suppression of the Rebellion the Spanish American War the Phillipine Insurrection the War with Germany and Her Allies and all other wars insurrections and expeditions in which the Army and the Navy of the United States may have been or may in the future be engaged It shall contain one large assembly hall or auditorium for public meetings of the soldiers sailors and marines of such county but which may be used for other public meetings It shall also contain rooms for meetings of the posts of the Grand Army of the Republic encampments of the Union Veteran Legion commanderies of the Loyal Legion posts of United Spanish War Veterans posts of the Foreign Wars and camps of Sons of Veterans of the War for Omerican Legions posts of the Veterans of Foreign Wars and camps of Sons of Veterans of the War for the suppression of the Rebellion and kindred patriotic organizations It shall also contain rooms and places for the proper display and preservation of relics and trophies of all such wars insurrections and expeditions flags histories rosters and

records of all such patriotic organizations regimental and company histories photographs paintings and portraits busts and statutes of soldiers sailors and marines of such county and mural tablets upon which may be inscribed the names of the soldiers sailors and marines of such county who esrved in any such wars insurrections and expeditions

Section 8 The provisions of this act so far as they are the same as those of existing laws are intended as a continuation of such laws and not as new enactments

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1409, as follows:

An Act to amend section five hundred and two of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred fifty-nine) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as amended fixing the per day bag limits for cock and hen pheasants

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five hundred and two of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred fifty-nine) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as last amended by the act approved the ninth day of June one thousand nine hundred and thirty-one (Pamphlet Laws four hundred fifty-five) is hereby further amended to read as follows

Section 502 Bag Limit It is unlawful for any person to kill in any one day or in any one season more game animals or game birds than hereinafter enumerated

Kind of Game	In One Day	In One Season
Wild turkey	1	1
Ruffed grouse	3	15
[Male] Cock or hen pheasants at the discretion of the board of game commissioners	2 [2]	6
Quail also known as partridge of the combined kinds	8	25
Woodcock	6	20
Squirrels including the fox black and gray combined	6	20
Wild rabbits	5	30
Hares	3	15
Wild ducks of the combined kinds	15	60
Wild geese	5	30
Brant	5	30
Bear	1	1
Bear (by hunting party)	4	4
Deer	1	1
Deer (by hunting party)	6	6
Elk	1	1
Elk (by hunting party)	1	1
Raccoons (by individual or hunting party)	3	10

Except as hereinafter otherwise provided every deer taken shall be a male deer having two or more points to one antler or a deer without visible antlers or horns of at least such weight as shall be fixed by resolution of the board

Every bear taken shall be not less than one year old

Every elk taken shall be a male elk killed through the method known as "still hunting" only having not less than four points to one antler

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1200, as follows:

An Act making it unlawful to unnecessarily crop or cut off the ear or ears of dogs or to show or exhibit such dogs and providing for the registration of dogs so cut or cropped before this act becomes effective with the county treasurer

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage and approval of this act it shall be unlawful for any person to crop or cut off or to cause or procure to be cropped or cut off the whole or part of the ear or ears of a dog unless such persons has in his or her possession a certificate of a duly licensed veterinarian stating that such cropping or cutting is necessary for the health of the dog

The possession by any person of a dog with an ear or ears cut off or cropped and with the wound resulting therefrom unhealed or any such dog being found in the charge or custody of any person or confined upon the premises owned by or under the control of any person shall be prima facie evidence of a violation of this section by such person except as provided for in Section 2 of this act

Section 2 The owner of any dog whose ear or ears have been cut off or cropped before this act became effective may if a resident of this Commonwealth register such dog with the treasurer of the county wherein he resides and if non-resident of this Commonwealth with the treasurer of any county of this Commonwealth by certifying under oath that the ear or ears of such dog were cut or cropped before this act became effective and the payment of a fee of one dollar into the county treasurer The said treasurer shall thereupon issue to such person a certificate showing such dog to be a lawfully cropped dog

Section 3 It shall be unlawful for any person to show or exhibit or to procure the showing or exhibition of any dog whose ear is or ears are cropped or cut off in whole or in part unless the person showing such dog has in his possession either a certificate of a duly licensed veterinarian stating that such cropping is necessary for the health of the dog or a certificate of registration from a county treasurer showing that such dog was cut or cropped before this act became effective as provided by this act

Section 4 Any person violating any of the provisions of this act shall upon conviction thereof in a summary proceedings before any justice of the peace alderman or magistrate be sentenced to pay a fine of twenty-five dolars ($25.00) and costs of the proceedings or undergo an imprisonment for not more than thirty (30) days and for a second or subsequent offense be sentenced to pay a fine of one hundred ($100.00) dollars or undergo imprisonment for not more than sixty (60) days

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1727, as follows:

An Act to amend sections five six and seven of the act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred sixteen) entitled "An act defining fraternal benefit societies to and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process

providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" further regulating the benefits authorized under said act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections five six and seven of the act approved the twentieh day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred sixteen) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" are hereby amended to read as follows

Section 5 [Every such society shall provide for the payment of death benefits and may provide for the erection of monuments to mark the graves of its deceased members It may also provide for the payment of old age benefits with mature for payment to the member at not under sixty years of age and for permanent and temporary disability payments It may provide that a member when permanently disabled or upon attaining not less than sixty years of age shall have the option to surrender his certificate upon payment of all or such portion of its face value as may be authorized under the constitution and laws]

(a) Every fraternal society shall have the power to issue whole life old age or whole life combined with old age limited payment life and endowment insurance policies term sick or relief and dependent benefit certificates and make the specified benefit payment in a single cash payment or in instalments or in a term or life annuity

(b)Benefit certificates of every such society shall provide for the payment of death benefits or specific amounts and may provide for any one or more of the following

(1) For the erection of monuments to mark the graves of deceased members

(2) For the payment of old age benefit certificates which mature for payment to the member at not under sixty years of age

(3) For the payment of permanent and temporary disability benefits

(4) For the payment of benefits under endowment insurance contracts

(5) For the payment of all or a portion of the face value of such certificate upon the surrender thereof when a member is permanently disabled or attains the age of sixty years

(c) Any society may provide for the acceptance of liens against benefit certificates with interest at not less than four per centum per annum in lieu of cash payments but the total of such liens against any benefit certificate shall not exceed its share of the accumulation thereunder Any such society collecting a level rate of contribution under any of its benefit certificates based upon any table of mortality allowed for valuation purposes in this act may grant to members holding such certificates extended and paid up protection or such withdrawal equities as may be allowed under its constitution and laws but no such grants or privileges shall exceed in value the portion of the accumulations to the credit of such certificate at the time such grant or privilege is allowed

Section 6 [Such death benefits in certificates hereafter issued shall be payable to wife husband affianced wife or affianced husband relative to the fourth degree of consanguity father-in-law mother-in-law son-in-law daughter-in-law stepfather stepmother stepchildren children by adoption or to a person or persons dependent upon the member If after the issuance of the original certificate the member shall become dependent upon the charity of an individual or an incorporated charitable institution he shall with the] [consent of the society have the privilege of making such individual or institution his beneficiary

Within the above restrictions every member shall have the right to designate his beneficiary and from time to time may have the same changed in accordance with the laws rules or regulations of the society and no beneficiary shall have or obtain any vested interest in the said benefit until the same has become due and payable upon the death of the said member Any such society may however by its laws limit the scope of beneficiaries within the above classes]

(a) Any member of such society may name as his beneficiary any person or persons natural or artificial permitted by the by-laws thereof or if such by-laws permit benefits may be made payable to his estate Any member may change the beneficiary named in his certificate in the manner provided by the laws of the society

(b) If any beneficiary under a certificate shall die before the member and no new designation shall have been made by him and the constitution and by-laws of the society shall have made no provision for such contingency the benefits under the certificate or certificates shall then be paid to the surviving beneficiary or beneficiaries if any and if none of the beneficiaries named in the certificates shall survive the member the benefits shall then be paid to the executor or administrator of the deceased member to be by him paid over to or divided among the person or persons entitled to the personal estate of such deceased member under the interstate laws of the place of domicile of such member

Section 7 Any [such] fraternal society may admit to beneficial membership any person not less than sixteen [and not more than sixty] years of age and it shall be lawful for minors who have attained the age of sixteen years to make all needed contracts and assume all needful obligations to become members Each applicant shall be examined by a legally qualified physician and the examination supervised and approved in accordance with the laws of the society or in lieu of a medical examination persons may be admitted to beneficial membership upon such showing of eligibility as the laws of the society may provide However such additional reserve upon contracts issued in this manner shall be set up as the department requires if any of all societies writing life insurance without medical examination Any beneficial member applying for a certificate providing for disability benefits need not be required to pass an additional medical examination therefor Northing herein contained shall prevent such society from accepting general or social members

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1418, as follows:

An Act declaring and adopting the azalea nudiflora also known as the wild azalea wild honeysuckle and pinxter bloom as the Pennsylvania State flower

Whereas, Among the vast wealth of native flowers of this State none excels in volume of bloom range of color depth of fragrance decorative adaptibility historical association ease of naturalization or general distribution the azalea nudiflora therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the azalea nudiflora also known as the wild azalea wild honeysuckle and pinxter bloom be designated and adopted as the State flower of Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1755, as follows:

An Act to amend paragraph (a) of section twenty-three of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws three hundred thirty-seven) entitled "An act relating to the jurisdiction powers and procedure of the several orphans' courts in proceedings for the partition and valuation of real estate and for the sale of real estate for the purpose of distribution and the fees costs and expenses therein" as amended providing that the orphans' court may order the sale of real estate of a decedent upon petition of a majority of the parties in interest

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That paragraph (a) of section twenty-three of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws there hundred thirty-seven) entitled "An act relating to the jurisdiction powers and procedure of the several orphans' courts in proceedings for the partition and valuation of real estate and for the sale of real estate for the purpose of distribution and the fees costs and expenses therein" which was last amended by section one of the act approved the thirteenth day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred twenty) is hereby further amended to read as follows

Section 23 (a) Whenever any person shall die seized of real estate and the parties in interest or a majority in interest desire the same to be converted ito money for distribution it shall be lawful for the orphans' court of the proper county in its discretion upon the joint petition of the widow and heirs or devisees and the guardians or committees of such as are minors or under disability in whom the real estate of the decedent shall have vested by descent or will and legatees whose legacies are charged on said real estate or the representatives of such as may be deceased or under disability or upon the petition of a majority in interest of them if the court shall deem that a sale upon petition of a majority in interest shall not be prejudicial to the interests of the others or any of them who do not join therein but shall be to the best interests of all concerned to order the executor or administrator or a trustee to be appointed by said court to make sale of said real estate but in no such proceedings shall it be necessary for the spouse or spouses of any such party or parties to join in such petition Such petition shall set forth the description of the property the desire to have the same sold and its estimated value according to the affidavits of two disinterested and competent persons and said petition shall be duly sworn to Said order shall provide that before making sale the executor administrator or trustee shall file a bond with sureties as required in section twenty-five of the Orphans' Court Partition Act of One thousand Nine Hundred and Seventeen and shall proceed thereafter in all respects in the manner provided by this act in cases of the sale of real estate under proceedings in partition Where only a majority in interest petition the court notice shall be given to those not petitioning in such manner as the court may direct The proceeds of such sale after payment of the expenses thereof shall be distributed to and among those entitled thereto the same as real estate Such sale shall have the same effect in all respects as a public sale in proceedings in partition of real estate under this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1837, as follows:

An Act to enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for the years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two and validating the liens of such taxes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any tax collector or receiver of taxes of any county city borough town township school district or poor district shall have failed or neglected to make return to the county commissioners of taxes assessed and levied against seated lands for the years one thousand nine hundred and thirty-one or one thousand nine hundred and thirty-two within the time required by law such tax collector or receiver may legally and validly make return thereof in the manner provided by law for such return at any time within six months after this act takes effect and the liens of any taxes for said years so returned under the authority of this act shall be valid and are hereby ratified and confirmed and a county treasurer's sale may be had for such taxes at any time when a treasurer's sale is held or on any day to which said sale may be adjourned or readjourned in the manner provided by existing law

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1713, as follows:

An Act to repeal the act approved the eighteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred forty-two) entitled "An act for the protection of owners of electric storage batteries upon which the word 'rental" or any other word mark or character is printed painted stamped or attached to identify the same and providing penalties"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the eighteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred forty-two) entitled "An act for the protection of owners of electric storage batteries upon which the word 'rental" or any other word mark or character is printed painted stamped or attached to identify the same and providing penalties" is hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 554, as follows:

An Act to amend section ninety-four of the act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred eighty-two) entitled "An act to consolidate revise and amend the penal laws of this Commonwealth" by changing the penalty for kidnapping or enticing minors from parents

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ninety-four of the act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred eighty-two) entitled "An act to consolidate revise and amend the penal laws of this Commonwealth" is hereby amended to read as follows

Section 94 If any person shall maliciously lead take or carry away or decoy or entice away any minor without the consent of its parent or parents or any other person having the lawful charge or care or possession of it or with intent

such minor by concealing and detaining such minor from such parent or parents or other person or persons having thelawful charge or care or possession of it or with intent to steal any article of apparel or ornament or other thing of value or use upon or about the person of such minor to whomsoever such article may belong or shall receive and harbor with any such intent as aforesaid any such minor knowing the same to have been so led taken or carried or decoyed or enticed away as aforesaid every such person shall be guilty of a [misdemeanor] felony and upon conviction thereof be sentenced to pay a fine not exceeding two thousand dollars and to undergo an imprisonment by separate or solitary confinement at labor not exceeding ten years provided always That no person who shall have claimed to be the father of any illegitimate minor or to have any legal right to the possession of such minor shall be liable to be prosecuted by virtue hereof on account of getting possession of such minor out of the possession of the mother or other person having lawful charge thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 500, as follows:

An Act to amend the act approved the twenty-fifth day of February one thousand eight hundred and seventy-five (Pamphlet Laws four) entitled "A supplement to the act approved March thirty-first one thousand eight hundred and sixty entitled 'An act to consolidate revise and amend the penal laws of this Commonwealth' further defining the offence of kidnapping and affixing additional penalties thereto" by increasing the penalty for kidnapping of children under the age of sixteen years with intent to extort money for restoration

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the twenty-fifth day of February one thousand eight hundred and seventy-five (Pamphlet Laws four) entitled "A supplement to the act approved March thirty-first one thousand eight hundred and sixty entitled 'An act to consolidate revise and amend the penal laws of this Commonwealth' further defining the offence of kidnapping and affixing additional penalties thereto is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ninety-four of an act approved March thirty-first one thousand eight hundred and sixty entitled "An act to consolidate revise and amend the penal laws of this Commonwealth" be amended by adding thereto as follows That if any person shall maliciously either by force or fraud lead take or carry away or decoy or entice away any child under the age of sixteen years from its parent or parents or any other person having the lawful charge or care of such child or the possession of such child with the intent to extort money or any valuable thing from the parent or any other person for the restoration of such child every such person shall be guilty of a felony and upon conviction thereof shall be sentenced to pay a fine not exceeding ten thousand dollars and to undergo an imprisonment by separate and solitary confinement at labor for [a period not exceeding twenty-five years] the term of his or her natural life or for any number of years at the discretion of the court and if any person within this Commonwealth shall knowingly conceal harbor or detain or assist in concealing harboring or detaining any such child so taken carried or enticed away as aforesaid either within or without this Commonwealth every such person shall be guilty of a felony and upon conviction thereof be sentenced to pay a fine not exceeding five thousand dollars and to undergo an imprisonment by separate or solitary confinement at labor [not exceeding fifteen years] for the term of his or her natural life or for any number of years at the discretion of the court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1054, as follows:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth by adding thereto section sixteen

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment of the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article nine be amended by adding thereto the following section

Section 16 In addition to the purposes stated in article nine section four of this Constitution the General Assembly may provide by law for the issue of bonds to the amount of ten millions of dollars for the purpose of acquiring toll bridges and may by law provide that upon the acquisition of any such bridge tolls may be charged for the use thereof sufficient to pay the interest and sinking fund charges on such bonds and the cost of the maintenance of such bridges until the bonds issued have been retired and such bridges are freed of tolls

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1849, as follows:

An Act to amend section one and thirty-one of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws three hundred thirty-seven) entitled "An act relating to the jurisdiction powers and procedure of the several orphans' courts in proceedings for the partition and valuation of real estate and for the sale of real estate for the purpose of distribution and the fees costs and expenses therein" extending the provisions of said act to include real estate of a decedent left in trust or in which a life estate was devised by the will thereof when the surviving spouse is entitld to an interest therein by reason of taking against said will and permitting the surviving spouse to take such real estate in kind as the distributive share thereof

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws three hundred thirty-seven) entitled "An act relating to the jurisdiction powers and procedure of the several orphans' courts in proceedings for the partition and valuation of real estate and for the sale of real estate for the purpose of distribution and the fees costs and expenses therein is hereby amended by adding thereto paragraph (c) to read as follows

(c) Partition or sale may be made under this act of real estate which under the will of a decedent was left in trust or in which a life estate was devised to a person or persons other than the surviving spouse when by reason of taking against such will the surviving spouse is entitled to an interest therein and such real estate may be selected in kind by the surviving spouse as a part of her distributive share who shall account for the amount of such real estate in the settlement of his account to said court The surviving spouse or any other per-

sons or by their legal representatives having an interest in such real estate may compel partition or sale thereof in the same manner as provided by this act for the partition of other real estate of a decedent

Section 2 That section thirty-one of said act is hereby amended to real as follows

Section 31 In any case of a sale of real estate under the provisions of this act instead of the life interest of any person in an undivided share of the real estate remaining charged on the real estate as aforesaid the court may on petition of the person entitled to the life interest or of the purchaser direct the purchaser to pay such principal sum to a suitable person or corporation who shall be appointed by the court as trustee to receive and hold such principal sum invest the same in securities authorized by law pay the income thereon after deducting all legal charges to the person entitled thereto and upon the death of such person to pay over such principal sum to the persons hereunto legally entitled after deducting all legal charges thereon Such trustee shall enter such security as the court may direct and shall not be an insurer of the trust fund and shall be liable to the persons interested in the income or corpus of the trust fund only for such care prudence and diligence in the execution of the trust as other trustees are liable for

In any case of partition or sale of any real estate as authorized by paragraph (c) of section one of this act which under the will of a decedent had been left in trust or in which a life estate had been devised the share awarded under this act to the person or persons in whose favor the said trust had been created or to whom the life estate had been devised whether such share consists of real estate money or both shall be paid or conveyed to the guardian or trustee thereof if any was appointed under the terms of the aforesaid will to be administered for the use of such person or persons as near as may be in the same manner and subject to the same terms as if such real estate had not been partitioned or sold but had remained intact as provided or intended under the aforesaid will

Where the interest of any person in such real estate is a life interest only and after sale or distribution such persons's share consists in whole or in part of money the court shall if no trustee was appointed by the aforesaid will appoint a trustee to receive and hold such principal sum and such trustee as well as any trustee appointed by the aforesaid will and to whom any money is paid under the provisions of this section shall invest the same in securities authorized by law pay the income thereon after deducting all legal charges to the person entitled thereto and upon the death of such person to pay over such principal sum to the persons thereunto legally entitled

Section 3 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1275, as follows:

An Act creating a presumption with regard to vehicles bearing the name or license number of its owner

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all actions in any court of this Commonwealth involving the negligent use or operation of any motor vehicle wagon or other vehicle bearing the name or license number of its owner such name or license number shall be prima facie evidence that must be submitted to the jury that the same was being used or operated with the consent of the owner in the furtherance of his business at the time of such negligent use or operation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 743, as follows:

A Joint Resolution proposing an amendment to article fourteen section one of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article fourteen section one of the Constitution of Pennsylvania is hereby amended to read as follows

Section 1 County officers shall consist of sheriffs coroners prothonotaries registers of wills recorders of deeds commissioners treasurers auditors or controllers clerks of the courts districts attorneys and such others as may from time to time be established by law and no sheriff or treasurer shall be eligible for the term next succeeding the one for which he may be elected

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 764, as follows:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section one of article nine is hereby amended to read as follows

Section 1 All property taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax and shall be levied and collected under general laws but the General Assembly may by general laws exempt from taxation public property used for public purposes actual places of religious worship places of burial not used or held for private or corporate profit institutions of purely public charity and real and personal property owned occupied and used by any branch post or camp of honorably discharged soldiers sailors or marines Uniformity shall not he required in the case of inheritance and other excise taxes but all such taxes shall be levied and collected under general laws

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1705, as follows:

An Act to regulate the sale and delivery of coal coke petroleum coke briquettes and other solid fuels providing for appointment of public weighmasters prescribing their powers and duties imposing certain duties on the Department of Internal Affairs and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That coal coke petroleum coke briquettes and other solid fuels shall be sold only by weight No person shall sell or de-

liver or start out for delivery less than two thousand pounds of weight to the ton of coal coke petroleum coke briquettes or other solid fuel or a proper proportion thereof in quantities less than a ton and such coal coke petroleum coke briquettes and solid fuels shall be duly weighed by a licensed weighmaster on accurate scales and tolerance at the rate of thirty pounds to the ton shall be allowed for unavoidable wastage and unavoidable variation in scales

Section 2 No person upon the sale of coal coke petroleum coke briquettes or other solid fuel shall deliver or cause to be delivered or to be started out for delivery any coal coke petroleum coke briquettes or solid fuels without each lot being accompanied by a weight certificate on which shall be distinctly expressed in pounds the weight of the coal coke petroleum coke briquettes or solid fuels the name of the purchaser the name of the seller and the signature of the licensed weighmaster by whom weighed Such ticket shall be delivered to the purchaser When coal coke petroleum coke briquettes or solid fuels is sold in lots of less than one hundred pounds the provisions of this section shall not apply provided the coal coke petroleum coke briquettes or solid fuels is delivered in a bag or other container plainly and conspicuously marked with the correct weight of the contents

Provided however That in the event that the delivery agent shall be unable for practical reasons to deliver the lot to the purchaser specified in the weight certificate he may under specific authority of the weighmaster substitute the name and address of another purchaser provided report of such diversion is made the weighmaster within twenty-four hours And provided further That the provisions of this section shall not apply to the sale of an entire boatload or railroad car load of coal coke petroleum coke briquette or solid fuels delivered direct from the boat or car to one purchaser and accepted as to weight by the purchaser on the bill of lading or other voucher issued by the carrier

Section 3 Any weights and measures official of any of the local governments of the State who finds any quantity of coal coke petroleum coke briquettes or solid fuels ready for or in process of delivery may direct the person in charge of the coal coke petroleum coke briquettes or solid fuels to convey the same to the nearest available accurate scales designated by said official Such official shall thereupon determine the weight of the coal coke petroleum coke briquettes or solid fuels and the vehicle in which it is carried and shall direct such person in charge to return to such scales forthwith upon unloading the coal coke petroleum coke briquettes or solid fuels and upon such return the official shall determine the weight of the vehicle without load No seller or driver or other person in charge of the vehicle containing such coal coke petroleum coke briquettes or solid fuels or from which such coal coke petroleum coke briquettes or solid fuels has been unloaded shall fail to take the vehicle upon the direction of the weights and measures official to scales as aforesaid or refuse to permit the coal coke petroleum coke briquettes or solid fuels or vehicle to be weighed by him

Section 4 No person shall make or issue a weight certificate of coal coke petroleum coke briquettes or solid fuels unless licensed by the Bureau of Standard Weights and Measures of the Department of Internal Affairs of this Commonwealth Application for a license shall be made upon a form prescribed by the director of the bureau and shall indicate the place where the weighmaster will perform this function The applicant shall furnish satisfactory evidence of good moral character and of ability to weigh accurately and to make correct weight certificates The applicant shall pay a license fee of five dollars to the director for remittance to the State Treasury A license shall be for a period not exceeding three years A license may be renewed in the discretion of the director for successive periods of not exceeding three years each upon payment of a license fee of five dollars to the director for remittance to the State Treasury Each license shall be kept at the place where the weighmaster is engaged in weighing and shall be open to inspection A license may be revoked by the director after a hearing upon due notice to the licensee for dishonesty incompetency inaccuracy or a violation of the provisions of this act and must be revoked by the director when the weighmaster has lost his employment at the place of weighing for which the license has been issued

Section 5 No licensed weighmaster shall make or issue a false or incorrect weight certificate nor shall any person solicit him to do so No person shall knowingly use a false or incorrect weight certificate No person shall use a weight certificate not bearing the signature of a licensed weighmaster No licensed weighmaster shall knowingly permit any weight certificate to be issued or used which purports to bear his signature and was not in fact signed by him or which expresses a weight not ascertained by him No delivery agent shall deliver a load of coal coke petroleum coke briquettes or solid fuels without a weight certificate nor shall any delivery agent permit any diminution of the load of coal coke petroleum coke briquettes or solid fuels committed to him until it is delivered to the purchaser

Section 6 Any public weighmaster who shall issue a weight certificate giving false weight of any article or commodity weighed by him shall be guilty of misdemeanor and upon conviction shall be sentenced to pay a fine of not less than one hundred dollars nor more than five hundred dollars and in addition shall forfeit his certificate as weighmaster

Any person who shall request a public weighmaster to weigh any coal coke petroleum coke briquettes or solid fuels falsely or incorrectly or who shall request a false or inaccurate certificate of weight or any person issuing a weight certificate who is not a weighmaster as provided for in this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than one hundred dollars nor more than five hundred dollars

Any driver who shall permit any portion of the load of coal coke petroleum coke briquettes or solid fuels committed to him for delivery to be diminished after receiving the weight certificate of a public weighmaster and before the load is delivered to the purchaser shall be guilty of larceny

Section 7 The following acts of Assembly are hereby repealed

The act approved the twenty-seventh day of May one thousand eight hundred and seventy-one (Pamphlet Laws one thousand two hundred eighty-seven) entitled "An act to regulate the weight of anthracite coal delivered by retail coal dealers in the city of Philadelhphia"

The act approved the first day of June one thousand nine hundred and eleven (Pamphlet Laws five hundred thirty-three) entitled "An act to provide in cities of the first class for deliverey tickets in the sale of anthracite coal and to authorize the designation of weighing scales and for the proper inspection thereof for weighing coal delivered to purchasers who receive the same by cart wagon or other conveyance and to compel the seller thereof to allow said coal to be weighed to provide for certificates of weight and the effect thereof as evidence to the weight of coal passing such scales and to punish for refusal of seller to allow coal weighed and to punish fraudulent weighing at such scales and to provide for the keeping of docket records thereof by magistrates or justices of the peace" and

The act approved the twenty-eighth day of May one thousand nine hundred and thirteen (Pamphlet Laws three hundred sixty-four) entitled "An act to amend an act approved the first day of June one thousand nine hundred and eleven entitled 'An act to provide in cities of the first class for delivery tickets in the sale of anthracite coal and to authorize the designation of weighing scales and for the proper inspection thereof for weighing coal delivered to purchasers who receive the same by cart wagon or other conveyance and to compel the seller thereof to allow said coal to be weighed to provide for certificates of weight and the effect thereof as evidence to the weight of coal passing such scales and to punish for refusal of seller to allow coal weighed and to punish fraudulent weighing at such scales and to provide for the keeping of docket records thereof by magistrates or justices of the peace"

Section 8 This act shall become effective on the first day of July one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1617, as follows:

An Act limiting the effect of actions of courts in vacating setting aside opening modifying and interfering with judgments decrees and orders which have become final by lapse of time for an appeal so far as such actions affect persons firms and

corporations who having relied upon such judgment order or decree have acquired rights or changed their status and providing for intervention by such persons firms and corporations in such actions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any court in this Commonwealth shall have entered any judgment decree or order in any proceeding had before it and said judgment decree or order shall have become final by reason of the lapse of the time for appeal the said courts of this Commonwealth shall not be vacate set aside open or otherwise modify or interefere with such judgment decree or order for any reason whatsoever so as to effect the right or status of any person firm or corporation who having relied upon said judgment decree or order has acquired rights in the subject matter thereof or who by such reliance on such judgment decree or order shall have changed his or her its or their status

Section 2 In any proceeding before any of the courts of this Commonwealth wherein it is sought to have any judgment decree or order set aside modified vacated opened or otherwise interefered with or changed it shall be lawful for any person firm or corporation claiming to have relied upon said order decree or judgment and to have acquired an interest or right in the subject matter thereof or to have changed his her its or their status in reliance thereon to interplead and become a party to said proceeding

Section 3 The several courts of this Commonwealth shall have power to make suitable rules for the carrying out of the provisions of this act

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 921, as follows:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto an additional section

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the sameis hereby proposed in accordance with the eighteenth article thereof

That article nine of the Constitution of the Commonwealth of Pennsylvania be amended by adding thereto the following new section

Section 18 The city of Pittsburgh may build purchase lease as lessor or lessee maintain or operate transit subways and other local transportation facilities as public improvements including any structures conveyances appliances or appurtenances necessary or incidental thereto and including underground or overhead passageways built in connection therewith and the police powers of the Commonwealth shall apply to such publicly owned transportation facilities similarly as to other public improvements Said city may acquire by eminent domain either the fee or easements within land necessary for the construction or operation of such transportation facilities or for the disposal of earth or material excavated in the construction thereof Properties within said city which may be peculiarly and especially benefited through the construction of such transportation facilities may be assessed to pay such benefits in accordance with existing or with future law or pursuant to statutes enacted prior to the adoption of this amendment but made effective thereby Such special assessments when so levied may be made payable presently at one time or in installments over a period of years and when fixed shall be credits to indebtedness incurred for such purposes in calculating the debt of the municipality For the purpose of paying any part of the cost of acquiring such transportation facilities the city of Pittsburgh may incur indebtedness to the extent of two and one-half per cent of the assessed value of the taxable property therein in addition to all indebtedness authorized for other or general purposes but only with the consent of a majority of the electors voting on the question at an election to be held in accordance with law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. KING. Mr. Speaker, I move that this bill be recommitted to the Committee on Constitutional Amendments for the purpose of further study.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1824, as follows:

An Act to amend section two of the act approved the third day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred thirty-five) entitled "An act authorizing the Department of Justice acting for the Department of Forest and Waters to institute suits on behalf of the Commonwealth to recover from persons associations copartnerships and corporations and their officers agents and employes causing forest fires the expenses incurred by the Department of Forests and Waters on account of such fires" authorizing the Department of Forests and Waters to institute suits for such purposes where such expenses do not exceed three hundred dollars

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it its hereby enacted by the authority of the same That section two of the act approved the third day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred thirty-five) entitled "An act authorizing the Department of Justice acting for the Department of Forests and Waters to institute suits on behalf of the Commonwealth to recover from persons associations copartnerships and corporations and their officers agents and employes causing forest fires the expenses incurred by the Department of Forests and Waters on account of such fires" is hereby amended to read as follows

Section 2 The Department of Forests and Waters shall first present to the person believed to be responsible for the forest fire a bill covering the expenses of the Commonwealth in connection with the control of said fire and shall endeavor to bring about a satisfactory settlement

When settlement cannot be obtained after thirty days from the presentation of the bill the Department of Forests and Waters may start civil suit for the collection of the bill before a Justice of the Peace in the county in which the fire started or burned If the Justice of the Peace after hearing the evidence of the Department of Forsts and Waters of the person accused believes that responsibility for the fire has been established he may so decide and accordingly enter judgment for the Commonwealth provided that the amount of the bill of the Commonwealth does not exceed three hundred dollars

When the bill of the Commonwealth amounts to three hundred dollars or more the Dpartment of Justic acting for and on behalf of the Department of Forests and Waters may recover the expenses incurred by the latter department on account of any forest fire from the person liable for payment of such expenses by instituting in the name of the Commonwealth an action of assumpsit in the Court of Common Pleas of any county in which the defendant can be served with process but no such action shall be brought unless the person liable for the payment of such expenses has failed to pay the same within thirty days after receiving a bill therefor from the Department of Forests and Waters

All moneys recovered by the Department of Justice in such action and all moneys recovered by an action before a Justice

of the Peace less any expenses incurred in the litigation including the fees of special attorneys if any employed therein shall be paid into the Gneral Fund of the State Treasury

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1068, as follows:

An Act to amend the act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws seven hundred ten) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" as amended by limiting the provisions thereof to professional boxing sparring and wrestling matches and exhibitions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title and sections five nine eleven twelve thirteen fifteen eighteen and nineteen of the act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws seven hundred ten) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" are hereby amended to read as follows

An Act allowing and regulating professional boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties

Section 5 License to Persons and Corporations The commission may in its discretion issue a license to conduct hold or give professional boxing sparring or wrestling matches or exhibitions subject to the provisions of this act to any corporation duly incorporated under the laws of this Commonwealth or to any person or persons but not otherwise Such corporation person or persons must hold a lease of a term of at least three months for the premises in which such match or exhibition is to be held No license shall be issued to conduct hold or give boxing sparring or wrestling matches or exhibitions in any city borough town or township which has adopted or shall hereafter adopt any ordinance prohibiting such matches or exhibitions within its limits

Section 9 Buildings for Exhibitions All buildings or structures used or intended to be used for the purpose of holding or giving therein professional boxing sparring or wrestling matches or exhibitions shall be properly ventilated and provided with fire exits and fire escapes Where such match or exhibition is authorized to be held in State or municipal armory the provisions of the military law in respect thereto must be complied with No such match or exhibition shall be held in a building partly used for dwelling purposes or for religious services except that a keeper or caretaker and his family may reside in such biulding

Section 11 Physician to be in Attendance It shall be the duty of every corporation or person at its own expense to have in attendance at every professional boxing sparring or wrestling match or exhibition a physician who has had not less than three years' medical practice whose duty it shall be to observe the physical condition of the boxers and wrestlers and advise the referee or judges with regard thereto All professional boxers and wrestlers must be examined by such physician within three hours before entering the ring and any boxer or wrestler who is in the opinion of the physician physically unfit to enter such match or exhibition shall be excluded from such match or exhibition Every corporation or person shall file with the commission a report of medical examinations not later than twenty-four hours after the termination of a match or exhibition

Section 12 Age of Participant and Spectators No person under the age of eighteen years shall participate in any professional boxing sparring or wrestling match or exhibition and no children under sixteen years of age shall be permitted to attend as spectators

Section 13 Financial Interest in Boxer Prohibited No corporation or person shall have either directly or indirectly any financial interest in any professional boxer or wrestler competing on premises owned or leased by the corporation or person or in which such corporation or person is otherwise interested

Section 15 Revocation or Suspension of Licenses Any license herein provided for may be revoked or suspended by the commission for the reason therein stated that the licensee has in the judgment of the said commission been guilty of an act detrimental to the interests of professional boxing or wrestling

Section 18 Weights Classes and Rules The weights and classes of professional boxers and the rules and regulations of professional boxing shall be determined by the boxing commission

Section 19 Limitations On Difference in Weight No professional contest shall be allowed in which the difference in weight of the respective contestants shall exceed ten pounds. This provision shall not apply to boxers in the heavy and light-heavy weight class as determined by the commission

Section 2 Sections four ten twenty-one twenty-three and twenty-six of said act as amended by the act approved the twenty-ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred sixty) are hereby further amended to read as follows

Section 4 Professional Boxing and Wrestling Exhibitions Authorized Jurisdiction of Commission Permits to persons and Corporations Professional boxing sparring and wrestling matches or exhibitions are hereby allowed except on Sundays The commission shall have and hereby is vested with the sole direction management control and jurisdiction over all such boxing sparring and wrestling matches or exhibitions to be conducted held or given within this Commonwealth and it is hereby authorized to issue licenses and permits therefor No such boxing sparring or wrestling match or exhibition shall be conducted held or given within the Commonwealth except in accordance with the provisions of this act The commission shall issue under its hand and seal annual permits in writing for holding such boxing sparring or wrestling matches or exhibitions but only to persons or corporations duly licensed as hereinafter provided by said commission which permits may be revoked upon violation of any of the provisions of this act or any rule regulation or order of the commission The commission is hereby further given the sole control authority and jurisdiction over all licenses and permits to hold professional boxing sparring or wrestling matches or exhibitions and over all licenses to any and all persons who participate in such boxing sparring or wrestling matches or exhibitions as hereinafter provided

Section 10 Regulation and Conduct of Professional Matches or Exhibitions No professional boxing or sparring match or exhibition shall be of more than ten rounds in length nor shall such rounds be more than three minutes each No professional boxer shall be allowed to participate in more than ten rounds within twenty-four consecutive hours The commission may in respect to any bout or in respect to any class of contestants limit the number of rounds of a bout within the maximum of ten rounds At each professional boxing or sparring match or exhibition there shall be in attendance at the expense of the corporation or person a duly licensed referee who shall direct and control the same Before starting such contest the referee shall ascertain from each contestant the name of his chief second and shall hold such chief second responsible for the conduct of his assistant seconds during the progress of the contest The referee shall have the power in his discretion to order held any remuneration or purse belonging to the contestants or one of them if in his judgment such contestant or contestants are not honestly competing This purse or remuneration shall be turned over to the commission and the contestant or contestants shall be given a hearing at the next stated meeting of the commission when final disposition of such purse or remuneration shall be made Any remuneration or purse or part thereof forfeited by the commission shall be paid into the State Treasury for the use of the Commonwealth There shall also be in attendance at the expense of the corporation or person two duly licensed judges who shall at the termination of each such boxing or sparring match or exhibition render their deci-

sion If they are unable to agree the decision shall be rendered by the referee Each contestant shall wear during such contest gloves weighing not less than five ounces if such contestant is a light-weight or in a class of less weight and six ounces if such contestant is in a class heavier than the lightweight class

Section 21 Payments to State Every corporation or person holding any professional boxing sparring or wrestling match or exhibition under this act for which an admission is charged and received shall pay to the Commonwealth five per centum of the total gross receipts exclusive of any Federal taxes paid thereon Such payment shall be made within seventy-two hours after the holding of the contest All moneys received from such taxes shall be paid to the State Treasurer through the Department of Revenue

Section 23 Penalty Any person or persons association or corporation directly or indirectly holding any professional boxing sparring or wrestling match or exhibition without first having procured a license or permit as hereinbefore prescribed shall be guilty of a misdemeanor and on conviction shall be sentenced to pay a fine not exceeding five thousand dollars

Section 26 The provisions of this act shall not prohibit any duly constituted organization or association organized for a lawful purpose from having professional boxing sparring and wrestling matches and exhibitions in connection with entertainments when such matches or exhibitions are conducted not for profit Provided That before such match or exhibition is held a permit is granted by the commission

Section 3 Section seventeen of said act as last amended by section one of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws six hundred fifty-eight) is hereby further amended to read as follows

Section 17 License Fees [Amateur Exhibitions and Matches] Each applicant for a license shall before a license is issued by the commission and annually thereafter during the life of such license pay to the commission a license fee as follows Corporations or persons in cities of the first class two hundred and fifty dollars in cities of the second class one hundred dollars in cities of the third class and elsewhere twenty-five dollars physicians ten dollars referees twenty-five dollars judges five dollars timekeepers five dollars professional boxers five dollars professional wrestlers five dollars managers twenty-five dollars seconds five dollars announcers five dollars and matchmakers ten dollars but the commission may issue without fee licenses to referees or physicians authorizing such referees or physicians to officiate only at boxing sparring or wrestling matches or exhibitions between amateurs and only without receiving any compensation for their services [Permits for matches or exhibitions in which only amateurs participate shall be issued without fee and may be issued for a single match or exhibition or a series of matches or exhibitions or for a period not exceeding one year Permits for amateur boxing exhibitions or wrestling matches shall not be issued to any person or persons when such exhibitions or matches are conducted for individual profit] [Permits for amateur boxing exhibitions or wrestling matches shall be issued only to bona fide amateur athletic associations as approved by the commission]

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1375, as follows:

An Act to amend section four thousand four hundred and five and four thousand four hundred and seven of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by allowing ex-service men certain markings in civil service examinations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections four thousand four hundred and five and four thousand four hundred and seven of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" are hereby amended to read as follows

Section 4405 Grading for Discharged Soldiers or Sailors When any person who was engaged in the military or naval service of the United States during any war in which the United States engaged and has an honorable discharge therefrom shall take any mental or physical examination for appointment or promotion his examination shall be marked or graded fifteen per centum perfect before the quality or contents of the examination shall be considered When the examination of any such person is completed and graded such grading or percentage as the examination merits shall be added to the aforesaid fifteen per centum and such total mark or grade shall represent the final grade or classification of such person and shall determine his or her order of standing on the eligible list

Section 4407 Preference in Appointment to Soldiers and Sailors Extent of Civil Service Temporary Appointments The provisions of this article shall apply to all employes of said cities as described in section one of this article In filling a vacancy the council shall be required to select one of the four names submitted as provided in section four thousand four hundred and six All appointments made subject to the provisions of this article shall be for and during good behavior and no employe shall be removed or transferred for any political reasons whatever [Among those persons possessing qualifications and eligibility for appointment preference in appointment shall] [be given to honorably discharged soldiers and sailors who served in the Army or Navy of the United States during time of war Provided That preference may be given by the appointing power to all honorable discharged soldiers sailors and marines who served in the Army or Navy of the United States during times of war who have passed the required civil service examinations notwithstanding the fact that the names of such soldiers sailors and marines may not be among the four names standing highest upon the eligible lists as hereinbefore Provided Such appointments of soldiers sailors and marines may be made without regard to any age limitations now provided for by law or the rules and regulations of any board or commission having in charge civil service regulations in any county city or borough]

All persons holding appointments in said several departments or as building inspectors of said cities at the time this act goes into effect shall retain their positions without being required to pass examination and be removed only in accordance with the provisions of this article

In case of riot or emergency temporary appointments to positions in the civil service may be made without complying with the provisions of this article

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1899, as follows:

An Act to further amend section three hundred twenty-one of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further defining deductions in case of reinsurance

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three hundred twenty-one of the act ap-

proved the seventeenth day of May one thousand nine hundred and twenty-one entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as last amended by the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred four) is hereby further amended to read as follows

Section 32i Additional Annual Reports From Foreign Companies and Associations Every stock or mutual insurance company association or exchange of another State or foreign government authorized to do business in this Commonwealth shall make report to the Insurance Commissioner on or before March first of each year under oath of its president secretary or attorney showing the gross premiums of every character and description received from business transacted in the Commonwealth during the year or fraction of year ending with the thirty-first day of December preceding whether said premiums were received in money or in the form of notes credits or any other substitute for money or whether the same were collected in this Commonwealth or elsewhere and to pay in to the State Treasury the requisite tax upon all such premiums Such companies associations and exchanges in making such report may deduct from the gross premiums received all premium returned on policies canceled or not taken and all premiums actually paid for reinsurances where the same are effected in companies duly licensed to do business in this Commonwealth by contracts or agreements entered into or executed by all parties thereto within this Commonwealth If such contract or agreement is not entered into or executed by all parties thereto within this Commonwealth such company association or exchange in reporting for taxation may not deduct such premiums so paid unless the tax thereon is paid when due by the company in which such reinsurance is effected Stock companies with participating features in addition to the aforesaid deductions may deduct that portion of the premiums returned to the policyholders Life insurance companies may deduct dividends declared and actually used by policy-holders in payment of renewal premiums and mutual companies associations and exchanges may deduct that proportion of the advance premium or deposit returned to members upon the expiration or termination of their contracts "Gross premiums" are defined to be the amount of dues fees and premiums stated in the policy contracts

Section 2 In so far as the provisions of this act supply provisions of the Fiscal Code relating to amounts which foreign insurance companies associations and exchanges may deduct from gross premiums received from business transacted in the Commonwealth in making reports with the Department of Revenue the provisions of this act shall supersede such provisions of the Fiscal Code

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HAMILTON. Mr. Speaker, I move that this bill be recommitted to the Committee on Insurance for the purpose of further study.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1805, as follows:

An Act providing that the county commissioners of counties of the second class shall create a county department of welfare defining the powers and duties of said department providing for an advisory board and supervisory committees for institutions providing for the taking over by the county of certain municipal functions and property for the adjustment of indebtedness and for the levy of taxes and incurring of indebtedness abolishing the office of director of the poor and providing for the transfer of certain functions to said department with the consent of the court

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That DEPARTMENT OF WELFARE CREATED DIRECTOR OF WELFARE The county commissioners of each county of the second class shall create a county department of welfare (hereinafter called the department) the head and executive officer of which shall be a director of welfare to be appointed by the county commissioners by and with the advise and consent of the county board of public welfare hereinafter created The director of welfare (hereinafter called the director) shall serve at the pleasure of the county commissioners and shall be qualified by training and experience to perform the duties of his office He shall receive such annual salary payable by the county as the county commissioners shall fix

Section 2 COUNTY BOARD OF PUBLIC WELFARE There is also hereby created in each county of the second class an advisory board to be known as the county board of public welfare (hereinafter called the board) The board shall be composed of six residents of the county having knowledge of modern social methods The members of the board shall be appointed by the county commissioners to serve without compensation for a term of three years each Of those first appointed two shall serve for one year each two for two years each and two for three years each Annually thereafter as terms of members expire two persons shall be appointed by the county commissioners to serve for three years each

The board shall choose from among its members a chairman The director shall be the secretary of the board shall attend all meetings of the board lay before it plans for the development and improvement of all services under his direction and supply the board with such information as it may from time to time require The board shall specify the qualifications for all positions in the department and in the various divisions agencies and institutions placed under the department and shall from time to time advise with the county commissioners and the director of welfare with respect to policies of the department concerning matters under its jurisdiction

Section 3 POWERS AND DUTIES OF THE DEPARTMENT In each county of the second class there is vested in and imposed upon the county acting through the department of welfare

(a) All powers and duties now by law vested in and imposed upon any poor district within or coextensive with such county or within or coextensive with any municipality in such county and all powers and duties vested in the directors of the poor or in any governmental department of any city or other municipality with respect to the care of the poor and poor relief the administration of all forms of public outdoor relief excepting mothers' assistance with whose board of trustees and officers the department shall cooperate the receipt and investigation of all applications for relief of whatever kind made to the department and the assignment of each application to the appropriate agency of the department

(b) The care in private families or in institutions of dependent and neglected children who are not cared for in their own families The cost of care of any dependent or neglected child placed in a home or institution by the department shall be a charge upon the county in the same manner as if such placement had been made by the juvenile court of the county The department shall upon the request of the jevenile court of the county provide probation and parole service for delinquent children under the jurisdiction of said court The court in case it shall use the department of welfare shall transfer to it all data records and equipment relating to such service to the department

(c) The care and maintenance of aged [illegible] firm persons who are public charges in the institutions [illegible]ated by the director for this purpose and in private [illegible] as may be permitted by law

(d) The care treatment and maintenance of insane persons in the institutions designated by the director for this purpose and also the management of all county hospitals and clinics for the care and treatment of mental diseases

(e) Upon the request of any court having jurisdiction the probation and parole service in the case of adult offenders and in case such service is accepted by the court all data records and equipment relating to the same shall be transferred to the department

(f) The maintenance and operation of any hospital and sanatoria for the care and treatment of indigent persons affected with tuberculosis and any hospital for the care and treatment of persons suffering from contagious and chronic diseases

(g) Upon the request of the court having jurisdiction the investigatorial and probation service in desertion and non-support cases and in case such service is accepted by the court all data records and equipment relating to the same shall be transferred to the department

(h) Upon the request of the State Department of Welfare the investigation and report upon conditions in private homes and institutions within the county where persons are cared for at public expense

In the conduct and administration of the public social services herein specified the department shall maintain standards with regard to procedure and methods which are prescribed by the State Department of Welfar for its respective fields of work

No municipality within the county shall continue to maintain any of the services or functions vested by this act in the department

Section 4 SUPERVISORY COMMITTEES FOR INSTITUTIONS The county commissioners shall appoint for each institution placed under the supervision of the department a supervisory committee of five members residents of the county who shall serve without compensation for terms of four years each and one member of each such committee shall be a member of the advisory board herein created The suyervisory committee attached to any institution for the care and treatment of the insane and of any hospital for mental diseases and defectives shall have among its members a doctor of medicine learned in psychiatry Provided That the members of the boards of managers of such institutions occupying such positions at the time this act takes effect shall be continued as members of such supervisory committees respectively during the terms for which they were appointed

Section 5 SUBJECT TO GENERAL POOR RELIEF LAW Each county of the second class shall be subject to the General Poor Relief Law of 1925 and the Department of Welfare of any such county shall possess all the powers and perform all the duties vested in and imposed upon directors of the poor by the provisions of said act

Section 6 CREATION OF DIVISIONS APPOINTMENTS The director with the approval of the county commissioners and with the advice of the board may create such divisions within the department and assign to each such division such functions as he may deem advisable He shall with the consent of the county commissioners appoint a head for each such division who shall be qualified by training and experience to perform the duties of his position He shall also with the approval of the county commissioners appoint all the other experts employes and assistants of his department necessary for the management administration and operation of the various institutions and agencies placed under his supervision but all such persons shall possess the qualifications prescribed by the board The compensation of all persons so appointed shall be fixed by the salary board of the county

Section 7 DISPOSITION OF EXISTING PROPERTY AND ASSETS Upon the date when this act takes effect the title to all real and personal property assets equipment and supplies now owned by any county poor district or by any city within the county used in connection with any functions transferred to the department shall be and is hereby transferred to and vested in the county The director of the department is hereby authorized to use any of such property is adaptable for any of the functions transferred to his department If any such property is not adapted to the needs of the department of welfare the same may be sold and the proceeds of the sale be paid into the county treasury

All taxes and delinquent taxes payable to the county poor district shall be collected in the same manner and by like power and authority as prior to the passage of this act and when so collected shall be paid into the county treasury

Section 8 NOTICE TO EXISTING AGENCIES TO TRANSFER PROPERTY AND ASSETS As soon as the department is prepared to exercise the powers and perform the duties transferred to and vested in it it shall give notice to that effect to the directors and overseers of each poor district within the county to all departments of any municipal government and to the boards or members of all institutions and to all other officials attached to the service hereby placed under the jurisdiction of the department It shall thereupon be the duty of all directors overseers managers directors superintendents and other officials to deliver to the department or into the possession of such other persons as the directors may require within thirty days after the receipt of such notice all property assets records and effects pertaining to the services and functions theretofore performed by them

Section 9 DUTIES AND COMPENSATION OF DIRECTORS OF THE POOR IN OFFICE MUNICIPAL DEPARTMENTS ABOLISHED The directors of the poor of any county poor district at the time this act takes effect shall be members of the supervisory committee attached to the institution designated by the director for the care of the aged and infirm during the remainder of the term for which they were elected as directors and during such period shall continue to receive the same compensation as that paid to them at the time this act takes effect. Upon the expiration of the terms of the present directors the office of director of the poor is abolished

The department of welfare of any municipality whose functions are taken over by the county through the department of welfare under the provisions of this act is hereby abolished

Section 10 EXISTING INDEBTEDNESS The indebtedness of any county poor district the functions of which are taken over under the provisions of this act together with any indebtedness incurred by the county for or on behalf of such poor district shall become an indebtedness of the county

The indebtedness of any city incurred with respect to any institution transferred to the county under the provisions of this act shall remain the debt of such municipality but the county shall become liable for the retirement of the same. The county shall levy taxes for the retirement of and interest on these bonds and reimburse the city for same

The amount of such indebtedness of any city to be assumed by the county shall be adjusted by the county commissioners of the county and the council and mayor of the city and when the same has been so adjusted the county commissioners shall pass a resolution stating therein the amount of the debt of the city for which the county shall become liable

Section 11 TAX LEVIES BOND ISSUES The county commissioners of the county shall annually levy taxes to provide sufficient money to carry out the functions of the county imposed by this act and may from time to time borrow money not exceeding the constitutional limits for any of the purposes provided for by this act and for the erection and construction of any buildings and institutions required by the department of welfare

Section 12 EFFECTIVE DATE This act shall become effective immediately upon final enactment

Section 13 REPEAL All acts and parts of acts general local or special inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 1274, as follows:

An Act authorizing a divorced wife to resume her maiden or other name used before marriage in certain cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all proceedings for divorce now pending or heretofore determined the court may on the petition of the wife grant a rule on the husband to show cause why she should

not be permitted to resume her maiden name or the name under which she was married If on the hearing of such rule it shall appear that no children born of the marriage are or were living at the time of granting the divorce the rule shall be made absolute and the wife be granted leave to resume such name

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1731, as follows:

An Act to further amend clause (a) of section four and clause (a) of section five of the act approved the eighteenth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws five hundred forty-nine) entitled "An act to permit the use of voting machines for recording and computing the vote at all elections including primaries in any county city borough or township of the Commonwealth at the option of the electors thereof prescribing regulations with reference to the adoption requirements examination purchase installation preparation custody and demonstration of use of voting machines providing rules and regulations for the conduct of elections held with voting machines prescribing the qualifications number and duties of election officers in election districts in which voting machines may be used placing duties upon county commissioners and the Secretary of the Commonwealth providing for redivision of wards of cities and boroughs into election districts and the consolidation of election districts providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used and providing penalties for violation of the provisions of this act"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause (a) of section four of the act approved the eighteenth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws five hundred forty-nine) entitled "An act to permit the use of voting machines for recording and computing the vote at all elections including primaries in any county city borough or township of the Commonwealth at the option of the electors thereof prescribing regulations with reference to the adoption requirements examination purchase installation preparation custody and demonstration of use of voting machines providing rules and regulations for the conduct of elections held with voting machines prescribing the qualifications number and duties of election officers in election districts in which voting machines may be used placing duties upon county commissioners and the Secretary of the Commonwealth providing for redivision of wards of cities and boroughs into election districts and the consolidation of election districts providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used and providing penalties for violation of the provisions of this act" as amended by the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand one hundred eighty-five) is hereby further amended to read as follows

(a) If a majority of the qualified electors voting on the question shall vote in the affirmative the county commissioners of the said county shall purchase for each election district of such county city borough or township one or more voting machines of a kind or kinds approved by the Secretary of the Commonwealth as hereinafter provided and of sufficient capacity to accommodate the names of a reasonable number of candidates for all public and party offices which under the provisions of existing laws and party rules are likely to be voted for at any future election and shall notify the Secretary of the Commonwealth in writing that they have done so The county commissioners shall provide machines in good working order and shall preserve and keep them in repair Voting machine of different kinds may be used for different districts in the same county city borough or township In each election district in which voting machines are used the county commissioners [may] shall provide one voting machine for each [five] three hundred and fifty registered voters or fraction thereof therein [and shall provide one voting machine for each six hundred registered voters or fraction thereof therein]

Section 2 That clause (a) of section five of said act as amended by the said act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand one hundred eighty-five) is hereby further amended to read as follows

(a) The courts of quarter sessions shall upon petition redivide wards of cities or boroughs where voting machines are adopted into election districts of compact and contiguous territory or shall consolidate election districts therein into new districts each having [five] three hundred and fifty registered voters as nearly as may be [except that districts having less than five hundred registered voters may be created whenever the court shall be of opinion that the convenience of the voters and the public interests will be promoted thereby]

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1624, as follows:

An Act to provide for a convention to ratify or reject an amendment to the Constitution of the United States proposed by both Houses of Congress for the repeal of the Eighteenth Amendment to the said Constitution and for the prohibition of the transportation importation delivery or use of intoxicating liquors in violation of the laws of states territories or possessions of the United States to provide for the election of delegates to such convention and making an appropriation

WHEREAS The Congress of the United States has proposed an amendment to the Constitution of the United States in the following language

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein) That the following article is hereby proposed as an amendment to the Constitution of the United States which shall be valid to all intents and purposes as part of the Constitution when ratified by conventions in three-fourths of the several states

"Article

"Section 1 The eighteenth article of amendment to the Constitution of the United States is hereby repealed

"Section 2 The transportation or importation into any State territory or possession of the United States for delivery or use therein of intoxicating liquors in violation of the laws thereof is hereby prohibited

"Section 3 This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States as prescribed in the Constitution within seven years from the date of the submission hereof to the States by the Congress"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor shall fix by proclamation the date of an election for the purpose of electing the delegates to a convention in this State for the purpose of ratifying or rejecting the proposed amendment to the Constitution of the United States recited in the preamble hereof Such election shall be held at the same time as the municipal election in the year one thousand nine hundred and thirty-three unless the Governor shall fix a day for a special election prior thereto

Section 2 At such election all persons qualified as electors shall be entitled to vote

Section 3 Except as in this act otherwise provided such election shall be conducted and the results thereof ascertained and certified in the same manner as in the case of the election of State Senators in senatorial districts at general elections and all provisions of the laws of this State relative to elections except so far as inconsistent with this act are hereby made applicable to such election The expenses incident to such election of delegates to the said convention shall be paid by the respective counties

Section 4 The number of delegates to be elected at such convention shall be fifty who shall be elected one from each of the fifty senatorial districts as apportioned by the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred ninety-nine) entitlde "An act to fix the number of Senators in the General Assembly of the State to apportion the State into senatorial districts as provided by the Constitution and to regulate the election of and the terms of office of the present and future elected Senators" as amended by the act approved the twenty-sixth day of April one thousand nine hundred and twenty-three (Pamphlet Laws one hundred six)

Section 5 Candidates for the office of delegate to the convention shall be qualified electors of the State Nominations shall be by petition and not otherwise Nomination petitions shall be signed by not less than five hundred voters residing in the senatorial district Nominations shall be without party or official designation but the nominating petitions shall contain a statement by each nominee to the effect that he favors ratification or that he opposes ratification of the proposed amendment Nomination petitions shall be prepared and furnished by the Secretary of the Commonwealth and except as above provided shall be substantially in the form provided by the election laws for nomination petitions for candidates at primaries for the office of State Senator in senatorial districts Any number of petitions may be circulated for a candidate and when filed shall be considered as one petition for that candidate

All nomination petitions shall be filed with the Secretary of the Commonwealth not less than sixty (60) days before the proclaimed date of the election After the last day for filing petitions the Secretary of the Commonwealth shall proceed to ascertain the nominees in each senatorial district by selecting two nominees The two nominees in a senatorial district shall be the person having the largest number of signers to his petition among those who favor ratification and the person having the largest number of signers to his petition among those who oppose ratification

Ties shall be decided by lot drawn by the Secretary of the Commonwealth

Within thirty (30) days after the last day for filing petitions the Secretary of the Commonwealth shall certify the nominees in each senatorial district to the county commissioners of the respective counties

Section 6 The election shall be by ballot separate from any ballot to be used at the same election which shall be prepared by the Secretary of the Commonwealth in substantially the following form and shall be furnished to the various election districts by the county commissioners of the respective counties

CONSTITUTIONAL CONVENTION BALLOT
(Copy of Amendment)

Favors ratification (Repeal)	Opposes ratification (Against repeal)
District Delegate Vote for (1)	Distrist Delegate Vote for (1)
John Doe	John Doe

Each elector may vote for one candidate for district delegate by marking a cross mark X in the square opposite his name or he may insert the name of any candidate for whom he desires to vote in the appropriate blank spaces provided on the ballot

Section 7 The candidate in each senatorial district receiving the highest number of votes at said election shall be the delegate from said district to said convention Any vacancy in the membership of the convention caused by the death or disability of any delegate or for any other cause shall be filled by appointment by the majority vote of the delegates present at the convention

Section 8 The delegates to the convention shall serve without compensation and shall meet at the Capitol on the twenty-eighth day after their election at twelve o'clock noon in the Hall of the Senate and shall thereupon constitute a convention to pass upon the question of whether or not the proposed amendment shall be ratified

Section 9 The convention shall be the judge of the election and qualification of its members The convention shall be called to order by the Lieutenant Governor who shall be the chairman thereof but who shall not have any vote unless elected as a delegate The Secretary of the Senate shall be the secretary of the convention and the Chief Clerk of the Senate and the Chief Clerk of the House of Representatives shall be the tellers of the convention The Secretary of the Senate shall provide a reporter or reporters for the convention a sergeant-at-arms and one page whose compensation shall be paid out of the appropriation made by this act upon the approval of the Lieutenant Governor and Secretary of the Senate In case of the inability of any of the persons herein named to be present the convention shall name some one in his stead

The Secretary of the Commonwealth shall as soon as the convention is called to order present the election returns of delegates which shall be opened and read after which the roll of names of those elected as shown by the returns shall be called and if any elected delegate is absent the vacancy shall then be filled as in this act providing

Before proceeding with the business of the convention the delegates shall take the Constitutional oath of office which shall be administered by a judge of the court of common pleas

Section 10 The convention shall keep a journal of its proceedings in which shall be recorded the vote of each delegate on the question of ratification of the proposed amendment and the debates thereon Upon final adjournment the journal shall be filed with the Secretary of the Commonwealth

Section 11 If the convention shall agree by vote of a majority of the total number of delegates to the ratification of the proposed amendment a certificate to that effect shall be executed by the president and secretary of the convention and transmitted to the Secretary of the Commonwealth who shall transmit the certificate under the Great Seal of the Commonwealth to the Secretary of State of the United States

Section 12 If at or about the time of submitting any such amendment Congress shall by statute prescribe the manner in which the conventions shall be constituted and shall not except from the provisions of such statute such states as may theretofore have provided for constituting such conventions the preceding provisions of this act shall be inoperative and the convention shall be constituted and shall operate as the said act of Congress shall direct and all officers of the State who may by the said statute be authorized or directed to take any action to constitute such a convention for this State are hereby authorized and directed to act thereunder and in obedience thereto with the same force and effect as if acting under a statute of this State

Section 13 The sum of one thousand dollars ($1,000) or so much thereof as may be necessary is hereby specifically appropriated to the Secretary of the Senate for the payment of the compensation of the reporter or reporters sergeant-at-arms and page and for the payment of all other incidental and necessary expenses in connection with said convention

Section 14 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEWITT. Mr. Speaker, I move that this bill be recommitted to the Committee on Elections for the purpose of further study.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1051, as follows:

An Act to amend section seven of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties of certain public offices the election of delegates and alternate delegates to national party conventions and of certain party offices including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended by increasing the number of signers required for certain nomination petitions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of thesame That section seven of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such poltical parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended by the act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred thirty-nine) the act approved the twenty-ninth day of April one thousand nine hundred and twenty-five (Pamphlet Laws three hundred sixty-one) and the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws six hundred eighty-five) is hereby further amended to read as follows

Section 7 The nomination petitions in the case of candidates for the office of President of the United States Senator of the United States Member of the House of Representatives of the United States for all State offices for the office of delegate or alternate delegate to a National party convention and for the office of member of the State or National committee shall be filed at least fifty days prior to the primary with the Secretary of the Commonwealth Nomination petitions in all other cases shall be filed at least four weeks prior to the primary with the conuty commissioners of the respective counties

Nomination petitions of candidates shall be signed

(a) If for the office of President of the United States or of Senator of the United States by at least one hundred qualified electors in each of at least ten counties of the State

(b) If for a State office to be filled by a vote of the electors of the State at large for the office of Representative from the State at large in the Congress of the United States for the office of delegate or alternate delegate at large to a national party convention or for the office of member of the national committee by at least one hundred qualified electors in each of at least five counties of the State

(c) If for the office of a Member of the House of Representatives of the United States to be filled by a vote of the electors of a congressional district or of delegate or alternate delegate to a national party convention other than delegate or alternate delegate at large or of judge of any court other than a court whose judges are to be elected by a vote of the electors o fthe State at large or of State Senator or of any municipal office to be filled by a vote of the electors of a senatorial district by [at least two hundred qualified electors] qualified electors equal to at least two per centum of the highest vote cast for any candidate of the party at the last preceding general or municipal election as the case may be in the district or county in which the person is a candidate

(d) If for the office of a Member of the State House of Representatives or for the office of member of the State committee or an office to be voted for by the electors of the entire county by [at least one hundred qualified electors except for the office of magistrate in cities of the first class in which case it must be signed by at least one thousand qualified electors] qualified electors equal to at least two per centum of the highest vote cast for any candidate of the party at the last preceding general or municipal election as the case may be in the district or county in which the person is a candidate

(e) If for the office of inspector of election at least five qualified electors

(f) And for all other offices and all other party offices by at least ten qualified electors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 450, as follows:

An Act to validate and confirm certain contracts heretofore entered into by boards of school directors where there is no evidence of fraud or conspiracy and to sanction ratify confirm and validate payments of such contracts by the school district and relieve against surcharge and ouster therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any board of school directors or the employe of any school district shall have heretofore contracted for labor materials and supplies for the school district the purchase of which by contract are authorized under the provisions of the school laws of the Commonwealth and the school district has actually received such labor materials and supplies and the same have been consumed or are being used by the school district but in contracting therefor the school directors failed to advertise or solicit bids therefor or authorize the purchase or contracting therefor by prior action as provided for by the school laws of Pennsylvania or whenever any board of school directors shall have heretofore employed a former director of the school district before the expiration of the term for which he was elected or appointed if the contract or employment does not evidence fraud or conspiracy to violate the provisions of the school laws of the Commonwealth and the school district has not suffered any pecuniary loss as the result of such contract or employment then such contract or employment shall be valid and binding on the school district and may be lawfully ratified and payment heretofore or hereafter made for such labor materials and supplies and/or the salary of such emplcye by the school district is hereby ratified confirmed validated and sanctioned notwithstanding the fact that the affirmative votes of the majority of the board of school directors were not recorded in the minutes showing how each member voted as required by law No board of school directors or any member thereof shall be subject to surcharge for payments heretofore or hereafter made on any such contract or employment nor to ouster from office therefor

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2104, as follows:

An Act to amend paragraph two of section four and section eight of the act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand forty-three) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and pudicial process and providing penalties" as amended by creating an administration expense account in the School Employes' Retirement Fund and providing for the payment of the cost of administering the account from interest earnings of investments of said account in excess of four per centum

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That paragraph two of section four of the act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand forty-three) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by the act approved the fourteenth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand seven hundred thirty-eight) is hereby further amended to read as follows

2 The expenses of the administration of this act by the retirement board exclusive of the payment of retirement allowances and of the other benefits provided for in this act shall be paid [by the Commonwealth by biennial appropriations from the General Fund made on the basis of estimates submitted by the retirement board] from amounts credited by the board to the administration expense account under the provisions of this act The members of the retirement board shall serve without compensation but shall be reimbursed from the aforesaid [appropriations] administration expense account for any necessary expenditures and no contributor shall suffer loss of salary or wages through serving on the retirement board

Section 2 That section eight of said act as amended by the act approved the fourteenth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand seven hundred thirty-eight) is hereby further amended to read as follows

Section 8 The fund and accounts hereby created are the School Employes' Retirement Fund the administration expense account the contingent reserve account State annuity reserve account State annuity reserve account number two the employes' annuity savings account and the employes' annuity reserve account

[2] 1 The School Employes' Retirement Fund on and after the first day of July one thousand nine hundred and twenty-nine shall consist of all moneys in the several separate funds in the State Treasury set apart to be used under the direction of the Public School Employes' Retirement Board for the retirement of members of the school employes' retirement association which on the aforesaid date shall be consolidated into one special fund to be known as the "School Employes' Retirement Fund" and thereafter the Treasury Department shall credit to the "School Employes' Retirement Fund" all moneys received by it from the Department of Revenue arising from contributions by the Commonwealth and members of the retirement association as hereinafter provided and all interest earned by the investments or moneys of said fund Upon the consolidation of the separate funds as aforesaid there shall be established and maintained by the retirement board for actuarial purposes the several hereinafter named ledger accounts equivalent to and which shall stand in lieu of the several separate funds hereby abolished and all credits to each abolished fund shall be credited by the retirement board to the ledger account hereby created to stand in place of said fund

2 The administration expense account shall consist of such amounts of interest earnings on the investments of the School Employes' Retirement Fund in excess of four per centum as shall be credited from time to time to this account by the board on the basis of estimates of the board submitted to and approved by the Governor

The amounts credited to the administration expense account are hereby appropriated to the Department of Public Instruction for use of the Public School Employes' Retirement Board for the payment of salaries wages or other compensation of directors superintendents chiefs assistant directors assistant superintendents assistant chiefs experts scientists surveyors draftsmen accountants engineers secretaries auditors inspectors examiners statisticians marshalls clerks stenographers bookkeepers mesengers and other assistants and employes for the payment of postage traveling expenses telephone toll charges telegrams newspaper advertising and notices freight express cartage for payment of mileage charges to the Department of Property and Supplies for the use of automobiles for payment to the Department of the Auditor General of the cost incurred by that department in auditing requisitions drawn on the School Employes' Retirement Fund and in auditing annually periodically or specially the affairs of the School Employes' Retirement Board at such amounts as the Department of the Auditor General with the approval of the Executive Board shall determine for payment to the Treasury Department of the cost of making disbursements out of the School Employes' Retirement Fund at such amounts as the Treasury Department with the approval of the Executive Board shall determine for payment to the Department of Property and Supplies for space occupied in the Capitol buildings and for water light heat power telephone and other services utilized and consumed by the School Employes' Retirement Board in the performance of its work at such amounts as the Department of Property and Supplies with the approval of the Executive Board shall determine and for the payment of incidental expenses necessary for the proper conduct of the work of the board

3 In the month of July one thousand nine hundred and twenty for a period covering the twelve months next preceding and semiannually thereafter covering the six months next preceding the Commonwealth of Pennsylvania shall pay into the fund created by this act through the Department of Revenue on account of each new entrant who was a contributor for one or more months of such respective periods such amount as shall be certified by the retirement board as necessary to provide by such method of payment during the prospective active service of such new entrant the State annuity reserve required at the time of retirement for the disability or superannuation State annuity allowable by the said Commonwealth under the provisions of this act which amount shall be credited by the retirement board to a ledger account to be known as the contingent reserve account The amount so certified by the retirement board shall be computed to bear a ratio to the salary earnable by such new entrant during the period for which the amount is certified which shall remain constant during his or her entire period of prospective active service and shall be based on such mortality and other tables as shall be adopted by the retirement board and on regular interest

4 Upon the retirement of a new entrant an amount equal to his or her State annuity reserve shall be transferred by the retirement board from the contingent reserve account to the credit of a ledger account to be known as State annuity reserve account His or her State annuity shall be charged to

said State annuity reserve account and paid from the Fund created by this act Should said new entrant be subequently restored to active service his or her State annuity reserve shall thereupon be transferred from State annuity reserve account to the contingnt reserve account Should the State annuity of any such new entrant be otherwise reduced or discontinued in accordance with the provisions of this act his or her State annuity reserve or such proportionate part of his or her State annuity reserve as corresponds to the amount of the reduction in his or her State annuity shall be transferred from State annuity reserve account to the contingent reserve account

5 Beginning with the month of July one thousand nine hundred and nineteen and continuing until the accumulated reserve equals the present value as computed by the actuary of the retirement board and approved by the retirement board of all State annuity payments thereafter payable by the Commonwealth on account of present employes then retired or to be retired on State annuities as provided in this act the said Commonwealth shall pay semiannually into the fund created by this act through the Department of Revenue an amount equal to two and eight-tenths (2.8) per centum of the total compensation paid to all contributors for service during the preceding school year and in every case an amount at least three per centum greater than the second preceding semiannual payment which amount shall be credited by the retirement board to a ledger account to be known as State annuity reserve account number two Beginning with the month of July one thousand nine hundred and twenty-five the Commonwealth shall pay semiannually into the fund created by this act as aforesaid to the credit of State annuity reserve account number two an amount equal to two (2) per centum of the total compensation paid to all contributors for service during the preceding school year Provided That in every case the amount shall be sufficient when combined with that in the fund to the credit of said account to provide the pensions payable by the Commonwealth during the half-year then current to present employes then retired or to be retired as provided in this act Upon the retirement of a present employe his or her State annuity shall be charged to the State annuity reserve account number two and paid from the fund created by this act

6 There shall be credited by the retirement board to a ledger account to be known as the employes' annuity savings account the amounts of the accumulated deductions from the salaries of contributors made under such rules and regulations as the retirement board shall prescribe as follows

From the salary of each employe who is a contributor there shall be deducted and paid into the fund created by this act through the Department of Revenue such per centum of his or her earnable salary as shall be computed to be sufficient with regular interest to procure for him or her on superannuation retirement of age of sixty-two and employes' annuity equal to one one-hundred-sixtieth (1/160) of his or her salary for each year of service after the thirtieth day of June one thousand nine hundred and nineteen except that if the deduction so computed shall exceed five per centum of his or her earnable salary and the employe shall so elect there shall be deducted five per centum of his or her earnable salary And further provided That a beneficiary restored to school service shall not be required to contribute at a per centum rate of his or her earnable salary which is greater than the per centum thereof which he or she was required to contribute prior to his or her retirement The rate per centum of said deduction from salary shall be based on such mortality and other tables as the retirement board shall adopt together with regular interest and shall be computed to remain constant during the prospective school service of the contributor

7 Upon the retirement of a contributor a credit equivalent to the amount of his or her accumulated deductions shall be transferred from the employes' annuity savings account to a ledger account to be known as the employes' annuity reserve account His or her employes' annuity shall be charged to said employes' annuity reserve account and paid from the fund created by this act Should said contributor be subsequently restored to active service his or her employes' annuity reserve shall thereupon be transferred from the employes' reserve account to the employes' annuity savings account

8 No contributor shall be required to continue to contribute to the School Employes' Retirement Fund after he or she shall have become eligible for superannuation retirement all contributions made thereafter to said Fund shall be voluntary

Section 3 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1700, as follows:

An Act prohibiting employes of certain county offices and departments of the Commonwealth from being interested in the settlement of certain estates and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no employe in the offices of Register of Wills or Clerk of the Orphans Court in any county in this Commonwealth or of any department in the Commonwealth the duty of which department shall be in any extent to compute or collect the transfer inheritance tax shall hereafter act as attorney counsel appraiser or in any advisory capacity for fee or reward of any sort in the settlement of any estate being administered in the county in which such employe is employed or to which such employe is attached

Section 2 Any person violating the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be dismissed from such employment and in addition thereto shall be sentenced to pay a fine of five hundred dollars or one year in jail or both at the descretion of the court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. RECTENWALD. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government for the purpose of further study.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1102 (Senate Bill No. 60), entitled:

An Act to amend sections two and three four as amended five, seven and eight of the act approved the sixteenth day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand seven hundred eighty) entitled "An act to fix the salaries and compenastion of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County" by reducing the salaries of judges learned in the law.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2109, as follows:

An Act to amend section two of the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled "An act

concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws" defining intoxicating liquor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled "An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws" is hereby amended to read as follows

Section 2 (a) The phrase "intoxicating liquor" as used in this act shall mean [anything found and determined from time to time to be intoxicating by act of Congress passed pursuant to and in the enforcement of the Constitution of the United States of America] any liquor containing more than three and two-tenths per centum (3.2%) of alcohol by weight

(b) The word "person" shall mean and include natural persons associations partnerships and corporations for whatever purpose organized

(c) The word "officer" shall mean and include all sheriffs deputy sheriffs constables State and municipal policemen county and city detectives and any other persons authorized to serve warrants

(d) The term "private dwelling" shall be construed not only in its ordinary sense but also to include the room or rooms used and occupied not transiently but solely as a residence in an apartment house hotel or boarding-house

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2081 (Senate Bill No. 645), entitled:

An Act to amend section five of the act approved the nineteenth day of August one thousand nine hundred and thirty-two (Pamphlet Laws ninety-two) entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors as herein defined prescribing the method and manner of collecting such tax and providing penalties" extending the time for payment of the emergency relief sales tax by extending the time of payment of said tax under certain circumstances

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of the act approved the nineteenth day of August one thousand nine hundred and thirty-two (Pamphlet Laws ninety-two) entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors as herein defined prescribing the method and manner of collecting such tax and providing penalties" is hereby amended to read as follows

Section 5 Assessment and Payment of Tax Every vendor at the time of making the return required under section 4 shall compute and pay to the department the tax due to the Commonwealth by him for the preceding six months' period The amount of all taxes imposed under the provisions of this act shall be due and payable at the time the return for such six months' period is required to be filed with the department by this act unless the vendor shall notify the department that he desires an extension of time to pay said tax and agrees therein to pay said tax in four equal instalments on the first and fifteenth day of April and the first and fifteenth day of May Any such instalment of tax not paid on or before the dates specified herein shall be subject to the payment of interest at the rate of eight per centum per annum from such dates

On the question,

Will the House agree to the section?

Mr. WITKIN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 2, line 13, by striking out the word "four" and inserting in lieu therof the word "two"

Amend section 1, page 2, line 14, by striking out the words "and fifteen"

Amend Section 1, page 2, line 14, by striking out the words "first and " at the end of said line 14.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section five of the act approved the nineteenth day of August, one thousand nine hundred and thirty-two (P. L. 92), entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors, as herein defined; prescribing the method and manner of collecting such tax; and providing penalties;" extending the time for payment of the emergency relief sales tax by extending the time of payment of said tax under certain circumstances.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

RESOLUTION

EXTENDING SYMPATHY ON LOSS OF LIFE IN DESTRUCTION OF AKRON

Mr. HABBYSHAW asked and obtained unanimous consent to offer the following resolution which was twice read, considered and adopted.

In the House of Representatives, April 4, 1933.

A few days ago the world learned that man in his eternal struggle for conquest of the last frontier, the upper elements, had successfully soared over the highest mountain;

Late news flashes of this morning stun us with the intelligence that the Akron, America's pride, the world's greatest dirigible, has gone down to destruction;

Among those apparently lost are Rear Admiral William A. Moffett, Chief of the Bureau of Aeronautics of the United States Navy, as well as other Navy and Army officers, and the officers and crew of that magnificant ship;

The names of these illustrious men are added thereby to the terrible total of heroes who have given their lives that man may free himself from the natural shackles to which man was born and which, God like, he will ever struggle to break at whatever cost;

Since this must be and man must suffer if man will conquer, and if we of the present be worthy of our forefathers who at the price of death, and over many years have forced humanity upwards to be the controller of its destiny and not the slave of its environment, it is for us only to view with proud sorrow the sacrifice of the pathfinders; therefore be it

Resolved (if the Senate concur), That the General Assembly of the Commonwealth of Pennsylvania by this resolution seeks to express in a poor way its pride in America's gallant dead, its sorrow in America's overwhelming loss, and its solemn faith that they have not died in vain, and that America, in the future, as in the past, will falter not, nor count the cost, in the age-long battle to make man truly the conqueror.

(SPEAKER TALBOT IN THE CHAIR)

The SPEAKER. The Chair desires to thank the gentleman from Delaware, Mr. Turner, for presiding over the deliberations of this body.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 4, 1933.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene Monday evening, April 10, at nine o'clock; and when the House of Representatives adjourns this week it reconvene Monday evening, April 10, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 3, 1933.

Resolved (if the Senate concur), That House Bill 490, entitled "An act to amend section one of the act approved the twenty-sixth day of August one thousand nine hundred and thirty-two (Pamphlet Laws one hundred) entitled 'An act authorizing the abatement of penalties on local taxes' providing further for the abatement of tax penalties and providing for an extension of time for delivery of duplicates to collectors of delinquent taxes in certain cases," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 3, 1933

Resolved (if the Senate concur), that House Bill No. 126, entitled "An act to amend section one thousand four hundred one of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled 'An act [to amend the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty three) entitled 'An act] relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth limiting the lien and procedure for collection of taxes bonus and other moneys due the Commonwealth in certain cases", be recalled from the Governor for further consideration.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 70, as follows:

An Act to amend sections sixty-nine and seventy-one of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred ninety-four) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by increasing the obligation of the Commonwealth in the construction of certain structures located on such highways

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section sixty-nine of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred ninety-four) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" is hereby amended to read as follows

Section 69 The Commonwealth through the Department of Highways shall maintain construct and reconstruct all drainage structures and bridges which are the responsibility of the township on any highway taken over under the provisions of this act except storm or sanitary sewers Responsibility for the construction reconstruction and maintenance of any other structures shall remain with the county township person association or corporation responsible therefor at the date of the approval of this act [or] this act is not intended and shall not be construed to include or in any manner affect any private road county road or any road street or highway in any city borough or incorporated town of the Commonwealth

Section 2 That section seventy-one of said act is hereby amended to read as follows

Section 71 After the highways described in the foregoing sections of this act and the structures thereon except such as are excepted by section sixty-nine of this act shall have been taken over by the Commonwealth they shall be rebuilt constructed reconstructed repaired and maintained by

the Department of Highways at the expense of the Commonwealth but it shall nevertheless be lawful for the Department of Highways to enter into agreements in the discretion of the Secretary of Highways with counties or townships or with persons associations or corporations for sharing with the Commonwealth the cost of construction reconstruction or maintenance of highways or parts thereof and structures thereon taken over by the Commonwealth under this act The construction or improvement of any such highways shall be of such width type and location as may be determined by the Secretary of Highways with the approval of the Governor and repairs and maintenance shall be of such tpye as shall be determined by the Secretary of Highways

The county commissioners of any county may by resolution and after approval of a grand jury of the county take over with the consent of the Secretary of Highways any State highway described in this act or any section thereof as a county road to be maintained and improved in the manner provided by law for county roads A description of any road or section so taken over with the resolution of the county commissioners and the approval of the Secretary of Highways shall be filed on record in the office of the clerk of the courts of the proper county

Section 3 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

Section 4 This act shall become effective upon its approval by the Governor

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—198

Andrews,	Griffith	McGinnis,	Sheffer,
Baker,	Habbyshaw,	McGrail,	Shellenberger,
Baldi,	Haines	McGregor,	Shenkel,
Barnhardt,	Hamilton,	McHenry,	Shettel,
Bechtel,	Harmuth,	McKay,	Shortz,
Beech,	Harris,	McKinney,	Shreiner,
Bennett,	Hart,	Melchiorre,	Shugarts,
Bernhard,	Hartman,	Meredith,	Simon,
Blumberg,	Heffernan,	Merrell,	Sinwell,
Boyd,	Hefferon,	Metzler,	Snyder,
Brancato,	Heffner,	Mohn,	Sowers,
Brennan,	Hermansen,	Moore,	Spann,
Brown, W. L.,	Hester,	Mumford,	Stank,
Brownfield,	Hewitt,	Munley,	Steedle,
Cannon,	Himes, L. R.,	Myers,	Sterling, P.,
Caputo,	Hoffman,	Negley,	Sterling, R. B.,
Carey,	Holmes, J. B.,	Nothnagle,	Stiteler,
Carson,	Holmes, J. L.,	O'Connor,	Stone.
Chervenak,	Hoopes,	O'Keefe,	Storb,
Cohen,	Horst,	O'Neill,	Stott,
Conner,	Hough,	O'Rourke,	Surface,
Cooke,	Howard,	Patterson,	Tahl,
Cordier,	Hutton,	Peelor,	Terry,
Craig,	Jaffe,	Pennock,	Turner,
Cramer,	Jones,	Perry, D. R.,	Wade.
Dane,	Kane, J. J.,	Perry, J. J.,	Wagner,
Davies,	Kane, L. P.,	Peters,	Walker, G. E.,
DeFrehn,	King,	Powell,	Walker, W. A.,
Denning,	Kinney,	Powers,	Wall,
Downey, G. E.,	Labar,	Price,	Wasserman,
Duffy,	Laubach,	Quinn,	Way,
Dunmire,	Lenahan,	Raub,	Weidemann,
Dwyer,	Lewis,	Rectenwald,	Welsh,
Ederer,	Long,	Reed,	Westrick,
Emhardt,	Lord,	Reilly,	White,
Eroe,	Lose,	Rhodes,	Wike,
Evans,	Lovett, J. E.,	Rice,	Williams, G. W.,
Fitzgerald,	Lovett, W. S.,	Roan,	Williams, J. J.,
Flanagan,	Lynch, J. R.,	Root,	Wilson, L. M.,
Fleisher,	Lynch, M.,	Roth,	Wilson, T. B.,
Flinchbaugh,	Male,	Ruby,	Witkin,
Flynn,	Malina,	Ruth,	Wood.
Forrest,	Maloney,	Sarig,	Woodside,
Furman,	Marcks,	Sautter,	Wright.
Gallagher,	Mason,	Schrock,	Yeakel,
Gartner,	McBride,	Schrope,	Yourishin,
Gillette,	McCandless,	Schwab,	Zimmerman,
Gorman,	McClure,	Schwartz,	Talbot,
Green,	McCreary,	Scorza,	Speaker.
Greenstein,	McElwee,	Scott,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE BILL No. 65 MADE SPECIAL ORDER

Mr. SOWERS. Mr. Speaker, I move that House Bill No. 65, Printer's No. 339, entitled

A Joint Resolution proposing an amendment to section eighteen, article three of the Constitution of the Commonwealth of Pennsylvania.

be made a special order of business for third reading and final passage at 5 o'clock this afternoon.

The motion was agreed to.

HOUSE BILL No. 67 MADE SPECIAL ORDER

Mr. SOWERS. Mr. Spaker, I move that House Bill No. 67, Printer's No. 340, entitled

A Joint Resolution proposing an amendment to section seven, article nine of the Constitution of the Commonwealth of Pennsylvania.

be made a special order of business for third reading and final passage at 5.15 o'clock this afternoon.

The motion was agreed to.

HOUSE BILL No. 1374 MADE SPECIAL ORDER

Mr. WILSON. Mr. Speaker, I move that House Bill No. 1374, Printer's No. 496, entitled

An Act relating to the minimum salaries and annual increments of the teaching and supervisory staffs of the public schools granting power to the courts of common pleas to permit as to certain school districts temporary reductions in the salary schedules authorizing courts of common pleas to suspend mandatory provisions of the act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" and of its amendments and supplements prohibiting school districts from demanding requesting or accepting gifts or donations from members of the teaching and supervisory staffs and empowering the Superintendent of Public Instruction to forfeit certain State subsidies for violations thereof relating to the effect of payment of salaries which are less than those prescribed by salary schedules granting certain options to the members of the School Employes' Retirement System and temporarily superseding any inconsistent acts and parts of acts

on page 26 of today's calendar, bills on final passage, be made a special order on final passage at 12.50 this afternoon.

The motion was agreed to.

BILL ON FINAL PASSAGE

Mr. WITKIN. Mr. Speaker, I desire to call up at this time House Bill No. 810, Printer's No. 315, on page 58 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Witkin.

The House resumed the consideration on final passage of House Bill No. 810, entitled:

An Act to amend section thirteen of the act approved the seventeenth day of May, one thousand nine hundred and seventeen (P. L. 208), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words 'drug' and 'poison'; and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law; and providing for the purchase of samples of drugs for determining their quality, strength, and purity;" as amended removing liver products from the provision which prohibits the sale of medicines containing substances of glandular origin except by registered pharmacists and assistants

On the question recurring,

Shall the bill pass finally?

Mr. WITKIN. Mr. Speaker and members of the House, this is the bill on which there was a great deal of misunderstanding. So that it may be clear to the members of this House, let me state that all this bill does is to restore the right to the merchant and the farmer and the ordinary storekeeper to sell cod liver oil and its products without the necessity of being a registered pharmacist. Under the Act of 1931, inadvertently, that right was taken away from the man who keeps a small store, and he was not allowed to sell harmless drug products, and the amendment to this act simply gives back to the person who had that right prior to 1931 the right to sell cod liver oil and other similar products. There seems to be a feeling among all who are interested that this will be satisfactory and that this is a proper amendment to this bill, and I will ask the members to support it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178

Andrews,	Heffernan,	Meredith,	Shugarts,
Baldi,	Heffner,	Metzler,	Simon,
Bechtel,	Hermansen,	Mohn,	Sinwell,
Bennett,	Hester,	Moore,	Snyder,
Bernhard,	Hewitt,	Munley,	Sowers,
Blumberg,	Himes, L. R.,	Myers,	Spann,
Boyd,	Hoffman,	Negley,	Stank,
Brancato,	Holmes, J. B.,	Nothnagle,	Steedle,
Brennan,	Hoopes,	O'Connor,	Sterling, P.,
Brownfield,	Horst,	O'Keefe,	Sterling, R. B.,
Cannon,	Hough,	O'Neill,	Stevens,
Caputo,	Howard,	Patterson,	Stevenson,
Carey,	Hutton,	Peelor,	Stone,
Carson,	Jaffe,	Pennock,	Storb,
Chervenak,	Kane, J. J.,	Perry, D. R.,	Stott,
Cohen,	Kane, L. P.,	Perry, J. J.,	Surface,
Conner,	King,	Peters,	Tahl,
Cooke,	Kinney,	Powell,	Terry,
Cordier,	Labar,	Price,	Turner,
Craig,	Lane,	Quinn,	Wade,
Cramer,	Laubach,	Raub,	Wagner,
Dane,	Lenahan,	Rectenwald,	Walker, G. E.,
Denning,	Lewis,	Reed,	Walker, W. A.,
Downey, G. E.,	Long,	Reilly,	Wall,
Downey, J.,	Lord,	Rhodes,	Wasserman,
Dwyer,	Lose,	Rice,	Way,
Emhardt,	Lovett, J. E.,	Roan,	Weidemann,
Evans,	Lovett, W. S.,	Root,	Welsh,
Flanagan,	Lynch, J. R.,	Roth,	Westrick,
Fleisher,	Lynch, M.,	Ruby,	White,
Flinchbaugh,	Male,	Ruth,	Wike,
Flynn,	Malina,	Sarig,	Williams, G. W.,
Forrest,	Maloney,	Sautter,	Williams, J. J.,
Furman,	Marcks,	Schrock,	Wilson, L. M.,
Gallagher,	McCandless,	Schrope,	Wilson, T. B.,
Gillette,	McClure,	Schwab,	Witkin,
Gorman,	McCreary,	Schwartz,	Wood,
Green,	McElwee,	Scorza,	Woodside,
Greenstein,	McGinnis,	Scott,	Wright,
Griffith,	McGrail,	Sheffer,	Yeakel,
Habbyshaw,	McGregor,	Shellenberger,	Yourishin,
Harmuth,	McHenry,	Shenkel,	Zimmerman,
Harris,	McKay,	Shettel,	Talbot,
Hart,	McKinney,	Shortz,	Speaker.
Hartman,	Melchiorre,	Shreiner,	

NAYS—3

Brown, J. E., Brown, W. L., DeFrehn,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative. lays before the House the special order of business fixed for concurrence.

BILL ON FINAL PASSAGE (SPECIAL ORDER)

The SPEAKER. The hour of 12.50 having arrived the Chair lays before the House the special order of business fixed for this time, being House Bill No. 1374.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1374, as follows:

An Act relating to the minimum salaries and annual increments of the teaching and supervisory staffs of the public schools granting power to the courts of common pleas to permit as to certain school districts temporary reductions in the salary schedules authorizing courts of common pleas to suspend mandatory provisions of the act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintaining the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" and of its amendments and supplements prohibiting school districts from demanding requesting or accepting gifts or donations from members of the teaching and supervisory staffs and empowering the Superintendent of Public Instruction to forfeit certain State subsidies for violations thereof relating to the effect of payment of salaries which are less than those prescribed by salary schedules granting certain options to the members of the School Employes' Retirement System and temporarily superseding any inconsistent acts and parts of acts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Definitions The following terms shall be construed in this act to have the following meanings

1 "Employe" Any teacher principal supervisor or supervising principal county superintendent district superintendent assistant superintendent any members of the staff of the State Teachers' Colleges of the Cheyney Training School for Teachers of the staff of the Department of Public Instruction or of the staff of the State Council of Education or any clerk stenographer janitor attendance officer or other person engaged in any work concerning or relating to the public schools of this Commonwealth or in connection therewith or under contract or engagement to perform one or more of these functions No person however shall be deemed an employe within the meaning of this act who is not regularly engaged in performing one or more of these functions as a full-time occupation outside of vacation periods In all cases of doubt the School Employes' Retirement Board shall determine whether any person is an employe as defined in this act

2 "Employer" The Commonwealth school district State Teachers' Colleges Cheyney Training School for Teachers board or other committee by which the employe is paid

3 "Teacher or supervisor" A member of the teaching or supervisory staff or other appointee of any school district to whom any statutory minimum salary schedule shall be applicable

4 "Salary schedule" A schedule of minimum basic salaries plus required increments prescribed by any Act of Assembly for the payment of salaries of teachers or supervisors

Section 2 Re-employed Teachers and Supervisors During the period in which this act shall be in effect no school district shall be required to pay to any teacher or supervisor who during the year preceding the effective date of this act shall have been in its employ or who during such year shall have been in the employ of any school district whose territory shall wholly or in part comprise such district any salary or compensation at a rate greater than ninety per centum of the minimum amount which such teacher or supervisor would have been entitled to receive under the salary schedule if he or she had entered the employ of such district immediately prior to the effective date of this act

Section 3 New Teachers and Supervisors During the period in which this act shall be in effect no school district shall be required to pay to any teacher or supervisor who during the year preceding the effective date of this act was not employed by such school district or by a district whose territory shall wholly or in part comprise such district any salary or compensation at a rate greater than ninety per centum of the minimum amount which such teacher or supervisor would have been entitled to receive under the salary schedule if he or she had entered the employ of such district immediately prior to the effective date of this act

Section 4 Additional Reductions When in any school district a board of school directors shall be of the opinion that the district does not and will not have sufficient funds to pay the salaries required by the salary schedule as modified by the foregoing provisions of this act or that the payment of the salaries of the schedule as thus modified would be unreasonably oppressive upon the school district it may present its petition to the court of common pleas of the county in which such district or the greater part thereof in area is located praying that the court will reduce for the period during which this act shall be in effect the per centum herein provided from ninety to a per centum which the court shall deem to be just and reasonable for that district Each such petition shall be accompanied by a verified copy of the budget of the school district Upon receipt of such petition the court shall fix a day for a hearing not less than fifteen nor more than thirty days after such petition has been filed Notice of such hearing shall be given to all interested parties in such manner as the court shall direct On such hearing or hearings it shall be the duty of the court to examine into the necessity for the requested reduction If the court shall be of the opinion that the district does not and will not have sufficient funds to pay the salaries required by the salary schedule as modified by the foregoing provisions of this act or that the payment of the salaries of the schedule as thus modified would be unreasonably oppressive upon the school district it shall grant the requested reduction or any portion thereof which it shall deem necessary If the court shall be of the opinion that such reduction is not necessary it shall deny the request of the petition No appeal shall lie from any such order or decision of the court of common pleas

In lieu of or in addition to thus reducing the above percentage the court of common pleas may as to any such district and for such period suspend any provisions of the act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" and of its amendments and supplements when such provisions require and make mandatory any action by the school district or its board of school directors No appeal shall lie from any such order of the court of common pleas

Section 5 During the year which shall begin on July first one thousand nine hundred thirty-three and close June thirtieth one thousand nine hundred thirty-four each employe who is a member of the School Employes Retirement System shall have the option of contributing to the School Employes Retirement Fund either on the basis of the total salary which he or she will receive during such year or on the basis of the salary which he or she received during the year which began July first one thousand nine hundred thirty-two and ended June thirtieth one thousand nine hundred thirty-three Each such employe shall notify in writing his employer on or before September first one thousand nine hundred thirty-three upon which salary he or she elects to contribute

During the year which shall begin July first one thousand nine hundred thirty-four and close June thirtieth one thousand nine hundred thirty-five each employe who is a member of the School Employes' Retirement System shall have the option of contributing to the School Employes' Retirement Fund either on the basis of the total salary he or she will receive during such year or on the basis of the total salary which he or she received during the year which began July first one thousand nine hundred thirty-two and close June thirtieth one thousand nine hundred thirty-three Each such employe shall notify in writing his employer on or before September first one thousand nine hundred thirty-four upon which salary he or she elects to contribute Each employer shall notify the School Employes' Retirement Board in writing on or before September fifteenth one thousand nine hundred thirty-three and on or before September fifteenth one thousand nine hundred thirty-four of the option elected by each such employe for the then current year

During each of such years which begin on July first one thousand nine hundred thirty-three and July first one thousand nine hundred thirty-four the employer shall contribute on the basis of the salary upon which each of such employes shall have thus elected to contribute

Each new member who comes into the School Employes' Retirement System during the period beginning July first one thousand nine hundred thirty-three and ending on June thirtieth one thousand nine hundred thirty-five shall contribute on the basis of the salary actually received The employer shall contribute upon the same basis

The salary upon which each such employe elects to contribute for each of the years beginning July first one thousand nine hundred thirty-three and July first one thousand nine hundred thirty-four shall be used as the salary for each such year in the determination of any final salary upon which a retirement allowance will be computed

Section 6 Effect of Payment of Salaries Which Are Less Than Those Prescribed by Salary Schedule There shall be no deduction from the amount to be paid by the Commonwealth to a school district as a partial reimbursement for the salary or compensation of any teacher or supervisor because the district pays such person any time during the biennium beginning on the first day of June one thousand nine hundred thirty-three a smaller salary or compensation than is prescribed for such person by the salary schedule so long as the amount which the district pays is not less than the amount permitted by the provisions of this act or than that allowed by a court of common pleas in pursuance of the provisions of this act

Section 7 Prohibition Against Demanding Requesting or Accepting Gifts or Donations During the period in which this act shall be in effect it shall be unlawful for any board of school directors to demand request or accept directly or indirectly any gift or donation from any teacher or supervisor within its employ

Section 8 Forfeiture of Subsidies When during the period during which this act shall be in effect the Superintendent of Public Instruction shall be of the opinion that any school district shall have violated the provisions of this act by demanding requesting or accepting any gift or donation from one or more teachers or supervisors he shall subject to the restrictions herein provided have the power to declare forfeited for the then current school year any State subsidy which is to be paid to the district as a partial reimbursement of the salary of each such teacher or supervisor

Before declaring any such forfeiture as to any school district the Superintendent of Public Instruction shall mail to the board of school directors of the district a statement setting forth the alleged violations and the names of the one or more teachers or supervisors from whom the gifts or donations are alleged to have been demanded requested or accepted The statement shall be accompanied by a notice stating that unless a denial of such allegations verified by the affidavit of the president or secretary of the board is received by the Superintendent of Public Instruction within fifteen days he will declare a forfeiture as to such subsidy for each such teacher

or supervisor If such a denial shall not be received within such fifteen days the Superintendent of Public Instruction may declare such one or more forfeitures

If such a denial shall be received the Superintendent of Public Instruction shall conduct a hearing to determine whether or not there have been any such violations He shall give reasonable notice of the time and place of the hearing to the board of school directors of the district and at the hearing shall give the board the right to be heard and to be represented by counsel

If after the hearing the Superintendent of Public Instruction shall be of the opinion that one or more of the violation set forth in the statement which he shall have sent to the board as herein provided did actually occur he may as herein provided forfeit the subsidies to be paid to the district as a partial reimbursement for the salary of each teacher or supervisor listed in such statement from whom in his opinion the district or its representatives shall have demanded requested or accepted a gift or donation

Section 9 Impairment of Contracts Nothing in this act shall be construed as impairing the obligation of any contract made before the effective date of this act

Section 10 Constitutional Construction The Provisions of this act shall be severable and if any of its provisions shall be held to be unconstitutional the decisions of the court as to those provisions shall not affect the validity of the remaining provisions of this act It is hereby declared as a legislative intent that this act would have been adopted by the General Assembly had such unconstitutional provisions not been included herein

Section 11 Effective Date Period During which Act Shall be Effective This act shall become effective immediately upon its passage by the General Assembly and its approval by the Governor and shall remain in effect until the first day of July one thousand nine hundred thirty-five

Section 12 Inconsistent Provisions All acts and parts of acts inconsistent with the provisions of this act are hereby superseded for the period during which this act shall be in effect

On the question,

Shall the bill pass finally?

Mr. WILSON. Mr. Speaker and ladies and gentlemen of the House, this is the bill which was defeated on March 27th, a week ago last Monday night, on final passage. I don't want to take the time of the House, but I do want to point out to the House the meaning and purpose of this bill, and how it fits in with the educational program which you have committed to your Educational Committee.

On March 27th, 1933, when this bill was voted on, there were a number of very fine speeches made upon this floor, and I was very sorry that on that night I did not have any voice at all, because while I have great regard and great respect for the gentlemen, both Democratic and Republican, that spoke at that time, I would have liked to have drawn the attention of the House to certain things more in a technical way and less in a sentimental way. I yield to no one in this House in my respect and regard for the profession of teaching school and for the school teachers, and this is not a bill to cut the school teachers.

In the educational program as the Educational Committee has brought it on this floor, there are three different divisions, House Bill No. 1374, seeks to put the districts in shape so that they can cut their own expenses down to their income. Under these several bills they keep the money they get and the districts are subsidized, but that bill which attempted to make the larger districts has been abandoned and is out of the picture, and will no longer be up for your attention.

I want to be understood on this bill. This is not my legislation. I don't want to be put in the position that when I am on this floor, when I introduce an act, and when I work it out and come here and try to convince the House that it ought to be passed, that it is my bill. You have given us this problem which is a very difficult one, and we have worked on it and tried to work it out, and this is the solution for the districts as compared to the money we give them. The situation in the districts is this; that there will not be in this year more than sixty per cent. of the taxes collected, and we feel sure that in the next year many cases of school districts there will be not more than fifty per cent. of the taxes collected.

The State of Pennsylvania only pays fifteen per cent. of the educational expenses, which leaves eighty-five per cent. to be borne by the districts, and the reason for this bill is that there is a mandatory provision requiring the school board to pay a certain salary to teachers of certain grades, and they have no power to waive that. I want to say to you further than that, that the members of the school boards of Pennsylvania if they disregard the laws in regard to the schools, if they go ahead and break through structure, they are personally responsible if they try to fit their outgo to their income and the money they have coming in.

The committee has been urged to put a definite limit on the cuts in this bill. I would be delighted if the cut could be maintained at ten per cent. which the board can make without seeing anybody, but it is impossible to do it. If the cuts were only limited to twenty per cent. if that was the limit, and many of the boards could not pay it, it would take thirty million dollars from the Commonwealth of Pennsylvania to carry these school districts over the next biennium.

I want to say to you, ladies and gentlemen, that it is wonderful to talk about teachers, and it is a wonderful profession and the highest type of service that we have, but the taxpayer and the child that goes to school is entitled to some consideration also from the Legislature.

I say to you that if this bill does not pass, it may leave the districts in such shape that they have to pay out more money than comes in, which they cannot do. I say to you that there will be from two hundred to three hundred districts in Pennsylvania that won't open their schools next fall, and before the year is out, at least one-half of the twenty-seven hundred school districts in Pennsylvania will be closed.

I am making an appeal to the members of this House for the taxpayer and the children who go to school, and I say to you that it will be disgraceful if the Legislature goes home and leaves half of the school districts of Pennsylvania in such shape that they cannot maintain their schools and give education to the children. All that the passage of House Bill No. 1374 does is to give to the districts the right to decrease the teachers pay ten per cent without seeing anybody about it and it gives them the right to decrease any of the other mandatory provisions of the law, including teachers' salaries, with the consent of the Court of Common Pleas as the bill provides. Even then there will be many districts closed unless the Commonwealth of Pennsylvania provides a revolving fund by which these districts can be taken care of.

I am making an appeal for the school children of Pennsylvania and the taxpayers of Pennsylvania who cannot keep their house in order with the present law. Already in Pennsylvania there are districts which are disregarding the acts and are cutting twenty-five and thirty and forty percent, and even then they won't be able to pay their teachers.

I say to you that it is absolutely essential that you, ladies and gentlemen of this House, put the school districts of Penn-

sylvania in shape so they can pare down expenses to their receipts and keep the schools running.

This bill is a temporary bill which expires at the end of the biennium without any further legislation, and it simply does what any business house has to do, it allows the district to go into the Court of Common Pleas of their county, the court having jurisdiction, and show to the court their budget showing that they have taken all larceny out of it, that there are no high priced officials, lawyers, secretaries, treasurers, and that they have made every reduction they can, and when that is so, then the court has the power not only to let them cut the teacher's salaries, but to cut any other mandatory provision. I think that everybody here is familiar with this bill. Let me say what it is in one word.

It allows the district, when the financial picture requires it, to cut ten per cent of the salary of teachers without seeing anybody. It allows them then, if that is not sufficient, to go into the court of common pleas of their county, and after showing the court that they have cleaned house, the court may allow them then to make any other reductions in the mandatory requirements which the court thinks is necessary and proper under the peculiar circumstances of that district. That is what any business house has to do, and that is what the school districts have to do, and even, I say, unless the State of Pennsylvania provides five million dollars, you have five, six or seven hundred districts closed. There is no use to talk about getting more taxes, they won't get any more taxes on real estate, they are getting all of the money that they can get. Unless you pass this act you put the districts in a place where they cannot get the revenues to make the payments which they are required to make.

Mr. O'CONNOR. Mr. Speaker and ladies and gentlemen of the House, this is the same bill that was before us last week and which was defeated by this House. It now transfers certain duties from the Superintendent of Public Instruction to the Court of Common Pleas.

As we all know, under the present law the school directors of the particular districts are vested with the authority to regulate and control their schools. This bill proposes that that privilege be taken from the school directors and be taken from the Department of Education in Harrisburg and transferred to the Court of Common Pleas of the county whenever a district becomes so financially embarrassed that it cannot meet its obligations to its teachers. It also enables the Court of Common Pleas of the county to suspend for a period of two years any part of its school code. I have noticed in the daily press when this bill was before the House before, the mention of the fact that this bill would not suspend any of the provisions of the Edmonds Act, but I want to call your attention to the fact that it specifically provides that the Court of Common Pleas shall have power to suspend any provision of the School Code.

Since the bill was before us last week the State Superintendent of Public Instruction has seen fit to send out another letter explaining the provisions of the proposed School Bill, and in that letter in paragraph 3, discussing this particular bill, he emphasizes the fact that the power to suspend any part of the School Code is contained in this bill.

Now, I see no reason why these people of the particular communities should not be the ones best fitted to say what should be done in the public schools. They have their Boards of Directors, and it seems that the sponsors in this bill refuse to entrust the conduct of the school, to their Boards when finances become low, an appeal must be taken, or rather a petition must be presented to the Court of Common Pleas and they may do whatever they think proper under the circumstances.

Now, this bill then provides that after the Court of Common Pleas has made its decision, there is no appeal from that decision, which I think is not only undemocratic, but very un-American in principle. You are transferring the control of the schools to the Court of Common Pleas, and there it must remain, and these school districts instead of receiving the money from the State, to which they should be entitled, and to which they are entitled, and if we were to pass the proper legislation here, there would be sufficient money to reimburse them to meet all the requirements of the School Code under the Edmonds Act. I think the bill as it is at present will have the effect of suspending the Code in that it provides for an appeal and secures the consent of the Court of Common Pleas. I am opposed to this feature of the bill and I hope you will again assist me in voting this bill down.

Mr. WESTRICK. Mr. Speaker and members of the House, Mr. Wilson in his remarks a few monents ago, and I want to say right now that I have due respect for our good friend from McKean, Mr. Wilson, and I have all due respect for his thought in this matter, but I do want to voice an opposition simply because of some facts which I would like to bring to your attention. In his remarks he says that this bill will not cut the salaries and in the next few moments he amends his talk and says that it will help the district to carry on.

If it becomes necessary for any community to make a cut in the teachers' salaries, how is it going to help our school districts? Many of the school districts have been keeping themselves within an economy program. I can name you district after district that have been carrying on year after year without paying their treasurer a cent. In my own particular district we are fortunate in having banks who are willing to and do that service for us without a cent of pay, but these school districts are on the rocks because of the fact that we have farms and mines in our community where the valuations have gone to practically nothing, and nothing remains for placing a valuation on.

The State has given us this setup. Positively they have forced on us a high standard of education that requires certain years of college education for the teachers before they may enter the class room. They have set up certain requirements that must be met in this preparation work. Should the State step out from under this load and say to the townships, "Help yourselves, and if you fail to deliver, we are not going to take the responsibility."

If we pass this resolution the State is not going to be responsible, and it will be up to the small districts to carry on, and if they cannot carry on the State does not assume any more responsibility.

In our district at the present time we have been able to collect fifty-five and two-tenths per cent. of our tax duplicate. Mr. Wilson has told you very plainly that the districts cannot collect their taxes. How are they going to carry on if the State steps out from under?

If we have millions and millions to build roads, surely the State can declare a moratorium and spend thirty million dollars if necessary to continue the work of our schools. We are spending millions for colleges and higher education, but what are we doing now for the children? To my mind it seems like a disgrace that such a proposition should come

before us for discussion. Let us be sincere and show the people back home, who are the parents of the children and who are those paying the taxes, that we are willing to do our bit and deal fairly with them.

If we have thirty million dollars for roads, why cannot we have some or all of it for our schools. The teachers are State employes because of our present setup. There are some who say that the State owes our teachers nothing. The State has given us this setup.

Suppose that here on Capitol Hill the salaries of the employes could be cut at any time. Would that be fair? They have not shown us as yet that any of the employes on Capitol Hill are going to be reduced. Those persons who take jobs on Capitol Hill know what their wages are going to be; why should the teachers take a job and not know where they are at and not know what their salaries will be. Under the present set up certain qualifications are demanded of the teachers before they take a job, and then they don't know whether they will be able to carry on. If we must carry more than ten per cent. cut in the teachers' salaries, why not put it in this bill here that no cut shall take an advance of more than ten per cent. until the district has proven itself unable to carry on.

I am not objecting to the provisions of this bill because of being a teacher, I am objecting to it because it is not fair; we are not playing fair with the teachers. Since our districts back home cannot possibly raise any more money to keep going, are we doing a thing here to continue the schools? It seems to me we are doing our best to close the schools and double the burden on the districts back home when we know that they cannot carry on.

Within the last week I have received thirty some petitions in opposition to this bill, and I assure you that they are not all from teachers, there is one from an engineering society, and there is one from a taxpayers' association. So far I have not had a single one to come in and ask us from our county to go along with this bill.

Ladies and gentlemen of the House, let us be serious on this matter and let us vote it down.

Mr. LOSE. Mr. Speaker and members of the House, I have been connected with the public schools of this State for nearly half a century.

I would be the last man to rise here in support of bills which mean a reduction of the salaries of teachers all over the State, but I can see no other way out. It is not a matter alone of State subsidies, it is a matter largely of a reduction in our school taxes.

If I may be pardoned for referring to my own school district, where I am president of the school board and where I have been a member of the school board for the last ten years, I would like to say that up until the present year we have always been able to collect our taxes, we have always been able to pay our bills at the close of the school term and balance the budget, and there has always been a little surplus in the treasury. Our school taxes have always been collected with exonerations of only a few hundred dollars, but this year we shall close the year with at least eleven thousand dollars of delinquent taxes, and we must borrow money from the bank for the last two months in order to pay our teachers.

This is the condition in my own school district. A week ago last Friday we called our teachers together, and told them that in every case their work had been satisfactory, that their teachers' contracts would be continued if the teachers so desired, and then we told these teachers of the difficult financial conditions in our district and told them that all of their salaries would be reduced. All of these teachers were willing to sign the contract to continue their work at these reduced salaries, and I am sure that that is the case in many school districts in this State.

Mr. Brennan and I within the last few days received, each of us, a letter from the largest borough of our county, from the supervising principal of that borough saying that he and his forty-two teachers approved of this bill, they knew of the conditions in that particular borough, the financial conditions, and that the teachers' salaries must be reduced.

I believe that the standards of efficiency in our schools will not be reduced with this reduction of salary. Any teacher who will reduce her efficiency ten per cent. because her salary is reduced ten per cent. is not a real teacher and the teachers in this State I am satisfied in my mind, have the professional spirit and will keep up the standards of efficiency even if salaries be reduced somewhat in the emergency we now find ourselves.

I think that this bill ought to pass and that this one matter ought to be settled.

Mr. SIMON. Mr. Speaker and members of the House, I do not often get up to make a speech, as you know. It seems to me that the time is here now when as a member of the Education Committee that worked on these bills ever since this session has started, I think I should say something. I do not have much to say, because I am frank to admit that I was against most of the program all the session, but I recognize in this bill, the first bill I have seen here in three sessions as a member of this House, that gives back to the local districts some authority. Every session I have been here, and I know in several sessions before that, any change that was made in the school system was to take away the local district and give to the Department of Education.

I contend that this bill in itself does not reduce a single salary in the State, and I say that all of these speeches that you have made here against any reduction of teachers' salaries should be saved and delivered at home to your school boards. I am not quite sure that this question can be left safely with the local school boards.

At home in my district, and I know I am talking for the taxpayers who for ten years have been trying for more authority in the running of their affairs with less dictation from Harrisburg. I have received here in the last week but one telegram protesting against this bill, and last week when I was home I got a pledge from them and the men and women said "We think the teachers ought to be behind this bill for their own sakes."

We know that there are but few teachers in this State who have not contributed ten per cent of their salaries almost at the point of a gun in most cases, and in lots of cases I know they have contributed almost twenty-five per cent of their salaries. I am quite sure that if what Dr. Rule has told you is true it will not mean enough, if anything, in policy.

With the statement of the gentleman from Cambria, Mr. Westrick, I can hardly agree, if he can find thirty million dollars and prepares a bill to appropriate it, I am in favor of it and will vote for it. I am in favor of thirty million dollars more for the schools if it can be found, but in the first place I am in favor of this bill in order that the schools may be kept open.

Mr. HOOPES. Mr. Speaker and members of the House, this is another one of those temporary measures. Ever since I have been in this House we have been passing temporary measures to deal with these appropriations and the problems that arise out of them. I think it is about time that we should go a little bit further than that, but I want to confine myself at this time to the provisions of this particular bill.

As I understand it many of the school districts in the State today are unable to collect their taxes, and consequently are unable to carry on. As I understand this bill, under such circumstances, they can appeal to their local courts, and each of them can say to those courts that they don't have any money to pay the teachers or they can ask the teachers to teach for nothing. There is absolutely no restriction in the bill on the amount. All that is necessary is for the district to show the judges that they do not have money to pay the teachers, and then the court may authorize any cut that may be necessary in their judgment under the circumstances in order to meet the situation. If they are unable to collect any taxes and they have no money, then it necessarily follows from the language of this bill that the teachers will be asked to teach for nothing.

I don't see why they should pick out one particular group to be the victim of these circumstances. Pennsylvania is one of the richest States in the United States. We have plenty of wealth within this State. We have not cut our road program at all, as I understand it. As one of the former speakers has pointed out, we are still spending for roads as much as we did in the years of prosperity. But they say let's cut down on our schools, let's cut down on our appropriations. I realize that local districts are up against it, I realize that real estate taxes are not coming in, but there are other sources of taxes in Pennsylvania.

Many States in this Union, who are not nearly as wealthy as this State, have an income tax. There is no reason why we should not have one, and there are men in this State who alone could pay enough income tax to keep our schools open. There is no reason why we should let them get away with it and not increase taxes, and then tell the teachers that they shall teach for nothing or the next thing to it.

Let us start at the top, let us get the money from those who have it before we start cutting down on our schools. If you are going to ask the teachers to teach for less wages, they would in a short time be receiving less wages than paid to laborers. If you are going to ask them to teach for nothing, or the next thing to it, you are going to cut down the morale of the schools, you are going to destroy your school system, the Edmonds Act and the various other protections you have built up during the years.

I ask you to consider the question from that angle. I object to being put on the spot and saying we haven't the money, the districts don't have the money. They say we don't have any choice. I say we do have a choice and that is to levy taxes on those that have the money to pay. Why don't we tax these public utilities?

POINT OF ORDER

Mr. HUTTON. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. HUTTON. Mr. Speaker, the gentleman is not speaking upon the question before the House.

The SPEAKER. The point of order is well taken. The matter of public utilities or income tax is not before this body at this time. The gentleman from Berks will confine his remarks to the bill before the House.

Mr. HOOPES. Mr. Speaker, do I understand that the question before this House at this time has nothing to do with our inability to raise money by taxation? I understood the gentleman, Mr. Wilson, to say that the purpose of this bill was to make it possible to carry on the schools, because of the inability to collect taxes to carry them on. It seems to me that it would be a fair argument in answer to that to point out where we have a source from which we can obtain taxes for that purpose.

The SPEAKER. The Chair has made its decision and requests the gentleman to confine his remarks to the bill.

Mr. HOOPES. Mr. Speaker, I shall abide by the ruling.

The SPEAKER. The gentleman will proceed.

Mr. HOOPES. I ask the members of the House to consider this question from all angles and not to make the school teachers the victims of circumstances. Do not make the poor workers bear the burden every time. Let us vote this bill down and then proceed to find measures to take care of this emergency in other ways.

Mr. McCREARY. Mr. Speaker and members of the House, I want to add my protest to those last few which we have just heard, and I want to say to you that I speak from experience as being one of the taxpayers and a farmer whose income will not cover his taxes, his insurance and his interest. I want to say further that I think these economies, and these laws and the bills we are trying to pass begin at the wrong end.

Why do we haggle over a ten per cent. cut in teachers' salaries, why do we waste hours in discussing them, which we do have, and which they did over in the School Directors Convention last winter, and not say one word about making a cut in the higher brackets.

I want to say to you that you had better begin on your Superintendent of Public Instruction who is getting twelve thousand dollars a year. Do you want me to tell you what that twelve thousand dollars a year means to a farmer selling his potatoes at twenty-five cents a bushel? It means forty-eight thousand bushels of potatoes. That you pour into the lap of your Superintendent of Public Instruction for a year's work and then you hire deputies, who do all the work, and he is a figurehead. You take that same thing in terms of milk. This whole State is just on the verge of collapse because of the retail prices that the farmers are getting for their milk. They are paying 42.63 cents a hundred pounds for milk. One hundred pounds of milk constitutes forty-six quarts and a fraction,—sixty three cents——

POINT OF ORDER

Mr. HUTTON. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. HUTTON. Mr. Speaker, the gentleman is not speaking on the question before the House.

The SPEAKER. The point of order is well taken. The gentleman will confine himself to the bill. The gentleman will proceed.

Mr. McCREARY. Mr. Speaker, I was just comparing the superintendent's salary with the school teachers', Your Honor, and I think it is a fair comparison.

POINT OF ORDER

Mr. TURNER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. TURNER. Mr. Speaker, I think it is evident that the gentleman is right, as he has addressed you as "Your Honor."

The SPEAKER. The Chair accepts the compliment. The gentleman from Erie will proceed.

Mr. McCREARY. Mr. Speaker, I am sorry if I have broken the rules of the House. I just felt that it was perfectly fair

to compare the wages of the superintendent with the wages of the teachers, because it is the wages of the teachers we are talking about, and the major part of the teachers' wages comes out of the farmers' potatoes and milk. If he can't sell them for money, he will have to pay potatoes and milk, and the Superintendent of Public Instruction would have to get storage for forty-eight thousand bushels of potatoes and forty-eight thousand cans of milk, because that is what the farmer is going to have to pay them in.

I am in favor of cutting costs, and I would like to make a motion that you begin at the top.

Mr. WILLIAM L. BROWN. Mr. Speaker and members of the House, I received the following telegram this morning:

"April 4, 9.15 A. M. Honorable William L. Brown, House of Representatives, Harrisburg, Pennsylvania.

"The Pittsburgh Teachers' Association petitions you to oppose section 4 of House Bill No. 1374, if this bill fails to set a limit to the salary cut teachers will receive and it objects also to amendment giving to local courts powers to suspend provisions of Edmonds act. We object because it relieves the State of its obligation to give its children their right to an education as provided in Constitution.

(Signed) MARY H. MORGAN,
Chairman of the Legislative Committee."

Mr. FITZGERALD. Mr. Speaker, I desire to interrogate the gentleman from McKean, Mr. Wilson.

The SPEAKER. Will the gentleman from McKean, Mr. Wilson, permit himself to be interrogated?

Mr. WILSON. Mr. Speaker, I will.

Mr. FITZGERALD. Mr. Speaker, may I ask the gentleman if it is not a fact that he practically assured me that before this measure would be up I would have a chance to vote on a reduction of my own salary and the salaries in the higher brackets of the fiscal officers of the Commonwealth?

Mr. WILSON. Mr. Speaker, I did so tell the gentleman, because I thought last night they would vote on the Howell resolution. I was telling the gentleman what I thought was the fact.

Mr. FITZGERALD. Mr. Speaker, is it not true that the gentleman was present at a meeting when a committee was appointed to appear before the Chairman of the Appropriations Committe and see what could be done relative to using funds now appropriated for the conduct of higher learning in the Commonwealth by the State to the total of seven million dollars, to make up the deficit that now exists in the essential class room teaching?

Mr. WILSON. Mr. Speaker, I was present and I wished it God speed too.

Mr. FITZGERALD. Mr. Speaker, I would like to ask the gentleman whether he heard the Speaker of the House on the floor of this House state that it was a very poor policy for the Governor or anyone else to stampede this Legislature to hasty action?

Mr. WILSON. Such a statement may have been made, Mr. Speaker, but I don't recall it. It probably was made if you say so.

Mr. FITZGERALD. Mr. Speaker and members of the House, I do not believe there is anyone here that will go any farther for economy than I will, but I believe if we are in good faith and if we desire to prove the evidence of that good faith it is only fair for us to clean our own door steps, as the expression goes. First, give us a chance to vote or—speaking for myself—give me the chance to vote to take ten per cent or fifteen per cent from my own salary, and then I will gladly vote for this or any other bill that reduces salaries.

I think it is only fair that the proposition be put before the membership.

Mr. HEFFNER. Mr. Speaker and members of the House, in the discussion I would just like to make a few corrections as I see them, being a former teacher of Pennsylvania.

There seems to be an impression among the members of the House that there should be a definite basic minimum of salaries for teachers. As I see that point it would certainly be detrimental to the teaching profession of Pennsylvania, because there are certain districts within the confines of our Commonwealth that will not be called upon to cut the salaries of the teachers in their respective districts. Therefore, if this would be made less, the school boards, in order to have a good treasury, might place the burden upon you and me as teachers were we following that profession at this time. Any person that will oppose this bill for that reason should think of that phase of the bill.

Another question that seems to bother or becloud the minds of some of the members is why the court of common pleas, as this bill is amended, should have the right to suspend any portion of the act. That might be good for our boys and girls, the men and women of the coming generation, by the fact that when the budget in that school district has been pared to the core or the onion has been peeled to that point, then they might ask that they take one month of the school term from boys and girls in the fourth class districts at least. Would it not be better, ladies and gentlemen, that the courts as this bill provides, should be competent to reduce our school term to seven months rather than if it is not passed to close the schools at the beginning of the new year?

These are only a few of the points that I see as a former teacher and as one vitally interested in the welfare of our schools of our Commonwealth.

Mr. BLUMBERG. Mr. Speaker and members of the House, might I just here answer the burning desire of the gentleman from Erie to reduce his own salary by telling him that on the calendar today on page 5 is the bill of Mr. Holmes amending the present law, decreasing the compensation of the members of the General Assembly and the amount that they shall receive for postage and mileage?

Mr. WITKIN. Mr. Speaker and members of the House, I wonder whether any of you will agree with me in this observation? Every time than an economy bill has come before this House there seems to be a general attempt to say that if another bill had passed we would vote for this one. I have never seen in all of my experience in this House a greater attempt to avoid voting on an economy bill by reason of the fact that another economy bill has not yet been voted on. Members of the House, if you adopt that attitude and do not start somewhere, we will get no where. Some economy measure must be passed first.

The gentleman from Erie says that he would gladly do so and so if so and so would happen. If we have to cut the low brackets they say they would gladly do so and so if we cut the high brackets, and then when there is an attempt to cut the high brackets, they say they would be glad to do so and so if there were a cut in the low brackets.

Members of the House, I say to you in all seriousness if we stand for economy, then no matter what bill comes first we stand for economy. It seems to me that the general excuse of some thing else happening before something else happens ought to cease in this House.

With respect to this particular piece of legislation, there is no one within the confines of this House who is more interested in the school teachers than I am. If you will pardon

a personal reference I married one and I have a sister who is one. But I want to say to you members of this House that the situation, as I see it, is that this bill benefits the school districts, that the school districts need it, because we are faced with a situation that unless you give the school districts the opportunity to do this they will close.

Every member of this House knows that I hate to agree with the Governor of Pennsylvania, but I have been compelled on this occasion to say that the Governor of Pennsylvania is right, and believe me it hurts me so to do, but what we have to do is this: We have either to close the schools or we have to send the children schoolless for days in a great number of our school districts in this Commonwealth, or we have to give them the right to work out their own problem. When you say there ought to be a bottom to a cut I agree with you. I agree with you that school teachers ought to be well paid, but I say we are faced with the alternative of either closing the schools or giving those school districts the needed opportunity to so reduce their salaries that they can remain open. This is only for the period in this next biennium.

I say, members of the House, you owe it to yourself, you owe it to the school children and you owe it to the Commonwealth of Pennsylvania not to say, "pass some other measure and I will vote for this bill," because if any lady or gentleman in this House would under any circumstances not vote for this bill because the fact that no other bill has passed yet it ought not to be an excuse.

I ask you to vote in the affirmative on this bill.

Mr. HERMANSEN. Mr. Speaker and members of the House, I appreciate that the State is confronted with a very serious situation, and I also realize that something must be done in order to maintain an equilibrium in the finances of our State, but contrary to the gentleman that preceded me I have always tried hard to be agreeable with the Governor and have succeeded to a great extent. But at this time it is not possible for me to agree with the Governor.

I believe that this problem that confronts us at this time is one of the most important problems, and requires the most careful consideration that we could give to any measure that could come before this House.

As I see it, the teachers mark a standard. I figure that the laboring class or the common people are counted from the teachers down, and whatever happens here is going to happen all the way down the line.

I have always been interested in education. In the past two sessions I have worked for the passage of a tenure bill, which would give protection to the teachers from politicians. My object in keeping teachers out of politics would be so to enable them to give the State the benefit of their knowledge, fearlessly and without fear of any pressure being brought on by the men that are responsible for their employment.

If this procedure was founded on a fair basis, if a certain figure could be protected and they know that they were not going to go under that, then serious consideration might be given to the reduction. As this bill has it if in the judgment of those who are going to handle this matter, they see fit to demoralize the school system altogether, what can be done? On the other hand with the best intentions, they have no other power than to cut the teachers. Our relief that we look forward to cannot be effective for more than one biennium, and what assurance or what encouragement have we to think that after this biennium is over we can improve the situation? The chances are two to one that we will have to continue this process and if we continue this process for several terms we will have no school system.

Our civilization is built on our school system. If we have a great doctor or if we have a great lawyer, the school system is responsible for it to a great extent. We know that our standards of public life are going to be high or low very largely in accordance with what we are going to pay our school teachers.

As I understand it, the school teachers in our big cities who are reciving four or five or six thousand dollars won't be affected by this measure. It is those who are in the low brackets that are going to be reduced.

Economy is the sentiment of the day. We know that. We know also that many crimes have been committed in the name of civilization and in the name of Christianity, and I warn you if you are not careful there will be crime committed in the name of economy.

I think we should weigh our opinions carefully. I think that a measure like this is not economy if it takes away from us any service more than that it saves in dollars and cents, and economy could not be made with the single idea of saving a dollar.

We have a condition that we want to preserve, we have a standard that we want to maintain. Economy could not be made at the cost of breaking down our standards. For that reason I cannot reconcile myself with this measure.

Mr. WELSH. Mr. Speaker and members of the House this is not an economy measure, but a bill making a target out of the small paid school teachers, and it has a tendency to lower the standards of education despite the fact that our school teachers have spent years of toil and expense in fitting themselves for the profession of training the youth of our land.

I therefore ask that this bill be voted down.

Mr. COHEN. Mr. Speaker and members of the House, I rise to favor this measure. There are more ways of skinning a cat than one.

If the school teachers and the local districts do not have this bill enacted into law they are going to reduce the teachers' salaries. Our local school board has discharged or failed to renew every school teacher's contract. The school board of the city of Harrisburg, in which we sit, has also failed to renew the contracts of each and every one of their school teachers. I read in today's press that the same action was taken in Wilkes-Barre where five hundred and twenty-five persons, with a payroll of one million dollars, the school teachers have not had their contracts renewed. Why? For the simple reason that school boards will employ a teacher at a reduced salary and exclude the teachers that are now on the payroll. Under a ruling of the Department of Education they will not be allowed to re-employ the same teacher at a reduced salary. That necessitates the employment of a new teacher at a reduced salary and possibly at a greater reduction than the ten per cent that this bill provides.

This bill is a protection to the school teachers whether they know it or now. The school boards and the local districts will not go bankrupt. The school boards and the local districts will find some effective and legal manner in order to defeat the provisions of the Edmonds Act, and to continue salaries on the present basis.

They have already at the point of a gun, practically, forced contributions from the school teachers back into the school funds.

Ladies and gentlemen, I urge the passage of this bill. It saves the school teachers, it obviates the high jacking of the school teachers by the school boards; it vitiates forced con-

tributions into the school funds. By this act we allow each and every district to perpetuate its individuality.

I ask you ladies and gentlemen to vote for this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—120

Andrews,	Harris,	McKay,	Shreiner,
Baker,	Hart,	McKinney,	Simon,
Baldi,	Heffernan,	Merrell,	Sinwell,
Bennett,	Heffner,	Metzler,	Snyder,
Blumberg,	Hester,	Moore,	Sowers,
Brennan,	Hewitt,	Mumford,	Steedle,
Carey,	Himes, L. R.,	Myers,	Sterling, P.,
Cohen,	Holmes, J. L.,	Negley,	Stiteler,
Conner,	Horst,	Nothnagle,	Stone,
Cooke,	Hutton,	Patterson,	Storb,
Craig,	Jaffe,	Peelor,	Surface,
Dane,	Jones,	Pennock,	Tahl,
DeFrehn,	Kane, L. P.,	Perry, D. R.,	Terry,
Denning,	King,	Peters,	Turner,
Downey, G. E.,	Kinney,	Price,	Wade,
Duffy,	Labar,	Raub,	Wall,
Dwyer,	Laubach,	Rectenwald,	Wasserman,
Ederer,	Long,	Rhodes,	Way,
Emhardt,	Lord,	Rice,	Weidemann,
Evans,	Lose,	Root,	Wike,
Fleisher,	Lovett, W. S.,	Royle,	Williams, G. W.,
Flinchbaugh,	Lynch, J. R.,	Ruby,	Wilson, T. B.,
Flynn,	Lynch, M.,	Sautter,	Witkin,
Forrest,	Male,	Schrock,	Wood,
Gartner,	Malina,	Schwab,	Woodside,
Gillette,	Maloney,	Schwartz,	Wright,
Green,	Marcks,	Scorza,	Yeakel,
Greenstein,	McCandless,	Sheffer,	Zimmerman,
Griffith,	McElwee,	Shellenberger,	Talbot,
Habbyshaw,	McGregor,	Shettel,	Speaker.
Haines,			

NAYS—79

Barnhardt,	Flanagan,	McClure,	Roth,
Bechtel,	Furman,	McCreary,	Ruth,
Beech,	Gallagher,	McGinnis,	Schrope,
Bernhard,	Gorman,	McGrail,	Shenkel,
Boyd,	Hamilton,	McHenry,	Shortz,
Brancato,	Harmuth,	Melchiorre,	Shugarts,
Brown, J. E.,	Hartman,	Meredith,	Spann,
Brown, W. L.,	Hefferon,	Mohn,	Stank,
Brownfield,	Hermansen,	Munley,	Sterling, R. B.,
Cannon,	Hoffman,	O'Connor,	Stevens,
Caputo,	Holmes, J. B.,	O'Keefe,	Stott,
Carson,	Hoopes,	O'Neill,	Wagner,
Chervenak,	Hough,	O'Rourke,	Walker, G. E.,
Cordier,	Howard,	Perry, J. J.,	Welsh,
Cramer,	Kane, J. J.,	Powell,	Westrick,
Davies,	Lane,	Powers,	White,
Downey, J.,	Lenahan,	Quinn,	Williams, J. J.,
Dunmire,	Lewis,	Reed,	Wilson, L. M.,
Eroe,	Lovett, J. E.,	Reilly,	Yourishin,
Fitzgerald,	Mason,	Roan,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The use of the hall of the House has been granted from 2:00 to 4:00 o'clock this afternoon to the unemployed organizations throughout the State, and the Chair requests that as many members as possible remain in the House to hear the demands made by these various groups.

RECESS

The SPEAKER. If there are no objections the Chair will declare a recess until 4.00 P. M. Are there objections? The Chair hears none, and (at 1.55 P. M.) declares a recess until 4.00 P. M.

AFTER RECESS

The House reconvened at 4.00 P. M.

The SPEAKER (Grover C. Talbot) in the Chair.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 206.

An Act authorizing the Board of County Commissioners of counties of the second class on approval of the president judge of the court of common pleas of said counties to adequately compensate fire marshals who have been regularly appointed annually under existing law and who discharged the duties of said appointments for twenty years and upward at a compensation of not more than ten dollars per annum and also to authorize the Board of County Commissioners of counties of the second class subject to the approval of the common pleas court to provide for the retirement during the life of each of such fire marshals on annual pensions not in excess of one hundred dollars each calendar month

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 1, by striking out the word "Authorizing" and inserting in lieu the word "Requiring"; also in line 4, by striking out the words "adequately compensate" and inserting in lieu thereof the words "fix the compensation of"; also in same line by striking out after the word "marshals" the following: "who have been regularly appointed annually under existing law and who discharged the duties of said appointments for twenty years and upward at a compensation of not more than ten dollars per annum and also by inserting after the word "also" in line 8, the word "and"; also in line 2 by striking out the word "authorize" and inserting in lieu thereof the word "require"; also in line 12, by striking out after the syllable "tirement" the words "during the life of each"; also in line 13, by striking out after the word "pensions" the words "not in excess of one hundred dollars each calendar month" and inserting in lieu thereof the following: "after twenty years of service such compensation and pension to be payable by the county."

Amend section 1, page 2, by striking out lines 1, 2, 3 and 4 as follows:

"Wherein the office of fire marshal shall have been established by law and annual appointment made by the common pleas court of the said county at a compensation of ten dollars per annum that"; also in line 5 by striking out after the word "Commissioners" the words "of said counties"; also in line 7 by striking out after the word "shall" the words "make provision out of the general fund in the treasury of said counties for" and inserting in lieu thereof the folowing: "fix the compensation of the fire marshal payable by the county at a sum"; also in line 9, by striking out after the syllable "quate" the words "compensation"; also in same line by striking out after the word "fire" the word "marshals" and inserting in lieu thereof the word "marshal"; also by striking out lines 10, 11 and 12 as follows: "Who have been regularly appointed and discharge the duties of said office of fire marshal continuously for a period of twenty years and upwards"; also in line 13 by striking out at the beginning of said line the word "to" and inserting in lieu thereof the word "shall"; also in line 14 by inserting after the word "services" the words " to be"; also in line 15, by inserting after the word "expenses" the words "to be".

Amend section 2, line 21, by inserting after the word "marshals" the following: "desiring to retire and who have served continuously in office for a period of twenty years or more"; also in line 22, by striking out after the word "pension" the following: "to be computed monthly payable quarterly and not in excess of" and inserting in lieu thereof the words "not to exceed".

Amend section 4, page 3, line 1, by inserting after the word "Acts" the words " general local or special".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—196

Andrews,	Greenstein,	McGinnis,	Scott,
Baker,	Griffith,	McGregor,	Sheffer,
Baldi,	Habbyshaw,	McHenry,	Shellenberger,
Barnhardt,	Haines,	McKay,	Shenkel,
Bechtel,	Hamilton,	McKinney,	Shettel,
Beech,	Harmuth,	Melchiorre,	Shortz,
Bennett,	Harris,	Meredith,	Shreiner,
Bernhard,	Hart,	Merrell,	Shugarts,
Blumberg,	Heffernan,	Metzler,	Simon,
Boyd,	Hefferon,	Mohn,	Sinwell,
Brancato,	Heffner,	Moore,	Snyder,
Brennan,	Hermansen,	Mumford,	Sowers,
Brown, W. L.,	Hester,	Munley,	Spann,
Brownfield,	Hewitt,	Myers,	Stank,
Cannon,	Himes, L. R.,	Negley,	Steedle,
Caputo,	Hoffman,	Nothnagle,	Sterling, P.,
Carey,	Holmes, J. B.,	O'Connor,	Sterling, R. B.,
Carson,	Holmes, J. L.,	O'Keefe,	Stevens,
Chervenak,	Hoopes,	O'Neill,	Stiteler,
Cohen,	Horst,	O'Rourke,	Stone,
Conner,	Hough,	Patterson,	Storb,
Cooke,	Howard,	Peelor,	Stott,
Cordier,	Hutton,	Pennock,	Surface,
Craig,	Jaffe,	Perry, D. R.,	Tahl,
Cramer,	Jones,	Perry, J. J.,	Terry,
Dane,	Kane, J. J.,	Peters,	Turner,
Davies,	Kane, L. P.,	Powell,	Wade,
DeFrehn,	King,	Powers,	Wagner,
Denning,	Kinney,	Price,	Walker, G. E.,
Downey, G. E.,	Lane,	Quinn,	Walker, W. A.,
Downey, J.,	Laubach,	Raub,	Wall,
Duffy,	Lenahan,	Rectenwald,	Weidemann,
Dunmire,	Lewis,	Reed,	Welsh,
Dwyer,	Long,	Reilly,	Westrick,
Ederer,	Lord,	Rhodes,	White,
Emhardt,	Lose,	Rice,	Wike,
Eroe,	Lovett, J. E.,	Roan,	Williams, G. W.,
Evans,	Lovett, W. S.,	Root,	Williams, J. J.,
Fitzgerald,	Lynch, J R.,	Roth,	Wilson, L. M.,
Flanagan,	Male,	Royle,	Wilson, T. B.,
Fleisher,	Malina,	Ruby,	Witkin,
Flinchbaugh,	Maloney,	Ruth,	Wood,
Flynn,	Marcks,	Sarig,	Woodside,
Forrest,	Mason,	Sautter,	Wright,
Furman,	McBride,	Schrock,	Yeakel,
Gallagher,	McCandless,	Schrope,	Yourishin,
Gartner,	McClure,	Schwab,	Zimmerman,
Gillette,	McCreary,	Schwartz,	Talbot,
Gorman,	McElwee,	Scorza,	Speaker.
Green,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 68. (HOUSE BILL No. 2125).

An Act increasing the discretionary powers of boards of school directors in school districts of the second class with reference to the assessment, levy and collection of taxes.

Referred to the Committee on Education.

SENATE BILL No. 391. (HOUSE BILL No. 2126).

An Act to amend sections six hundred and fifteen, six hundred and sixteen and six hundred and twenty of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as amended, limiting the circumstances under which an operator's license or learner's permit may be suspended; providing that an appeal from such action by the secretary shall act as a supersedeas; and modifying the penalties for violations of license provisions.

Referred to the Committee on Highways.

SENATE BILL No. 438. (HOUSE BILL No. 2127).

An Act for unemployment relief; authorizing the Department of Agriculture to purchase and improve agricultural land, and lease and stock such land for unemployment relief; providing for the sale of such land to the lessees.

Referred to the Committee on Agriculture.

SENATE BILL No. 454. (HOUSE BILL No. 2128).

An Act authorizing school districts to issue and sell bonds for certain purposes and for a certain period of time; providing for a trust fund and a sinking fund for the payment thereof; and defining the duties of the officers and members of the school board in relation to said funds, and fixing a penalty for the violation thereof.

Referred to the Committee on Education.

SENATE BILL No. 476. (HOUSE BILL No. 2129).

An Act ratifying and confirming certain contracts for the erection of joint county bridges where the bridges have been erected and accepted.

Referred to the Committee on Counties.

SENATE BILL No. 537. (HOUSE BILL No. 2130).

An Act to amend section one of the act, approved the twenty-fifth day of June, one thousand eight hundred and ninety-five (P. L. 310), entitled "A further supplement to 'An act to provide for the incorporation and regulation of certain corporations', approved April twenty-ninth, one thousand eight hundred and seventy-four," by providing that all corprations organized not for profit, shall have authority to issue capital stock to an amount not exceeding five hundred thousand dollars.

Referred to the Committee on Corporations.

SENATE BILL No. 659. (HOUSE BILL No. 2131).

An Act to amend section two hundred twenty-six of an act approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws, three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by pre-

scribing the conditions upon which school directors may be employed by their respective school districts during the term for which they are elected or appointed.

Referred to the Committee on Education.

SENATE BILL No. 700. (HOUSE BILL No. 2132).

An Act to amend section three hundred and twenty-five of the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith"; by providing for the security to be given by depositories of school funds.

Referred to the Committee on Education.

SENATE BILL No. 732. (HOUSE BILL No. 2133).

An Act to further amend Section two of an act, approved the twenty-ninth day of March, eighteen hundred and ninety-nine (Pamphlet Laws, twenty-one), entitled "An act to establish a board for the examination of accountants, to provide for the granting of certificates to accountants, and to provide a punishment for the violation of this act," as amended, by providing for the certification of accountants in certain cases without examination.

Referred to the Committee on Judiciary Special.

SENATE BILL No. 746. (HOUSE BILL No. 2134).

An Act to amend section two hundred and four of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the scond, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidtaing the laws relating thereto," by providing that the coroner shall act in case the sheriff resigns.

Referred to the Committee on Counties.

SENATE BILL No. 748. (HOUSE BILL No. 2135).

An Act authorizing and regulating the reorganization of banks and trust companies.

Referred to the Committee on Banking.

SENATE BILL No. 764. (HOUSE BILL No. 2136).

An Act to amend section one of the act approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred and twenty-eight), entitled "An act authorizing the Secretary of Highways with the approval of the Governor to establish construct and maintain roads parallel to existing State highways in order to relieve traffic congestion providing certain conditions and restrictions for the assessment and payment of damages for property taken thereby and providing that such highway when constructed shall become a part of the system of State highways of the Commonwealth" by providing that roads taken over as parallel highways may intersect or cross over the highway to which they are parallel.

Referred to the Committee on Highways.

SENATE BILL No. 771. (HOUSE BILL No. 2137).

An Act to amend section twenty-one of the act, approved the seventh day of June, one thousand nine hundred and fifteen (P. L. 900), entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of berths and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics, as required to be established by the State Department of Health; and, in order to secure prompt and faithful registration of births, marriages, deaths, and diseases, of practitioners of medicine and surgery, of midwives, nurses, and undertakers, and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages, and diseases throughout the State, as provided in section ten of an act, entitled 'An act creating the Department of Health and defining its powers and duties,' approved the twenty-seventh day of April, nineteen hundred and five, and providing penalties for violations of this act," as amended, by providing for special certificates of the birth of adopted persons; and requiring school authorities to accept such certificates for certain purposes.

Referred to the Committee on Public Health and Sanitation.

SENATE BILL No. 843. (HOUSE BILL No. 2138).

A Supplement to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (Pamphlet Laws, eight hundred sixty-nine), entitled "An act providing for the organization, government, discipline, maintenance, and regulation of the armed land forces of this Commonwealth," as amended, authorizing any officer of the National Guard, with the approval of the Governor, as Commander-in-Chief thereof, to continue to hold his position for a certain time after he reaches the age of retirement.

Referred to the Committee on Military Affairs.

RESOLUTION

COMMUNICATION

Mr. HOOPES sent to the desk a communication which was read by the Clerk as follows:

April 4, 1933.

To the House of Representatives and the Senate of the General Assembly of Pennsylvania

An address by unemployed citizens of the Commonwealth to the Members thereof

There are in the state of Pennsylvania on this date more than 1,300,000 entirely unemployed workers who together with nearly 900,000 part time unemployed whose income is below a subsistence level are or will be in a short time dependent upon relief aid from public agencies for life itself.

Wages and living standards built up at a great cost by organized labor are being undermined with fatal results to any hope for economic recovery, as no prosperity can be based on present starvation levels. Farmers are going bankrupt, workers are losing their homes.

Your Assembly, sirs, after fourteen weeks of session has failed to bring to the floor any proposal to seriously meet the needs of the working class, needs arising out of the above circumstances which have been thrust on willing and able workers through no fault of their own. Your action in appropriating a mere million dollars a month of State funds for unemployment relief for April and May has already been pilloried in the public press as a gross betrayal of your responsibility to the workers of Pennsylvania, ghastly cuts have already been made in the already inadequate relief terms by local relief administration authorities, who have no other choice due to your failure to provide. This and the other measure still pending in one of your Houses, under which this wealthy State of Pennsylvania, made wealthy by the labor of we the workers, seeks to evade the plain and solemn responsibility through appropriation of $20,000,000 for a period of two years to care for unemployed whose number will before long reach 2,000,000. This proposal is either an insult or a cruel jest and we bid you, our representatives, to be careful.

There are measures which have been introduced into the Pennsylvania General Assembly which will adequately care for the unemployment relief need, and the organized unemployed of Pennsylvania are before you this 4th day of April to petition solemnly that you at once consider and adopt the following measures

1. Constitutional Amendments for Old Age Pensions, House 65 and 67, now before the House of Representatives for action. This elementary justice to the aged worker must secure the approval of both Senate and House, and without delay.

2. A relief appropriation to the State Emergency Relief Board of $200,000,000 for the biennium contained in House Bill 1530 now in the House Appropriations Committee which provides for cash minimum wage payment on all work relief.

3. The Anti-Eviction Bill, House No. 408, barring an eviction of the citizens victims of this depression from under the roof that protects them from the elements. This measure is in the House Committee on Judiciary Special.

4. Cash Payment of Relief under House Resolution No. 12. so instructing the State Emergency Relief Board. Now in Select House Committee on Unemployment Relief.

5. Immediate enfranchisement of the unemployed, excluded from the polls under the State Constitution requiring a State or county tax payment by passage of the House Bill No. 900 for a uniform 1c State poll tax, now in House Committee on Elections.

Members of the General Assembly of Pennsylvania. Your responsibility and your opportunity is clear. Act or abdicate.

Signed of officials of Unemployed Organizations in Pennsylvania.

Lincoln H. Steigerwalt, Chairman, Taxpayer's Protective League, Berks County.

Jack Bowen, Chairman, Dauphin County, Harrisburg, Pa.

Robert Flannery, Chairman, Pottsville, Pa.

Jesse Dixon, Executive, Pottsville, Pa.

Robert H. Davis, Executive Secretary Taxpayers' League, Shamokin, Pa.

Michael Demchak, Executive Secretary, Workers' Protective League, Mt. Carmel, Pa.

John Dougherty, Shamokin.

John Daniels, Unemployed League, Philadelphia.

William Skillen, Unemployed Citizen Union, Philadelphia.

Charles Sande, United Workers Council of Pennsylvania, Reading, Pa.

The SPEAKER. The communication will be noted in the Journal and printed in the Legislative Journal.

REPORTS FROM COMMITTEES

Mr. HOFFMAN, from the Committee on Counties, reported as amended, House Bill No. 1948, entitled:

An Act to amend section one of an act, approved the eleventh day of June, one thousand nine hundred and fifteen (P. L. 938), entitled "An act to regulate and establish the fees to be charged and collected by the several clerks of the courts of oyer and terminer, general jail delivery, and quarter sessions of the peace, in counties of this Commonwealth having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants, as computed by the last preceding United States census," as amended by extending said act to counties of the second class, changing and further fixing the fees to be charged by said clerks.

Mr. PETERS, from the Committee on Counties, reported as committed, House Bill No. 1312, entitled:

An Act providing for the filling of vacancies in certain county offices in counties of the first class and fixing the terms of such appointees.

Mr. GRIFFITH, from the Committee on Counties, reported as committed, House Bill No. 1701, entitled:

An Act to amend section two hundred and twenty-two of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto"; providing a procedure to provide for the holding of two or more county offices in certain counties by the same person.

Mr. KINNEY, from the Committee on Fisheries, reported as amended, House Bill No. 1809, entitled:

An Act to amend section forty of the act approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," as amended, changing the number of trout to be caught in one day.

Mr. RECTENWALD, from the Committee on Counties, reported as committed, House Bill No. 1209 (Senate Bill No. 2), entitled:

An Act relating to the collection of delinquent county taxes in counties of the second class; repealing all acts or parts of acts, general, local or special inconsistent herewith.

Mr. TURNER, from the Committee on Judiciary General, reported as committed, House Bill No. 629 (Senate Bill No. 139), entitled.

An act fixing the pay and mileage of jurors and witnesses.

Mr. HOFFMAN, from the Committee on Counties, reported as committed, House Bill No. 792 (Senate Bill No. 194), entitled:

An Act to amend the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto"; by authorizing counties of the second class to levy and collect tolls on certain county bridges for the purpose of paying off the indebtedness incurred in locating, constructing and purchasing such bridges.

Mr. PETERS, from the Committee on Counties, reported as amended, House Bill No. 627 (Senate Bill No. 102), entitled:

An Act authorizing county treasurers to make, execute, acknowledge and deliver deeds of seated lands sold by them for delinquent taxes under the provisions of an act of Assembly of the Commonwealth of Pennsylvania, approved the ninth day of May, one thousand nine hundred and twenty-nine (P. L. 1684), entitled "An act authorizing and empowering the county treasurers of the several counties of this Commonwealth to sell at public sale all seated lands upon which taxes assessed on such seated lands by authority of any county, borough, town, township, school district and poor district are delinquent and remain unpaid, and fixing penalties for such delinquency; authorizing county commissioners to purchase such lands under certain circumstances"; prior to its repeal, notwithstanding that said deeds were not made, issued, acknowledged or delivered and surplus bond not given prior to said repeal; and authorizing the making, execution, acknowledgment and delivery of said deeds by said county treasurers after the expiration of term of office or by their successors in office; and confirming the title to lands so sold where the deeds have been made, executed and delivered and the surplus bonds filed since the repeal of said act, and whether the said deeds were made, executed or delivered by the county treasurer who made said sale during the term of his office or after its expiration or by his successor in office.

Mrs. WILSON, from the Committee on Corporations, reported as committed, House Bill No. 2102 (Senate Bill No. 721), entitled:

An Act authorizing stock corporations with certain exceptions, to make provisions for, and to issue, shares of capital stock of any class or classes, or to change shares of authorized or outstanding capital stock of any class into one or more classes, with or without nominal or par value, and with such designations, terms, relative rights, powers, privileges, preferences, limitations, restrictions and qualifications as may be specified; regulating such corporations and the liabilities of their directors; making other provisions relating to the capital stock of such corporations; and repealing all acts or parts of acts inconsistent herewith.

Mr. ROOT, from the Committee on Corporations, reported as committed, House Bill No. 2101, (Senate Bill No. 720), entitled:

An Act to authorize certain corporations organized under the laws of Pennsylvania, including railroad corporations organized under the laws of Pennsylvania and of any other state or

states, to increase or decrease the par value of the shares of their capital stock; providing that such change of par value of shares may reduce the aggregate par value of outstanding capital stock, or alter or affect the division of authorized capital stock as between outstanding stock and authorized stock unissued; prescribing the manner in which such change shall be made; and repealing all acts and parts of acts inconsistent herewith.

Mr. TERRY, from the Committee on Counties, reported as committed, House Bill No. 1490 (Senate Bill No. 460), entitled:

An Act providing for the appointment of township police in townships of the second class; defining their powers and duties; providing for their compensation; requiring the keepers or persons in charge of jails, lockups or station houses to receive persons arrested by such policemen; and prohibiting such policemen from charging or accepting additional compensation.

BILL ON THIRD READING

Mr. WILSON. Mr. Speaker, I desire to call up House Bill No. 1335, Printer's No. 279 on page 55 of today's calendar, bills on third reading postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Wilson.

The House resumed the consideration on third reading of House Bill No. 1335, entitled:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" curtailing the terms of office of the executive committees of school directors' associations providing for the election of new executive committees by certain school directors in each county relating to the organization officers and conduct of such executive committees and the payment of their expenses by the Commonwealth authorizing such executive committees certain boards of school directors certain courts of common pleas and the State Council of Education to consolidate school districts requiring the consolidation of school districts having a population of less than one thousand providing for the disposition of the indebtedness obligations rights and property of districts which will be consolidated authorizing the continuation of districts which have been consolidated in order to make an equalization payment to the new district and granting certain powers relating thereto to the courts of common pleas relating to the selection of the school directors of new school districts their organization the preparation of their budgets and the levying of their taxes and providing for certain appeals to the Superior and Supreme Courts

On the question recurring,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. WILSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Education for the purpose of further study.

The motion was agreed to.

TIME EXTENDED ON BILL

Mr. WILSON. Mr. Speaker, I move that the time on House Bill No. 1386, Printer's No. 276, entitled

A Supplement to the act, approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws three hundred nine), entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended, temporarily reducing the reimbursement by the Commonwealth to school districts for salaries of full-time members of the teaching and supervisory staffs, for salaries of the teaching and supervisory taffs engaged in special education, for closed schools, and for the transportation of pupils; and relating to the effect of payment of salaries which are less than those established by the salary schedule.

on page 56 of today's calendar, bills on third reading postponed, be extended five days.

The motion was agreed to.

TIME EXTENDED ON BILL

Mr. WILSON. Mr. Speaker, I move that the time on House Bill No. 1385, Printer's No. 277, entitled

A Supplement to the act, approved the first day of May, one thousand nine hundred thirteen (Pamphlet Laws, one hundred thirty-eight), entitled, "An act defining vocational education; providing for the establishment and regulation of vocational schools; and providing for State aid in the maintenance thereof; and for the payment of tuition by certain school districts, and reimburement thereof by the State," as amended, temporarily restricting the amount of the reimbursements of the Commonwealth to school districts for vocational and continuation schools and departments.

on page 56 of today's calendar, bills on third reading postponed, be extended five days.

The motion was agreed to.

TIME EXTENDED ON BILL

Mr. WILSON. Mr. Speaker, I move that the time on House Bill No. 1384, Printer's No. 278, entitled

A Supplement to the act, approved the eighteenth day of June, one thousand nine hundred nineteen (Pamphlet Laws, four hundred ninety-eight), entitled "An act defining consolidation of schools; providing for the establishment and regulation of consolidated schools; and providing for State aid for the transportation of pupils to and from consolidated schools," as amended, temporarily reducing the reimbursements of the Commonwealth to school districts for the transportation of pupils to and from consolidated schools.

on page 56 of today's calendar, bills on third reading postponed, be extended five days.

The motion was agreed to.

TIME EXTENDED ON BILL

Mr. WILSON. Mr. Speaker, I move that the time on House Bill No. 1009, Printer's No. 197, entitled

An Act fixing the minimum salaries of county and assistant county superintendents for the first year of their terms which will begin on the first Monday of July, one thousand nine hundred thirty-four; providing for the payment of such minimum salaries by the Commonwealth; and temporarily superseding any inconsistent acts and parts of acts.

on page 56 of today's calendar, bills on third reading postponed, be extended five days.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

INFORMATION ON STATE EMERGENCY RELIEF BOARD

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

In accordance with the request in House Resolution No. 51, adopted March 23, 1933, I submit the attached information regarding the State Emergency Relief Board.

All employes shown on the attached list are employed full time in the positions stated, except where the note opposite the name indicates part time employment.

GIFFORD PINCHOT.

LIST OF PERSONS EMPLOYED IN THE OFFICE OF THE STATE EMERGENCY RELIEF BOARD

GENERAL FUND

Name and Address—Title of Position	Annual Compensation
William B. Rodgers, Ohio River Boulevard, Bellevue, Pa., Executive Director	$10,000.00
Eric H. Biddle, 208 Roberts Road, Ardmore, Pa., Assistant Director	8,000.00
Karl G. Wassmann, 211 North Front Street, Harrisburg, Pa., Chief Clerk	3,600.00
William H. Weis, 2936 Belrose Avenue, Dormont, Pa., Comptroller	4,200.00
F. Richard Stilwell, Mansfield, Pa., Field Director	3,000.00
J. Fred Kurtz, 506 Race Street, Connellsville, Pa., Assistant to Field Director	2,400.00
Frederick A. Mapes, 401 Inman Terrace, Willow Grove, Pa., Purchasing Agent	3,960.00
Walter W. Link, 744 Hummel Avenue, Lemoyne, Pa., Assistant Purchasing Agent	2,000.00
Earl S. Varnadore, 619 North Second Street, Harrisburg, Pa., Community Market Assistant	1,800.00
William R. Whitacre, Box 97, Biglerville, Pa., Community Market Assistant	1,800.00
Robert H. Mengle, 526 Mayland Street, Germantown, Pa., Principal Clerk	1,680.00
Mary E. Wright, 405 Bridge Street, New Cumberland, Pa., Stenographer-Secretary	1,500.00
Helena A. R. Chandler, 1721 Green Street, Harrisburg, Pa., Stenographer A	1,200.00
Grace E. Dampman, Frackville, Pa., Stenographer-Typist	960.00
Mollie A. Gaumer, 13 South Gold Street, Shamokin, Pa., Stenographer-Typist	960.00
Olga M. Giovanni, Greensburg, Pa., Stenographer-Typist	960.00
Jeannette T. Strauss, 223 East Clay Street, Lancaster, Pa., Stenographer-Typist	960.00
Mrs. Mabel Potts, 432 Euclid Avenue, Greensburg, Pa., Stenographer-Typist	960.00
Alice A. Bellis, 401 Pine Hill Street, Minersville, Pa., Stenographer-Typist	960.00
Margaret A. Gillespie, Freeport, Pa., Stenographer-Typist	960.00
Nora L. Myers, 125 Shaver Street, Mount Union, Pa., Stenographer-Typist	960.00
Nelson I. Zeigler, 125 Cumberland Street, Duncannon, Pa., Clerk A	1,200.00
John G. Logan, Irwin, Pa., Clerk A	1,200.00
Martha K. Dunlap, 1313 North 15th Street, Harrisburg, Pa., Clerk B	960.00
Viola M. Fager, 1217 North Second Street, Harrisburg, Pa., Clerk B	960.00
Mrs. Helen G. Ertl, 1516 Seventh Avenue, Altoona, Pa., Clerk B	960.00
Mary R. Brodhecker, 2560 Lexington Street, Harrisburg, Pa., Clerk B	1,140.00
Blanche S. Cohen, 1622 Green Street, Harrisburg, Pa., Clerk B	960.00
Mrs. Ruth S. Wiley, 649 Chestnut Street, Columbia, Pa., Clerk B	960.00
Mrs. Mary E. Shaw, 442 South Plum Street, Lancaster, Pa., Clerk B	960.00
James P. Watson, Jr., 249 Lincoln Street, Steelton, Pa., Messenger	900.00
William C. Morton, 1405 North Third Street, Harrisburg, Pa., Messenger	900.00
Carl H. Wagley, 401 Union Street, Columbia, Pa., File Clerk	900.00

FEDERAL UNEMPLOYMENT RELIEF FUND

Robert H. Stroud, 5859 North Seventh Street, Philadelphia, Pa., Field Representative	$2,400.00
David J. Terry, 1423 Beaver Street, Sewickley, Pa., Field Representative	2,400.00
Ethel Rupert, Swarthmore, Pa., Field Representative	2,400.00
Clara J. McDonnell, 124 Deniston Street, Pittsburgh Pa., Field Representative	2,400.00
Spencer R. Gordon, 447 Gordon Street, Erie Pa., Field Representative	2,400.00

LIST OF PERSONS EMPLOYED IN THE OFFICE OF THE STATE EMERGENCY RELIEF BOARD LOANED BY OTHER DEPARTMENTS

Frederic V. Lewis, Leopard Road, Berwyn, Pa., Publicity Director (Department of Highways)	$5,000.00
Isabell Pelly, 3433 Market Street, Camp Hill, Pa., Field Representative (Department of Welfare)	3,000.00
Charlotte Parrish, 1939 North Second Street, Harrisburg, Pa., Field Representative (Department of Welfare	3,000.00
Marjorie Merrill, 543 Wister Street, Germantown, Pa., Examiner (Department of Labor and Industry, part time)	2,700.00
Ethel Forney, Dauphin, Pa., Stenographer A (Department of Public Instruction)	1,320.00
Edith Light, 128 South Sixth Street, Lebanon, Pa., Stenographer B (Department of Health)	1,020.00

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL No. 354.

Governor's Office, Harrisburg, April 1, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 354, Printer's No. 232, entitled, "An Act to amend section five of article seventeen of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred eighty-one) entitled 'An act for the better government of cities of the first class of the Commonwealth of Pennsylvania' increasing the emergency borrowing power."

This bill would increase the emergency borrowing power of Philadelphia from two million dollars ($2,000,000) to five million dollars ($5,000,000), and would require the emergency loans to be paid either out of the revenues of the year in which the loans are made or out of the revenues of the succeeding year before the controller's books can be opened for the new year.

If approved, this bill would insure an annual five million dollar deficit for the city.

No responsible official of the city has asked me to approve this bill or given me any reason why its approval would be a benefit to the city and its taxpayers.

On the other hand, I have received many protests from taxpayers urging that the bill be vetoed. Among these are two from the Philadelphia Real Estate Board. That body, at a meeting attended by "representatives of the various business, trade and civic organizations of the City, the Board of City trusts, the local branch of the Reconstruction Finance Corporation, the local branch of the Federal Home Loan Bank Board, the various financial institutions of the City and the insurance

companies as well as the members of this and other Real Estate Boards of the City," adopted a resolution calling upon me to veto this measure.

Among the reasons given is that "it increases the obligations of our City and her taxpayers and is directly counter to present day necessities."

In its second protest the Philadelphia Real Estate Board pointed out that this bill "would really be a permanent annual loan threatening an increase in the tax rate."

In addition, the bill is objectionable because it does not in any way limit the discretion of city council in declaring an emergency. If the bill specified that additional emergency powers might be exercised for providing money for unemployment relief or similar purposes, I should be disposed to approve it, notwithstanding the other objections I have mentioned. However, as it stands, it would merely postpone the financial housecleaning which must inevitably be made by Philadelphia and would lay still further burdens on the real estate taxpayers of that city.

I am unwilling to be a party to any bill which would impose further unnecessary hardships on local taxpayers.

For these reasons the bill is not approved.

GIFFORD PINCHOT.

On the question,

Shall bill become a law, the veto of the Governor to the contrary notwithstanding?

Mr. GREENSTEIN. Mr. Speaker, I move that the communication, together with the bill be laid upon the table.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 948

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate, recalling from the Governor House Bill No. 948, Printer's No. 125, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE

Mr. STEEDLE. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

The motion was agreed to.

Mr. STEEDLE. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. STEEDLE. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend section 1, page 22, line 14 by striking out after "March 1" and before "308,440.00" the following: "[11,500.00]" and inserting in lieu thereof the following: "11,560.00."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

SENATE MESSAGE TAKEN FROM TABLE

Mr. SHREINER. Mr. Speaker, I move that the Senate message returning House Bill No. 445, with amendments, be taken from the table.

The motion was agreed to.

On the question,

Will the House concur in the amendments made by the Senate.

Mr. SHREINER. Mr. Speaker, I move that the House do nonconcur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

BILL ON THIRD READING

Mr. WILSON. Mr. Speaker, I desire to call up at this time House Bill No. 1009, Printer's No. 197, on page 56, of today's calendar, bills on third reading postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Wilson,

The House resumed the consideration on third reading of House Bill No. 1009, entitled:

An Act fixing the minimum salaries of county and assistant county superintendents for the first year of their terms which will begin on the first Monday of July one thousand nine hundred thirty-four providing for the payment of such minimum salaries by the Commonwealth and temporarily superseding any inconsistent acts and parts of acts

On the question recurring,

Will the House agree to the bill on third reading?

Mr. STOTT. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend section 2, page 2, line 17, by inserting after said line the following paragraph: "No assistant county superintendents shall be appointed or be employed in any county having less than six hundred teachers. Every county superintendent having more than six hundred teachers under his supervision, shall have one assistant county superintendent and one additional assistant superintendent for each four hundred teachers over six hundred under his supervision. Any provisions of existing law contrary to this provision are hereby suspended during the time this act is in force."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON FINAL PASSAGE RECALLED FROM THE GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 374, as follows:

An Act to authorize the purchase by the Commonwealth of of historical works relative to the services of Pennsylvania volunteers

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the Civil War one thousand eight hundred and sixty-one to one thousand eight hundred and sixty-five Veteran Association of the One Hundred and Second (old thirteenth) Regiment Pennsylvania Veteran Volunteer Infantry (Washington Infantry of Pittsburgh Incorporated) through its Historian shall have published a history of such organizations together with a history of its forebears the Pittsburgh Blues War one thousand eight hundred and twelve Jackson Blues Company A First Pennsylvania Infantry Mexican War one thousand eight hundred and forty-six to one thousand eight hundred and forty-eight also individual services in the Spanish War one thousand eight hundred and ninety-eight and the World War one thousand nine hundred and seventeen to one thousand nine hundred and eighteen under the sanction and authority of the first armed veteran organization which history shall be shown to the satisfaction of the Governor Auditor General and Adjutant General so far as it is practicable to be of sufficient reliability and importance to justify the purchase of copies as herein provided for and to contain a complete roster of the organizations corrected to the date of publication the Secretary of the Commonwealth with the approval of the Governor Auditor General and Adjutant General at a price fixed by them shall purchase four hundred (400) copies of such history the price thereof not to exceed two dollars and fifty cents ($2.50) per copy Provided That the total amount expended shall not exceed the sum of one thousand dollars The sum of one thousand dollars ($1,000) is hereby specifically appropriated out of the General Fund for the purchase of said copies which appropriation shall be paid upon requisition of the Secretary of the Commonwealth on the Auditor General

Section 2 The volumes purchased as aforesaid shall be distributed as follows One copy to the office of the Secretary of the Commonwealth one to the office of the Adjutant General one to the library of each college in the State one to each historical society in the State one to each public library in the State that has free distribution of its books one to each State Armory one to the library of Congress one to the library of each State and Territory of the Union the balance to be placed in the State Library of Pennsylavnia for the purpose of exchange

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—194

Andrews,	Greenstein,	McGrail,	Scott,
Baker,	Griffith,	McGregor,	Sheffer,
Baldi,	Habbyshaw,	McHenry,	Shellenberger,
Barnhardt,	Haines,	McKay,	Shenkel,
Bechtel,	Hamilton,	McKinney,	Shettel,
Beech,	Harmuth,	Melchiorre,	Shortz,
Bennett,	Harris,	Meredith,	Shreiner,
Bernhard,	Hart,	Merrell,	Shugarts,
Blumberg,	Heffernan,	Metzler,	Simon,
Boyd,	Hefferon,	Mohn,	Sinwell,
Brancato,	Heffner,	Moore,	Snyder,
Brennan,	Hermansen,	Mumford,	Sowers,
Brown, W. L.,	Hester,	Munley,	Spann,
Brownfield,	Hewitt,	Myers,	Stank,
Cannon,	Himes, L. R.,	Negley,	Steedle,
Caputo,	Hoffman,	Nothnagle,	Sterling, R. B.,
Carey,	Holmes, J. B.,	O'Connor,	Stevens,
Carson,	Holmes, J. L.,	O'Keefe,	Stiteler,
Chervenak,	Hough,	O'Neill,	Stone,
Cohen,	Howard,	O'Rourke,	Storb,
Conner,	Hutton,	Patterson,	Stott,
Cooke,	Jaffe,	Peelor,	Surface,
Cordier,	Jones,	Pennock,	Tahl,
Craig,	Kane, J. J.,	Perry, D. R.,	Terry,
Cramer,	Kane, L. P.,	Perry, J. J.,	Turner,
Dane,	King,	Peters,	Wade,
DeFrehn,	Kinney,	Powell,	Wagner,
Denning,	Labar,	Powers,	Walker, G. E.,
Downey, G. E.,	Lane,	Price,	Walker, W. A.,
Downey, J.,	Laubach,	Quinn,	Wall,
Duffy,	Lenahan,	Raub,	Wasserman,
Dunmire,	Lewis,	Rectenwald,	Way,
Dwyer,	Long,	Reed,	Weidemann,
Ederer,	Lord,	Reilly,	Welsh,
Emhardt,	Lose,	Rhodes,	Westrick,
Eroe,	Lovett, J. E.,	Rice,	White,
Evans,	Lovett, W. S.,	Roan,	Wike,
Fitzgerald,	Lynch, J. R.,	Root,	Williams, G. W.,
Flanagan,	Lynch, M.,	Roth,	Williams, J. J.,
Fleisher,	Male,	Royle,	Wilson, T. B.,
Flinchbaugh,	Malina,	Ruby,	Witkin,
Flynn,	Maloney,	Ruth,	Wood,
Forrest,	Marcks,	Sarig,	Woodside,
Furman,	Mason,	Sautter,	Wright,
Gallagher,	McBride,	Schrock,	Yeakel,
Gartner,	McCandless,	Schrope,	Zimmerman,
Gillette,	McCreary,	Schwab,	Talbot,
Gorman,	McElwee,	Schwartz,	Speaker.
Green,	McGinnis,	Scorza,	

NAYS—2

Hoopes, Wilson, L. M.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 9, entitled:

An Act to amend and further amend the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, three hundred forty-three), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," making further provision for the settlement, assessment, collection, lien, and procedure for collection of taxes, and other moneys due the Commonwealth.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—194

Andrews,	Griffith,	McGregor,	Sheffer,
Baker,	Habbyshaw,	McHenry,	Shellenberger,
Barnhardt,	Haines,	McKay,	Shenkel,
Bechtel,	Hamilton,	McKinney,	Shettel,

Beech,	Harmuth,	Melchiorre,	Shortz,
Bennett,	Harris,	Meredith,	Shreiner,
Bernhard,	Hart,	Merrell,	Shugarts,
Blumberg,	Heffernan,	Metzier,	Simon,
Boyd,	Hefferon,	Mohn,	Sinwell,
Brancato,	Heffner,	Moore,	Snyder,
Brennan,	Hermansen,	Mumford,	Sowers,
Brown, J. E.,	Hester,	Munley,	Spann,
Brown, W. L.,	Hewitt,	Myers,	Stank,
Brownfield,	Himes, L. R.,	Negley,	Steedle,
Cannon,	Hoffman,	Nothnagle,	Sterling, R. B.,
Caputo,	Holmes, J. B.,	O'Connor,	Stevens,
Carey,	Holmes, J. L.,	O'Keefe,	Stiteler,
Carson,	Hoopes,	O'Neill,	Stone,
Chervenak,	Horst,	O'Rourke,	Storb,
Cohen,	Howard,	Patterson,	Stott,
Conner,	Jaffe,	Peelor,	Surface,
Cooke,	Jones,	Pennock,	Tahl,
Cordier,	Kane, J. J.,	Perry, D. R.,	Terry,
Craig,	Kane, L. P.,	Perry, J. J.,	Turner,
Cramer,	King,	Peters,	Wade,
Dane,	Kinney,	Powell,	Wagner,
DeFrehn,	Labar,	Powers,	Walker, G. E.,
Denning,	Lane,	Price,	Walker, W. A.,
Downey, G. E.,	Laubach,	Quinn,	Wall,
Downey, J.,	Lenahan,	Raub,	Wasserman,
Duffy,	Lewis,	Rectenwald,	Way,
Dunmire,	Long,	Reed,	Weidemann,
Dwyer,	Lord,	Reilly,	Welsh,
Ederer,	Lose,	Rhodes,	Westrick,
Emhardt,	Lovett, J. E.,	Rice,	White,
Eroe,	Lovett, W. S.,	Roan,	Wike,
Evans,	Lynch, J. R.,	Root,	Williams, G. W.
Fitzgerald,	Male,	Roth,	Williams, J. J.,
Flanagan,	Malina,	Royle,	Wilson, L. M.,
Flinchbaugh,	Maloney,	Ruby,	Wilson, T. B.,
Flynn,	Marcks,	Ruth,	Witkin,
Forrest,	Mason,	Sarig,	Wood,
Furman,	McBride,	Sautter,	Woodside,
Gallagher,	McCandless,	Schrock,	Wright,
Gartner,	McClure,	Schrope,	Yeakel,
Gillette,	McCreary,	Schwab,	Yourishin,
Gorman,	McElwee,	Schwartz,	Zimmerman,
Green,	McGinnis,	Scorza,	Talbot,
Greenstein,	McGrail,	Scott,	Speaker.

NAYS—1

Sterling, P.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1695 (Senate Bill No. 619), as follows:

An Act authorizing courts of common pleas to stay and adjourn the execution of certain writs in the hands of sheriffs ratifying confirming and validating the actions of courts in staying and adjourning the execution of such writs and of sheriffs in obeying orders and decrees of courts in accordance with a resolution of the General Assembly and dispensing with the necessity of re-advertising and re-posting such writs

Whereas The General Assembly by resolution duly adopted March eighth one thousand nine hundred and thrity-three authorized the several courts of common pleas to stay and adjourn until a date not later than Monday April third one thousand nine hundred and thirty-three the execution of certain writs in the hands of sheriffs because of the proclamation of the President of the United States restricting business transactions by financial institutions therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the several courts of common pleas of the several counties of this Commonwealth shall have power to stay and adourn until a date not later than Monday April third one thousand nine hundred and thirty-three the execution of all writs of fieri facias levari facias venditioni exponas and all other writs requiring the levy and seizure of lands and tenements or personal property now in the hands of sheriffs wherein the return day of said writ or writs is prior to Monday April third one thousand nine hundred and thirty-three and which writs under existing laws are required to be fully executed or returned before said date

The action of any court of common pleas of this Commonwealth in staying and adjourning the execution of any such writ or writs or in extending the return day of such writs or both prior to the passage of this act but subsequent to the adoption of the resolution referred to in the preamble hereof is hereby ratified confirmed and made valid in law and no such writ so stayed or adjourned shall hereafter be held to be invalid for the reason that the same was not fully executed in accordance with existing laws under which issued if such writ is fully executed on or before April third one thousand nine hundred and thirty-three in accordance with this act or said resolution referred to in the preamble hereof

Section 2 No such writ so stayed and adjourned in accordance with this act or said resolution which prior to such stay and adjournment had been advertised and posted in accordance with existing law shall be required to be re-advertised or re-posted but the original advertising and posting shall be deemed sufficient compliance with law to effectuate the lawful execution of such writ as provided by this act or said resolution

Section 3 The action of each sheriff of the several counties of this Commonwealth in staying and adjourning the execution of any writ or writs in accordance with any order of court made under the authority of the resolution referred to in the preamble hereof is hereby ratified confirmed and made valid in law and no sheriff of any county shall be held liable personally or on his bond for his actions in staying and adjourning the execution of any writ or writs in accordance with any such order of court if such writ or writs are fully executed on or before April third one thousand nine hundred and thirty-three as provided by this act or said resolution

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—196

Andrews,	Griffith,	McGrail,	Shellenberger,
Baker,	Habbyshaw,	McGregor,	Shenkel,
Barnhardt,	Haines,	McKay,	Shettel,
Bechtel,	Hamilton,	McKinney,	Shortz,
Beech,	Harmuth,	Melchiorre,	Shreiner,
Bennett,	Harris,	Meredith,	Shugarts,
Bernhard,	Hart,	Merrell,	Simon,
Blumberg,	Heffernan,	Metzier,	Sinwell,
Boyd,	Hefferon,	Mohn,	Snyder,
Brancato,	Heffner,	Moore,	Sowers,
Brennan,	Hermansen,	Mumford,	Spann,
Brown, J. E.,	Hester,	Munley,	Stank,
Brown, W. L.,	Hewitt,	Myers,	Steedle,
Brownfield,	Himes, L. R.,	Negley,	Sterling, P.,
Cannon,	Hoffman,	Nothnagle,	Sterling, R. B.,
Caputo,	Holmes, J. B.,	O'Connor,	Stevens,
Carey,	Holmes, J. L.,	O'Keefe,	Stiteler,
Carson,	Hoopes,	O'Neill,	Stone,
Chervenak,	Horst,	O'Rourke,	Storb,
Cohen,	Hough,	Patterson,	Stott,
Conner,	Howard,	Peelor,	Surface,
Cooke,	Hutton,	Pennock,	Tahl,
Cordier,	Jaffe,	Perry, D. R.,	Terry,
Cramer,	Kane, J. J.,	Perry, J. J.,	Turner,
Dane,	Kane, L. P.,	Peters,	Wade,
Davies,	King,	Powell,	Wagner,
DeFrehn,	Kinney,	Powers,	Walker, G. E.,
Denning,	Labar,	Price,	Walker, W. A.,
Downey, G.	Lane,	Quinn,	Wall,
Downey, J.,	Laubach,	Raub,	Wasserman,
Duffy,	Lenahan,	Rectenwald,	Way,
Dunmire,	Lewis,	Reed,	Weidemann,
Dwyer,	Long,	Reilly,	Welsh,

Ederer,	Lord,	Rice,	Westrick,
Emhardt,	Lose,	Roan,	White,
Eroe,	Lovett, J. E.,	Root,	Wike,
Evans,	Lovett, W. S.,	Roth,	Williams, G. W.,
Fitzgerald,	Lynch, J. R.,	Royle,	Williams, J. J.,
Flanagan,	Lynch, M.,	Ruby,	Wilson, L. M.,
Fleisher,	Malina,	Ruth,	Wilson, T. B.,
Flinchbaugh,	Maloney,	Sarig,	Witkin,
Flynn,	Marcks,	Sautter,	Wood,
Forrest,	Mason,	Schrock,	Woodside,
Furman,	McBride,	Schrope,	Wright,
Gallagher,	McCandless,	Schwab,	Yeakel,
Gartner,	McClure,	Schwartz,	Yourishin,
Gillette,	McCreary,	Scorza,	Zimmerman,
Gorman,	McElwee,	Scott,	Talbot,
Green,	McGinnis,	Sheffer,	Speaker.
Greenstein,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 703, as follows:

An Act requiring the corporate authorities of any first second and third class cities of the Comonwealth having a paid or part paid fire department fire alarm operators and fire box inspectors to ascertain the will of the electors of such cities as to salary or compensation to be paid to firemen fire alarm operators and fire box inspectors and their hours and working conditions providing an election to ascertain the will of the electors and the manner and method whereby such election may be held providing the form and manner in which the question shall be submitted to the vote of the people of such cities and the effect of such vote

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvnaia in General Assembly met and it is hereby enacted by the authority of the same That hereafter in order that the corporate authorities of first second second-A and third class cities of this Commonwealth having a paid or part paid fire department and fire alarm operators and fire box inspectors may ascertain the will of the electors of such cities as to the salary or compensation to be paid to the various classes divisions and grades of firemen fire alarm operators and fire box inspectors in the bureau of electricity and the hours and working conditions of such firemen and fire alarm operators and fire box inspectors in such cities of this Commonwealth as the necessity for the same shall from time to time arise There shall be submitted to the electors of any such cities by the corporate authorities thereof at any fall primary election or municipal election upon the written petition of equal to at least five (5) per centum of the highest number of votes cast for any office at the last previous general election in any such city the question or questions as to the salary or compensation or the hours and working conditions which it is desired to have voted upon

Section 2 The said petition shall set forth the question in the form it is desired to have the same submitted to the electors at such primary or municipal election and shall be sworn to by at least one of the petitioners

Section 3 If any such petition is sufficiently signed the question or questions wherein set forth shall be certified to the county commissioners by the corporate authorities of such city Such question or questions shall then be printed on a separate ballot prepared by the county commissioners in the form as set forth in the petition requesting such election and in the manner as is now provided by law for the preparation of official ballots Where voting machines are used such question or questions shall appear on the face of the machine the election officers shall make returns of the votes cast on such question to the county commissioners or return board who shall compute such votes for and against said question and make a certificate thereof which certificate shall be forwarded to the president of council The expenses of any such election shall be borne by such cities

Section 4 The vote taken at such election shall be mandatory upon the corporate or other proper authorities of the above classed cities

Section 5 A vote on any question provided for in this act may be had only once in any period of four calendar years

Section 6 Upon the approval of the people the will of the electors shall be included in the compilation of the following yearly budget

On the question,

Will the House agree to the bill on third reading?

Mr. BECHTEL. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend section 1, page 2, line 2, by striking out the following: "second-A"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1106, as follows:

An Act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock and defining the limitations powers and duties of such associations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That cooperative agricultural credit associations having capital stock may be formed under the provisions of this act by any number of persons not less than five all of whom are members of associations organized under the provisions of the act approved the twelfth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred sixty-five) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising beekeeping and horticulture" as amended and the act approved the thirtieth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred eighty-five) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising floriculture mushroom growing beekeeping horticulture and other allied occupations and providing penalties" as amended

Section 2 (a) Associations incorporated under the provisions of this act are empowered to act as an agency to enable associations and members and stockholders thereof which associations are members or stockholders of such associations to obtain loans from the Federal Intermediate Credit Banks under and pursuant to an Act of Congress approved the fourth day of March one thousand nine hundred and twenty-three same being Chapter eight of Title twelve of the Code of Laws of the United States as adopted by Congress the thirtieth day of June one thousand nine hundred and twenty-six and amendments thereto and from the Reconstruction Finance Corporation created by an Act of Congress approved the twenty-second day of January one thousand nine hundred and thirty-two and known as the "Reconstruction Finance Corporation Act" and the amendments extensions and supplements thereto

(b) Associations incorporated under the provisions of this act are empowered to make loans to members of stockholders of an agricultural cooperative association which is the owner in whole or in part of the stock of the association and no loans shall be made except to such person or to such agricultural cooperative association No loan shall be made for more than three years nor for other than agricultural dairy poultry or horticultural purposes of the borrower and in all cases there shall be a written statement by the borrower in the note collateral agreement if any or signed application for the loan to the effect that the loan will be used only for such purposes and such statement shall be relied upon by the association An association organized under this act may discount or pledge such notes with a Federal Intermediate Credit Bank and/or with the reconstruction Finance Corporation with its guaranty or endorsement An association may invest its capital funds in bonds or obligations of the United States of the Commonwealth of Pennsylvania of any municipality therein or in Federal Intermediate Credit Bank and Reconstruction Finance Corporation obligations and may deposit or hypothecate such securities with a Federal Intermediate Credit Bank or the Reconstruction Finance Corporation as security for notes discounted by either

Section 3 The articles of association of an intended association must be subscribed by five or more persons three of whom must be citizens of this Commonwealth and shall set forth

I The name of the association which shall include the words "cooperative credit"

II The class of services to be performed by the association which services shall be one or more of those enumerated in section two of this act

III The principal place where its business is to be transacted which shall be within this Commonwealth

IV The term for which it is to exist

V The amount of its capital stock and the number and par value of shares into which it is divided the names and post-office addresses of the subscribers the number of shares subscribed by each and the amount of capital actually paid into the treasury which shall not be less than ten per centum of the capital stock

VI The number of its directors for the first year not less than five the names and residences of those who are chosen for directors for the first year and the name and residence of the treasurer

Section 4 Notice of the intention to apply for any such charter shall be inserted in one newspaper of general circulation and the legal newspaper if any defined by the Newspaper Advertising Act of May sixteenth one thousand nine hundred and twenty-nine (Pamphlet Laws page one thousand seven hundred eighty-four) printed in the county where the principal place of business is situated for one insertion setting forth briefly the character and purpose of said corporation and the kind of service to be performed by it such advertisement shall be at least three days before the application is laid before the Governor

The articles of association shall be acknowledged by not less than five of the subscribers thereto before any officer authorized to take acknowledgments and administer oaths and affirmations in this Commonwealth and they shall also make and subscribe an oath or affirmation before said officer that the statements contained therein are true

Said articles of association accompanied with proof of publication of the notice as defined by the Newspaper Advertising Act of May sixteenth one thousand nine hundred and twenty-nine (Pamphlet Laws page one thousand seven hundred eighty-four) hereinbefore provided to be given shall then be presented to the Governor of this Commonwealth who shall examine the same and if he finds it in proper form and within the purpose mentioned in this act he shall indorse his approval thereon and direct letters patent to issue in form similar to those issued to corporations of the second class in this Commonwealth which letters patent shall incorporate the subscribers and their associates and successors into a body politic and corporate in deed and in law by the name chosen Said articles of association shall be recorded in the office of the Secretary of the Commonwealth in a book to be by him kept for the purpose

The original articles of association together with all indorsements shall be recorded in the office of the recorder of deeds in and for the county where the principal place of business is situate From thenceforth the subscribers thereto their associates and successors shall be a body politic and corporate for the purposes and upon the terms named in the said article of association Certified copies of the records thereof shall be competent evidence for all purposes in the courts of this Commonwealth

Section 5 Each association so formed under the provisions of this act and when so formed by virtue of its existence as such shall have the following powers

1 To have succession for the period limited in its articles of association and when no period is limited thereby to exist perpetually subject to the power of the General Assembly under the Constitution of the Commonwealth and unless sooner dissolved by operation of law or under the provisions of this act

2 To maintain and defend judicial proceedings by the name specified in the articles of association

3 To adopt and use a common seal and alter the same at pleasure

4 To hold purchase and transfer such real and personal property as the purposes of the corporation require

5 To elect a board of directors which shall have power to appoint a president vice-president secretary treasurer and other officers agents and employes which may be deemed necessary to prescribe their duties to require bonds of them and to dismiss them and any of them in accordance with the by-laws of said association

6 To make by-laws not inconsistent with the law for the management of its property the regulation of its affairs and the conduct and management of the association

7 To perform for stockholders and members and stockholders of such stockholders the service described in the articles of association and authorized by this act

8 To make contracts necessary in the conduct of its operation and the transaction of its affairs

9 To borrow money necessary to the conduct of its operations and to issue notes bonds and other evidences of indebtedness therefor and to give security in the form of mortgage or otherwise for the payment thereof

10 To cooperate with any other such association or corporation whether formed under this act or otherwise for the purpose of promoting the objects for which it was incorporated or to objects for which any other similar association was formed Any such association may upon resolution adopted by its board of directors enter into all necessary and proper contracts and agreements and make all necessary and proper stipulations agreements contracts and arrangements with any other cooperative corporation association or associations formed under the provisions of this act or otherwise for the cooperative and more economical carrying on of its business or any part or parts thereof or any two or more cooperative associations formed under the provisions of this act or otherwise may upon resolutions adopted by their respective boards of directors for the purpose of more economically carrying on their respective businesses by agreement between them unite in employing and using or several such associations may separately employ and use the same methods means and agencies which agencies may be another such association or associations for carrying on and conducting their respective business

11 To exercise such incidental powers as may be necessary in the conduct of its operations

12 To issue and sell its preferred and common stock

Section 6 Any association may issue and sell its preferred stock to any person copartnership association or corporation and it may be redeemable or retirable by the association on such terms and conditions as may be provided for in its articles of association and printed on the stock certificate but common stock of the association shall be sold to and owned only by one or more cooperative associations organized and existing under the provisions of the act approved the twelfth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred sixty-six) entitled "An act to provide for the incorportion and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising beekeeping and horticulture" and its amendments or oranized and existing under the provisions of the act approved the thirtieth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred eighty-five) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising floriculture mushroom growing beekeeping horticulture and

other allied occupations and providing penalties" and its amendments Dividends on preferred stock shall be not greater than six per centum per annum and shall be cumulative

At any time as specified in the by-laws except when its capital is impaired thereby and the debts of the association exceed fifty per centum of the assets thereof the association may purchase its preferred stock at the book value thereof as conclusively determined by its board of directors and pay for the same in cash within one year thereafter Preferred stock shall be non-voting

Section 7 An association organized under the provisions of this act may purchase stock or property or any interest in any property of any person copartnership association or corporation and may discharge the obligations so incurred wholly or in part by exchanging for the acquired interest shares of its preferred stock to an amount which at par value would equal the fair market value of the stock or interest so purchased as determined by the board of directors

Such association shall have the right to hold own and exercise all rights of ownership in and to sell transfer or pledge shares of capital stock or bonds of any corporation engaged in any related activity to the purposes and operations of said association including but not thereby limiting such powers the warehousing handling or marketing in whole or in part of any of the products handled by the corporation

Section 8 Within thirty days after the recording of the articles of association in the office of the recorder of deeds as described in section four of this act and the publication of a notice one time in a newspaper of general circulation and the legal newspaper if any briefly reciting the matters set forth in the articles of incorporation and the volume and page where the same is recorded in the Recorder's Office and after Proof of Publication of said notice has been noted on the margin of record in the Recorder's Office a call signed by not less than a majority of the directors shall be issued for a meeting of the common stockholders At such meeting or any adjourned session or sessions thereof by-laws regulating and conducting the management of the association shall be adopted Such by-laws shall within the limits of this act prescribe

1 The time place and manner of calling and holding meetings

2 The number of directors the time and manner of their election and their powers and duties and the number not less than a majority necessary to the exercise of their powers and the method of fixing their compensation if any

3 The officers their terms of office the time and manner of their appointment and removal their powers and duties and the method of fixing their compensation if any

4 Regulations governing the sale transfer and redemption of common stock

5 Any other provisions proper and necessary to carry out the purposes for which the association was formed

6 Such by-laws shall provide the method or methods by which the by-laws may from time to time be amended Provided however That notice of all proposed amendments shall be given to each stockholder in writing at least twenty days before action shall be taken on the contemplated change

Section 9 The board of directors of each association shall consist of not less than five members The directors shall be members or stockholders of one or more of the cooperative associations which own the common stock At the first regular meeting of the association a quorum as specified by the by-laws being present the common stockholders shall elect directors Cooperative associations owning stock may vote such stock at corporate meetings of associations organized under the provisions of this act by proxy Directors shall hold office until their successors have been elected and qualified and until their successors shall enter upon the discharge of their duties Vacancies shall be filled for the unexpired terms by the board of directors at any regular meeting or at any special meeting called for the purpose The board of directors shall manage the affairs of the association and shall perform such other duties as may be specifically imposed upon the board by this act The board of directors shall be a continuing body the term of one-third or as near as may be of whom shall expire each year and the by-laws of the association shall so regulate the terms of directors including the terms of additional directors that may be authorized from time to time as to make effective this principle

Section 10 Any director of the association may for cause at any regular meeting or any special meeting called for the purpose be removed from office by vote of not less than two-thirds of the stock voted Ten days' written notice of the time place and object of any such meeting shall be given in the manner prescribed in the by-laws to all the common stockholders and to the directors against whom charges are to be presented Such directors shall at the same time be informed of the nature of the charges to be preferred against them and at such meeting shall have an opportunity to be heard in person or by counsel and by witnesses in regard thereto

Section 11 The officers of every association shall include a president vice-president secretary and treasurer who shall be appointed annually by the board of directors The president and vice-presdent shall be appointed from among the directors The secretary and treasurer may be non-stockholders The office of secretary and treasurer may be combined and one individual appointed thereto Vacancies in said offices shall be filled for the unexpired term by the board of directors in the manner provided for the original appointment of officers Such officers shall hold their offices until their successors are appointed and qualified and shall have entered upon the discharge of their duties The board of directors shall require the treasurer and may require such other officers agents and employes charged by the association with responsibility for the custody of funds or property to give bond with sufficient surety for the faithful performance of their duties as such the premium on such bond to be paid by the association

Section 12 At the close of each fiscal year a complete audit of the operations of the association shall be made by a qualified accountant or accountants employed by the board of directors the written report of whom shall include statements of services rendered by the association the balance sheet the receipts and disbursements and the assets and liabilities the total number of stockholders and other proper information and shall be submitted to the members at the next regular meeting Within three months after the expiration of the fiscal year for which made the secretary of said association shall file one copy of said report of the audit with the Secretary of Agriculture of this Commonwealth and one copy with the Dean of the School of Agriculture of the Pennsylvania State College No person shall without consent of the association except in obedience to judicial process make or permit any disclosure whereby any information contained in said report may be identified as having been furnished by said association Abstract summaries under regulations of the Secretary of Agriculture of this Commonwealth of the report and the annual audit of said association shall be made immediately upon the completion of the audit in one newspaper of general circulation as defined by the Newspaper Advertising Act of May sixteenth one thousand nine hundred and twenty-nine (Pamphlet Laws page one thousand seven hundred eighty-four) and the legal newspaper if any of the proper county defined by said Newspaper Act at least one time and Proof of Publication as defined by the Newspaper Advertising Act aforesaid of such notice shall be immediately forwarded with the report of the audit to the Secretary of the Commonwealth

Section 13 The articles of association may be amended pursuant to an affirmative vote of two-thirds of all the common stock voted at any regular meeting or at a special meeting called for the purpose due notice of the time place and object of which regular or special meeting shall have been given as prescribed in the by-laws A copy of such amendment signed and acknowledged by not less than three of the directors shall be presented to the Governor of the State of Pennsylvania who shall examine the same and if he finds it in proper form he shall indorse his approval thereon Said amendment shall then be recorded in the office of the Secretary of the Commonwealth in a book to be by him kept for the purpose The said amendment together with the indorsements thereon shall then be recorded in the office for the recording of deeds in the county where the principal place of business is situate

Section 14 Any association may cease to do business and be dissolved in the same manner as corporations are dissolved under the general corporation laws of the Commonwealth

Section 15 No association organized under the provisions of this act shall be liable for the payment of any State tax upon its capital stock or upon any scrip bonds certificates or other evidences of indebtedness issued by such corporation and all stocks bonds et cetera issued by such associations shall be exempt from all State taxation and such associations shall not be required to file with the Auditor General of this Commonwealth the reports relative to such taxes as are or may be by law required of corporations not exempt from the payment of such taxes

Section 16 If any clause sentence paragraph or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid such judgment shall not affect impair or invalidate the remainder thereof but shall be confined in its operation to the clause sentence paragraph or part thereof directly involved in the controversy in which said judgment shall have been rendered

Section 17 All acts or parts of acts inconsistent herewith are hereby repealed

Section 18 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—197

Andrews,	Green,	McElwee,	Scott,
Baker,	Greenstein,	McGinnis,	Sheffer,
Baldi,	Griffith,	McGrail,	Shellenberger,
Barnhardt,	Habbyshaw,	McGregor,	Shenkel,
Bechtel,	Haines,	McHenry,	Shettel,
Beech,	Hamilton,	McKay,	Shortz,
Bennett,	Harmuth,	McKinney,	Shreiner,
Bernhard,	Harris,	Melchiorre,	Shugarts,
Blumberg,	Hart,	Meredith,	Simon,
Boyd,	Hartman,	Merrell,	Sinwell,
Brancato,	Heffernan,	Metzler,	Snyder,
Brennan,	Hefferon,	Mohn,	Sowers,
Brown, J. E.,	Hermansen,	Moore,	Spann,
Brown, W. L.,	Hester,	Mumford,	Stank,
Brownfield,	Hewitt,	Munley,	Steedle,
Cannon,	Himes, L. R.,	Myers,	Sterling, P.,
Caputo,	Hoffman,	Negley,	Stevens,
Carey,	Holmes, J. B.,	Nothnagle,	Stiteler,
Carson,	Holmes, J. L.,	O'Connor,	Stone,
Chervenak,	Hoopes,	O'Neill,	Storb,
Cohen,	Horst,	O'Rourke,	Stott,
Conner,	Hough,	Patterson,	Surface,
Cooke,	Howard,	Peelor,	Tahl,
Cordier,	Hutton,	Pennock,	Terry,
Craig,	Jaffe,	Perry, D. R.,	Turner,
Cramer,	Kane, J. J.,	Perry, J. J.,	Wade,
Dane,	Kane, L. P.,	Peters,	Wagner,
Davies,	King,	Powell,	Walker, G. E.,
DeFrehn,	Kinney,	Powers,	Walker, W. A.,
Denning,	Labar,	Price,	Wall,
Downey, G. E.,	Lane,	Quinn,	Wasserman,
Downey, J.,	Laubach,	Raub,	Way,
Duffy,	Lenahan,	Rectenwald,	Weidemann,
Dunmire,	Lewis,	Reed,	Welsh,
Dwyer,	Long,	Reilly,	Westrick,
Ederer,	Lord,	Rice,	White,
Emhardt,	Lose,	Roan,	Wike,
Eroe,	Lovett, J. E.,	Root,	Williams, G. W.,
Evans,	Lovett, W. S.,	Roth,	Williams, J. J.,
Fitzgerald,	Lynch, J. R.,	Royle,	Wilson, L. M.,
Flanagan,	Lynch, M.,	Ruby,	Wilson, T. B.,
Fleisher,	Male,	Ruth,	Witkin,
Flinchbaugh,	Malina,	Sarig,	Wood,
Flynn,	Maloney,	Sautter,	Woodside,
Forrest,	Marcks,	Schrock,	Wright,
Furman,	Mason,	Schrope,	Yeakel,
Gallagher,	McBride,	Schwab,	Zimmerman,
Gartner,	McCandless,	Schwartz,	Talbot,
Gillette,	McClure,	Scorza,	Speaker.
Gorman,	McCreary,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1107, as follows:

An Act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the Bureau of Fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there is hereby created and established in every city of the second class in this Commonwealth a fund for the care maintenance and relief of aged retired and disabled firemen in the Bureau of Fire of such city which fund shall be known as the "Firemen's Relief and Pension Fund of the City of ....."

Section 2 Such fund shall consist of and to it shall be transferred

(1) All moneys and securities held by similar boards existing by virtue of any law or ordinance in such city which fund or funds were held for purposes similar to the purpose of the fund created by this act with respect to the city employes covered by the provisions of this act

(2) All fines imposed upon the firemen of such city which by virtue of any law or ordinance referring to such city are required to be paid by the proper authorities to a fund of this nature

(3) All donations of money from whatever source which have been or shall be made to the fund

(4) The income from any and all trust funds which now or may hereafter be established by gift for the benefit of such persons as are eligible to be beneficiaries under the fund

(5) The dues of the members of the fund as hereinafter stipulated

(6) Such moneys as the city shall pay into the fund from time to time as provided by ordinance and as may be necessary to carry out the provisions of this act

Section 3 There is hereby created for the care management and control of such fund a board of managers consisting of twelve members to be known as the "Firemen's Relief and Pension Fund Board of the City of ....." The personnel hereof shall be as follows The mayor or chief executive the president of council the city solicitor the city controller the director of the department of public safety and the chief of the bureau of fire who shall be ex officio members and six elective members from among the following classes of the members and beneficiaries of such fund One member to be elected from among the deputy chiefs battalion chiefs captains and lieutenants three members to be elected from among the other members of the fund and two members to be elected by the beneficiaries of the fund

Section 4 Elections of representatives of the board shall be held annually on the second Monday of December except in the present year when a special election of such representatives shall be held within ten days following the effective date of this act the time and place for holding of which special election shall be fixed by the existing board in such city The time and place of holding the annual elections thereafter shall be designated and fixed by the board herein created

If any member of the board shall resign or be dismissed from the service or shall change from the classification under which he was elected he shall immediately cease from being a member of the board

In the case of a vacancy caused by whatever means among the elective members of the board such vacancy shall be filled by the board at its next meeting for the unexpired term

Section 5 The director of the department of public safety shall be the president of said board the chief clerk of the department of public safety shall be the secretary of said board for the performance of which services he shall be paid the sum of fifty dollars per month and the city solicitor shall be the attorney and legal counsel of said board but shall receive no additional compensation therefor

Section 6 The president shall preside at all meetings of the board He shall appoint all committees sign all necessary papers approved by the board requiring his signature and perform such other duties as may be required by his office

The secretary shall keep minutes of all meetings of the board receive and receipt for all payments to the fund and

keep accurate account between the fund and its members All checks shall be signed by the secretary and countersigned by the president of the board

There is hereby provided an account for the secretary to meet the small expenditures as may arise by the meetings of the board The secretary shall be responsible for the proper disposition of such account

The board shall hold regular monthly meetings at a time and place to be fixed by the board Special meetings of the board shall be called by the president whenever he deems it necessary or upon written request of seven members of the board or twenty-one members or beneficiaries of the fund

Section 7 The board shall designate and choose such bank or banks trust company or trust companies in such city in which the moneys of the fund shall be deposited and such bank or banks trust company or trust companies shall be selected annually after the board shall have received written propose as to the rate of interest which shall be paid on such deposits and the bank or banks trust company or trust companies offering to pay the highest rate of interest shall be chosen as the depository or depositories of the fund if the board be satisfied of the soundness of such institution or institutions

The board shall create and establish a sinking fund into which shall be paid all moneys remaining to the credit of the fund and the depositories of the fund on the first day of each year and after all claims and running expenses of the prior year have been paid and the money in the sinking fund shall not be used for any purpose excepting by a two-thirds vote of the board but the interest accruing on the moneys in such sinking fund may be used for the payment of the necessary expenses for the operation of the fund

The board may invest the moneys of the fund and of the sinking fund in such State county or municipal bonds of the State of Pennsylvania or in bonds of the United States Government as they may deem to the best interest of the respective funds All such investments shall be made in the name of the respective fund The accounts of the fund shall be audited annually by the city controller or oftener if the board requests the same to be done and a copy of the audit furnished to the council of the city

Section 8 Those eligible to membership in the fund shall be

(1) All uniformed employes of the bureau of fire including the commanding officer and the chief of the bureau

(2) All substitute uniformed employes of the bureau of fire

(3) All persons who are at present members of the existing fund in such city Employes of the bureaus of electricity and building inspection in such city who have entered such service since the first day of July one thousand nine hundred and eighteen shall not be eligible to be members of such fund

Section 9 Any individual eligible to membership in such fund as aforesaid shall be required

(1) To sign an acceptance of the provisions of this act which acceptance shall contain an agreement on the part of the one so signing that upon resignation or dismissal from the employ of said bureau of fire he shall thereby relinquish and forfeit all rights to participate in said fund and no employment shall be granted an applicant to a position which would make him eligible as a member of said fund until such acceptance and agreement is signed by him

(2) To contribute to said fund three per centum of his rated monthly salary or wages which shall be deducted from his salary or wages by the city controller from the payroll for the last half of each month and paid into the fund In addition such member shall contribute the sum of one dollar to the beneficiary of a deceased member of the fund which amount shall be deducted in the month following the death of such member by the city controller from the payroll for the last half of each month and paid into the fund

When any member of the fund shall resign or be dismissed from service or shall die while in active service there shall be paid to him or to his executor or administrator if his service has been terminated by death from the fund all dues paid by him into the fund with the interest thereon Substitute employes of the bureau of fire shall be credited for pension and pay on the basis of actual days served in the bureau of the fire Regular and substitute employes shall serve at least fifteen days in each month and appear on both semi-monthly payrolls of said bureau of fire in said month in order to be credited for one month's service for pension under this act

Section 10 A member of the fund who has served his connection therewith and has subsequently again become eligible for membership therein shall in addition to a readmission fee of five dollars be required to return to the fund such dues as were repaid to him from the fund when his membership in the fund was severed

Such refund shall be collected from the monthly salary or wages of the reinstated members over the period of a year and full payment thereof shall be a condition precedent to the member being eligible to the benefits of the fund

If however any such reinstated member shall be injured in line of duty before he shall have made such full restitution and before the expiration of the one year period and if the disability caused by such injury shall continue beyond the period during which compensation shall be paid to him under the provisions of the Workmen's Compensation Act of Pennsylvania he shall be eligible to pension under this act but any amount to which he shall have been indebted to the fund at the date of his injury shall be repaid if the board in its discretion shall so require in such monthly payments as said board may determine which amounts shall be deducted from his pension as and when monthly payments thereof shall be made

Section 11 Members of the fund shall be eligible to pension under said fund upon written application of such member stating his desire to withdraw from service in said city which application shall show either

(1) That such employe has rendered at least twenty years service to the said city at least one year of which was immediately prior to his application but which does not otherwise necessitate continuous service but that such service shall total twenty years and shall include and may include service in the armed forces of the United States in times of war or active service in the Pennsylvania State Militia when said militia has been mobilized for internal police duty or

(2) That such applicant while a member of the fund was injured in the line of duty and disabled through such injury that such disability continues and that the applicant is no longer entitled to payments from the city under the provisions of the Workmen's Compensation Act and its amendments Upon the approval by the board such member of the fund shall become a beneficiary thereunder

Section 12 Beneficiaries under said fund shall be rated and classified and shall be entitled to receive from the fund per month the amounts indicated in the following table to wit

Classification		Composed of	Monthly Paym'ts
	Chief	Bureau of Fire	
I	Superintendent	Bureau of Electricity	$150
	Deputy Chiefs	Bureau of Fire	
II	Deputy Superintendents	Bureau of Electricity	$125
	Battalion Chiefs	Bureau of Fire	
III	Chief Inspectors	Division of Fire Prevention	$105
	Chief Wiring Inspectors	Bureau of Electricity	
IV	Training School	Bureau of Fire	$97.50
	Captains	Bureau of Fire	
	Assistant Engineers	Bureau of Electricity	
V	Supervision of Construction	Bureau of Electricity	$95
	Fire Alarm Operators	Bureau of Fire	
	Lieutenants	Bureau of Fire	$90
VI	Engineers	Bureau of Fire	
	Pumpmen	Bureau of Fire	
	Drivers	Bureau of Fire	
VII	Electric Wiring Inspectors	Bureau of Building Inspection	$85
	Hose and Laddermen	Bureau of Fire	
	Aides	Bureau of Fire	
	Assistant Engineers	Bureau of Fire	
	Fire Alarm Box Inspectors	Bureau of Electricity	
	Police Box Inspectors	Bureau of Electricity	
	Instrument Repairmen	Bureau of Electricity	
VIII	Battery Men	Bureau of Electricity	$80
	Line Foreman	Bureau of Electricity	
	Lineman	Bureau of Electricity	
	Inspector	Bureau of Fire Division of Fire Prevention	

No application to become a beneficiary of the fund shall be filed or accepted until thirty days after the effective date of this act It is further provided that any member making such application who thereafter withdraws the same shall not be permitted to file a new application until one year after the date of the first application

Section 13 If any beneficiary of the fund shall be awarded a pension and shall thereafter be convicted of felony or shall become an habitual drunkard or shall cease to care for and support his wife and family then and in any such case the board shall have power by a two-thirds vote to revoke the pension or to suspend the payment thereof or to direct payment of the pension to the family of such beneficiary

Section 14 Any beneficiary of the fund who may obtain employment in the service of the United States Government or the State of Pennsylvania or the county wherein said city is situate or of the city itself shall forfeit his pension from the fund during the time of such employment

Section 15 The provisions of this act so far as they are the same as those of existing laws are intended as a continuation of such laws and not as new enactments

Section 16 This act shall take effect on the first day of January one thousand nine hundred and thirty-four

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—195

Andrews,	Greenstein,	McElwee,	Shellenberger,
Baker,	Griffith,	McGinnis,	Shenkel,
Baldi,	Habbyshaw,	McGrail,	Shettel,
Barnhardt,	Haines,	McGregor,	Shortz,
Bechtel,	Hamilton,	McHenry,	Shreiner,
Beech,	Harmuth,	McKay,	Shugarts,
Bennett,	Harris,	McKinney,	Simon,
Bernhard,	Hart,	Melchiorre,	Sinwell,
Blumberg,	Heffernan,	Meredith,	Snyder,
Boyd,	Hefferon,	Metzler,	Sowers,
Brancato,	Heffner,	Mohn,	Spann,
Brennan,	Hermansen,	Moore,	Stank,
Brown, J. E.,	Hester,	Mumford,	Steedle,
Brown, W. L.,	Hewitt,	Munley,	Sterling, P.,
Brownfield,	Himes, L. R.,	Myers,	Sterling, R. B.,
Caputo,	Hoffman,	Negley,	Stevens,
Carey,	Holmes, J. B.,	Nothnagle,	Stiteler,
Carson,	Holmes, J. L.,	O'Connor,	Stone,
Chervenak,	Hoopes,	O'Keefe,	Storb,
Cohen,	Horst,	O'Neill,	Stott,
Conner,	Hough,	O'Rourke,	Surface,
Cooke,	Howard,	Peelor,	Tahl,
Cordier,	Hutton,	Pennock,	Terry,
Craig,	Jaffe,	Perry, D. R.,	Turner,
Cramer,	Jones,	Perry, J. J.,	Wade,
Dane,	Kane, J. J.,	Peters,	Wagner,
Davies,	Kane, L. P.,	Powell,	Walker, G. E.,
DeFrehn,	King,	Powers,	Walker, W. A.,
Denning,	Kinney,	Price,	Wall,
Downey, G. E.,	Labar,	Quinn,	Wasserman,
Downey, J.,	Lane,	Raub,	Way,
Duffy,	Laubach,	Rectenwald,	Weidemann,
Dunmire,	Lenahan,	Reed,	Welsh,
Dwyer,	Lewis,	Reilly,	Westrick,
Ederer,	Long,	Rhodes,	White,
Eroe,	Lord,	Rice,	Wike,
Evans,	Lose,	Roan,	Williams, G. W.,
Fitzgerald,	Lovett, J. E.,	Roth,	Williams, J. J.,
Flanagan,	Lovett, W. S.,	Royle,	Wilson, L. M.,
Fleisher,	Lynch, J. R.,	Ruby,	Wilson, T. D.,
Flinchbaugh,	Male,	Ruth,	Witkin,
Flynn,	Malina,	Sarig,	Wood,
Forrest,	Maloney,	Sautter,	Woodside,
Furman,	Marcks,	Schrock,	Wright,
Gallagher,	Mason,	Schrope,	Yeakel,
Gartner,	McBride,	Schwab,	Yourishin,
Gillette,	McCandless,	Scorza,	Zimmerman,
Gorman,	McClure,	Scott,	Talbot,
Green,	McCreary,	Sheffer,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 146, entitled:

An Act to amend sections four hundred nine and six hundred three of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as amended by providing for change in regulating the registration of foreign motor vehicles and licensing of foreign operators.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—191

Baker,	Greenstein,	McGinnis,	Shellenberger,
Baldi,	Griffith,	McGrail,	Shenkel,
Barnhardt,	Haines,	McGregor,	Shettel,
Bechtel,	Hamilton,	McHenry,	Shortz,
Beech,	Harmuth,	McKay,	Shreiner,
Bennett,	Harris,	McKinney,	Shugarts,
Bernhard,	Hart,	Melchiorre,	Simon,
Blumberg,	Heffernan,	Meredith,	Sinwell,
Boyd,	Hefferon,	Merrell,	Snyder,
Brancato,	Heffner,	Metzler,	Sowers,
Brennan,	Hermansen,	Mohn,	Spann,
Brown, J. E.,	Hester,	Moore,	Stank,
Brown, W. L.,	Hewitt,	Mumford,	Steedle,
Brownfield,	Himes, L. R.,	Munley,	Sterling, P.,
Cannon,	Hoffman,	Myers,	Sterling, R. B.,
Caputo,	Holmes, J. B.,	Negley,	Stevens,
Carey,	Holmes, J. L.,	Nothnagle,	Stiteler,
Carson,	Hoopes,	O'Connor,	Stone,
Chervenak,	Horst,	O'Keefe,	Storb,
Cohen,	Hough,	O'Neill,	Stott,
Conner,	Howard,	O'Rourke,	Surface,
Cooke,	Hutton,	Patterson,	Tahl,
Cordier,	Jaffe,	Peelor,	Terry,
Craig,	Jones,	Pennock,	Turner,
Cramer,	Kane, J. J.,	Perry, D. R.,	Wade,
Dane,	Kane, L. P.,	Perry, J. J.,	Wagner,
Davies,	King,	Peters,	Walker, G. E.,
DeFrehn,	Kinney,	Powell,	Walker, W. A.,
Denning,	Labar,	Price,	Wall,
Downey, G. E.,	Lane,	Quinn,	Wasserman,
Downey, J.,	Laubach,	Raub,	Way,
Duffy,	Lenahan,	Rectenwald,	Weidemann,
Dunmire,	Lewis,	Reed,	Welsh,
Dwyer,	Long,	Reilly,	Westrick,
Ederer,	Lord,	Rhodes,	White,
Emhardt,	Lose,	Rice,	Wike,
Eroe,	Lovett, W. S.,	Roan,	Williams, G. W.,

Evans,	Lynch, J. R.,	Roth,	Williams, J. J.,
Fitzgerald,	Lynch, M.,	Royle,	Wilson, L. M.,
Flanagan,	Male,	Ruby,	Wilson, T. B.,
Fleisher,	Malina,	Sarig,	Witkin,
Flynn,	Maloney,	Sautter,	Wood,
Forrest,	Marcks,	Schrock,	Wright,
Furman,	Mason,	Schrope,	Yeakel,
Gallagher,	McBride,	Schwab,	Yourishin,
Gartner,	McCandless,	Scorza,	Zimmerman,
Gillette,	McClure,	Scott,	Talbot,
Gorman,	McCreary,	Sheffer,	Speaker.
Green,	McElwee,		

NAYS—4

Flinchbaugh,	Habbyshaw,	Ruth,	Woodside,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and conisderation of House Bill No. 1414, entitled:

An Act to amend section one of the act approved the twenty-fourth day of April, one thousand nine hundred and twenty-nine (P. L. 563), entitled, "An act regulating the operation of certain boats upon lakes wholly within the Commonwealth, by requiring the use of lights on all boats at certain hours"; eliminating the provision requiring boats and floats at rest to have lights thereon.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LEONARD P. KANE. Mr. Speaker, will the sponsor of this bill explain its purpose to the House?

The SPEAKER. Will the gentleman from Wayne explain the purpose of this bill to the gentleman from Allegheny?

Mr. WALL. Mr. Speaker and members of the House, this bill simply permits people that have boats who really cannot get them close to the shore to tie them up and it is not necessary to have lights either on the boats or on floats at night.

Mr. LEONARD P. KANE. Mr. Speaker and members of the House, this bill will permit boats to lie at anchor at night on our inland lakes wihout any lights on them. Any one who is familiar with boating in inland waters knows that this would be a very dangerous procedure.

I, therefore, ask the members to think seriously before they vote on this measure.

Mr. WALL. Mr. Speaker and members of the House, for the information of the gentleman this bill applies to lakes only, not to rivers.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—187

Andrews,	Harris,	McHenry,	Shettel,
Baker,	Hart,	McKay,	Shortz,
Bechtel,	Heffernan,	McKinney,	Shreiner,
Beech,	Hefferon,	Melchiorre,	Shugarts,
Bennett,	Heffner,	Meredith,	Simon,
Bernhard,	Hermansen,	Merrell,	Sinwell,
Blumberg,	Hester,	Metzler,	Snyder,
Boyd,	Hewitt,	Mohn,	Sowers,
Brancato,	Himes, L. R.,	Moore,	Spann,
Brennan,	Hoffman,	Mumford,	Stank,
Brown, W. L.,	Holmes, J. B.,	Munley,	Steedle,
Brownfield,	Holmes, J. L.,	Myers,	Sterling, P.,
Cannon,	Hoopes,	Negley,	Sterling, R. B.,
Carey,	Horst,	Nothnagle,	Stiteler,
Carson,	Hough,	O'Keefe,	Stone,
Cohen,	Howard,	O'Neill,	Storb,
Conner,	Hutton,	O'Rourke,	Stott,
Cooke,	Jaffe,	Patterson,	Surface,
Cordier,	Jones,	Peelor,	Tahl,
Craig,	Kane, J. J.,	Pennock,	Terry,
Cramer,	King,	Perry, D. R.,	Turner,
Davies,	Kinney,	Perry, J. J.,	Wade,
DeFrehn,	Labar,	Peters,	Wagner,
Denning,	Lane,	Powell,	Walker, G. E.,
Downey, G. E.,	Laubach,	Powers,	Walker, W. A.,
Duffy,	Lenahan,	Price,	Wall,
Dunmire,	Lewis,	Quinn,	Wasserman,
Dwyer,	Long,	Rectenwald,	Way,
Ederer,	Lord,	Reed,	Weidemann,
Emhardt,	Lose,	Reilly,	Welsh,
Eroe,	Lovett, J. E.,	Rice,	Westrick,
Evans,	Lovett, W. S.,	Roan,	White,
Flanagan,	Lynch, J. R.,	Root,	Wike,
Fleisher,	Lynch, M.,	Roth,	Williams, G. W.,
Flinchbaugh,	Male,	Ruby,	Williams, J. J.,
Flynn,	Malina,	Ruth,	Wilson, L. M.,
Forrest,	Maloney,	Sarig,	Wilson, T. B.,
Furman,	Marcks,	Sautter,	Witkin,
Gallagher,	Mason,	Schrock,	Wood,
Gillette,	McBride,	Schrope,	Woodside,
Green,	McCandless,	Schwab,	Wright,
Greenstein,	McClure,	Schwartz,	Yeakel,
Griffith,	McCreary,	Scorza,	Yourishin,
Habbyshaw,	McElwee,	Scott,	Zimmerman,
Haines,	McGinnis,	Sheffer,	Talbot,
Hamilton,	McGrail,	Shellenberger,	Speaker.
Harmuth,	McGregor,	Shenkel,	

NAYS—4

Caputo,	Kane, L. P.,	O'Connor,	Raub,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING (SPECIAL ORDER)

The SPEAKER. The hour of 5.00 P. M. having arrived, the Chair lays before the House the special order of business fixed for this time, being House Bill No. 65.

Agreeably to order,

The House proceeded to the third reading and conisderation of House Bill No. 65, entitled:

A Joint Resolution proposing an amendment to section eighteen, article three of the Constitution of the Commonwealth of Pennsylvania.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SOWERS. Mr. Speaker and members of the House, the bill now before you appears on page 31, of the calendar, and is known as House Bill No. 65.

House Bill No. 65, is one of the Old Age Pension Bills. The bill is an amendment to the 18th Section of Article III, of the Pennsylvania Constitution. The 18th Section of Article III, provides that the Legislature shall not make appropriations for charitable purposes. That is the Constitution as it exists today. This bill provides an amendment, and the amendment says that the Legislature may by general law make appropriations for assistance to mothers for dependent children and to aged persons without adequate means of support. The amendment carries two features, mothers assistance and old age pensions.

The bill which is before you for voting is purely a referendum. You do not now by your vote say that old age pensions shall immediately exist. All you do when you vote here affirmatively is to say whether the people of Pennsylvania, who have confidence in you and who elected you, that you say to them that you have confidence in them to decide the issue of whether the Legislature shall have power to provide for an old age pension system in the future.

Now, I take it that under the bill it is irrelevant to argue whether old age pension is or is not a good system. I say that all I can argue to you is that you should have confidence in the people of Pennsylvania and let them decide the issue for themselves, as the law provies, and I ask for your affirmative vote.

Mr. SARIG. Mr. Speaker and ladies and gentlemen of the House, there seems to be quite a bit of misunderstanding in regard to this joint resolution. There are a great many people in Pennsylvania who believe this is not a proper time and it is not the part of wisdom to institute a system of old age pensions at this time, but that is not the question before the House. The only question before the House now is whether we will or will not give the people of Pennsylvania an opportunity to vote on this question, whether they want or do not want a system of old age pensions in Pennsylvania. It is not up to this Legislature, but it is up to a future Legislature and a future Governor to decide what that system shall be or whether there shall be a system of old age pensions at that time.

If we believe in democratic government, or republican government, whichever term you choose, if we believe in our system of American government, we must believe in the ability of the people to decide for themselves what they want and what they do not want, and that is all that this resolution does. Is simply submits the question to the voters of Pennsylvania to say whether or not they believe a system of old age pensions should be established in Pennsylvania. I have enough faith in the people of Pennsylvania and enough faith in any Legislature which may be elected in the future to leave his question to them. I have been here for eighteen years, and I say that on the whole the men that come here to this Legislature have always been men that use fairly good judgment, who use reason and deliberation, and whatever they may believe, whether they believe it is or is not the time for old age pensions, I believe we should permit the people of Pennsylvania a fair opportunity to say to their representatives, two, four or six years from now, what ever the time may be that is called for, say to their representatives, that they may, if they see fit, establish such a system. It is not for us to decide the old age pension matter, and the only question before us now is whether we trust the people and the future Legislatures and Governors to deal fairly with this question. Under our system of government we cannot very well take any other stand if we believe in our form of government, and I say we should give this privilege to the people of the Commonwealth and we should leave to the representatives and the Governor whom the people may elect in the future to decide whether or not we want such a system, or what kind of a system we do want.

I, therefore, ask you to vote for this resolution, because if we do not it will seem that we do not trust the people of Pennsylvania to decide for themselves whether they want or do not want such a piece of legislation.

Mr. COHEN. Mr. Speaker and members of the House, there was some decided difficulty in getting this bill out of committee. There may be the same difficulty in committing the bill when it is presented to the Senate for their concurrence. I, therefore, request the members of this House to pass this measure with such an overwhelming vote that the Senate will feel that it is incumbent upon them when this bill is presented to them, to pass it and give the voters of Pennsylvania an opportunity to express their views on this very vital and humanitarian law.

Mr. BENNETT. Mr. Speaker and ladies and gentlemen of the House, I do not intend to make any very lengthy or detailed appeal to your good sense in asking for your affirmative vote on this measure that is before you now.

It is nothing unusual in the United States at the present that such a law should be passed. There are over twenty states that have already adopted this law, and I as a Pennsylvanian take a sincere and honest pride in saying that Pennsylvania in her history during the great period of her industrial development has been one of the leading states in passing social legislation. She may not be always the first by which the new is tried, but Pennsylvania has never been last to lay the old aside, and I appeal to you to give an overwhelming vote for the passage of this act, so that Pennsylvania will keep her place in the forefront of social legislation, and be there in fact as well as in name and title, the Keystone State.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180

Andrews,	Habbyshaw,	McGinnis,	Scott,
Baker,	Hamilton,	McGrail,	Sheffer,
Baldi,	Harmuth,	McGregor,	Shenkel,
Barnhardt,	Harris,	McHenry,	Shettel,
Bechtel,	Hart,	McKay,	Shortz,
Beech,	Heffernan,	Melchiorre,	Shreiner,
Bennett,	Hefferon,	Meredith,	Shugarts,
Bernhard,	Heffner,	Metzler,	Simon,
Blumberg,	Hermansen,	Mohn,	Sinwell,
Boyd,	Hester,	Moore,	Snyder,
Brancato,	Hewitt,	Mumford,	Sowers,
Brennan,	Himes, L. R.,	Munley,	Spann,
Brown, J. E.,	Hoffman,	Myers,	Stank,
Brown, W. L.,	Holmes, J. B.,	Negley,	Steedle,
Brownfield,	Holmes, J. L.,	Nothnagle,	Sterling, P.,
Cannon,	Hoopes,	O'Connor,	Sterling, R. B.,
Caputo,	Horst,	O'Keefe,	Stone,
Carey,	Hough,	O'Neill,	Storb,
Carson,	Howard,	O'Rourke,	Stott,
Chervenak,	Hutton,	Patterson,	Surface,
Cohen,	Jaffe,	Peelor,	Tahl,
Conner,	Jones,	Pennock,	Terry,
Cooke,	Kane, J. J.,	Perry, D. R.,	Wade,
Cordier,	Kane, L. P.,	Perry, J. J.,	Wagner,
Cramer,	Kinney,	Powell,	Walker, G. E.,
Dane,	Labar,	Powers,	Walker, W. A.,
Davies,	Lane,	Price,	Wall,
DeFrehn,	Laubach,	Quinn,	Wasserman,
Denning,	Lenahan,	Raub,	Way,
Downey, G. E.,	Lewis,	Rectenwald,	Weidemann,
Downey, J.,	Long,	Reed,	Welsh,
Duffy,	Lord,	Reilly,	Westrick,
Dunmire,	Lose,	Rhodes,	White,
Emhardt,	Lovett, J. E.,	Roan,	Wike,
Eroe,	Lynch, J. R.,	Root,	Williams, G. W.,
Evans,	Lynch, M.,	Roth,	Williams, J. J.,
Fitzgerald,	Male,	Royle,	Wilson, L. M.,
Flanagan,	Malina,	Ruby,	Wilson, T. B.,
Fleisher,	Maloney,	Ruth,	Witkin,
Furman,	Marcks,	Sarig,	Wood,
Gallagher,	Mason,	Sautter,	Woodside,
Gartner,	McBride,	Schrock,	Wright,
Gorman,	McCandless,	Schrope,	Yourishin,
Green,	McClure,	Schwab,	Talbot,
Greenstein,	McCreary,	Schwartz,	Speaker.
Griffith,	McElwee,	Scorza,	

NAYS—12

Craig,	Forrest,	McKinney,	Stiteler,
Ederer,	Haines,	Peters,	Yeakel,
Flynn,	King,	Shellenberger,	Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

MOTION MADE SPECIAL ORDER

Mr. TURNER. Mr. Speaker, I move that a special order of business be made at 5.35 this afternoon of the motion to reconsider the vote by which House Bill No. 22, Printer's No. 409, entitled

An Act to amend the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "Administrative Code of 1929" as amended repealing certain sections, abolishing certain administrative agencies, decreasing the salaries and compensation and limiting and decreasing the number of certain State officers and employes increasing the powers of the Auditor General, State Treasurer and the Secretary of the Internal Affairs and generally further reorganizing the and limiting the conduct of the administrative work of the Commonwealth.

was defeated.

The motion was agreed to.

BILL ON THIRD READING (SPECIAL ORDER)

The SPEAKER. The Chair lays before the House the special order of business fixed for this time, being House Bill No. 67.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 67, entitled:

A Joint Resolution proposing an amendment to section seven, article nine of the Constitution of the Commonwealth of Pennsylvania.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SOWERS. Mr. Speaker and ladies and gentlemen of the House, the bill before you is House Resolution No. 67. The resolution provides for the accomplishment of the same purpose as the previous resolutions, except that the provisions of the one that was voted on, the Commonwealth is to pay for this, and the one before you now provides that the county and the Commonwealth may bear the burden jointly.

I know of nothing more to say. You are all familiar with the question, and I ask for your affirmative vote.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181

Andrews,	Greenstein,	McCandless,	Schwartz,
Baker,	Griffith,	McClure,	Scorza,
Baldi,	Habbyshaw,	McCreary,	Scott,
Barnhardt,	Hamilton,	McElwee,	Shenkel,
Bechtel,	Harmuth,	McGinnis,	Shettel,
Beech,	Harris,	McGrail,	Shortz,
Bennett,	Hart,	McHenry,	Shreiner,
Bernhard,	Hartman,	McKay,	Shugarts,
Blumberg,	Heffernan,	McKinney,	Simon,
Boyd,	Hefferon,	Melchiorre,	Sinwell,
Brancato,	Heffner,	Meredith,	Snyder,
Brennan,	Hermansen,	Merrell,	Sowers,
Brown, J. E.,	Hester,	Metzler,	Spann,
Brown, W. L.,	Hewitt,	Mohn,	Stank,
Brownfield,	Himes, L. R.,	Moore,	Sterling, P.,
Cannon,	Hoffman,	Mumford,	Sterling, R. B.,
Caputo,	Holmes, J. L.,	Myers,	Stevens,
Carey,	Hoopes,	Negley,	Stone,
Carson,	Horst,	Nothnagle,	Storb,
Chervenak,	Hough,	O'Connor,	Stott,
Cohen,	Howard,	O'Keefe,	Surface,
Conner,	Hutton,	O'Rourke,	Tahl,
Cooke,	Jaffe,	Patterson,	Terry,
Cordier,	Jones,	Peelor,	Turner,
Cramer,	Kane, J. J.,	Pennock,	Wade,
Dane,	Kane, L. P.,	Perry, D. R.,	Wagner,
Davies,	Kinney,	Perry, J. J.,	Walker, W. A.,
DeFrehn,	Labar,	Powell,	Wall,
Denning,	Lane,	Powers,	Wasserman,
Downey, J.,	Laubach,	Quinn,	Way,
Duffy,	Lenahan,	Raub,	Welsh,
Dunmire,	Lewis,	Rectenwald,	Westrick,
Dwyer,	Long,	Reed,	Wike,
Emhardt,	Lord,	Reilly,	Williams, G. W.,
Eroe,	Lose,	Rhodes,	Williams, J. J.,
Evans,	Lovett, J. E.,	Roan,	Wilson, L. M.,
Fitzgerald,	Lovett, W. S.,	Root,	Wilson, T. B.,
Flanagan,	Lynch, J. R.,	Roth,	Witkin,
Fleisher,	Lynch, M.,	Ruby,	Wood,
Furman,	Male,	Ruth,	Woodside,
Gallagher,	Malina,	Sarig,	Wright,
Gartner,	Maloney,	Sautter,	Yourishin,
Gillette,	Marcks,	Schrock,	Talbot,
Gorman,	Mason,	Schrope,	Speaker.
Green,	McBride,	Schwab,	

NAYS—10

Craig,	Forrest,	Shellenberger,	Yeakel,
Ederer,	King,	Stiteler,	Zimmerman,
Flynn,	Peters,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1476, entitled:

An Act providing for the deferring of sentences in certain cases pending the mental examination of defendants; authorizing trial judges and the Department of Welfare to require psychiatrists employed by county and state mental hospitals to examine certain such defendants without additional compensation except expenses payable by counties; providing for the commitment of defendants to certain institutions where the reports show the same to be advisable; and providing for the payment by individuals, counties, or the Commonwealth of the cost of admission, care and discharge of such defendants.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—196

Andrews,	Greenstein,	McGinnis,	Sheffer,
Baker,	Griffith,	McGrail,	Shellenberger,
Baldi,	Habbyshaw,	McGregor,	Shenkel,
Barnhardt,	Hamilton,	McHenry,	Shettel,
Bechtel,	Harmuth,	McKay,	Shortz,
Beech,	Harris,	McKinney,	Shreiner,
Bennett,	Hart,	Melchiorre,	Shugarts,
Bernhard,	Heffernan,	Meredith,	Simon,
Blumberg,	Hefferon,	Merrell,	Sinwell,
Boyd,	Heffner,	Metzler,	Snyder,
Brancato,	Hermansen,	Mohn,	Sowers,
Brennan,	Hester,	Mumford,	Spann,
Brown, J. E.,	Hewitt,	Munley,	Stank,
Brown, W. L.,	Himes, L. R.,	Myers,	Steedle,
Brownfield,	Hoffman,	Negley,	Sterling, P.,
Cannon,	Holmes, J. B.,	Nothnagle,	Sterling, R. B.,
Caputo,	Holmes, J. L.,	O'Connor,	Stevens,
Carey,	Hoopes,	O'Keefe,	Stiteler,
Carson,	Horst,	O'Neill,	Storb,
Chervenak,	Hough,	O'Rourke,	Stone,
Cohen,	Howard,	Patterson,	Stott,
Conner,	Hutton,	Peelor,	Tahl,
Cooke,	Jaffe,	Pennock,	Terry,

Cordier,	Jones,	Perry, D. R.,	Turner,
Craig,	Kane, J. J.,	Perry, J. J.,	Wade,
Cramer,	Kane, L. P.,	Peters,	Wagner,
Dane,	King,	Powell,	Walker, G. E.,
Davies,	Kinney,	Powers,	Walker, W. A.,
DeFrehn,	Lane,	Price,	Wall,
Denning,	Laubach,	Quinn,	Wasserman,
Downey, J.,	Lenahan,	Raub,	Way,
Duffy,	Lewis,	Rectenwald,	Weidemann,
Dunmire,	Long,	Reed,	Welsh,
Dwyer,	Lord,	Reilly,	Westrick,
Ederer,	Lose,	Rhodes,	White,
Emhardt,	Lovett, J. E.,	Rice,	Wike,
Eroe,	Lovett, W. S.,	Roan,	Williams, G. W.,
Evans,	Lynch, J. R.,	Root,	Williams, J. J.,
Fitzgerald,	Lynch, M.,	Roth,	Wilson, L. M.,
Flanagan,	Male,	Ruby,	Wilson, T. B.,
Fleisher,	Malina,	Ruth,	Witkin,
Flinchbaugh,	Maloney,	Sarig,	Wood,
Flynn,	Marcks,	Sautter,	Woodside,
Forrest,	Mason,	Schrock,	Wright,
Furman,	McBride,	Schrope,	Yeakel,
Gallagher,	McCandless,	Schwab,	Yourishin,
Gartner,	McClure,	Schwartz,	Zimmerman,
Gillette,	McCreary,	Scorza,	Talbot,
Gorman,	McElwee,	Scott,	Speaker.
Green,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1933, entitled:

An Act to amend section two of an act approved the twenty-first day of April, one thousand nine hundred twenty-seven (Pamphlet Laws, three hundred twenty-seven), entitled "An act relating to the extradition of persons charged with crime and to make uniform the law with reference thereto," by giving the Governor of this State authority to deliver up certain imprisoned persons, for the purpose of trial for murder in the demanding state, and providing for their return in case of acquittal.

On the question,

Will the House agree to the bill on third reading?

Mr. HUTTON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 1, line 9 of the title by striking out at the end of the line after the word "state" the following: "[and providing for their return in],"

Amend page 1 by striking out line 10 of the title and inserting in lieu therof the following: "under certain conditions."

Amend section 1, page 2, line 19 by inserting after the word "that" and before the word "the" the following: "prior to the removal of the person from this State."

Amend section 1, page 2, line 19 by inserting at the end of the line after the word "the" the following: "excutive authority of the demanding state or district shall have agreed that the."

Amend section 1, page 2, line 20 by inserting after the word "returned" and before the word "to" the following: "immediately."

Amend section 1, page 2, line 21 by inserting at the beginning of the line before the word "to" the folowilng: "at the cost of the demanding state or district."

Amend section 1, page 2, line 23 by inserting at the end of the line after the word "state" the following: "or in the event of his or her conviction in such state of manslaughter or any degree or murder the punishment for which is less than death or imprisonment for life."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time?

Is there any objection?

The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1026, entitled :

An Act to provide for contribution among tortfeasors

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. RUBY. Mr. Speaker, I have certain comments on House Bill No. 1026, explanatory to the members of the House which I will send to the desk and ask that they be read by the Clerk.

The Clerk read the comments as follows:

Comments on House Bill 1026

An Act
To Provide For Contribution Among Tortfeasors

This bill is designed to remove an uncertainty from our law of torts, by providing that, in every case, the persons who have committed the wrong shall bear the burden equally; in other words, where one of those who joined in doing the wrong has been sued and has paid the judgment, the bill gives him power to compel the other wrongdoers to contribute, by paying to him their proportionate shares of the judgment. Of course, it does not call for contribution as between persons some of whom are primarily, and others secondarily liable.

The right to contribution is recognized in all contract actions, and in many kinds of torts. Under our decisions, it is always permitted where the tort is one of negligence; and likewise where liability for the wrong arises by operation of law, as where a partnership is held liable for the tort of its servant or agent.

The precise limits of the right to contribution, however, are far from clear, and the Supreme Court has used language intimating that it will probably be disposed to permit contribution wherever there is not a direct precedent to the contrary. This, unfortunately, does not give a clear, definite and workable rule for the guidance of courts and lawyers.

It is suggested that the simplest remedy for this condition is also the best, that is, to permit contribution in all cases. It is sometimes argued against this that a wrongdoer who has paid the whole claim should be denied the help of the law to collect from those who joined with him———this on the theory that it is a fitting penalty for his wrongdoing. To apply this view may punish one of the wrongdoers, but it permits all the others to escape scot-free. It seems to be better public policy, as well as a more convenient and certain rule of law, to make all the tortfeasors suffer equally, by permitting contribution, just as all would have to share the penalty, if the act amounted to a crime.

To make this change, would bring the law as to contribution into harmony with the general doctrines of the law, and particularly those relating to quasi-contractual liabilities. In addition, the suggested change is in accordance with recent developments in the policy of other states, as expressed in their statutes and decisions.

The bill does not, in any way, affect the right of a plaintiff to select one of the tortfeasors and to sue him alone; indeed, it does not apply to plaintiffs at all. It only permits a defendant to take action against the others who were equally at fault. Our existing procedural machinery is sufficient to take care of the situation, and no additions need be made to it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

NAYS—196

Cramer,	Duffy,	Lovett, J. E.,	Sautter,
Davies,	Dunmire,	Lovett, W. S.,	Schrock,
DeFrehn,	Dwyer,	Lynch, M.,	Schrope,
Denning,	Ederer,	Male,	Schwab,
Downey, G. E.,	Emhardt,	Malina,	Schwartz,
Downey, J.,	Eroe,	Maloney,	Scorza,
Duffy,	Evans,	Marcks,	Scott,
Dunmire,	Fitzgerald,	Mason,	Sheffer,
Dwyer,	Flanagan,	Mathay,	Shellenberger,
Ederer,	Fleisher,	McBride,	Shenkel,
Emhardt,	Flinchbaugh,	McCandless,	Shettel,
Eroe,	Flynn,	McClure,	Shortz,
Evans,	Forrest,	McCreary,	Shreiner,
Fitzgerald,	Furman,	McElwee,	Shugarts,
Flanagan,	Gallagher,	McGinnis,	Simon,
Fleisher,	Gartner,	McGrail,	Sinwell,
Flinchbaugh,	Gillette,	McGregor,	Snyder,
Flynn,	Gorman,	McHenry,	Sowers,
Forrest,	Green,	McKay,	Spann,
Furman,	Greenstein,	McKinney,	Stank,
Gallagher,	Griffith,	Melchiorre,	Steedle,
Gartner,	Habbyshaw,	Meredith,	Sterling, P.,
Gillette,	Haines,	Merrell,	Stevens,
Gorman,	Hamilton,	Metzier,	Stiteler,
Green,	Harmuth,	Mohn,	Stone,
Greenstein,	Harris,	Moore,	Storb,
Andrews,	Hart,	Mumford,	Stott,
Baker,	Hartman,	Munley,	Surface,
Baldi,	Heffernan,	Myers,	Tahl,
Barnhardt,	Hefferon,	Negley,	Terry,
Bechtel,	Heffner,	Nothnagle,	Turner,
Beech,	Hermansen,	O'Connor,	Wade,
Bennett,	Hester,	O'Keefe,	Wagner,
Bernhard,	Hewitt,	O'Neill,	Walker, G. E.,
Blumberg,	Himes, L. R.,	O'Rourke,	Walker, W. A.,
Boyd,	Hoffman,	Patterson,	Wall,
Brancato,	Holmes, J. B.,	Peelor,	Wasserman,
Brennan,	Holmes, J. L.,	Pennock,	Way,
Brown, J. E.,	Hoopes,	Perry, D. R.,	Weidemann,
Brown, W. L.,	Horst,	Perry, J. J.,	Welsh,
Brownfield,	Hough,	Peters,	Westrick,
Cannon,	Howard,	Powell,	White,
Caputo,	Hutton,	Powers,	Wike,
Carey,	Jaffe,	Price,	Williams, G. W.,
Carson,	Jones,	Quinn,	Williams, J. J.,
Chervenak,	Kane, J. J.,	Raub,	Wilson, L. M.,
Cohen,	Kane, L. P.,	Rectenwald,	Wilson, T. B.,
Conner,	King,	Reed,	Witkin,
Cooke,	Kinney,	Reilly,	Wood,
Cordier,	Labar,	Rhodes,	Woodside,
Craig,	Lane,	Rice,	Wright,
Cramer,	Laubach,	Roan,	Yeakel,
Davies,	Lenahan,	Root,	Yourishin,
DeFrehn,	Lewis,	Royle,	Zimmerman,
Denning,	Long,	Ruby,	Talbot,
Downey, G. E.,	Lord,	Ruth,	Speaker.
Downey, J.,	Lose,	Sarig,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SPECIAL ORDER

The hour of 5.35 having arrived.

The SPEAKER. The Chair lays before the House the Special Order of business fixed for this time, being the motion to reconsider the vote by which House Bill No. 22, was defeated on April 3rd, 1933.

MOTION TO RECONSIDER VOTE

Mr. WITKIN. Mr. Speaker, I move that the vote by which House Bill No. 22, Printer's No. 409, entitled:

An Act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers deputies and employes providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the assistants and employes of certain departments boards and commissions shall be determined"

was defeated on final passage on April 3, 1933, be reconsidered.

Mr. SOWERS. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Philadelphia Mr. Witkin, vote on the final passage of the bill?

Mr. WITKIN. Mr. Speaker, voted no.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Sowers, vote on the final passage of the bill?

Mr. SOWERS. I voted no, Mr. Speaker.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. Bechtel and Mr. Terry.

Mr. HOWARD. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—105

Baldi,	Haines,	McKay,	Shenkel,
Bennett,	Harris,	Merrell,	Shreiner,
Blumberg,	Hart,	Metzier,	Simon,
Brennan,	Heffernan,	Mohn,	Sowers,
Brown, W. L.,	Heffner,	Moore,	Spann,
Carey,	Hewitt,	Myers,	Steedle,
Conner,	Himes, L. R.,	Nothnagle,	Stiteler,
Cooke,	Horst,	O'Connor,	Storb,
Cordier,	Hough,	O'Rourke,	Tahl,
Craig,	Hutton,	Patterson,	Turner,
Davies,	Jaffe,	Peelor,	Walker, G. E.,
Denning,	Kane, L. P.,	Pennock,	Walker, W. A.,
Duffy,	King,	Perry, D. R.,	Wasserman,
Dwyer,	Laubach,	Peters,	Way,
Ederer,	Lenahan,	Price,	Weidemann,
Emhardt,	Lewis,	Rectenwald,	Westrick,
Flanagan,	Long,	Rice,	Wike,
Fleisher,	Lord,	Root,	Williams, J. J.,
Flynn,	Lose,	Royle,	Wilson, T. B.,
Forrest,	Lynch, J. R.,	Ruby,	Witkin,
Gartner,	Malina,	Sarig,	Woodside,
Gillette,	Maloney,	Sautter,	Wright,
Gorman,	McBride,	Schrock,	Yeakel,
Green,	McCandless,	Schwartz,	Zimmerman,
Greenstein,	McCreary,	Scorza,	Talbot,
Griffith,	McElwee,	Scott,	Speaker.
Habbyshaw,	McGregor,		

NAYS—98

Andrews,	Furman,	McGinnis,	Sheffer,
Baker,	Gallagher,	McGrail,	Shellenberger,
Barnhardt,	Hamilton,	McHenry,	Shettel,
Bechtel,	Harmuth,	McKinney,	Shortz,
Beech,	Hartman,	Melchiorre,	Shugarts,
Bernhard,	Hefferon,	Meredith,	Sinwell,
Boyd,	Hermansen,	Mumford,	Snyder,

Brancato,	Hester,	Munley,	Stank,
Brown, J. E.,	Hoffman,	Negley,	Sterling, P.,
Brownfield,	Holmes, J. B.,	O'Keefe,	Sterling, R. B.,
Cannon,	Holmes, J. L.,	O'Neill,	Stevens,
Caputo,	Hoopes,	Perry, J. J.,	Stone,
Carson,	Howard,	Powell,	Stott,
Chervenak,	Jones,	Powers,	Surface,
Cohen,	Kane, J. J.,	Quinn,	Terry,
Cramer,	Kinney,	Raub,	Wade,
Dane,	Labar,	Reed,	Wagner,
DeFrehn,	Lane,	Reilly,	Wall,
Downey, E.	Lovett, J. E.,	Rhodes,	Welsh,
Downey, J.,	Lovett, W. S.,	Roan,	White,
Dunmire,	Lynch, M.,	Roth,	Williams, G. W.,
Eroe,	Male,	Ruth,	Wilson, L. M.,
Evans,	Marcks,	Schrope,	Wood,
Fitzgerald,	Mason,	Schwab,	Yourishin,
Flinchbaugh,	McClure,		

So the question was determined in the affirmative and the motion was agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. TURNER. Mr. Speaker and members of the House I do not think after last night's debate on this bill that there is any necessity for extended remarks or for further explanation. However, the impression has gotten around on the part of one or two members as to the promise that I made to this House last night, that I would amend the bill to provide that the Eexcutive Board should be restored to the place where it is now in the Administrative Code. In other words, the Board is appointed by the Governor. I say to the House again that I am sorry there should be any question, because it arises in my mind that there might be some question on the part of my words as to my efforts, and I say to you sincerely and honestly that there is no question but what that amendment will be made. There are other amendments to be made in the Senate. The promise has been made to some people interested in this bill that promise has been made to some people interested in this bill that some slight amendments will be made, and I am sure they will meet with your favorable consideration. I did not want to have to reprint the bill at this time because it would have cost over eight hundred dollars to reprint it.

Mr. Speaker and members of the House, I just wish that every member of this House could have sat with me last Friday and last Saturday and part of Sunday and have read the interesting book recently published by the Honorable James M. Beck, one of the great constitutional lawyers of this country entitled, "Our Wonder laid of Bureaucracy." If you could have read that book I am certain there could have been no question in the minds of the members of this House as to the advantage of this bill. He points out very distinctly the creating of the Federal departments and he points out very distinctly that that has added very greatly to the burden of the taxpayers.

I would like to take the time of the House for a moment to call their attention to the increases in this State of ours in some of the departments in the cost of government.

The cost of the State Department of Agriculture, Public Instruction, Welfare, Labor and Industry, increased from the year 1913 to 1915, with an appropriation of thirty-eight million seventeen thousand dollars to one hundred and twenty-three million five hundred and forty-nine thousand proposed in the budget for 1933-1935, and our entire attempt in this bill is to curtail that spirit of bureaucracy which is adding a tax burden to the people of the Commonwealth, to take the money from things and give it to things such as you men desire, such as hospital appropriations and your schools. I ask you, therefore, to consider each of these facts, and in consideration of the many merits in this bill and the things that it will do to help cut down the cost of government in this State, that you men now vote "aye" on it.

Mr. STERLING. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Turner.

The SPEAKER. Will the gentleman from Delaware, Mr. Turner, permit himself to be interrogated?

Mr. TURNER. Mr. Speaker, I will.

Mr. STERLING. Mr. Speaker, I desire to ask the gentleman from Delaware, Mr. Turner, to advise this House whether or not it is his purpose to amend this bill in the Senate in those sections which provide for the employment of counsel by the Auditor General and the State Treasurer?

Mr TURNER. Mr. Speaker, it is not my intention, no sir.

Mr. STERLING. Mr. Speaker and members of the House, neither do I want to take too much of the time of this House to reconsider the question which has already been taken up yesterday and again today.

I do not stand before you as an advocate of bureaucracy. My good friend from Delaware, Mr. Turner, has taken occasion to quote from a book by the Honorable James M. Beck, in which he attacks bureaucracy and the great cost that bureauracy means to the citizens of the State and Nation. I call the attention of my friend, as well as the attention of the members of the House, to a very interesting article that appears in Scribner's Magazine for the month of April, written probably by the best known writers on current history as it relates to government. The article is written by Mr. Charles and Mr. William Beard and is entitled "The Care For Public Employes," and I should like for just a few moments to read to this House the point of view taken by these two good gentlemen.

> Year in and year out another branch of the bureaucracy, composed of engineers, biologists, and bacteriologists, is supplying our very best citizens with water which they can safely drink and doing this without thought of cutting any melons for themselves. Out of 250 cities having over 30,000 inhabitants in 1927, 210 had municipal water plants. Paralleling this growth in public operation has been a precipitous drop in typhoid and Asiatic cholera, the two major water-borne epidemics. Los Angeles is one of the numerous cities which claim that not a single life has been lost from these causes over a period of many years.
>
> In other fields of human health the bureaucracy has taken lead. One of its most signal victories has been the conquest of yellow fever. For centuries the ogirins of the dread malady were unknown. It struck Philadelphia in 1793 with merciless might, mowing down rich and poor, young and old, white and Negro, without discrimination. Of course business came to a halt. Many persons died in the streets and were long left unburied. A continuous stream of families poured from the city to outlying regions. Vain attempts were made to "purify" the atmosphere by shooting off cannon and building bonfires. Men put sponges over their mouths or carried smelling bottles of vinegar or camphor. Smoking was all the rage, for tobacco was deemed a specific. Eating garlic and concealing pieces of tarred rope on the person were also listed as remedies.

I could go on indeterminately reading this article which states very correctly, that while there is a case against bureaucracy, there is a case for bureaucracy, but this is beside question.

My friend from Delaware, Mr. Turner, has answered my question whether or not it is his intention to remove from the bill this provision which permits the Auditor General and the State Treasurer to appoint counsel, notwithstanding the fact that the chief legal advisor of the Commonwealth is the Attorney General. It is this provision of the bill which is in my opinion objectionable to the precepts of good public ad-

ministration as I know them to be. It is this provision of the bill which in my opinion is a step backward beyond 1857, yes, surely a step backward beyond 1915, because in 1915, if not in 1857, seventy-five years ago, this Legislature said the Attorney General is the chief legal advisor of this Commonwealth, that to him shall all legal questions involving the Commonwealth be referred, and by his opinion shall all the department heads be bound.

Now, Mr. Speaker and members of the House, the elimination of the Executive Board provision in this bill was indeed a step in the right direction, and it was a step in the right direction because had it remained in the bill you would have had a condition not unlike triumvirate of Rome; not unlike, if you please, the rule of the Executive Council in the early days of our country, when there was more than one head to the government. Those of you who recall your history, will recall that it was that condition, that division of authority, that division of responsibility, that made Washington and his men suffer at Valley Forge in spite of the fact that we then had a country of plenty.

If my friend from Delaware, Mr. Turner, following the precept of good government, agrees to remove from the bill this provision which will eliminate the division of executive authority, then I say it follows as logically as the night the day that there should be no division of authority in legal advice, that the heads of departments, including the Auditor General and the State Treasurer, must comply with the law.

There is history in the legal reports of this Commonwealth. much history, which would tell you, if you have a mind and the time to read them, what has happened because of this division of authority. I won't tire you with the legal decisions, although they are at hand, but the fact remains that up to 1915 there was chaos and confusion in the administration of the public business of this Commonwealth because of division of responsibility so far as concerns the legal services of the Attorney General.

Now, I daresays, Mr. Speaker and members of the House, that there doesn't sit a man or woman in this House who has not pride in the Commonwealth. There is not a man or woman in this House who would not take pleasure in hearing from me that Pennsylvania stands with Massachusetts, stands with New York, stands with Wisconsin, as model Commonwealths in the public administration of State government.

The fact that the legal business of this Commonwealth, under its statutes and Constitution, are exclusively reposed in the Attorney General of the Commonwealth, is one, and an important one, of the reasons why we as Pennsylvanians may be proud of the place that we hold among the States of the Union for efficiency in the public administration of the State's business.

It is an appeal to this House that the reputation of the Commonwealth be sustained, and it is for this sake and this sake alone that I expend as much of my voice and as much of my energy as I feel is necessary to convince the House that by passing this measure with this provisions in it, you are stepping backward the Commonwealth at least to 1915, if not back to 1857. Don't take that backward step, protect your Commonwealth against it and defeat this measure.

Mr. HUTTON. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Joseph R. Lynch, Schrock, Griffith, Flynn, King, McKay, Gillette, Spann, Metzier, Maloney, Scorza, Bennett, Baldi, Cooke, John J. Williams, Lewis, Cordier, Hough, Hart, Harris and others.

On the question,

Shall the main question be now put?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken.

Mr. RHODES. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—105

Baldi,	Harris,	Merrell,	Shenkel,
Bennett,	Hart,	Metzler,	Shreiner,
Blumberg,	Heffernan,	Mohn,	Simon,
Brennan,	Heffner,	Moore,	Sowers,
Brown, W. L.,	Hewitt,	Myers,	Spann,
Carey,	Himes, L. R.,	Nothnagle,	Steedle,
Conner,	Horst,	O'Connor,	Stiteler,
Cooke,	Hough,	O'Rourke,	Storb,
Cordier,	Hutton,	Patterson,	Tahl,
Craig,	Jaffe,	Peelor,	Turner,
Davies,	Kane, L. P.,	Pennock,	Walker, G. E.,
Denning,	King,	Perry, D. R.,	Walker, W. A.,
Duffy,	Laubach,	Peters,	Wasserman,
Dwyer,	Lenahan,	Price,	Way,
Ederer,	Lewis,	Rectenwald,	Weidemann,
Emhardt,	Long,	Rice,	Westrick,
Fleisher,	Lord,	Root,	Wike,
Flynn,	Lose,	Roth,	Williams, J. J.,
Forrest,	Lynch, J. R.,	Royle,	Wilson, T. B.,
Gartner,	Malina,	Ruby,	Witkin,
Gillette,	Maloney,	Sarig,	Woodside,
Gorman,	McBride,	Sautter,	Wright,
Green,	McCandless,	Schrock,	Yeakel,
Greenstein,	McCreary,	Schwartz,	Zimmerman,
Griffith,	McElwee,	Scorza,	Talbot,
Habbyshaw,	McGregor,	Scott,	Speaker.
Haines,	McKay,		

NAYS—98

Andrews,	Flinchbaugh,	McClure,	Sheffer,
Baker,	Furman,	McGinnis,	Shellenberger,
Barnhardt,	Gallagher,	McGrail,	Shettel,
Bechtel,	Hamilton,	McHenry,	Shortz,
Beech,	Harmuth,	McKinney,	Shugarts,
Bernhard,	Hartman,	Melchiorre,	Sinwell,
Boyd,	Hefferon,	Meredith,	Snyder,
Brancato,	Hermansen,	Mumford,	Stank,
Brown, J. E.,	Hester,	Munley,	Sterling, P.,
Brownfield,	Hoffman,	Negley,	Sterling, R. B.,
Cannon,	Holmes, J. B.,	O'Keefe,	Stevens,
Caputo,	Holmes, J. L.,	O'Neill,	Stone,
Carson,	Hoopes,	Perry, J. J.,	Stott,
Chervenak,	Howard,	Powell,	Surface,
Cohen,	Jones,	Powers,	Terry,
Cramer,	Kane, J. J.,	Quinn,	Wade,
Dane,	Kinney,	Raub,	Wagner,
DeFrehn,	Labar,	Reed,	Wall,
Downey, G. E.,	Lane,	Reilly,	Welsh,
Downey, J.,	Lovett, J. E.,	Rhodes,	White,
Dunmire,	Lovett, W. S.,	Roan,	Williams, G. W.,
Eroe,	Lynch, M.,	Ruth,	Wilson, L. M.,
Evans,	Male,	Schrope,	Wood,
Fitzgerald,	Marcks,	Schwab,	Yourishin,
Flanagan,	Mason,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASON FOR VOTE

Mr. SHUGARTS filed the following reason for his vote in the negative.

While I am heartily in favor of economy I feel it a needless waste of time to pass a measure having the opposition that this measure has and which His Excellency the Governor has sworn to veto. I, therefore, vote no.

SENATE MESSAGE

The Clerk of the Senate being introduced presented extracts from the Journal of the Senate which were laid upon the table.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. It is unfortunate that on today's calendar there are twenty-five pages of third reading bills. The Chair is of opinion that it is necessary to have a session tonight so that we may not fall behind in the calendar. If it meets with the wishes of the members we are about to take a recess until 9:00 P. M.

RECESS

The SPEAKER. If there are no objections the Chair will declare a recess until 9.00 P. M. Are there objections? The Chair hears none, and (at 6.27 P. M.) declares a recess until 9.00 P. M.

AFTER RECESS

The House reconvened at 9.00 P. M.

The SPEAKER (Grover C. Talbot) in the Chair.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 4 1933.

Resolved,(if the House of Representatives concur), That Senate Bill No. 158 Printer's No. 214, entitled:

An Act to amend section six, as amended, and section eight of an act approved the twelfth day of July, one thousand nine hundred and thirteen (P. L. 719), entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation"; prohibiting persons from being candidates for more than one party nomination.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Represenetatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY THE SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution form the House of Representatives, as follows:

In the House of Representatives, April 4, 1933.

A few days ago the world learned that man in his eternal struggle for conquest of the last frontier, the upper elements, had successfully soared over the highest mountain;

Late news flashes of this morning stun us with the intelligence that the Akron, America's pride, the world's greatest dirigible, has gone down to destruction;

Among those apparently lost are Rear Admiral William A. Moffett, Chief of the Bureau of Aeronautics of the United States Navy, as well as other Navy and Army officers, and the officers and crew of that magnificant ship;

The names of these illustrious men are added thereby to the terrible total of heroes who have given their lives that man may fre himself from the natural shackles to which man was born and which, God-like, he will ever struggle to break, at whatever cost;

Since this must be and man must suffer if man will conquer, and if we of the present be worthy of our forefathers who, at the price of death and over many years have forced humanity upwards to be the controller of its destiny and not the slave of its environment, it is for us only to view with pride sorow and sacrifice of the pathfinders, therefore be it

Resolved (If the Senate concur), That the General Assembly of the Commonwealth of Pennsylvania by this resolution seeks to express in a poor way its pride in America's gallant dead, its sorrow in Ameria's overwhelming loss, and its solemn faith that they have not died in vain, and that America, in the future, as in the past, will falter not, nor count the cost, in the age-long battle to make man truly the conqueror.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 70.

An Act to amend sections sixty-nine and seventy-one of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred ninety-four) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by increasing the obligation of the Commonwealth in the construction of certain structures located on such highways

Said bill haveing been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendmends the Senate has concurred.

REPORTS FROM COMMITTEES

Mr. SPANN, from the Commitee on Judiciary General, reported as committed, House Bill No. 1640, entitled:

An Act to amend section forty-five of the act approved the fifteenth day of June, one thousand nine hundred and twenty-three (P. L. 809), entitled "An act relating to the organization, maintenance, and operation of the Department of Banking, and the scope of its supervision and control over corporations, partnerships, unincorporated associations, and individuals, and the assets and liabilities thereof; providing penalties for the enforcement of its provisions and repealing the Banking Department Act of nineteen hundred and nineteen, with table of contents," as amended, requiring accounts filed by the Secretary of Banking in the office of the prothonotary, to be recorded.

Mr. PHILIP STERLING, from the Committee on Judiciary General, reported as amended, House Bill No. 395, entitled:

An Act restricting the right of married men to mortgage the homestead.

Mr. O'CONNOR, from the Committee on Judiciary Special, reported as committed, House Bill No. 2071, entitled:

An Act to amend section one of the act, approved the nineteenth day of May, one thousand eight hundred and eighty-seven (P. L. 130), entitled "An act to provide civil rights for all people, regardless of race or color, extending provisions of said act so as to include agents, employes, and motion picture houses; and providing penalties.

Mr. FLANAGAN, from the Commitee on Judiciary Special, reported as committed, House Bill No. 1403, entitled:

An Act authorizing the stay of eviction proceedings under certain circumstances.

Mr. BENNETT, from the Committee on Judiciary Special, reported as committed, House Bill No. 1564, entitled:

An Act to amend section one of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 883), entitled, "An act relating to the proceedings where goods or chattels have been levied upon or seized by the sheriff, and claimed to belong to others than the defendant in the execution or process, and relieving the sheriff from liability therfor," by prescribing procedure upon rules for interpleaders.

Mr. HART, from the Committee on Judiciary Special, reported as committed, House Bill No. 1248, entitled:

An Act authorizing the publication of legal and official advertising and notices in Sunday newspapers of general circulation.

Mr. McCANDLESS, from the Commitee on Agricutlure, reported as amended, House Bill No. 1134 (Senate Bill No. 363), entitled:

An Act to amend sections one, two, four, five, six and seven of the act, approved the first day of June, one thousand nine hundred and fifteen (P. L. 678), entitled "An act to regulate the sale for agricultural purpose of crushed limestone, lime, gypsum, and related products; defining said products; and prescribing penalties for the violation of this act," extending the provisions of said acts so as to regulate the sale of all "liming materials for agricultural purposes," defining said term, and giving the Secretary of Agriculture power in certain cases to revoke licenses issued under this act.

BILL ON THIRD READING

Mr. PHILIP STERLING. Mr. Speaker, I desire at this time to call from the postponed calendar, House Bill No. 1653, Printer's No. 371.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Philip Sterling.

The House resumed the consideration on third reading of House Bill No. 1653, entitled:

An Act to amend Sections one three and four of the act approved the first day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred seventen) entitled "An act fixing the number compensation mileage and duties of the officers and employes of the General Assembly and providing for their election or appointment term of office and manner of filling vacancies" by changing the number o. employes of the General Assembly

On the question,

Will the House agree to the bill on third reading?

RECONSIDERATION OF VOTE

Mr. STERLING. Mr. Speaker, I move that the vote by which the House agreed to transcribe this bill for third reading be reconsidered.

The motion was agreed to.

Mr. STERLING. Mr. Speaker, I move that the vote by which the House agreed to this bill on second reading be reconsidered.

The motion was agreed to.

Mr. STERLING. Mr. Speaker, I move that the vote by which the House agreed to the title of this bill be reconsidered.

The motion was agreed to.

Mr. STERLING. Mr. Speaker, I move that the vote by which the House agreed to Sections two and three be reconsidered.

The motion was agreed to.

The second section was read as follows:

Section 2 That Section three of said act is hereby amended to read as follows

Section 3 From and after June thirtieth one thousand nine hundred and nineteen the compensation of the officers and employes of the General Assembly hereinbefore provided for shall be as follows to wit The President pro tempore of the Senate and the Speaker of the House of Representatives in addition to their salaries as members of the Legislature shall each receive one thousand dollars for each regular biennial session and five hundred dollars for each Special or Extraordinary Session the secretary of the Senate shall receive the sum of seven thousand five hundred dollars per annum the chief clerks shall each receive six thousand dollars per annum the assistant clerks of the Senate and House of Representatives shall each receive two thousand dollars for each regular biennial session and ten dollars per diem for each Special or Extraordinary Session and one hundred and seventy-five dollars per month during the interim between legislative sessions the librarian ot the Senate and the resident clerk of the House of Representatives shall each receive four thousand five hundred dollars per annum the assistant librarian of the Senate and the assistant resident clerk of the House of Representatives shall each receive three thousand six hundred dollars per annum the journal and reading clerks shall each receive two thousand dollars for each regular biennial session and ten dollars per diem for each Special or Extraordinary Session the desk clerks assistant reading clerks assistant journal clerks and executive clerk shall each receive eighteen hundred dollars for each regular biennial session and ten dollar per diem for each Special or Extraordinary Session For each regular biennial special or extraordinary session the message clerks sergeants-at-arms and the clerks having in charge the preparation of the Senate and House histories shall each receive eight dollars per diem for each regular biennial Special or Extraordinary Session the assistant to the secretary of the Senate shall receive ten dollars per diem and two hundred dollars per month during the interim between legislative sessions for each regular biennial Special or Extraordinary Session the stenographers to the Senate librarian and the stenographer to the resident clerk shall each receive eight dollars per diem and one hundred and fifty dollars per month during the interim between legislative sessions for each regular biennial special or extraordinary session the clerks in the transcribing rooms the clerks to committees chaplains clerks to President pro tempore and Speaker postmasters chief assistant sergeant-at-arms stenographer to the President pro tempore stenographer to the Speaker of the House stenographers to the chief clerks superintendents of folding rooms and the assistant sergeant-at-arms shall each receive seven dollars per diem for each regular biennial Special or Extraordinary Session the assistant postmasters messengers assistant messengers and pasters and folders [the custodians of committee rooms and the custodian of the washroom or the House of Representatives] shall each receive six dollars per diem the superintendents of the storerooms of the Senate and House of Representatives shall each receive two thousand four hundred dollars per annum the messenger in the Senate library and the messenger in the library of the House of Representatives shall each receive twelve hundred dollars per annum the custodian of the Senate Chamber and the custodian of the hall of the House of Representatives the watchman of both Houses the custodian of the washroom of the Senate and the custodian of the basement of the Senate [and the custodian of the basement of the House of Representatives] shall each receive the sum of one hundred and fifty dollars per month for each regular biennial special or extraordinary session the assistant custodians of the Senate Chamber and the hall of the House of Representatives shall

each receive three dollars per diem and seventy-five dollars per month during the interim between legislative sessions for each regular biennial special or extraordinary Session [the page to the President] the page to the President pro tempore the Speaker's page and the chief pages shall each receive three dollars per diem and the pages shall each receive two dollars pr diem [the clerk to the President shall receive fifteen hundred dollars per annum and the stenographer to the President shall receive one thousand two hundred dollars per annum]

On the question,

Will the House agree to the section?

Mr. PHILIP STERLING. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 2, page 6, lines 25 and 26, by striking out with light faced brackets the words "two thousand four hundred dollars per annum" and insert in lieu thereof "the salary now provided by law."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section and the title were separately read and agreed to as follows:

Section 3. That Section four of said act is hereby amended to read as follows:

Section 4 In addition to the officers and employes herein specified the chief clerk of the Senate is hereby authorized to appoint for the session not more than [four] six stenographers for the use of the members and officers of the Senate and the chief clerk of the House of Representatives is herby authorized to appoint for the session not more than [six] eight stenographers for the use of the members and officers of the House of Representatives The salary of each of the stenographers specified in this section shall be five dollars per diem

An Act to amend Sections 1, 3 and 4 of the act approved the first day of July, one thousand nine hundred and nineteen (Pamphlet Laws, seven hundred and seventeen), entitled "An act fixing the number ,compensation, mileage, and duties of the officers and employes of the General Assembly, and providing for their election or appointment, term of office, and manner of filling vacancies" by changing the number of employes of the General Assembly.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING

Mr. PHILIP STERLING asked and obtained unanimous consent to call out of order House Bill No. 1665, Printer's No. 350, on page 36 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1665, entitled:

An Act to repeal sections 6 and 8 and to amend sections 2, 4, and 11 of the act approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (Pamphlet Laws, four hundred fifty) entitled "An act relating to fires and fire prevention; imposing duties and conferring powers upon the State Police; authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said State Police, and defining their powers and duties; providing for the investigation of the cause, origin, and circumstances of fires and the inspection of all, and the removal or change of, certain buildings; imposing duties on school authorities and on certain corporations, associations, and fire rating agencies; providing for the attendance of witnesses before the said State Police, and the enforcement of its orders; and prescribing penalties" by requiring only reports of incendiary fires to be filed with the Pennsylvania State Police and eliminating the compiling of statistics of fires and fire losses by the Pennsylvania State Police.

On the question,

Will the House agree to the bill on third reading?

Mr. PHILIP STERLING. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER The amendments will be read by the Clerk for information

The Clerk read the amendments as follows:

Amend section 1, page 2, line 4, by striking out the words "section two" and insert in lieu thereof: "sections six and eight."

Amend section 1, page 2, lines 18 and 19, by striking out the words "is hereby amended to read as follows" and insert in lieu thereof: "be and the same are hereby repealed."

Amend section 2, page 2, lines 20 to 24 by striking out all of said lines, both inclusive.

Amend bill, section 2, page 3, lines 1 to 29, by striking out all of said lines, both inclusive.

Amend bill, section 2, page 4, lines 1 to 29, by striking out all of said lines, both inclusive.

Amend bill, section 2, page 5, lines 1 to 23, by striking out all of said lines, both inclusive.

Amend section 3, page 5, lines 24 to 29, by striking out all of said lines, both inclusive.

Amend bill, section 3, page 6, lines 1 to 29, by striking out all of said lines, both inclusive.

Amend bill, section 3, page 7, lines 1 to 6, by striking out all of said lines, both inclusive.

Amend section 4, page 7, lines 7 and 8, by striking out both of said lines inclusive.

Amend section 5, page 7, lines 9 and 10, by striking out the words "upon the date of its final enactment" and insert in lieu thereof: "on the first day of June, one thousand nine hundred and thirty-three."

Amend title, page 1, lines 1 and 2, by striking out the words "and to amend sections two, four and eleven."

Amend title, page 2, line 1 of title on page, by striking out the words: "by requiring only."

Amend title(page 2, lines 2, 3, 4 and 5, of title on page, by striking out all of said lines.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

RECONSIDERATION OF VOTE

Mr. WITKIN. Mr. Speaker, I move that the vote by which the House agreed to transcribe House Bill No. 2081, Senate Bill No. 645, Printer's No. 189, entitled

An Act to amend section five of the act approved the nine-tenth day of August one thousand nine hundred and thirty-two (Pamphlet Laws ninety-two) entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors as herein defined prescribing the method and manner of collecting such tax and providing penalties" extending the time for payment of the emergency relief sales tax by extending the time of payment of said tax under certain circumstances

for third reading be reconsidered.

The motion was agreed to.

Mr. WITKIN. Mr. Speaker, I move that the vote by which the House agreed to the bill on second reading.

The motion was agreed to.

Mr. WITKIN. Mr. Speaker, I move that the vote by which the House agreed to the title be reconsidered.

The motion was agreed to.

Mr. WITKIN. Mr. Speaker, I move that the vote by which the House agreed to the first section be reconsidered.

The motion was agreed to.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of the act approved the nineteenth day of August one thousand nine hundred and thirty-two (Phamphlet Laws ninety-two) entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors as herein defined prescribing the method and manner of collecting such tax and providing penalties" is hereby amended to read as follows

Section 5 Assessment and Payment of Tax Every vendor at the time of making the return required under section 4 shall compute and pay to the department the tax due to the Commonwealth by him for the preceeding six months' period The amount of all taxes imposed under the provisions of this act shall be due and payable at the time the return for such six months' period is required to be filed with the department by this act unless the vendor shall notify the department that he desires an extension of time to pay said tax and agrees therein to pay said tax in four equal instalments on the first and fifteenth day of April and the first and fifteenth day of May Any such instalment of tax not paid on or before the dates specified herein shall be subject to the payment of interest at the rate of eight per centum per annum from such dates

On the question,

Will the House agree to the section?

Mr. WITKIN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Section 1, page 2, line 14 by striking out the word "four" an inserting in lieu thereof the word "two"

Amend Section 1, page 2, line 15, by striking out the words "and fifteenth"

Amend Section 1, page 2, line 15 by striking out the words "first and" at the end of said line 15.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section five of the act approved the nineteenth day of August, one thousand nine hundred and thirty-two (P. L. 92), entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors, as herein defined; prescribing the method and manner of collecting such tax; and providing penalties;" extending the time for payment of the emergency relief sales tax by extending the time of payment of said tax under certain circumstances.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1800, entitled:

An Act providing for the control and eradication of white pine blister rust; providing for the destruction of trees, plants and bushes infected with the white pine blister rust; authorizing the Department of Forests and Waters to remove, appraise and pay for healthy host plants necessarily destroyed; declaring certain plants and bushes to be a public nuisance; authorizing the Department of Forests and Waters to set aside fruiting currant and gooseberry and white pine growing districts as control areas; authorizing the collection of the expense of destroying the plants from owners failing to destory; and providing penalties for its violation.

And said bill having been read at length the third time, considered and agreed to.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—169

Andrews,	Green,	McCreary,	Scorza,
Baker,	Greenstein,	McElwee,	Scott,
Baldi,	Griffith,	McGinnis,	Sheffer,
Barnhardt,	Habbyshaw,	McGrail,	Shellenberger,
Bechtel,	Haines,	McGregor,	Shenkel,
Bennett,	Hamilton,	McHenry,	Shettel,
Bernhard,	Harmuth,	McKay,	Shortz,
Blumberg,	Hart,	McKinney,	Shreiner,
Boyd,	Hartman,	Melchiorre,	Shugarts,
Brancato,	Heffernan,	Meredith,	Simon,
Brennan,	Hefferon,	Merrell,	Sinwell,
Brown, J. E.,	Heffner,	Metzler,	Snyder,
Brown, W. L.,	Hermansen,	Moore,	Sowers,
Brownfield,	Hewitt,	Mumford,	Spann,
Caputo,	Hoffman,	Munley,	Stank,
Carey,	Holmes, J. L.,	Myers,	Steedle,
Carson,	Hoopes,	Negley,	Sterling, R. B.,
Cohen,	Horst,	Nothnagle,	Stevens,
Conner,	Hough,	O'Connor,	Stone,
Cooke,	Howard,	O'Keefe,	Storb,
Cordier,	Jaffe,	O'Neill,	Stott,
Craig,	Jones,	O'Rourke,	Surface,
Cramer,	Kane, J. J.,	Patterson,	Tahl,
Dane,	Kane, L. P.,	Peelor,	Terry,
Davies,	King,	Pennock,	Turner,
DeFrehn,	Kinney,	Perry, D. R.,	Wagner,
Downey, G. E.,	Labar,	Perry, J. J.,	Walker, G. E.,
Downey, J.,	Lane,	Peters,	Walker, W. A.,
Duffy,	Laubach,	Powell,	Wasserman,
Dunmire,	Lenahan,	Powers,	Way,
Dwyer,	Lewis,	Price,	Weidemann,
Ederer,	Long,	Raub,	Welsh,
Emhardt,	Lord,	Rectenwald,	Westrick,
Eroe,	Lose,	Reed,	Wike,
Evans,	Lovett, J. E.,	Reilly,	Williams, G. W.,
Fitzgerald,	Lovett, W. S.,	Rhodes,	Wilson, T. B.,
Fleisher,	Lynch, J. R.,	Rice,	Witkin,
Flinchbaugh,	Male,	Roan,	Wood,
Flynn,	Malina,	Root,	Woodside,
Forrest,	Maloney,	Roth,	Wright,
Furman,	Marcks,	Ruby,	Yeakel,
Gallagher,	Mason,	Ruth,	Zimmerman,
Gartner,	McBride,	Sarig,	Talbot,
Gillette,	McCandless,	Schrope,	Speaker.
Gorman,	McClure,	Schwab,	

NAYS—6

Hutton,	Schrock,	Wade,	Wall,
			Williams, J. J.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading an conisderation of House Bill No. 1565, as follows:

An Act to amend that portion of section one relating to Lehigh County of the act approved the tenth day of May one thousand nine hudred and twenty-one (Pamphlet Laws four hundred fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to

apportion the State into representative districts as provided by the Constitution" r earanging the legislative districts, in Lehigh County

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the portion of section one relating to Lehigh County of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution" is hereby amended to read as follows

The County of Lehigh shall elect three members and shall be divided into two districts as follows

The City of Allentown shall constitute the first district and elect two members The territory annexed to the City of Allentown since the passage of the act to which this is an amendment shall constitute a part of the city district

The residue of the County of Lehigh not included in the first district shall constitute the second district and elect one member

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—172

Andrews,	Gallagher,	Malina,	Sheffer,
Baker,	Gartner,	Maloney,	Shellenberger,
Baldi,	Gillette,	Marcks,	Shenkel,
Barnhardt,	Gorman,	Mason,	Shettel,
Bechtel,	Green,	McBride,	Shortz,
Beech,	Greenstein,	McCandless,	Shreiner,
Bennett,	Griffith,	McClure,	Shugarts,
Bernhard,	Habbyshaw,	McCreary,	Simon,
Blumberg,	Haines,	McElwee,	Sinwell,
Boyd,	Hamilton,	McGinnis,	Snyder,
Brancato,	Harmuth,	McGrail,	Sowers,
Brennan,	Harris,	McHenry,	Spann,
Brown, J. E.,	Hart,	McKay,	Stank,
Brown, W. L.,	Hartman,	McKinney,	Steedle,
Cannon,	Heffernan,	Melchiorre,	Stevens,
Caputo,	Heffner,	Meredith,	Stiteler,
Carey,	Hermansen,	Merrell,	Stone,
Carson,	Hester,	Metzler,	Storb,
Chervenak,	Hewitt,	Mohn,	Stott,
Cohen,	Himes, L. R.,	Mumford,	Surface,
Conner,	Hoffman,	Myers,	Tahl,
Cooke,	Holmes, J. B.,	Negley,	Terry,
Cordier,	Holmes, J. L.,	O'Connor,	Turner,
Craig,	Hoopes,	Powers,	Wade,
Dane,	Hough,	Price,	Wagner,
Davies,	Howard,	Raub,	Walker, G. E.,
DeFrehn,	Hutton,	Rectenwald,	Walker, W. A.,
Denning,	Jaffe,	Reed,	Wall,
Downey, G. E.,	Jones,	Reilly,	Wasserman,
Downey, J.,	Kane, J. J.,	Rhodes,	Way,
Duffy,	Kane, L. P.,	Rice,	Weidemann,
Dunmire,	King,	Roan,	Welsh,
Dwyer,	Kinney,	Root,	Westrick,
Ederer,	Labar,	Roth,	White,
Emhardt,	Laubach,	Ruby,	Wike,
Eroe,	Lenahan,	Ruth,	Williams, G. W.,
Evans,	Lewis,	Sarig,	Williams, J. J.,
Fitzgerald,	Long,	Sautter,	Wilson, L. M.,
Flanagan,	Lord,	Schrock,	Witkin,
Fleisher,	Lose,	Schrope,	Wood,
Flinchbaugh,	Lovett, J. E.,	Schwab,	Wright,
Flynn,	Lovett, W. S.,	Schwartz,	Yeakel,
Forrest,	Lynch, M.,	Scorza,	Zimmerman,
Furman,	Male,	Scott,	Talbot, Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1025, entitled:

An Act giving courts of common pleas jurisdiction of actions for injuries to, or breaches of contracts or covenants relative to, lands situate without the Commonwealth, or estates or interests in such lands.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—172

Andrews,	Gillette,	Maloney,	Ruby,
Baker,	Gorman,	Marcks,	Sarig,
Baldi,	Green,	Mason,	Sautter,
Barnhardt,	Greenstein,	McBride,	Schrock,
Bechtel,	Griffith,	McCandless,	Schrope,
Bernhard,	Habbyshaw,	McClure,	Schwartz,
Blumberg,	Haines,	McCreary,	Scorza,
Boyd,	Hamilton,	McElwee,	Scott,
Brancato,	Harris,	McGinnis,	Sheffer,
Brennan,	Hart,	McGrail,	Shellenberger,
Brown, J. E.,	Hartman,	McHenry,	Shenkel,
Brown, W. L.,	Heffernan,	McKay,	Shettel,
Brownfield,	Hefferon,	McKinney,	Shortz,
Cannon,	Heffner,	Melchiorre,	Shreiner,
Caputo,	Hermansen,	Meredith,	Simon,
Carson,	Hester,	Merrell,	Sinwell,
Chervenak,	Hewitt,	Metzler,	Snyder,
Cohen,	Himes, L. R.,	Mohn,	Sowers,
Conner,	Hoffman,	Moore,	Spann,
Cooke,	Holmes, J. B.,	Mumford,	Steedle,
Cordier,	Holmes, J. L.,	Munley,	Sterling, R. B.,
Craig,	Hoopes,	Myers,	Stevens,
Cramer,	Horst,	Negley,	Stone,
Davies,	Hough,	Nothnagle,	Storb,
DeFrehn,	Howard,	O'Connor,	Stott,
Denning,	Hutton,	O'Keefe,	Surface,
Downey, G. E.,	Jaffe,	O'Neill,	Terry,
Downey, J.,	Jones,	Patterson,	Turner,
Duffy,	Kane, I. P.,	Peelor,	Wagner,
Dunmire,	King,	Pennock,	Wall,
Dwyer,	Kinney,	Perry, D. R.,	Wasserman,
Ederer,	Labar,	Perry, J. J.,	Welsh,
Emhardt,	Lane,	Peters,	White,
Eroe,	Laubach,	Powell,	Wike,
Evans,	Lenahan,	Powers,	Williams, G. W.,
Fitzgerald,	Lewis,	Price,	Wilson, T. B.,
Flanagan,	Long,	Quinn,	Witkin,
Fleisher,	Lord,	Reed,	Wood,
Flinchbaugh,	Lose,	Reilly,	Woodside,
Flynn,	Lovett, W. S.,	Rhodes,	Wright,
Forrest,	Lynch, J. R.,	Rice,	Yeakel,
Furman,	Lynch, M.,	Roan,	Yourishin,
Gallagher,	Male,	Roth,	Zimmerman,
Gartner,	Malina,	Royle,	Talbot, Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1810, entitled:

An Act to repeal the act approved the twelfth day of June, one thousand nine hundred and seven (Pamphlet Laws, five hundred and twenty-seven), entitled "An act establishing precautionary regulations to prevent forest fires on lands in which oil wells and gas wells are situated, and diminish danger therefrom; making certain violations thereof misdemeanors and prescribing punishment for the same, and in other cases affixing penalties and declaring liabilities for damages."

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WILSON. Mr. Speaker, I would greatly appeciate it if the sponsor of this bill would explain to this House what the bill is and the necessity for it.

Mr. GRIFFITH. Mr. Speaker and members of the House, this bill was introduced by request of the Department of Forests and Waters. It simply repeals a law that has lost its usefulness.

As the Department has explained, while it costs nothing, of course, for it to remain on the statutes, as a matter of clarifying the records it asks that it be removed. Those sections that were protected under this law are now taken care of by other laws and reguations, and it is simply a mater of clearing the records.

Mr. WILSON. Mr. Speaker and members of the House, I do not mean to say that the gentlemen in the House who represent oil districts in this state will eventually oppose this bill, but millions of dollars are invested in that industry, and unless we are taken care of in other laws, we do not want this bill to pass until we know how we are protected. I am, therefore, asking the sponsor if he would be willing to place this bill on the postponed calendar until we make an investigation. It may be that we shall have no investigation but on the face of it it looks to me as if our fire protection is taken away from us.

The SPEAKER. Is the gentleman from McKean interrogating the gentleman from Somerset, the sponsor of this bill?

Mr. WILSON. Yes, Mr. Speaker. Is the sponsor of this bill satisfied to put this bill onthe postponed calendar until we can make an investigation and find out whether the oil industry of Pennsylvania is adversely affected by this bill?

Mr. GRIFFITH. Mr. Speaker, I would answer the gentleman in this way: I certainly would not object to it, because this bill is of no more particular interest to me than it is to any other member in this House. I want to say that when this bill was brought into committee, there was a member that raised obection. He went along with me to the department and looked into the matter, and he was satisfied, and the bill was then introduced in the House. So, it is perfectly satisfactory to me.

Mr. WILSON. Would the gentleman make a motion to put it on the postponed calendar.

The SPEAKER. Is the gentleman from McKean, interrogating gentleman from Somerset?

Mr. GRIFFITH. Mr. Speaker, I move that this bill be placed on the postponed calendar.

On the question,

Will the House agree to the motion?

It was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1806, entitled:

An act to eliminate reckless and irresponsible drivers from the public highways and to protect the safety of users of the public highways by providing in certain cases for the suspension and revocation of operator's licenses and privileges (whether resident or non-resident) and for the establishment of ability to respond in damages for injury to property and persons including injuries resulting in death caused by the use or operation of motor vehicles (including unlicensed operators and unregistered motor vehicles) conferring powers and imposing duties upon the Department of Revenue the Insurance Commissioner insurance carriers and clerks of the courts requiring certain provisions in motor vehicle liability insurance policies and providing penalties.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. PHILIP STERLING. Mr. Speaker. I desire to interogate the gentleman from Philadelphia, Mr. Blumberg.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Blumberg, permit himself to be interrogated?

Mr. BLUMBERG. Mr. Speaker, I will.

Mr. PHILIP STERLING. Mr. Speaker. will the gentleman from Philadelphia, Mr. Blumberg, explain at length the provisions of this bill?

Mr. BLUMBERG. I would suggest, Mr. Speaker, that if the gentleman from Philadelphia wants this bill explained at length, he might take the time and trouble to read the bill, but if the gentleman from Philtdelphia does want me to give the condensed purport of the bill, I will be glad to do so.

Mr. PHILIP STERLING. Mr. Speaker, I have read the bill, but I yield to the legal sagacity of my friend, and I would like very much to have him give the House the benefit of his profundity.

The SPEAKER. Does the gentleman from Philadelphia, Mr. Blumberg, yield to the gentleman from Philadelphia, Mr. Sterling.

Mr. BLUMBERG. I do, Mr. Speaker, and I accept the compliment also.

Mr. HOUGH. Mr. Speaker, I would like to raise the point whether the gentleman——

The SPEAKER. Is the gentleman interrogating?

Mr. HOUGH. No, I just wanted to raise the point whether the gentlemen are lawyers or only think they are.

Mr. STERLING. Mr. Speaker and members of the House, seriously this is an important measure, and I think that the House is entitled to receive at least some explanation of the purposes of the bill from Mr. Blumberg. I think that the bill is sufficiently important to justify the time of the House and I renew my request.

The SPEAKER. Does the gentleman from Philadelphia, Mr. Sterling, desire to interrogate gentleman from Philadelphia, Mr. Blumberg, to bring out the point in question?

Mr. STERLING. Mr. Speaker, I would appreciate it if my friend from Philadelphia would proceed to explain the purposes of the bill.

Mr. BLUMBERG. Mr. Speaker and members of the House, for the information of the gentleman from Philadelphia, and those of you who are interested may I say that this bill represents an attempt along certain lines to eliminate irresponsible, reckless drivers.

For a long time not only in this state but in a great many other states it was believed that compulsory insurance would eliminate reckless driving. It has been tried in many states, but unfortunately has not produced the desired result. The bill, however, has been tried, and it is the behalf of those who are interested in eliminating reckless drivers that this is the finest step that can be taken toward that end. The bill does this: it provides that any person whose operator's license or privilege has been revoked for a period of not in excess of three months due to any violation of the automobile code before that unlicensed driver may have his revocation or suspended license renewed he must furnish proof of financial

responsibility. As you know, under the automobile code a man's license may be revoked for any one of a number of reasons. A few of them, driving while intoxicated, hit and run driving, failing to stop and render assistance, driving an unregistered automobile and so on, or when he has pleaded guilty to a violation of any of the provisions set forth in the automobile code. Where that license has been revoked for a period in excess of three months then the license can be reinstated by the Department of Highways upon proof of financial responsibility offered. The bill provides that proof must consist of an insurance liability policy to the extent of five thousand dollars for death or injury to two or more persons arising out of the same accident.

That, ladies and gentlemen, is the purport of the bill.

I believe it is important bill. I do not believe that it is possible to pass at this session of the legislature, and I say that as a result of my experience in other sessions, a bill which would tend to make compulsory insurance to be carried by all licensed drivers. This bill is striking at the man who has proven by his own act to be reckless and irresponsible. I, therefore, ask you to support the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—179

Andrews,	Harris,	McHenry,	Sheffer,
Baldi,	Hart,	McKay,	Shellenberger,
Beech,	Hartman,	McKinney,	Shenkel,
Bennett,	Heffernan,	Melchiorre,	Shettel,
Bernhard,	Hefferon,	Meredith,	Shreiner,
Blumberg,	Hermansen,	Metzler,	Shugarts,
Boyd,	Hester,	Mohn,	Simon,
Brancato,	Hewitt,	Moore,	Sinwell,
Brennan,	Himes, L. R.,	Mumford,	Snyder,
Brown, J. E.,	Hoffman,	Myers,	Sowers,
Brownfield,	Holmes, J. L.,	Negley,	Spann,
Cannon,	Hoopes,	Nothnagle,	Stank,
Caputo,	Horst,	O'Connor,	Steedle,
Carey,	Hough,	O'Keefe,	Sterling, R. B.,
Carson,	Howard,	O'Neill,	Stevens,
Conner,	Hutton,	O'Rourke,	Stiteler,
Cooke,	Jaffe,	Patterson,	Stone,
Cordier,	Jones,	Peelor,	Storb,
Craig,	Kane, J. J.,	Pennock,	Stott,
Davies,	Kane, L. P.,	Perry, D. R.,	Surface,
DeFrehn,	King,	Perry, J. J.,	Tahl,
Denning,	Kinney,	Peters,	Terry,
Downey, G. E.,	Lane,	Powell,	Turner,
Duffy,	Laubach,	Powers,	Wade,
Dunmire,	Lenahan,	Price,	Walker, W. A.,
Dwyer,	Lewis,	Quinn,	Wall,
Ederer,	Long,	Raub,	Wasserman,
Emhardt,	Lord,	Rectenwald,	Way,
Evans,	Lose,	Reed,	Weidemann,
Flanagan,	Lovett, J. E.,	Reilly,	Welsh,
Fleisher,	Lovett, W. S.,	Rhodes,	Westrick,
Flinchbaugh,	Lynch, J. R.,	Rice,	White,
Flynn,	Lynch, M.,	Roan,	Wike,
Forrest,	Male,	Roth,	Williams, G. W.,
Furman,	Malina,	Ruby,	Williams, J. J.,
Gallagher,	Maloney,	Ruth,	Wilson, L. M.,
Gartner,	Marcks,	Sarig,	Wilson, T. B.,
Gillette,	McBride,	Sautter,	Witkin,
Green,	McCandless,	Schrock,	Wood,
Greenstein,	McCreary,	Schrope,	Woodside,
Griffith,	McElwee,	Schwab,	Wright,
Habbyshaw,	McGinnis,	Schwartz,	Yeakel,
Haines,	McGrail,	Scorza,	Zimmerman,
Hamilton,	McGregor,	Scott,	Talbot, Speaker.

NAYS—1

Baker,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERRMISSION GRANTED COMMITTEE TO SIT DURING SESSION OF THE HOUSE

Mr. WITKIN asked and obtained permission of the House for the Committee on Ways and Means to sit during the session of the House to consider House Bills Nos. 263, 264, 1777 and 1779.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1415, entitled:

An Act imposing penalties for improper use of food orders issued by or under the authority of the State Emergency Relief Board, or any poor board or other relief agency and improper furnishing of money, food and other merchandise thereon.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176

Andrews,	Greenstein,	McGrail,	Shellenberger,
Baker,	Griffith,	McGregor,	Shettel,
Baldi,	Habbyshaw,	McHenry,	Shortz,
Barnhardt,	Haines,	McKay,	Shreiner,
Bechtel,	Hamilton,	McKinney,	Shugarts,
Beech,	Harmuth,	Melchiorre,	Simon,
Bennett,	Harris,	Merrell,	Sinwell,
Bernhard,	Hart,	Metzler,	Snyder,
Blumberg,	Heffernan,	Mohn,	Sowers,
Boyd,	Hefferon,	Moore,	Spann,
Brancato,	Heffner,	Mumford,	Stank,
Brennan,	Hermansen,	Munley,	Steedle
Brown, W. L.,	Hester,	Myers,	Sterling, P.,
Brownfield,	Hewitt,	Negley,	Sterling, R. B.,
Cannon,	Hoffman,	Nothnagle,	Stevens,
Caputo,	Holmes, J. B.,	O'Connor,	Stone,
Carey,	Holmes, J. L.,	O'Neill,	Storb,
Chervenak,	Hoopes,	O'Rourke,	Stott,
Cohen,	Hough,	Patterson,	Surface,
Conner,	Howard,	Peelor,	Tahl,
Cooke,	Hutton,	Pennock,	Terry,
Craig,	Jaffe,	Perry, D. R.,	Turner,
Cramer,	Kane, J. J.,	Perry, J. J.,	Wade,
Dane,	Kane, L. P.,	Peters,	Wagner,
Davies,	King,	Powell,	Walker, G. E.,
DeFrehn,	Kinney,	Price,	Wall,
Denning,	Labar,	Quinn,	Wasserman,
Downey, J.,	Lane,	Raub,	Way,
Duffy,	Laubach,	Rectenwald,	Weidemann,
Dunmire,	Lenahan,	Reed,	Welsh,
Dwyer,	Lewis,	Reilly,	Westrick,
Ederer,	Long,	Rice,	White,
Emhardt,	Lord,	Roan,	Wike,
Eroe,	Lovett, J. E.,	Root,	Williams, G. W.,
Evans,	Lovett, W. S.,	Ruby,	Williams, J. J.,
Fitzgerald,	Lynch, J. R.,	Ruth,	Wilson, L. M.,
Fleisher,	Male,	Sarig,	Wilson, T. B.,
Flinchbaugh,	Malina,	Sautter,	Wood,
Flynn,	Maloney,	Schrock,	Wright,
Forrest,	Marcks,	Schrope,	Yeakel,
Furman,	Mason,	Schwab,	Yourishin,
Gallagher,	McBride,	Schwartz,	Zimmerman,
Gartner,	McClure,	Scott,	Talbot,
Gorman,	McCreary,	Sheffer,	Speaker.
Green,	McGinnis,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 860, entitled:

An Act conferring jurisdiction on the Municipal Court of Philadelphia with respect to civil proceedings arising in magistrates' courts providing for the filing of transcripts of judgments entered by magistrates in said court and validating proceedings heretofore filed in said court.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180

Baldi,	Green,	McClure,	Shellenberger,
Barnhardt,	Greenstein,	McCreary,	Shenkel,
Bechtel,	Griffith,	McElwee,	Shettel,
Beech,	Habbyshaw,	McGinnis,	Shortz,
Bennett,	Haines,	McGrail,	Shreiner,
Bernhard,	Hamilton,	McGregor,	Shugarts,
Blumberg,	Harmuth,	McHenry,	Simon,
Boyd,	Harris,	Melchiorre,	Sinwell,
Brancato,	Hart,	Merrell,	Snyder,
Brennan,	Hartman,	Metzler,	Sowers,
Brown, J. E.,	Heffernan,	Mohn,	Spann,
Brown, W. L.,	Hefferon,	Moore,	Stank,
Brownfield,	Heffner,	Mumford,	Steedle,
Cannon,	Hermansen,	Munley,	Sterling, P.,
Caputo,	Hester,	Myers,	Stevens,
Carey,	Hewitt,	Negley,	Stiteler,
Carson,	Hoffman,	Nothnagle,	Stone,
Chervenak,	Holmes, J. B.,	O'Connor,	Storb,
Cohen,	Holmes, J. L.,	O'Keefe,	Stott,
Conner,	Hoopes,	O'Neill,	Surafce,
Cooke,	Horst,	O'Rourke,	Tahl,
Cordier,	Howard,	Peelor,	Terry,
Craig,	Hutton,	Pennock,	Turner,
Cramer,	Jaffe,	Perry, D. R.,	Wade,
Dane,	Jones,	Perry, J. J.,	Wagner,
Davies,	Kane, J. J.,	Peters,	Walker, G. E.,
DeFrehn,	Kane, L. P.,	Powell,	Walker, W. A.,
Denning,	King,	Powers,	Wall,
Downey, J.,	Kinney,	Price,	Wasserman,
Duffy,	Lane,	Quinn,	Way,
Dunmire,	Laubach,	Reed,	Weidemann,
Dwyer,	Lenahan,	Reilly,	Welsh,
Ederer,	Lewis,	Rice,	White,
Eroe,	Long,	Roan,	Wike,
Evans,	Lord,	Root,	Williams, G. W.,
Fitzgerald,	Lose,	Roth,	Williams, J. J.,
Flanagan,	Lovett, J. E.,	Ruby,	Wilson, L. M.,
Fleisher,	Lovett, W. S.,	Sarig,	Wilson, T. B.,
Flinchbaugh,	Lynch, J. R.,	Sautter,	Wood,
Flynn,	Male,	Schrock,	Woodside,
Forrest,	Malina,	Schrope,	Yeakel,
Furman,	Maloney,	Schwab,	Yourishin,
Gallagher,	Marcks,	Schwartz,	Zimmerman,
Gartner,	Mason,	Scorza,	Talbot,
Gillette,	McBride,	Scott,	Speaker.
Gorman,	McCandless,	Sheffer,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1872, entitled:

An Act to amend that portion of section one relating to Luzerne County of the act, approved the tenth day of May, one thousand nine hundred and twenty-one (P. L. 455), entitled "An act to fix the number of Representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution," rearranging the legislative districts in Luzerne County.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—170

Baker,	Griffith,	McElwee,	Schwab,
Baldi,	Haines,	McGinnis,	Schwartz,
Barnhardt,	Hamilton,	McGrail,	Scorza,
Bechtel,	Harmuth,	McGregor,	Scott,
Beech,	Harris,	McKay,	Sheffer,
Bennett,	Hart,	McKinney,	Shellenberger,
Bernhard,	Hartman,	Melchiorre,	Shenkel,
Blumberg,	Heffernan,	Meredith,	Shortz,
Boyd,	Hefferon,	Merrell,	Shreiner,
Brancato,	Hermansen,	Metzler,	Shugarts,
Brennan,	Hewitt,	Mohn,	Simon,
Brown, W. L.,	Hoffman,	Moore,	Sinwell,
Brownfield,	Holmes, J. L.,	Mumford,	Sowers,
Cannon,	Hoopes,	Munley,	Spann,
Caputo,	Horst,	Negley,	Stank,
Carson,	Hough,	Nothnagle,	Sterling, R. B.,
Chervenak,	Howard,	O'Connor,	Stevens,
Cohen,	Hutton,	O'Keefe,	Stiteler,
Conner,	Jones,	O'Neill,	Storb,
Cooke,	Kane, J. J.,	O'Rourke,	Stone,
Cordier,	Kane, L. P.,	Patterson,	Surface,
Craig,	King,	Peelor,	Tahl,
Dane,	Kinney,	Pennock,	Terry,
Davies,	Labar,	Perry, D. R.,	Turner,
DeFrehn,	Lane,	Perry, J. J.,	Wade,
Duffy,	Laubach,	Peters,	Walker, W. A.,
Dunmire,	Lenahan,	Powell,	Wall,
Dwyer,	Lewis,	Powers,	Wasserman,
Ederer,	Long,	Price,	Way,
Emhardt,	Lord,	Quinn,	Weidemann,
Evans,	Lose,	Raub,	Welsh,
Fitzgerald,	Lovett, J. E.,	Rectenwald,	Westrick,
Flanagan,	Lovett, W. S.,	Reed,	White,
Fleisher,	Lynch, J. R.,	Rice,	Wike,
Flinchbaugh,	Lynch, M.,	Roan,	Williams, J. J.,
Flynn,	Malina,	Root,	Wilson, L. M.,
Forrest,	Maloney,	Roth,	Wilson, T. B.,
Furman,	Marcks,	Ruby,	Wood,
Gallagher,	Mason,	Ruth,	Woodside,
Gartner,	McBride,	Sarig,	Wright,
Gillette,	McCandless,	Sautter,	Zimmerman,
Gorman,	McClure,	Schrock,	Talbot,
Green,	McCreary,	Schrope,	Speaker.
Greenstein,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1458, (Senate Bill No. 398), entitled:

An Act to amend Section 1 of, and to add Section 2 to, the the act approved the twenty-fifth day of June one thousand nine hundred and thirty-one (Pamphlet Laws thirteen hundred sixty-four), entitled "An act prohibiting the use of counterfeit or spurious coins in automatic instruments or machines; and providing a penalty,' by including devices or substances other than metal, and by providing penalties for the manufacture for sale, or sale or gift or counterfeit or spurious coins for the fraudulent operation of automatic instruments or machines.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—167

Baker,	Griffith,	McElwee,	Scott,
Baldi,	Habbyshaw,	McGinnis,	Sheffer,
Barnhardt,	Haines,	McGrail,	Shellenberger,
Bechtel,	Harris,	McGregor,	Shenkel,
Beech,	Harmuth,	McKay,	Shettel,
Bennett,	Hart,	McKinney,	Shreiner,
Bernhard,	Heffernan,	Melchiorre,	Shugarts,
Blumberg,	Hefferon,	Meredith,	Simon,
Boyd,	Heffner,	Merrell,	Sinwell,
Brennan,	Hermansen,	Metzler,	Snyder,
Brown, J. E.,	Himes, L. R.,	Moore,	Spann,
Brown, W. L.,	Hoffman,	Mumford,	Stank,
Brownfield,	Holmes, J. L.,	Munley,	Steedle,
Caputo,	Hoopes,	Myers,	Sterling, P.,
Carey,	Horst,	Negley,	Stiteler,
Chervenak,	Howard,	Nothnagle,	Stone,
Cohen,	Hutton,	O'Connor,	Stott,
Conner,	Jaffe,	O'Keefe,	Surface,
Cooke,	Jones,	O'Neill,	Terry,
Cordier,	Kane, J. J.,	O'Rourke,	Turner,
Cramer,	Kane, L. P.,	Patterson,	Wade,
Dane,	King,	Peelor,	Wagner,
Davies,	Kinney,	Pennock,	Walker, W. A.,
DeFrehn,	Lane,	Perry, D. R.,	Wall,
Denning,	Laubach,	Perry, J. J.,	Wasserman,
Downey, J.,	Lenahan,	Peters,	Way,
Duffy,	Lewis,	Powers,	Weidemann,
Dunmire,	Long,	Price,	Westrick,
Dwyer,	Lord,	Quinn,	White,
Emhardt,	Lose,	Rectenwald,	Wike,
Evans,	Lovett, J. E.,	Reed,	Williams, G. W.,
Fitzgerald,	Lnych, W. S.,	Reilly,	Williams, J. J.,
Flanagan,	Lynch, J. R.,	Rice,	Wilson, L. M.,
Flinchbaugh,	Male,	Roan,	Wilson, T. B.,
Flynn,	Malina,	Roth,	Witkin,
Forrest,	Maloney,	Royle,	Woodside,
Gallagher,	Marcks,	Ruby,	Wright,
Gartner,	Mason,	Sautter,	Yeakel,
Gillette,	McBride,	Schrock,	Zimmerman,
Gorman,	McCandless,	Schrope,	Talbot,
Green,	McClure,	Schwab,	Speaker.
Greenstein,	McCreary,	Schwartz,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1758, entitled:

An Act to repeal the act approved the eighth day of July, one thousand nine hundred nineteen (Pamphlet Laws seven hundred seventy), entitled "An act creating a Division of Township Highways in the State Highway Department; conferring powers, and imposing duties upon officers of the State Highway Department requiring certain duties of clerks of the courts of quarter sessions; and providing penalties."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—169

Baldi,	Habbyshaw,	McGinnis,	Scorza,
Barnhardt,	Haines,	McGregor,	Scott,
Bechtel,	Hamilton,	McHenry,	Sheffer,
Beech,	Harris,	McKay,	Shellenberger,
Bennett,	Hart,	McKinney,	Shenkel,
Blumberg,	Hartman,	Melchiorre,	Shettel,
Boyd,	Heffernan,	Merrell,	Shortz,
Brancato,	Hefferon,	Metzler,	Shreiner,
Brennan,	Heffner,	Mohn,	Shugarts,
Brown, J. E.,	Hermansen,	Moore,	Sinwell,
Brownfield,	Hewitt,	Mumford,	Snyder,
Cannon,	Hoffman,	Munley,	Sowers,
Carey,	Holmes, J. L.,	Myers,	Spann,
Carson,	Hoopes,	Negley,	Stank,
Chevenak,	Horst,	O'Connor,	Steedle,
Cohen,	Hough,	O'Keefe,	Sterling, P.,
Conner,	Howard,	O'Neill,	Stevens,
Cordier,	Hutton,	O'Rourke,	Stone,
Cooke,	Jaffe,	Patterson,	Storb,
Dane,	Jones,	Peelor,	Stott,
Craig,	Kane, J. J.,	Pennock,	Surface,
Davies,	Kane, L. P.,	Perry, D. R.,	Tahl,
DeFrehn,	King,	Perry, J. J.,	Terry,
Denning,	Kinney,	Peters,	Turner,
Downey, J.,	Lane,	Powell,	Wade,
Duffy,	Laubach,	Powers,	Wagner,
Dwyer,	Lenahan,	Price,	Walker, G. E.,
Ederer,	Lewis,	Raub,	Walker, W. A.,
Emhardt,	Long,	Rectenwald,	Wall,
Eroe,	Lord,	Reed,	Wasserman,
Evans,	Lose,	Rice,	Way,
Fitzgerald,	Lovett, W. S.,	Roan,	Weidemann,
Flanagan,	Lynch, J. R.,	Root,	Welsh,
Flinchbaugh,	Lynch, M.,	Roth,	White,
Flynn,	Malina,	Ruby,	Wike,
Forrest,	Maloney,	Ruth,	Wilson, T.B.,
Furman,	Marcks,	Sarig,	Witkin,
Gallagher,	Mason,	Sautter,	Wood,
Gartner,	McBride,	Schrock,	Woodside,
Gorman,	McCandless,	Schrope,	Wright,
Green,	McClure,	Schwab,	Talbot,
Greenstein,	McCreary,	Schwartz,	Speaker.
Griffith,	McElwee,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1263, entitled:

An Act to amend section eleven of the act approved the thirtieth day of March, one thousand nine hundred and seventeen (P. L. 21), entitled "An act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination and Licensure, and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by said board, and providing penalties for violation thereof, and repealing all acts or parts of acts inconsistent therewith" as amended by permitting treatment of diseases of or injury to the eye in cases of emergency.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. STEEDLE. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1537, entitled:

An Act to amend clause five of section three of the act, approved the thirteenth day of May, one thousand nine hun-

dred and nine (P. L. 520), entitled "An act relating to food; defining food; providing for the protection of the public health; and the prevention of fraud and deception, by prohibiting the manufacture or sale, the offering for sale or exposing for sale, or the having in possession with intent to sell, of adulterated, misbranded, or deleterious foods; prescribing certain duties of the Dairy and Food Commissioner in reference thereto; and providing penalties for the violation thereof," as amended, by extending, changing and limiting the provisions thereof; relating to fruits used in fruit cake and the use of sulphur dioxide.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—190

Andrews,	Griffith,	McGrail,	Shellenberger,
Baker,	Gorman,	McGregor,	Shenkel,
Baldi,	Habbyshaw,	McHenry,	Shettel,
Barnhardt,	Haines,	McKay,	Shortz,
Bechtel,	Hamilton,	McKinney,	Shreiner,
Beech,	Harmuth,	Meredith,	Shugarts,
Bennett,	Harris,	Merrell,	Simon,
Bernhard,	Hart,	Metzler,	Sinwell,
Blumberg,	Hartman,	Mohn,	Snyder,
Boyd,	Heffernan,	Moore,	Sowers,
Brancato,	Hefferon,	Mumford,	Spann,
Brennan,	Heffner,	Munley,	Stank,
Brown, J. E.,	Hester,	Myers,	Steedle,
Brown, W. L.,	Hewitt,	Negley,	Sterling, P.,
Brownfield,	Hoffman,	Nothnagle,	Sterling, R. B.,
Cannon,	Holmes, J. B.,	O'Connor,	Stevens,
Caputo,	Holmes, J. L.,	O'Keefe,	Stiteler,
Carey,	Hoopes,	O'Neill,	Stone,
Carson,	Horst,	O'Rourke,	Storb,
Chervenak,	Howard,	Patterson,	Stott,
Cohen,	Hutton,	Peelor,	Surface,
Conner,	Jaffe,	Pennock,	Terry,
Cooke,	Jones,	Perry, D. R.,	Turner,
Craig,	Kane, J. J.,	Perry, J. J.,	Wade,
Cramer,	Kane, L. P.,	Peters,	Wagner,
Dane,	King,	Powell,	Walker, G. E.,
Davies,	Kinney,	Powers,	Walker, W. A.,
DeFrehn,	Lane,	Price,	Wall,
Denning,	Laubach,	Raub,	Wasserman,
Downey, G. E.,	Lenahan,	Rectenwald,	Way,
Duffy,	Lewis,	Reed,	Weidemann,
Dunmire,	Long,	Reilly,	Welsh,
Dwyer,	Lord,	Rice,	Westrick,
Ederer,	Lose,	Roan,	White,
Emhardt,	Lovett, J. E.,	Root,	Wike,
Eroe,	Lovett, W. S.,	Roth,	Williams, G. W.,
Evans,	Lynch, J. R.,	Royle,	Williams, J. J.,
Fitzgerald,	Lynch, M.,	Ruby,	Wilson, L. M.,
Flanagan,	Male,	Ruth,	Wilson, T. B.,
Fleisher,	Malina,	Sarig,	Witkin,
Flinchbaugh,	Maloney,	Sautter,	Wood,
Flynn,	Marcks,	Schrock,	Woodside,
Forrest,	Mason,	Schrope,	Wright,
Furman,	McBride,	Schwab,	Yeakel,
Gallagher,	McCandless,	Schwartz,	Yourishin,
Gartner,	McClure,	Scorza,	Zimmerman,
Gillette,	McCreary,	Scott,	Talbot,
Green,	McElwee,	Sheffer,	Speaker.
Greenstein,	McGinnis,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1934, entitled:

An Act providing for receipt by the Commonwealth of personal property bequeathed to the Commonwealth; providing for the vesting of title in the Commonwealth of real estate devised to the Commonwealth, the custody, repairs, leasing and sale thereof by the Department of Justice; and providing the payment of costs of repair of such property.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HOWARD. Mr. Speaker, I would like to ask the sponsor of this bill to give us some light on it before I vote on it.

Mr. HUTTON. Mr. Speaker and members of the House, this bill was gievn to me by one of the deputies of the Attorney General's Department. The purpose of the bill is to provide by law that proper receipts may be issued by the Commonwealth in the acceptance of devises of bequests of property made to the Commonwealth and also for the disposition of such property.

The Deputy Attorney General called my attention to a case where a certain person had by will left all her property to the Commonwealth and that property consisted of certain personalty and certain realty. This bill provides that the property shall be handled by the Department of Revenue and that it can be sold or leased and good title can be given for the same in case of its sale.

It is simply enacting into law a device by which the Commonwealth can properly handle these dvises and bequests.

On the question recurring,

Shall the bill pass finally?

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—172

Andrews,	Gillette,	McCandless,	Schwab,
Baker,	Gorman,	McClure,	Schwartz,
Baldi,	Green,	McCreary,	Scott,
Barnhardt,	Greenstein,	McElwee,	Sheffer,
Bechtel,	Griffith,	McGrail,	Shellenberger,
Beech,	Habbyshaw,	McGregor,	Shenkel,
Bennett,	Haines,	McHenry,	Shortz,
Bernhard,	Hamilton,	McKay,	Shreiner,
Blumberg,	Harmuth,	McKinney,	Shugarts,
Boyd,	Harris,	Meredith,	Simon,
Brancato,	Hartman,	Merrell,	Sinwell,
Brennan,	Heffernan,	Metzler,	Sowers,
Brown, J. E.,	Heffner,	Mohn,	Spann,
Brown, W. L.,	Hermansen,	Munford,	Stank,
Cannon,	Hewitt,	Munley,	Steedle,
Caputo,	Hoffman,	Myers,	Sterling, P.,
Carey,	Holmes, J. L.,	Negley,	Sterling, R. B.,
Carson,	Hoopes,	Nothnagle,	Stevens,
Cohen,	Horst,	O'Connor,	Stiteler,
Conner,	Hough,	O'Keefe,	Storb,
Cooke,	Howard,	O'Neill,	Stott,
Cordier,	Hutton,	O'Rourke,	Surface,
Craig,	Jaffe,	Patterson,	Terry,
Cramer,	Jones,	Peelor,	Turner,
Dane,	Kane, J. J.,	Pennock,	Wagner,
Davies,	Kane, L. P.,	Perry, D. R.,	Walker, W. A.,
DeFrehn,	King,	Perry, J. J.,	Wall,
Denning,	Kinney,	Powell,	Way,
Downey, G. E.,	Labar,	Powers,	Welsh,
Downey, J.,	Lane,	Price,	White,
Duffy,	Laubach,	Quinn,	Wike,
Dunmire,	Lenahan,	Raub,	Williams, G. W.,
Dwyer,	Long,	Rectenwald,	Williams, J. J.,
Ederer,	Lord,	Reed,	Wilson, L. M.,
Emhardt,	Lose,	Rice,	Wilson, T. B.,
Eroe,	Lovett, J. E.,	Roan,	Wood,
Evans,	Lovett, W. S.,	Root,	Woodside,
Fitzgerald,	Lynch, J. R.,	Roth,	Wright,
Flinchbaugh,	Lynch, M.,	Royle,	Yeakel,

Flynn,	Malina,	Ruby,	Yourishin,
Forrest,	Maloney,	Sarig,	Zimmerman
Furman,	Marcks,	Sautter,	Talbot,
Gallagher,	Mason,	Schrock,	Speaker.
Gartner,	McBride,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1266, entitled:

An Act to provide for the issuance and acceptance of certificates from duly licensed optometrists whenever such certificates may now or hereafter be required as to ocular and visual efficiency by any law of the Commonwealth, and repealing all laws; general, special, or local, or any parts thereof, that are or may be inconsistent therewith.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. JAFFE. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1337, entitled:

An Act to amend section one, of the act approved the eleventh day of July one thousand nine hundred and seventeen (P. L. 758) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treament of the drug habit by providing for the revocation and suspension of licenses physicians dentists veterinarians pharmacists druggists and registered nurses for certain cases and by providing for the enforcement of this act and penalties as amended by extending the provisions of said act to include marihunna

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—169

Andrews,	Gorman,	McCandless,	Scott,
Baker,	Green,	McClure,	Sheffer,
Baldi,	Greenstein,	McCreary,	Shellenberger,
Barnhardt,	Griffith,	McElwee,	Shettel,
Bechtel,	Habbyshaw,	McGinnis,	Shortz,
Bennett,	Haines,	McGregor,	Shreiner,
Bernhard,	Hamilton,	McHenry,	Simon,
Blumberg,	Harmuth,	McKay,	Sinwell,
Boyd,	Harris,	McKinney,	Snyder,
Brennan,	Hart,	Melchiorre,	Sowers,
Brown, J. E.,	Heffernan,	Meredith,	Stank,
Brown, W. L.,	Hefferon,	Merrell,	Steedle,
Brownfield,	Heffner,	Metzler,	Stevens,
Cannon,	Hermansen,	Mohn,	Stiteler,
Carey,	Hewitt,	Moore,	Storb,
Carson,	Hoffman,	Mumford,	Stott,
Chervenak,	Holmes, J. L.,	Munley,	Surface,
Cohen,	Hoopes,	Myers,	Tahl,
Conner,	Horst,	Negley,	Terry,
Cooke,	Hough,	Nothnagle,	Turner,
Cordier,	Howard,	O'Keefe,	Wade,
Craig,	Hutton,	O'Neill,	Wagner,
Cramer,	Jaffe,	O'Rourke,	Wall,
Davies,	Jones,	Patterson,	Wasserman,
DeFrehn,	Kane, J. J.,	Peelor,	Way,
Denning,	King,	Pennock,	Weidemann,
Downey, G. E.,	Kinney,	Perry, J. J.,	Westrick,
Duffy,	Labar,	Peters,	White,
Dunmire,	Lane,	Powell,	Wike,
Dwyer,	Laubach,	Price,	Williams, G. W.,
Ederer,	Lenahan,	Quinn,	Williams, J. J.,
Emhardt,	Long,	Raub,	Wilson, L. M.,
Eroe,	Lord,	Rectenwald,	Wilson, T. B.,
Evans,	Lose,	Rice,	Witkin,
Fitzgerald,	Lovett, J. E.,	Roan,	Wood,
Flanagan,	Lynch, J. R.,	Root,	Woodside,
Fleisher,	Lynch, M.,	Ruby,	Wright,
Flinchbaugh,	Male,	Ruth,	Yeakel,
Flynn,	Malina,	Sarig,	Yourishin,
Forrest,	Maloney,	Sautter,	Zimmerman,
Gallagher,	Marcks,	Schrock,	Talbot,
Gartner,	Mason,	Schrope,	Speaker.
Gillette,	McBride,	Scorza,	

NAYS—0

The majorty required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1594, entitled:

An Act creating a Legislative Finance Bureau, and providing for the appointment of a chief thereof by the General Assembly; defining the powers and duties of said Bureau, and making an appropriation.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BOYD. Mr. Speaker, I desire to interrogate the gentleman from Dauphin, Mr. Rice.

The SPEAKER. Will the gentleman from Dauphin, Mr. Rice, permit himself to be interrogated?

Mr. RICE. Mr. Speaker, I will.

Mr. BOYD. Mr. Speaker, may I ask the gentleman from Dauphin, if this bill should fail of passage would it interfere with the operation of the government of this state?

Mr. RICE. Mr. Speaker, I would answer that question by saying that the passage of this bill would facilitate the operation of the government quite materially.

Mr. BOYD. Mr. Speaker, as I understand this bill 1594, Printer's No. 385, it sets up a legislative finance bureau and carries an appropriation of forty thousand dollars. Will this forty thousand dollar expenditure show a saving to this state?

The SPEAKER. Is the gentleman from Westmoreland interrogating the gentleman from Dauphin or making a statement?

Mr. BOYD. Mr. Speaker, I am asking the sponsor of this bill whether that forty thousand dollar expenditure in this bill would be a saving to the government.

Mr. RICE. Mr. Speaker, I think all of the members of this House who have had experience in the Appropriations Com-

mittee, the State Government and the Ways and Means Committee will agree that the passage of this bill would save many thousands of dollars to this Commonwealth.

In the 1929 session there was a difference between the Auditor General and the Executive of some twenty million dollars. For many weeks much oratory was displayed on the floor of this House, and there never was an agreement reached, and no one knew whether the Audior General or the Executive was correct.

It is always necessary for the Appropriations Committee to wait practically until the closing day of the session to make up the general appropriation bill. If this bureau functioned, the Appropriations Committee could make up their appropriations the first week of the session—at least during the first part of the month, and they could be promptly passed. I believe that the older members of this House feel that the average session of the legislature could furnish them with reliable figures, and they would not have them to depend on an investigation covering a great many weeks of contention over figures.

We have never had a session in this House since I have been a member where there has not ben a diffrence between the Executive and the Legislative branch as to the money available.. Certainly this body ought to have a bureau of its own that would furnish it with proper figures, so that it can properly and promptly legislate.

Mr. ANDREWS. Mr. Speaker and members of the House, I would like to support this measure. It is a good measure, but the third paragraph on page 2 is so clearly incompatible with previous legislation, House Bill No. 22 that I cannot possibly support it.

The Chief of the Legislative Finance Bureau is given authority to appoint an assistant and fix his salary. That is an incompatible feature. The Chief of the Legislative Finance Bureau shall also appoint and fx the salaries of stenographers and clerks as the Legislative Finance Bureau may deem necessary, and that also is an incompatible feature. We have already legislated that such matters as salaries should be given control.

I would like to vote for this measure, but I cannot do so because of this paragraph.

Mr. RICE. Mr. Speaker and members of the House, I think that my colleague from Cambria, Mr. Andrews, can support this measure if he takes into consideration the fact that the head of this bureau is to receive five thousand dollars. In House Bill No. 22 the salaries of the heads of the department are statutory at that figure. Certainly the head of a department would not fix the salary of an assistant above his own. So, under those circumstances, I think the gentleman from Cambria, can support this legislation.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken.

Mr. BOYD. Mr. Speaker, I ask for a verification of the roll.

The roll was verified as follows:

YEAS—60

Andrews,	Forrest,	McClure,	Rice,
Baker,	Greenstein,	McElwee,	Scorza,
Baldi,	Habbyshaw,	Merrell,	Shreiner,
Barnhardt,	Hamilton,	Metzler,	Spann,
Bennett,	Heffernan,	Mohn,	Steedle,
Bernhard,	Hermansen,	Moore,	Stiteler,
Blumberg,	Hoffman,	Myers,	Tahl,
Brennan,	Holmes, J. L.,	Patterson,	Turner,
Cooke,	Hoopes,	Pennock,	Wade,
Cordier,	Horst,	Perry, D. R.,	Wall,
Craig,	Hutton,	Perry, J. J.,	Wike,
Davies,	Kane, L. P.,	Peters,	Witkin,
Downey, G. E.,	King,	Price,	Woodside,
Dwyer,	Laubach,	Rectenwald,	Talbot,
Ederer,	Lynch, J. R.,	Reilly,	Speaker.

NAYS—85

Bechtel,	Griffith,	Malina,	Schrock,
Beech,	Haines,	Marcks,	Schrope,
Boyd,	Harmuth,	McCandless,	Sheffer,
Brown, J. E.,	Hart,	McCreary,	Shenkel,
Brownfield,	Hartman,	McGinnis,	Shortz,
Cannon,	Heffner,	McGregor,	Shugarts,
Caputo,	Hester,	McHenry,	Simon,
Carson,	Hewitt,	McKinney,	Sinwell,
Chervenak,	Himes, L. R.,	Mumford,	Sowers,
Cramer,	Holmes, J. B.,	O'Connor,	Stank,
Dane,	Hough,	O'Keefe,	Stone,
DeFrehn,	Howard,	O'Neill,	Terry,
Downey, J.,	Kane, J. J.,	Peelor,	Way,
Dunmire,	Labar,	Powers,	Welsh,
Eroe,	Lane,	Quinn,	Westrick,
Evans,	Lenahan,	Raub,	Williams, G. W.,
Fitzgerald,	Lose,	Rhodes,	Wood,
Flanagan,	Lovett, J. E.,	Root,	Wright,
Flynn,	Lovett, W. S.,	Ruth,	Yeakel,
Furman,	Lynch, M.,	Sarig,	Yourishin,
Gallagher,	Male,	Sautter,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1694 (Senate Bill No. 591), entitled:

An Act to further amend section one of an act, approved the thirty-first day of May, one thousand eight hundred ninety-three (Pamphlet Laws, one hundred eighty-eight), entitled "An act designating the days and half days to be observed as legal holidays, and for the payment, acceptance and protesting of bills, notes, drafts, checks and other negotiable paper on such days," by authorizing bank holidays during State and national financial crises.

And said bill having been read at length the third time, and agreed to,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—170

Andrews,	Haines,	McKay,	Shenkel,
Baker,	Hamilton,	McKinney,	Shettel,
Baldi,	Harris,	Meredith,	Shortz,
Bechtel,	Hart,	Merrell,	Shreiner,
Beech,	Hartman,	Metzler,	Shugarts,
Bennett,	Heffernan,	Mohn,	Simon,
Bernhard,	Heffner,	Moore,	Sinwell,
Blumberg,	Hermansen,	Mumford,	Snyder,
Brennan,	Hewitt,	Munley,	Sowers,
Brown, J. E.,	Himes, L. R.,	Myers,	Spann,
Brown, W. L.,	Hoffman,	Negley,	Steedle,
Brownfield,	Holmes, J. B.,	Nothnagle,	Sterling, P.,
Cannon,	Holmes, J. L.,	O'Connor,	Stevens,
Caputo,	Hoopes,	O'Keefe,	Stiteler,
Carey,	Hough,	O'Neill,	Stone,
Chervenak,	Hutton,	O'Rourke,	Storb,
Cohen,	Jaffe,	Patterson,	Stott,
Conner,	Jones,	Peelor,	Surface,
Cooke,	Kane, J. J.,	Pennock,	Tahl,
Cordier,	Kane, L. P.,	Perry, D. R.,	Terry,
Craig,	King,	Perry, J. J.,	Turner,
Cramer,	Kinney,	Peters,	Wade,
Dane,	Labar,	Powell,	Wagner,
Davies,	Lane,	Powers,	Walker, G. E.,
DeFrehn,	Laubach,	Price,	Walker, W. A.,
Downey, G. E.,	Lewis,	Raub,	Wall,
Downey, J.,	Long,	Rectenwald,	Wasserman,
Duffy,	Lord,	Reed,	Way,
Dunmire,	Lose,	Reilly,	Weidemann,
Dwyer,	Lovett, J. E.,	Rhodes,	Welsh,

Ederer,	Lovett, W. S.,	Rice,	Westrick,
Emhardt,	Lynch, J. R.,	Roan,	White,
Evans,	Lynch, M.,	Royle,	Wike,
Fitzgerald,	Malina,	Ruby,	Williams, G. W.,
Flanagan,	Maloney,	Ruth,	Williams, J. J.,
Flinchbaugh,	Marcks,	Sarig,	Wilson, L. M.,
Flynn,	Mason,	Sautter,	Witkin,
Forrest,	McBride,	Schrock,	Wood,
Gallagher,	McCandless,	Schrope,	Woodside,
Gartner,	McClure,	Schwab,	Wright,
Gillette,	McCreary,	Schwartz,	Yeakel,
Green,	McElwee,	Scorza,	Yourishin,
Greenstein,	McGrail,	Scott,	Zimmerman,
Griffith,	McGregor,	Sheffer,	Talbot,
Habbyshaw,	McHenry,	Shellenberger,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1491 (Senate Bill No. 598), entitled:

An Act to amend sections one hundred and sixty-four, one hundred and sixty-five, and one hundred and sixty-six of the act, approved the thirty-first day of March, one thousand eight hundred and sixty (P. L. 382), entitled "An act to consolidate, revise and amend the penal laws of this Commonwealth," by making unlawful the counterfeiting, altering and uttering of scrip and possession of materials for falsely making the same.

And said bill having been read at length the third time, and agreed to,

On the question

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180

Andrews,	Greenstein,	McGrail,	Scorza,
Baker,	Griffith,	McGregor,	Scott,
Baldi,	Habbyshaw,	McHenry,	Sheffer,
Barnhardt,	Haines,	McKay,	Shellenberger,
Bechtel,	Hamilton,	Melchiorre,	Shenkel,
Beech,	Harmuth,	Meredith,	Shettel,
Bennett,	Harris,	Merrell,	Shortz,
Bernhard,	Heffernan,	Metzler,	Shreiner,
Blumberg,	Hefferon,	Mohn,	Shugarts,
Boyd,	Heffner,	Moore,	Simon,
Brancato,	Hermansen,	Mumford,	Sinwell,
Brennan,	Hester,	Munley,	Snyder,
Brown, J. E.,	Hewitt,	Negley,	Spann,
Brown, W. L.,	Hoffman,	Nothnagle,	Steedle,
Brownfield,	Holmes, J. B.,	O'Connor,	Sterling, P.,
Cannon,	Holmes, J. L.,	O'Keefe,	Stiteler,
Caputo,	Hoopes,	O'Neill,	Stone,
Carey,	Horst,	Patterson,	Storb,
Carson,	Hough,	Peelor,	Stott,
Cohen,	Howard,	Pennock,	Tahl,
Conner,	Hutton,	Perry, D. R.,	Terry,
Cooke,	Jaffe,	Perry, J. J.,	Turner,
Cordier,	Jones,	Peters,	Wade,
Craig,	Kane, L. P.,	Powell,	Wagner,
Cramer,	King,	Powers,	Walker, W. A.,
Davies,	Kinney,	Price,	Wall,
DeFrehn,	Labar,	Quinn,	Wasserman,
Downey, G. E.,	Lane,	Raub,	Way,
Downey, J.,	Laubach,	Rectenwald,	Welsh,
Duffy,	Lenahan,	Reed,	White,
Dunmire,	Long,	Reilly,	Wike,
Dwyer,	Lord,	Rhodes,	Williams, G. W.,
Ederer,	Lose,	Rice,	Williams, J. J.,
Emhardt,	Lovett, J. E.,	Roan,	Wilson, L. M.,
Eroe,	Lovett, W. S.,	Root,	Wilson, T. B.,
Evans,	Lynch, J. R.,	Roth,	Witkin,
Fitzgerald,	Male,	Royle,	Wood,
Fleisher,	Malina,	Ruby,	Woodside,
Flinchbaugh,	Maloney,	Ruth,	Wright,
Flynn,	Marcks,	Sarig,	Yeakel,
Forrest,	Mason,	Sautter,	Yourishin,
Furman,	McBride,	Schrock,	Zimmerman,
Gallagher,	McCandless,	Schrope,	Talbot,
Gartner,	McClure,	Schwab,	Speaker.
Gillette,	McCreary,	Schwartz,	
Green,	McElwee,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1844 (Senate Bill No. 682), entitled:

An Act authorizing and regulating the issue and sale of preferred stock by banks and trust companies.

And said bill having been read at length the third time, and agreed to,

On the question

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—179

Andrews,	Habbyshaw,	McGrail,	Shellenberger,
Baker,	Haines,	McGregor,	Shenkel,
Baldi,	Hamilton,	McHenry,	Shettel,
Barnhardt,	Harmuth,	McKay,	Shortz,
Bechtel,	Harris,	McKinney,	Shreiner,
Beech,	Hart,	Melchiorre,	Shugarts,
Bennett,	Hartman,	Meredith,	Simon,
Bernhard,	Heffernan,	Merrell,	Sinwell,
Blumberg,	Hefferon,	Metzler,	Snyder,
Boyd,	Heffner,	Mohn,	Sowers,
Brancato,	Hermansen,	Moore,	Spann,
Brennan,	Hewitt,	Mumford,	Stank,
Brown, W. L.,	Himes, L. R.,	Munley,	Steedle,
Brownfield,	Hoffman,	Myers,	Sterling, P.,
Cannon,	Holmes, J. B.,	Negley,	Sterling, R. B.,
Caputo,	Holmes, J. L.,	Nothnagle,	Stevens,
Carey,	Hoopes,	O'Connor,	Stiteler,
Carson,	Horst,	O'Keefe,	Storb,
Chervenak,	Hough,	O'Neill,	Stone,
Cohen,	Howard,	O'Rourke,	Stott,
Conner,	Hutton,	Patterson,	Surface,
Cooke,	Jaffe,	Peelor,	Tahl,
Cordier,	Jones,	Pennock,	Terry,
Craig,	Kane, J. J.,	Perry, D. R.,	Turner,
Cramer,	Kane, L. P.,	Perry, J. J.,	Wade,
Davies,	King,	Peters,	Wagner,
DeFrehn,	Kinney,	Powell,	Walker, G. E.,
Denning,	Labar,	Powers,	Walker, W. A.,
Downey, G. E.,	Lane,	Price,	Wall,
Downey, J.,	Laubach,	Raub,	Wasserman,
Duffy,	Lenahan,	Rectenwald,	Way,
Dunmire,	Lewis,	Reed,	Weidemann,
Dwyer,	Long,	Reilly,	Welsh,
Ederer,	Lord,	Rhodes,	Westrick,
Emhardt,	Lose,	Rice,	White,
Eroe,	Lovett, J. E.,	Roan,	Wike,
Evans,	Lovett, W. S.,	Root,	Williams, G. W.,
Fitzgerald,	Lynch, J. R.,	Roth,	Williams, J. J.,
Flanagan,	Lynch, M.,	Royle,	Wilson, L. M.,
Fleisher,	Male,	Ruby,	Wilson, T. B.,
Flinchbaugh,	Malina,	Ruth,	Witkin,
Forrest,	Maloney,	Sarig,	Wood,
Furman,	Marcks,	Sautter,	Woodside,
Gallagher,	Mason,	Schrock,	Wright,
Gartner,	McBride,	Schrope,	Yeakel,
Gillette,	McCandless,	Schwab,	Yourishin,
Gorman,	McClure,	Schwartz,	Zimmerman,
Green,	McCreary,	Scorza,	Speaker.
Greenstein,	McElwee,	Scott,	Talbot,
Griffith,	McGinnis,	Sheffer,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1446 (Senate Bill No. 138), entitled:

An Act to amend section sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highway to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State-aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways, making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended, fixing the time within which proceedings to assess damages for land taken for the changing, widening or relocation of highway.

And said bill having been read at length the third time, and agreed to,

On the question

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180

Andrews,	Green,	McCreary,	Schwartz,
Baker,	Greenstein,	McElwee,	Scott,
Baldi,	Griffith,	McGinnis,	Scorza,
Barnhardt,	Habbyshaw,	McGrall,	Scott,
Bechtel,	Haines,	McGregor,	Sheffer,
Beech,	Hamilton,	McHenry,	Shellenberger,
Bennett,	Harris,	McKay,	Shenkel,
Bernhard,	Hartman,	McKinney,	Shettel,
Blumberg,	Heffernan,	Meredith,	Shortz,
Boyd,	Hefferon,	Merrell,	Shreiner,
Brennan,	Heffner,	Metzler,	Shugarts,
Brown, J. E.,	Hermansen,	Mohn,	Simon,
Brown, W. L.,	Hester,	Moore,	Sinwell,
Brownfield,	Hewitt,	Munley,	Snyder,
Cannon,	Himes, L. R.,	Myers,	Sowers,
Caputo,	Hoffman,	Negley,	Spann,
Carey,	Holmes, J. B.,	O'Connor,	Stank,
Carson,	Holmes, J. L.,	O'Keefe,	Steedle,
Chervenak,	Hoopes,	O'Neill,	Sterling, P.,
Cohen,	Horst,	O'Rourke,	Stevens,
Conner,	Hough,	Patterson,	Stiteler,
Cooke,	Howard,	Peelor,	Stone,
Cordier,	Hutton,	Pennock,	Storb,
Craig,	Jaffe,	Perry, D. R.,	Stott,
Cramer,	Jones,	Perry, J. J.,	Surface,
Dane,	Kane, L. P.,	Peters,	Terry,
Davies,	King,	Powell,	Turner,
DeFrehn,	Kinney,	Powers,	Wade,
Denning,	Labar,	Price,	Wagner,
Downey, G. E.,	Lane,	Raub,	Walker, G. E.,
Duffy,	Laubach,	Rectenwald,	Way,
Dunmire,	Lewis,	Reed,	Welsh,
Dwyer,	Long,	Reilly,	White,
Ederer,	Lord,	Rhodes,	Wike,
Emhardt,	Lose,	Rice,	Williams, G. W.,
Eroe,	Lovett, J. E.,	Roan,	Wilson, L. M.,
Evans,	Lovett, W. S.,	Root,	Witkin,
Flanagan,	Lynch, R.,	Royle,	Wood,
Fleisher,	Lynch, M.,	Ruby,	Woodside,
Flinchbaugh,	Male,	Ruth,	Wright,
Flynn,	Malina,	Sarig,	Yeakel,
Forrest,	Maloney,	Sautter,	Yourishin,
Gallagher,	Marcks,	Schrock,	Zimmerman,
Gartner,	Mason,	Schrope,	Talbot,
Gillette,	McBride,	Schwab,	Speaker.
Gorman,	McClure,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1315 (Senate Bill No. 65), entitled:

An Act concerning townships of the second class, and amending, revising, consolidating and changing the law relating thereto.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. WESTRICK. Mr. Speaker, if I am not out of order, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1675, entitled:

An Act to amend section 1 of the act approved the eighth day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, six hundred eighty-five) entitled "An act prescribing the fees for the office of Secretary of the Commonwealth" by increasing the fee to be charged by the Department of State for filing the power of attorney and statement of a foreign corporation.

And said bill having been read at length the third time, and agreed to,

On the question

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180

Andrews,	Habbyshaw,	McElwee,	Shellenberger,
Baker,	Haines,	McGinnis,	Shenkel,
Baldi,	Hamilton,	McGregor,	Shettel,
Barnhardt,	Harris,	McHenry,	Shortz,
Bechtel,	Hart,	McKay,	Shreiner,
Bennett,	Hartman,	McKinney,	Shugarts,
Bernhard,	Heffernan,	Melchiorre,	Simon,
Blumberg,	Hefferon,	Meredith,	Sinwell,
Boyd,	Heffner,	Merrell,	Snyder,
Brennan,	Hermansen,	Mohn,	Sowers,
Brown, J. E.,	Hester,	Moore,	Spann,
Brown, W. L.,	Hewitt,	Mumford,	Stank,
Brownfield,	Himes, L. R.,	Munley,	Steedle,
Cannon,	Hoffman,	Myers,	Sterling, P.,
Caputo,	Holmes, J. B.,	Negley,	Stevens,
Carey,	Hoopes,	Nothnagle,	Stiteler,
Carson,	Horst,	O'Connor,	Stone,
Conner,	Hough,	O'Keefe,	Storb,
Cooke,	Howard,	O'Neill,	Stott,
Cordier,	Hutton,	O'Rourke,	Surface,
Craig,	Jaffe,	Patterson,	Tahl,
Cramer,	Jones,	Peelor,	Terry,
Davies,	Kane, L. P.,	Pennock,	Turner,
DeFrehn,	King,	Perry, D. R.,	Wade,
Denning,	Kinney,	Perry, J. J.,	Wagner,
Downey, G. E.,	Labar,	Peters,	Walker, G. E.,
Downey, J.,	Lane,	Powell,	Walker, W. A.,
Dunmire,	Laubach,	Price,	Wall,
Dwyer,	Lenahan,	Quinn,	Wasserman,
Ederer,	Lewis,	Rectenwald,	Way,
Emhardt,	Long,	Reed,	Welsh,
Eroe,	Lord,	Rhodes,	Wike,
Evans,	Lose,	Roan,	Williams, G. W.,
Fitzgerald,	Lovett, J. E.,	Root,	Williams, J. J.,
Flanagan,	Lovett, W. S.,	Roth,	Wilson, L. M.,
Fleisher,	Lynch, J. R.,	Royle,	Wilson, W. A.,
Flinchbaugh,	Lynch, M.,	Ruby,	Witkin,
Flynn,	Male,	Ruth,	Wood,
Forrest,	Malina,	Sarig,	Woodside,
Furman,	Maloney,	Sautter,	Wright,
Gallagher,	Marcks,	Schrope,	Yeakel,
Gillette,	Mason,	Schwab,	Yourishin,
Gorman,	McBride,	Schwartz,	Zimmerman,
Green,	McCandless,	Scorza,	Talbot,
Greenstein,	McClure,	Scott,	Speaker.
Griffith,	McCreary,	Sheffer,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1676, entitled:

An Act to further amend paragraph (b) of section 9 of the act approved the fifteenth day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, eight hundred nine) entitled "An act relating to the organization, maintenance, and operation of the Department of Banking, and the scope of its supervision and control over corporations, partnerships, unincorporated associations, and individuals, and the assets and liabilities thereof; providing penalties for the enforcement of its provisions; and repealing the Banking Department Act of nineteen hundred and nineteen, with table of contents," by requiring building and loan associations to pay the full cost of examinations by the Department of Banking.

And said bill having been read at length the third time, and agreed to,

On the question

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—179

Cordier,	Griffith,	McHenry,	Shellenberger,
Craig,	Habbyshaw,	McKay,	Shenkel,
Cramer,	Haines,	McKinney,	Shettel,
Davies,	Hamilton,	Melchiorre,	Shortz,
DeFrehn,	Harmuth,	Meredith,	Shreiner,
Denning,	Harris,	Merrell,	Shugarts,
Downey, G. E.,	Hartman,	Metzler,	Simon,
Duffy,	Hefferon,	Moore,	Sinwell,
Dunmire,	Heffner,	Mumford,	Snyder,
Dwyer,	Hermansen,	Munley,	Sowers,
Ederer,	Hewitt,	Myers,	Spann,
Emhardt,	Himes, L. R.,	Negley,	Stank,
Eroe,	Hoffman,	Nothnagle,	Steedle,
Evans,	Holmes, J. B.,	O'Connor,	Sterling, P.,
Fitzgerald,	Holmes, J. L.,	O'Keefe,	Stevens,
Flanagan,	Hoopes,	O'Neill,	Stiteler,
Fleisher,	Horst,	O'Rourke,	Stone,
Flinchbaugh,	Howard,	Patterson,	Storb,
Flynn,	Hutton,	Peelor,	Stott,
Forrest,	Jaffe,	Pennock,	Surface,
Furman,	Jones,	Perry, D. R.,	Tahl,
Gallagher,	Kane, J. J.,	Perry, J. J.,	Terry,
Gartner,	King,	Peters,	Turner,
Gillette,	Kinney,	Powell,	Wade,
Green,	Labar,	Powers,	Wagner,
Andrews,	Lane,	Price,	Walker, G. E.,
Baker,	Laubach,	Quinn,	Walker, W. A.,
Baldi,	Lenahan,	Raub,	Wall,
Barnhardt,	Lewis,	Rectenwald,	Wasserman,
Bechtel,	Lord,	Reed,	Way,
Beech,	Lose,	Rhodes,	Weidemann,
Bennett,	Lovett, J. E.,	Rice,	Welsh,
Bernhard,	Lovett, W. S.,	Roan,	Westrick,
Blumberg,	Lynch, J. R.,	Roth,	Wike,
Boyd,	Lynch, M.,	Royle,	Williams, G. W.,
Brennan,	Male,	Ruby,	Wilson, L. M.,
Brown, J. E.,	Malina,	Ruth,	Wilson, T. B.,
Brownfield,	Maloney,	Sarig,	Wood,
Cannon,	Marcks,	Sautter,	Woodside
Caputo,	Mason,	Schrock,	Wright,
Carey,	McBride,	Schrope,	Yeakel,
Carson,	McClure,	Schwab,	Yourishin,
Chervenak,	McCreary,	Schwartz,	Zimmerman,
Conner,	McElwee,	Scorza,	Talbot,
Cooke,	McGinnis,	Scott,	Speaker.
Greenstein,	McGrail,	Sheffer,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORTS FROM COMMITTEES

Mr. WILSON, from the Committee on Ways and Means, reported as amended, House Bill No. 264, entitled:

An Act permitting, licensing, regulating and controlling horse racing and betting and wagering on such races; creating a State Racing Commission with jurisdiction over the same; defining its powers and duties; imposing certain license fees and State taxes; and providing penalties.

Mr. BECHTEL, from the Committee on Judiciary Special, reported as committed, House Bill No. 1340, entitled:

An Act to amend clause (d) as amended of section fifty-nine of the act, approved the seventh day of June, one thousand nine hundred and seventeen (Pamphlet Laws, four hundred and forty-seven), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians and trustees, herein designated as fiduciaries; the adminitsration and distribution of

the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, judgments and executions therefor, sales and mortgages of real estate for the payment thereof, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and also generally dealing with the jurisdiction, powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by providing for the action by the natural guardian, or the person by whom the minor is maintained, for the minor upon leave of court and without formal appointment, in matters relating to real estate in which the share of the minor does not exceed two hundred dollars.

Mr. BECHTEL, from the Committee on Judiciary Special, reported as committed, House Bill No. 1563, entitled:

An Act to amend section one of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 883), entitled "An act relating to proceedings where goods or chattels have been levied upon or seized by the sheriff and claimed to belong to others than the defendant in the execution or process, and relieving the sheriff from liability therefor,," by further prescribing procedure upon rules for interpleaders.

Mr. GREENSTEIN, from the Committee on Counties, reported as amended, House Bill No. 571, entitled:

An Act to amend section one hundred and seventy-one of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled, "An act relating to counties o fthe second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," as amended, by decreasing and limiting the compensation of the members of the board of viewers in counties of the third, fourth, fifth, sixth, seventh and eighth classes.

Mr. CORDIER, from the Committee on Ways and Means, reported as committed, House Bill No. 1777, entitled:

An Act to amend section two of the act, approved the fourth day of June, one thousand nine hundred and fifteen (Pamphlet Laws, eight hundred twenty-eight), entitled, "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, copartnership associations, and joint stock associations and providing the manner of collecting such tax, and prescribing penalties," by extending the exemptions from the tax imposed by the said act.

Mr. MALONEY, from the Committee on Ways and Means, reported as committed, House Bill No. 1779, entitled:

An Act to amend section one of the act, approved the eighth day of June, one thousand nine hundred twenty-three (Pamphlet Laws, six hundred eighty-five), entitled "An act prescribing the fees for the office of Secretary of the Commonwealth," by increasing certain fees to be collected by the Secretary of the Commonwealth.

BILLS ON FIRST READING

Mr. MALONEY asked and obtained unanimous consent to have House Bill No. 1779 read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1779, entitled:

An Act to amend section one of an act, approved the eighth day of June, one thousand nine hundred twenty-three (Pamphlet Laws, six hundred eighty-five), entitled "An act prescribing the fees for the office of Secretary of the Commonwealth," by increasing certain fees to be collected by the Secretary of the Commonwealth.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. CORDIER asked and obtained unanimous consent to have House Bill No. 1777 read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1777, entitled:

An Act to amend section two of the act, approved the fourth day of June, one thousand nine hundred and fifteen (Pamphlet Laws, eight hundred and twenty-eight), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, copartnerships associations, and joint-stock associations; providing the manner of collecting such tax, and prescribing penalties," by extending the exemptions from the tax imposed by the said act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

RECONSIDERATION OF SENATE BILL No. 639

Mr. WOODSIDE. Mr. Speaker, I move that the vote by which House Bill No. 1729 (Senate Bill No. 639), Printer's No. 171, entitled:

An Act relating to insurance companies exchanges associations societies orders and individuals under the supervision of the Insurance Department authorizing the Insurance Commissioner during the existing emergency to suspend laws relating to certain payments by insurers and to impose conditions upon the conduct of the business of insurance and providing penalties

was defeated on final passage, March 29, 1933, be reconisedered.

Mr. PETERS. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Dauphin, Mr. Woodside, vote on the final passage of the bill?

Mr. WOODSIDE. I voted no, Mr. Speaker.

The SPEAKER. How did the gentleman from Montgomery, Mr. Peters, vote on the final passage of the bill?

Mr. PETERS. I voted no, Mr. Speaker.

The motion was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL RECOMMITTED

Mr. SCHWARTZ. Mr. Speaker, I move that this bill be recommitted to the Committee on Insurance for the purpose of further study.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1664, entitled:

A Supplement to the act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws seven hundred sixty-two) entitled "An act providing for the creation

and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto; declaring false oaths by the subscribers to be misdemeanors; and providing penalties for the violation thereof" providing for the examination and audit of the State Workmen's Insurance Fund by the Insurance Department and appropriating the moneys in the fund for the payment of the cost of such audit and examination.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—185

Baker,	Griffith,	McElwee,	Shellenberger,
Baldi,	Habbyshaw,	McGinnis,	Shenkel,
Barnhardt,	Haines,	McGrail,	Shortz,
Bechtel,	Hamilton,	McGregor,	Shreiner,
Beech,	Harmuth,	McKay,	Shugarts,
Bennett,	Harris,	McKinney,	Simon,
Bernhard,	Hart,	Melchiorre,	Sinwell,
Blumberg,	Heffernan,	Merrell,	Snyder,
Boyd,	Hefferon,	Metzler,	Sowers,
Brennan,	Heffner,	Mohn,	Spann,
Brown, J. E.,	Hermansen,	Moore,	Steedle,
Brown, W. L.,	Hester,	Mumford,	Sterling, P.,
Brownfield,	Hewitt,	Munley,	Stevens,
Cannon,	Himes, L. R.,	Myers,	Stiteler,
Caputo,	Hoffman,	Negley,	Stone,
Carey,	Holmes, J. B.,	Nothnagle,	Storb,
Carson,	Holmes, J. L.,	O'Connor,	Stott,
Cohen,	Hoopes,	O'Keefe,	Surface,
Conner,	Horst,	O'Rourke,	Tahl,
Cooke,	Hough,	Patterson,	Terry,
Cordier,	Howard,	Peelor,	Turner,
Craig,	Hutton,	Pennock,	Wade,
Cramer,	Jaffe,	Perry, D. R.,	Wagner,
Dane,	Jones,	Perry, J. J.,	Walker, G. E.,
Davies,	Kane, J. J.,	Peters,	Walker, W. A.,
DeFrehn,	Kane, L. P.,	Powers,	Wall,
Denning,	King,	Price,	Wasserman,
Downey, G. E.,	Kinney,	Quinn,	Way,
Downey, J.,	Labar,	Raub,	Weidemann,
Duffy,	Laubach,	Rectenwald,	Welsh,
Dunmire,	Lenahan,	Reed,	Westrick,
Dwyer,	Lewis,	Reilly,	White,
Ederer,	Long,	Rhodes,	Wike,
Emhardt,	Lord,	Rice,	Williams, G. W.,
Eroe,	Lose,	Roan,	Williams, J. J.,
Evans,	Lovett, J. E.,	Root,	Wilson, L. M.,
Flanagan,	Lovett, W. S.,	Royle,	Wilson, T. B.,
Fleisher,	Lynch, J. R.,	Ruby,	Witkin,
Flinchbaugh,	Lynch, M.,	Ruth,	Wood,
Flynn,	Male,	Sarig,	Woodside,
Forrest,	Malina,	Sautter,	Wright,
Furman,	Maloney,	Schrock,	Yeakel,
Gallagher,	Mason,	Schrope,	Yourishin,
Gillette,	McBride,	Schwartz,	Zimmerman,
Gorman,	McCandless,	Scorza,	Talbot,
Green,	McClure,	Scott,	Speaker.
Greenstein,	McCreary,	Sheffer,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1645, entitled:

An Act to amend Section 5 of the act approved the sixth day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand five hundred and sixty-one) entitled "An act regulating certain maternity hospitals in cities of the third class, boroughs, towns, and townships; providing for the licensing and supervision thereof by the Department of Welfare of this Commonwealth; fixing penalties; and placing the burden of proof as to certain facts on the persons prosecuted" by increasing the license fee to be collected by the Department of Welfare and providing for the payment thereof into the State Treasury, through the Department of Revenue.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186

Baker,	Griffith,	McGinnis,	Shellenberger,
Baldi,	Habbyshaw,	McGrail,	Shenkel,
Barnhardt,	Haines,	McGregor,	Shettel,
Bechtel,	Hamilton,	McHenry,	Shortz,
Beech,	Harmuth,	McKay,	Shreiner,
Bennett,	Harris,	McKinney,	Shugarts,
Bernhard,	Hart,	Melchiorre,	Simon,
Blumberg,	Heffernan,	Merrell,	Sinwell,
Boyd,	Hefferon,	Metzler,	Snyder,
Brennan,	Heffner,	Mohn,	Sowers,
Brown, J. E.,	Hermansen,	Mumford,	Spann,
Brown, W. L.,	Hewitt,	Munley,	Stank,
Cannon,	Himes, L. R.,	Myers,	Steedle,
Caputo,	Hoffman,	Negley,	Sterling, P.,
Carey,	Holmes, J. B.,	Nothnagle,	Stevens,
Carson,	Holmes, J. L.,	O'Connor,	Stiteler,
Chervenak,	Hoopes,	O'Keefe,	Stone,
Cohen,	Horst,	O'Neill,	Storb,
Conner,	Hough,	O'Rourke,	Stott,
Cooke,	Howard,	Patterson,	Surface,
Cordier,	Hutton,	Peelor,	Tahl,
Craig,	Jones,	Pennock,	Terry,
Cramer,	Kane, J. J.,	Perry, D. R.,	Turner,
Dane,	Kane, L. P.,	Perry, J. J.,	Wade,
Davies,	King,	Peters,	Wagner,
DeFrehn,	Kinney,	Powell,	Walker, G. E.,
Denning,	Labar,	Powers,	Walker, W. A.,
Downey, G. E.,	Lane,	Price,	Wall,
Downey, J.,	Laubach,	Raub,	Wasserman,
Duffy,	Lenahan,	Rectenwald,	Way,
Dunmire,	Long,	Reed,	Weidemann,
Dwyer,	Lord,	Rhodes,	Welsh,
Ederer,	Lose,	Rice,	Westrick,
Emhardt,	Lovett, J. E.,	Roan,	White,
Eroe,	Lovett, W. S.,	Root,	Wike,
Evans,	Lynch, J. R.,	Roth,	Williams, G. W.,
Fitzgerald,	Lynch, M.,	Royle,	Williams, J. J.,
Flanagan,	Male,	Ruby,	Wilson, L. M.,
Fleisher,	Malina,	Ruth,	Wilson, T. B.,
Flinchbaugh,	Maloney,	Sarig,	Witkin,
Flynn,	Marcks,	Sautter,	Wood,
Forrest,	Mason,	Schrock,	Woodside,
Furman,	Mathay,	Schrope,	Wright,
Gartner,	McBride,	Schwab,	Yeakel,
Gillette,	McCandless,	Schwartz,	Zimmerman,
Gorman,	McClure,	Scorza,	Talbot,
Green,	McCreary,	Scott,	Speaker.
Greenstein,	McElwee,	Sheffer,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1646, entitled:

An Act to amend Sections 1 and 2 of Act No. 276 approved the seventh day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, six hundred seventy-seven) entitled "An act to provide for the care, treatment, and maintenance of dependent, crippled children, conferring powers in connection therewith upon the Department of Public Welfare and juvenile courts; and imposing certain expenses upon counties" by requiring the data and notices required by the

act to be filed with the Department of Health instead of the Department of Welfare.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186

Andrews,	Haines,	McKay,	Shenkel,
Baker,	Hamilton,	McKinney,	Shettel,
Baldi,	Harmuth,	Melchiorre,	Shortz,
Barnhardt,	Harris,	Meredith,	Shreiner,
Bechtel,	Hart,	Merrell,	Shugarts,
Beech,	Heffernan,	Metzier,	Simon,
Bennett,	Hefferon,	Mohn,	Sinwell,
Bernhard,	Heffner,	Moore,	Snyder,
Blumberg,	Hermansen,	Mumford,	Sowers,
Boyd,	Hester,	Munley,	Spann,
Brancato,	Hewitt,	Myers,	Stank,
Brennan,	Hoffman,	Negley,	Steedle,
Brown, W. L.,	Holmes, J. B.,	Nothnagle,	Sterling, P.,
Brownfield,	Holmes, J. L.,	O'Connor,	Stevens,
Cannon,	Hoopes,	O'Keefe,	Stiteler,
Carey,	Horst,	O'Neill,	Stone,
Carson,	Hough,	O'Rourke,	Storb,
Chervenak,	Howard,	Patterson,	Stott,
Conner,	Hutton,	Peelor,	Surface,
Cooke,	Jaffe,	Pennock,	Tahl,
Cordier,	Jones,	Perry, D. R.,	Terry,
Craig,	Kane, J. J.,	Perry, J. J.,	Turner,
Cramer,	Kane, L. P.,	Peters,	Wade,
Davies,	King,	Powell,	Wagner,
DeFrehn,	Kinney,	Powers,	Walker, G. E.,
Denning,	Labar,	Price,	Walker, W. A.,
Downey, G. E.,	Lane,	Quinn,	Wall,
Downey, J.,	Laubach,	Raub,	Wasserman,
Duffy,	Lenahan,	Rectenwald,	Way,
Dunmire,	Long,	Reed,	Weidemann,
Dwyer,	Lord,	Reilly,	Welsh,
Ederer,	Lose,	Rhodes,	Westrick,
Emhardt,	Lovett, J. E.,	Rice,	White,
Eroe,	Lynch, J. R.,	Roan,	Wike,
Evans,	Lynch, M.,	Root,	Williams, G. W.,
Fitzgerald,	Male,	Roth,	Williams, J. J.,
Flanagan,	Malina,	Royle,	Wilson, L. M.,
Fleisher,	Maloney,	Ruby,	Wilson, T. B.,
Flinchbaugh,	Marcks,	Ruth,	Witkin,
Flynn,	Mason,	Sarig,	Wood,
Furman,	McBride,	Sautter,	Woodside,
Gallagher,	McCandless,	Schrock,	Wright,
Gartner,	McClure,	Schrope,	Yeakel,
Gillette,	McCreary,	Schwab,	Yourishin,
Green,	McElwee,	Schwartz,	Zimmerman,
Greenstein,	McGinnis,	Scorza,	Talbot,
Griffith,	McGregor,	Scott,	Speaker.
Habbyshaw,	McHenry,	Sheffer,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1845, entitled:

An Act authorizing school districts to issue and sell bonds for certain purposes, and for a certain period of time; providing for a trust fund and a sinking fund for the payment thereof, and defining the duties of the officers and members of the school board in relation to said funds, and fixing a penalty for the violation thereof.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—182

Andrews,	Green,	McGinnis,	Schwartz,
Baker,	Greenstein,	McGrail,	Scorza,
Baldi,	Habbyshaw,	McGregor,	Scott,
Barnhardt,	Haines,	McHenry,	Sheffer,
Bechtel,	Hamilton,	McKinney,	Shellenberger,
Beech,	Harris,	Melchiorre,	Shenkel,
Bennett,	Hart,	Meredith,	Shettel,
Bernhard,	Heffernan,	Merrell,	Shortz,
Blumberg,	Hefferon,	Metzier,	Shreiner,
Boyd,	Heffner,	Mohn,	Shugarts,
Brancato,	Hermansen,	Moore,	Simon,
Brennan,	Hester,	Mumford,	Sinwell,
Brown, W. L.,	Hewitt,	Munley,	Snyder,
Brownfield,	Himes, L. R.,	Myers,	Sowers,
Cannon,	Hoffman,	Negley,	Spann,
Caputo,	Holmes, J. B.,	Nothnagle,	Stank,
Carey,	Holmes, J. L.,	O'Connor,	Steedle,
Chervenak,	Hoopes,	O'Keefe,	Sterling, P.,
Cohen,	Horst,	O'Neill,	Stevens,
Conner,	Hough,	O'Rourke,	Stiteler,
Cooke,	Howard,	Patterson,	Stone,
Cordier,	Hutton,	Peelor,	Storb,
Craig,	Jaffe,	Pennock,	Stott,
Cramer,	Jones,	Perry, D. R.,	Surface,
Dane,	Kane, L. P.,	Perry, J. J.,	Tahl,
Davies,	King,	Peters,	Terry,
DeFrehn,	Kinney,	Powell,	Turner,
Denning,	Labar,	Powers,	Wagner,
Downey, J.,	Lane,	Price,	Walker, G. E.,
Duffy,	Laubach,	Quinn,	Wall,
Dunmire,	Lenahan,	Raub,	Wasserman,
Dwyer,	Lewis,	Rectenwald,	Weidemann,
Ederer,	Long,	Reed,	Welsh,
Eroe,	Lord,	Reilly,	White,
Evans,	Lovett, J. E.,	Rhodes,	Wike,
Fitzgerald,	Lovett, W. S.,	Rice,	Williams, J. J.,
Flanagan,	Lynch, J. R.,	Roan,	Wilson, T. B.,
Fleisher,	Lynch, M.,	Root,	Wood,
Flinchbaugh,	Malina,	Roth,	Woodside,
Flynn,	Maloney,	Royle,	Wright,
Forrest,	Marcks,	Ruby,	Yeakel,
Furman,	Mason,	Ruth,	Yourishin,
Gallagher,	McBride,	Sarig,	Zimmerman,
Gartner,	McCandless,	Sautter,	Talbot,
Gillette,	McCreary,	Schrope,	Speaker.
Gorman,	McElwee,	Schwab,	

NAYS—2

Griffith, Schrock,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1672, entitled:

An Act to repeal the act approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred thirty-seven), entitled "An act for the protection of public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth, imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities; and providing penalties."

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. PHILIP STERLING. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1673, entitled:

An Act to amend sections 2 and 3 of the act approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand two hundred and twenty-nine), entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption; conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties," by authorizing the Secretary of Health to charge and collect fees for the issuance of certificates of approval and permits and further providing for the inspection of premises where milk is to be sold.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HAINES. Mr. Speaker, I would like to inquire with reference to the purpose of this proposed bill.

The SPEAKER. Does the gentleman from Bucks have any particular gentleman in mind whom he desires to interrogate?

Mr. HAINES. Mr. Speaker, someone who may be in a position to explain the necessity and the purpose of this bill.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Sterling, explain the purposes of this bill to the gentleman from Bucks?

Mr. PHILIP STERLING. Mr. Speaker and members of the House, this is one of a series of bills which has its source in the Joint Legislative Committee on State Finance. That committee proceeded to improve the state of the treasury by reducing expenditures which it felt were unnecessary and sought to study and make determinations, as a result of the study of the services rendered by the Commonwealth and the compensation received by the Commonwealth for such services rendered. Among the services rendered by the Commonwealth we found in many instances inspection services, the result of which brought the right to certain of our citizens to have a specialized type of business. This particular bill deals with the sale of milk and supplies chiefly.

In this particular case the committee ascertained that by reason of the inspection of dairies, the Commonwealth permitted that type of business to go on under regulation, and it was the sense of the committee that a small charge would be equitable. This bill seeks to impose that small charge of five dollars for a license fee for every ten dairy farms in a group. It also seeks to impose a five dollar examination fee for inspectors who are authorized by law to make the inspections of those dairy farms for sanitary purposes.

Mr. HAINES. Mr. Speaker and members of the House, I appreciate the fact that this Joint Legislative Committee has attempted to make a comprehensive study of the several departmental activities of the Commonwealth with the purpose in mind of reducing the cost of government, the cost of government as saddled upon the Commonwealth, but today we face a situation with reference to the milk industry which is in conformity with the resolution adopted by this House and also by the Senate some weeks ago, placing a burden upon the producers of milk, the dairy farmers, which is rapidly driving that industry out of existence. Also, by the terms of this bill, as I understand it, it will have a tendency to increase the spread between the price now paid to the producer and the price paid by the consumer for fluid milk in the bottle, which is unfair and unnecessary.

We feel that so far as the milk industry is concerned it is now over-regulated and over-inspected.

I believe that there is a general tendency and a sympathetic feeling toward reducing unnecessary costs and the consequential expenses.

Inasmuch as I desire to support the work of this committee, I personally feel that the passage of this measure at the present time is unnecessary and entirely out of place.

I ask the members of the House to give it their careful consideration and if they feel as I do to vote likewise.

Mr. SOWERS. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Sterling.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Sterling, permit himself to be interrogated?

Mr. PHILIP STERLING. Mr. Speaker, I will.

Mr. SOWERS. Mr. Speaker, will the gentleman from Philadelphia have any objection to placing this bill on postponed calendar, so that a little study of it can be made?

Mr. PHILIP STERLING. I have no objection to placing the bill on the postponed calendar, Mr. Speaker, but on the contrary I believe if this program is to proceed these bills should be considered and disposed of as they appear upon the calendar. There are a great many of them and if on each of the bills, as they are presented, an important or unimportant controversial question arises, the progress of the bills through the House will be retarded, and if I know anything about it the adjournment will be retarded. It seems to me that we ought to face the issue as the bills arise, and pass them or defeat them according to their merits.

Mr. SOWERS. Mr. Speaker and members of the House. I am not just one hundred per cent prepared to discuss this bill, but I will do the best I can extemporaneously.

Today all of the larger cities are paying a rather high price for milk, and when we come up here and talk to the farmers we find that the farmers are getting a very low price for milk. We find that when the city of Philadelphia is flooded with milk, the Commonwealth of Pennsylvania then inspects the farms and finds many farms not producing proper milk, and then the supply to the city is reduced and the price is advanced.

If this bill passed, it is simply another weapon to the inspector to go around, and inspect, and charge the farmers more money, and try to put them out of business when milk is very plentiful and when milk is not plentiful to find their farms all right.

I think the question is a very broad question and a very important question, and I think, Mr. Speaker, that this bill should be placed upon the postponed calendar.

The SPEAKER. Does the gentleman make the motion?

Mr. SOWERS. I am not making the motion, Mr. Speaker I ask the members of the House to vote down this bill.

Mr. PHILIP STERLING. Mr. Speaker and members of the House, I do not want to prolong this discussion unduly, but you can very readily see that the five-dollar charge per dairy farm and one dollar for each additional farm in a group of ten or a fraction thereof paid annually will hardly influence the price of milk at the dairies.

The theory behind the bill is simply this: The Commonwealth of Pennsylvania is obliged to expend money to pay for the inspection of these institutions. We made the amount of the charge as low as possible. It does not cover the cost, but in the aggregate if the Commonwealth can equitably and

justly pick up some of the cost that is involved upon it in making these inspections, it will in the composite picture make a substantial difference in the cost to the government.

Mr. RUTH. Mr. Speaker and members of the House, this seems to be the first measure that comes up as a new tax measure, which is inflicted upon the farmer. We have many farmers now who are not getting enough for their milk in two weeks to pay this tax.

The farmers are over-inspected and over-taxed. I feel that I should read from an editorial in tonight's Harrisburg Telegraph, a quotation from General Martin, where he says: "We will continue to oppose new taxes."

I hope we will be consistent with that thought and vote this bill down, because it is an additional tax upon the farmers who are over taxed now.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—12

Caputo,	McClure,	Root,	Wood,
Flynn,	Price,	Steedle,	Talbot,
Heffner,	Rice,	Sterling, P.,	Speaker.
Malina,			

NAYS—132

Andrews,	Gillette,	McBride,	Scott,
Baker,	Green,	McCandless,	Sheffer,
Baldi,	Griffith,	McElwee,	Shellenberger,
Barnhardt,	Habbyshaw,	McGinnis,	Shenkel,
Bechtel,	Haines,	McGregor,	Shettel,
Beech,	Hamilton,	McHenry,	Shortz,
Bennett,	Harmuth,	McKay,	Shreiner,
Bernhard,	Harris,	Metzler,	Simon,
Boyd,	Hart,	Mohn,	Sinwell,
Brancato,	Hermansen,	Moore,	Snyder,
Brennan,	Hester,	Mumford,	Sowers,
Brown, J. E.,	Himes, L. R.,	Munley,	Spann,
Brownfield,	Hoffman,	Myers,	Stevens,
Cannon,	Holmes, J. B.,	O'Connor,	Stiteler,
Carey,	Holmes, J. L.,	O'Keefe,	Stone,
Carson,	Hoopes,	O'Neill,	Storb,
Chervenak,	Horst,	Patterson,	Surface,
Cooke,	Hough,	Peelor,	Terry,
Cordier,	Howard,	Perry, J. J.,	Wade,
Craig,	Hutton,	Peters,	Wagner,
Cramer,	Kane, J. J.,	Powell,	Walker, G. E.,
Dane,	Kane, L. P.,	Powers,	Wall,
Davies,	King,	Quinn,	Way,
DeFrehn,	Kinney,	Raub,	Weidemann,
Downey, G. E.,	Labar,	Rectenwald,	Welsh,
Downey, J.,	Lane,	Reed,	Westrick,
Duffy,	Laubach,	Rhodes,	White,
Dunmire,	Long,	Roan,	Williams, G. W.,
Ederer,	Lose,	Ruby,	Williams, J. J.,
Evans,	Lovett, J. E.,	Ruth,	Wilson, L. M.,
Fitzgerald,	Lynch, J. R.,	Sarig,	Witkin,
Flanagan,	Lynch, M.,	Sautter,	Woodside,
Forrest,	Male,	Schrock,	Wright,
Furman,	Maloney,	Schrope,	Zimmerman,
Gallagher,	Marcks,	Schwab,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

The SPEAKER. The Chair requests the gentleman from McKean, Mr. Wilson, to preside over the deliverations of this body.

(MR. WILSON IN THE CHAIR)

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1677, entitled:

An Act to amend paragraph (c) of section 5 of the act approved the twenty-third day of June, one thousand nine hundred and thirty-one entitled "An act regulating public bathing places, swimming pools, public bath houses, public and private natatoriums, turkish bath houses, all places hired for any form of bathing or swimming, and all related appurtenances; fixing license fees; providing, in matters of sanitation, cleanliness and safety, for supervision by the Department of Health; and prescribing penalties for violations," by increasing the inspection fee chargeable by the Department of Health.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—90

Andrews,	Flinchbaugh,	Lenahan,	Royle,
Baldi,	Flynn,	Long,	Sarig,
Barnhardt,	Gallagher,	Lord,	Schwab,
Bechtel,	Gillette,	Lovett, J. E.,	Scorza,
Bennett,	Green,	Lynch, J. R.,	Shenkel,
Bernhard,	Greenstein,	Malina,	Simon,
Boyd,	Haines,	Mason,	Sinwell,
Brancato,	Harris,	McBride,	Sowers,
Caputo,	Hart,	McClure,	Spann,
Carey,	Hartman,	McGinnis,	Steedle,
Carson,	Heffernan,	McHenry,	Sterling, P.,
Cooke,	Hermansen,	McKay,	Stevens,
Craig,	Hoopes,	Melchiorre,	Turner,
Cramer,	Horst,	Mohn,	Weidemann,
Dane,	Hough,	O'Connor,	Westrick,
DeFrehn,	Howard,	Patterson,	Wike,
Denning,	Hutton,	Pennock,	Williams, G. W.,
Downey, J.,	Jaffe,	Peters,	Wilson, T. B.,
Duffy,	Kane, J. J.,	Rectenwald,	Yeakel,
Dunmire,	Kane, L. P.,	Reed,	Zimmerman,
Ederer,	Kinney,	Rhodes,	Talbot,
Emhardt,	Labar,	Rice,	Speaker.
Fleisher,	Laubach,	Root,	

NAYS—30

Baker,	Hester,	Ruby,	Snyder,
Blumberg,	Jones,	Sautter,	Stone,
Brown, J. E.,	Lovett, W. S.,	Schrock,	Storb,
Brown, W. L.,	Male,	Schrope,	Surface,
Chervenak,	Marcks,	Scott,	Way,
Evans,	McElwee,	Sheffer,	Witkin,
Griffith,	Peelor,	Shellenberger,	Wood,
Habbyshaw,	Perry, J. J.,	Shettel,	Woodside,
Heffner,	Powell,	Shreiner,	Wright,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1678, entitled:

An Act to amend the act approved the nineteenth day of February, one thousand nine hundred and twenty-six (Pamphlet Laws, sixteen) entitled "A supplement to the act, approved the twenty-seventh day of March, one thousand nine hundred and twenty-three (Pamphlet Laws, thirty-four), entitled 'An act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in, and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; defining intoxicating liquor; providing for penalties, forfeitures, and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws'; providing for the registering of federal permits; also regulating, under permit, through a Pennsylvania Alcohol Permit Board created in the Department of Welfare, the manufacture, production, distillation, development, use in manufacture, denaturization, redistillation, recovery, reuse, holding in bonds, holding in storage by bailee for hire, sale at wholesale, and transporta-

tion for hire, of any alcohol or alcoholic liquid, by certain persons; also providing for fees and the disposition thereof; also authorizing the inspection of the records of permittees and purchasers of said alcohol or alcoholic liquid; also declaring certain places nuisances and providing for their abatement; also providing penalties; and also repealing all acts or parts of acts inconsistent with this act' by abolishing the Pennsylvania Alcohol Permit Board and transferring the powers and duties of the board to the Department of Health.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WITKIN. Mr. Speaker, I desire to ask the sponsor of this bill, the gentleman from Philadelphia, Mr. Sterling, to explain the contents of it.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Sterling, permit himself to be interrogated?

Mr. PHILIP STERLING. I will, Mr. Speaker.

Mr. WITKIN. Mr. Speaker, I desire to ask the gentleman to explain the bill.

Mr. PHILIP STERLING. Mr. Speaker and members of the House, the bill transfers the functions of the Alcohol Permit Board from the Department of Welfare to the Department of Health.

Mr. WITKIN. Mr. Speaker, may I ask the gentleman from Philadelphia the purpose in transferring this function from the Department of Welfare to the Department of Health; what is accomplished by that transfer?

Mr. PHILIP STERLING. Mr. Speaker and members of the House, the committee felt that since the Department of Health has a division in which they control narcotics under the Harrison Act, that the Department of Health was the proper department of the State to handle alcoholic control so long as it remains a matter of State function. That was only done because the committee felt that there was greater relativity on the subject of control in the Department of Health than there would be in the Department of Welfare.

Mr. WITKIN. Mr. Speaker and members of the House, I merely wish to state that the explanation of the gentleman from Philadelphia, Mr. Sterling, seems to me to be a fair explanation of the bill, and I shall vote "aye" on the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—127

Andrews,	Hermansen,	Merrell,	Simon,
Baker,	Hester,	Metzler,	Sinwell,
Barnhardt,	Hewitt,	Moore,	Spann,
Bechtel,	Himes, L. R.,	Mumford,	Stank,
Bennett,	Hoffman,	Munley,	Steedle,
Bernhard,	Holmes, J. L.,	Myers,	Sterling, P.,
Blumberg,	Hoopes,	O'Connor,	Stevens,
Boyd,	Horst,	O'Keefe,	Storb,
Brancato,	Hough,	O'Neill,	Tahl,
Brennan,	Howard,	O'Rourke,	Turner,
Caputo,	Hutton,	Pennock,	Wade,
Carey,	Jaffe,	Perry, J. J.	Wagner,
Chervenak,	Kane, J. J.,	Peters,	Walker, G. E.,
Cooke,	Kane, L. P.,	Price,	Walker, W. A.,
Cordier,	King,	Quinn,	Wasserman,
Craig,	Kinney,	Rectenwald,	Way,
Denning,	Laubach,	Rhodes,	Weidemann,
Duffy,	Lenahan,	Rice,	Westrick,
Ederer,	Lewis,	Roan,	White,
Evans,	Lovett, J. E.,	Roth,	Wike,
Fitzgerald,	Male,	Ruby,	Williams, G. W.,
Flynn,	Malina,	Sautter,	Wilson, L. M.,
Forrest,	Marcks,	Schrope,	Wilson, T. B.,
Gallagher,	Mason,	Schwab,	Witkin,
Green,	McBride,	Schwartz,	Wood,
Griffith,	McCandless,	Scorza,	Woodside,
Haines,	McClure,	Scott,	Wright,
Hamilton,	McElwee,	Shenkel,	Yeakel,
Harmuth,	McGrail,	Shortz,	Zimmerman,
Harris,	McHenry,	Shreiner,	Talbot,
Hart,	McKinney,	Shugarts,	Speaker.
Heffernan,	Meredith,		

NAYS—9

Beech,	Carson,	Long,	Peelor,
Brown, J. E.,	Dunmire,	Lose,	Perry, J. J.,
Brown, W. L.,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1679, entitled:

An Act to amend an act approved the seventh day of May, one thousand nine hundred and twenty-three (Pamphlet Laws, page 151), entitled "An act defining and regulating the business of dry cleaning and dyeing; providing for the maintenance, construction, and inspection of dry cleaning and dyeing buildigs and establishments; providing for enforcing the act, and penalties for violation thereof" as amended, by transferring the duty of enforcing the act from the Pennsylvania State Police to the Department of Labor and Industry.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164

Andrews,	Green,	McCreary,	Sheffer,
Baker,	Greenstein,	McElwee,	Shellenberger,
Baldi,	Griffith,	McGrail,	Shettel,
Bechtel,	Habbyshaw,	McGregor,	Shortz,
Beech,	Hamilton,	McHenry,	Shugarts,
Bennett,	Harmuth,	McKay,	Simon,
Boyd,	Harris,	McKinney,	Sinwell,
Brancato,	Hart,	Meredith,	Snyder,
Brennan,	Heffernan,	Merrell,	Sowers,
Brown, J. E.,	Hefferon,	Mohn,	Spann,
Brownfield,	Heffner,	Moore,	Steedle,
Cannon,	Hester,	Mumford,	Sterling, P.,
Caputo,	Hewitt,	Munley,	Stevens,
Carey,	Hoffman,	Negley,	Stone,
Chervenak,	Holmes, J. B.,	Nothnagle,	Storb,
Cohen,	Holmes, J. L.,	O'Connor,	Surface,
Conner,	Hoopes,	O'Neill,	Tahl,
Cooke,	Horst,	Patterson,	Terry,
Cordier,	Howard,	Peelor,	Turner,
Craig,	Hutton,	Pennock,	Wade,
Cramer,	Jaffe,	Perry, D. R.,	Walker, G. E.,
Dane,	Jones,	Perry, J. J.,	Walker, W. A.,
DeFrehn,	Kane, L. P.,	Peters,	Wasserman,
Denning,	King,	Powell,	Way,
Downey, G. E.,	Kinney,	Price,	Weidemann,
Downey, J.,	Labar,	Rectenwald,	Welsh,
Dunmire,	Laubach,	Reed,	White,
Dwyer,	Lenahan,	Rhodes,	Wike,
Ederer,	Lewis,	Rice,	Williams, G. W.,
Emhardt,	Long,	Roan,	Williams, J. J.,
Eroe,	Lose,	Roth,	Wilson, L. M.,
Evans,	Lovett, J. E.,	Royle,	Wilson, T. B.,
Fitzgerald,	Lynch, J. R.,	Ruth,	Witkin,
Fleisher,	Lynch, M.,	Sarig,	Wood,
Flinchbaugh,	Male,	Sautter,	Woodside,
Flynn,	Malina,	Schrock,	Wright,
Forrest,	Marcks,	Schrope,	Yourishin,
Furman,	Mason,	Schwab,	Zimmerman,
Gartner,	McBride,	Schwartz,	Talbot,
Gillette,	McCandless,	Scott,	Speaker.
Gorman,	McClure,		

NAYS—2

Bernhard, Hermansen,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1781, entitled:

An Act to amend the act approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, three hundred forty-three) entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agenciy thereof and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State and certain officers of such subdivisions, every persons, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth" as amended, by adding new sections; eliminating the duty of the Treasury Department to examine and audit requisitions for disbursements; eliminating the duty of the Department of the Auditor General to audit the affairs of the State Workmen's Insurance Board; providing for the adjustment and settlement of claims against the Commonwealth; abolishing the publication of mercantile appraisers lists; and providing for the reimbursement of the General Fund the special operating funds for services rendered by the Department of the Auditor General and the Treasury Department.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. PHILIP STERLING. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1782, entitled:

An Act to further amend section 285 of the act approved the second day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, four hundred forty-eight), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by making the moneys in the Fish Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SURFACE. Mr. Speaker and members of the House, this bill provides for the taking of money out of the Fish Fund, which money is derived from a certain class of people, namely the sportsmen of this State, from those that understand that as they pay their license fees that money would go back into that fund again. I take it that it is particularly unfair to them, after they have paid their license fees and have paid their fines with the expectation that the money shall go into the fund, to take it away from them. I certainly hope that you will defeat this measure.

Mr. PHILIP STERLING. Mr. Speaker and members of the House, this bill raises a question which I think should be determined by the House after a full understanding. We have a Fish Fund and a Game Fund, and all of the moneys are contributed by the sportsmen of the Commonwealth, all of which go into a special fund, not the General Fund of the Commonwealth. The General Fund of the Commonwealth receives no benefit from these moneys. We also have a Highway Fund which stands under precisely the same position. We have also an agency known as the State Workmen's Insurance Fund, no part of which gets into the General Fund. We have other similar agencies in the General Fund which are more or less revolving in the sense that they are moneys which are accumulated as the result of the payment of fees for examinations and other services of the Commonwealth.

Now, under the law as it presently exists, all of these funds are audited by the Auditor General; each of these funds is provided with a place to prosecute its business, each of the funds receives the benefit of heat and light service. It is the contention of the committee that the special funds, the Fish Fund, the Game Fund, the Highway Fund, the Motor Fund and the State Workmen's Insurance Fund, pay the cost of the annual audit, the cost involved in the State Tresurer's office in the handling of checks and the distribution of money, the value of the rent and the cost of the heat, light and power. This, it seems to me is a sound business proposition, because there is no business man who will say to himself, "I will separate this department of my business from all of the other departments of my business, but I will excuse this department from paying any part of the overhead which is properly chargeable against it, and by so doing I will produce in that particular department a greater profit or a better result or a finer showing than if I had charged against that department all of these factors of expense which properly belonged to it.

Now, Mr. Speaker and members of the House, you are dealing with this particular proposition in terms of big money, because the committee has ascertained that in the aggregate the General Fund is burdened to the extent of six hundred and ninety thousand dollars biennially through the service which is rendered by the Auditor General's office, of the State Treasurer's office, and by the Department of Property and Supplies through the furnishing of light, heat, power and rent.

Now, Mr. Speaker and members of the House, the committee that has labored for more than six months brings to you what it believes to be a fair and comprehensive program, has no personal interest in any of these bills. It has, on the other hand, an interest to present to you what it believes to be a sound and comprehensive financial program. If you accept the judgment of the committee in this respect, and I submit to you that you should so accept it, you will improve or benefit the General Fund of the Commonwealth to the extent of six hundred and ninety thousand dollars biennially. The

principle involved is a very plain one; whether or not special funds of the Commonwealth shall remain inviolate against the expenditures which the General Fund is bound to take and bear, whereas on the other hand, the General Fund derives no benefit whatever from the monies in these special funds. The committee submits to you with its approval that the principle is sound. Whether or not the House will take this opportunity to do what the committee believes to be the businesslike thing to do is a matter for you to decide, but we believe that all of these funds should be put upon their own legs and that they should not lean upon the General Fund and impair it. For these reasons I ask that the bill be passed.

Mr. HUTTON. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Sterling.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Sterling, permit himself to be interrogated?

Mr. PHILIP STERLING. Yes, Mr. Speaker, I will.

Mr. HUTTON. Mr. Speaker, I would like to ask the gentleman from Philadelphia, Mr. Sterling, whether he can give the House an estimate of the total annual amount of the Fish Fund?

Mr. PHILIP STERLING. Mr. Speaker, in reply to the gentleman from Franklin, Mr. Hutton, I am sorry I don't have here this evening the figures with which I can properly answer that question. I have them here only in a very fragmentary fashion, and I would not like to present them in the shape in which I have them now.

Mr. HUTTON. Mr. Speaker, I desire to ask this additional question, Whether in the investigation of this matter the Committee determined any figuer or estimate of the cost of handling the affairs of the Fish Fund, and what it would cost that paricular fund?

Mr. PHILIP STERLING. About twenty-five hundred dollars biennially.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—72

Andrews,	Harmuth,	McClure,	Ruby,
Baldi,	Harris,	McElwee,	Schwab,
Blumberg,	Hart,	McGinnis,	Scorza,
Boyd,	Heffernan,	McGregor,	Shreiner,
Brennan,	Hermansen,	Moore,	Sinwell,
Brown, J. E.,	Hoopes,	Mumford,	Spann,
Caputo,	Horst,	Munley,	Steedle,
Carey,	Howard,	Myers,	Sterling, P.,
Chervenak,	Kane, J. J.,	Nothnagle,	Stiteler,
Cooke,	Kane, L. P.,	O'Connor,	Turner,
Cordier,	King,	O'Keefe,	Walker, G. E.,
Craig,	Kinney,	O'Neill,	Walker, W. A.,
Emhardt,	Lovett, W. S.,	Price,	Welsh,
Eroe,	Lynch J. R.,	Raub,	Westrick,
Fitzgerald,	Male,	Rectenwald,	Williams, G. W.,
Flynn,	Malina,	Rhodes,	Wilson, L. M.,
Green,	Maloney,	Root,	Witkin,
Hamilton,	McBride,	Roth,	Wood,

NAYS—61

Baker,	Ederer,	Lovett, J. E.,	Schrock,
Barnhardt,	Forrest,	Lynch, M.,	Sheffer,
Bechtel,	Furman,	Marcks,	Shellenberger,
Beech,	Gallagher,	McCandless,	Simon,
Bernhard,	Gillette,	McCreary,	Snyder,
Brown, W. L.,	Griffith,	McHenry,	Storb,
Brownfield,	Habbyshaw,	Meredith,	Surface,
Cannon,	Heffner,	Mohn,	Wade,
Carson,	Hester,	Peelor,	Wagner,
Cramer,	Hewitt,	Perry, D. R.,	Wall,
DeFrehn,	Himes, L. R.,	Perry, J. J.,	Way,
Downey, G. F.,	Hutton,	Peters,	Wike,
Downey, J.,	Labar,	Powell,	Woodside,
Duffy,	Lane,	Quinn,	Wright,
Dunmire,	Lord,	Ruth,	Yourishin,
Dwyer,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

REPORT FROM COMMITTEE

Mr. TURNER, from the Committee on Judiciary General, reported as amended, House Bill No. 1233, entitled:

An Act to regulate commerce and prevent unfair competition; defining fair prices, prescribing remedies to uphold the same, and providing penalties.

(SPEAKER GROVER C. TALBOT IN THE CHAIR)

The SPEAKER. The Chair desires to thank the gentleman from McKean, Mr. Wilson, for presiding over this body.

ADJOURNMENT

Mr. LEONARD P. KANE. Mr. Speaker, I move that this House do now adjourn until tomorrow morning at 11.00 o'clock.

The motion was agreed to, and (at 11.56 P. M.) the House adjourned until tomorrow morning at 11.00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1933 — 130th of the General Assembly

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SENATE

WEDNESDAY, April 5, 1933.

The Senate met at 11 o'clock A. M.

The PRESIDENT (Honorable James S. Boyd) in the Chair.

PRAYER

The Chaplain, Rev. George P. Donehoo, offered the following prayer:

Thou Almighty Ruler of this universe, we thank Thee this morning that the law of the Lord is perfect, and this world has been going forward to its destiny and the universe has been going forward according to Thy law since the commencement of time. Help us to realize that God's law has never had any amendments made to it and that it is ever the same. Men have attempted, nations have attempted to run counter to the plans and purposes of the Almighty Governor of everything, and they have suffered by being removed from God. Keep us, therefore, in Thy fear and in Thy love, and that we may realize that nothing is haphazard in Thy law, that our lives are under God's plan and purposes, that God moves in a mysterious way His wonders to perform, and may He keep us and make us happy and contented because we are in line with Thy purpose. Bless us today and keep us in Thy love. In Christ's Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. EINSTEIN, the further reading was dispensed with, and the Journal was approved.

PETITIONS

FAVORING AMENDMENTS TO TALBOT RELIEF BILL

The Chair cleared his table and laid before the Senate telegrams relative to amendments to the Talbot Bill from the following:

John C. Groome, Jr., Philadelphia,
Mrs. Henry Brinton Coxe, Philadelphia,
Mrs. Robert Von Moschizisker, Philadelphia,
Mrs. George Dallas Dixon, Jr., Philadelphia,
Mrs. Edward Browning, Philadelphia,
Mrs. Eli Kirk Price, Philadelphia,
Mrs. Thomas Robins, Philadelphia,
Mrs. Reed A. Morgan, Philadelphia,
Mrs. Hiram B. Eliason, Philadelphia,
Mrs. Henry D. Jump, Philadelphia,
Mrs. Graham Doughterty, Philadelphia,
Mrs. William J. Clothier, Philadelphia,

Which were referred to the Committee on Finance.

FAVORING OLD AGE PENSION AMENDMENT

The Chair cleared his table and laid before the Senate telegram from the Social Workers Club of Lancaster favoring an old age pension amendment.

Which was referred to the Committee on Pensions and Gratuities.

PROTESTING AGAINST ENACTMENT OF THE WILLIAMSON ROAD BILL

Mr. SCOTT presented petition from the Glen Hope Grange No. 1277, protesting against the Williamson Road Bill.

Which was referred to the Committee on Public Roads and Highways.

PROTESTING AGAINST PUBLIC SERVICE COMMISSION'S GENERAL ORDER No. 29

Mr. SCOTT presented petitions from various citizens in Center County protesting against the Public Service Commission's General Order No. 29.

Which were referred to the Committee on Public Roads and Highways.

FAVORING LEGISLATION TO CONSTRUCT BRIDGE OVER BEECH CREEK

Mr. SCOTT presented petition from citizens of Center and Clinton counties favoring legislation to construct a bridge at the mouth of Beech Creek.

Which was referred to the Committee on Public Roads and Highways.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 146 (Senate Bill No. 849), entitled:

An Act to amend sections four hundred nine and six hundred three of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "Vehicle Code," as amended, by providing for change in regulating the registration of foreign motor vehicles and licensing of foreign operators.

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 1107 (Senate Bill No. 900), entitled:

An Act creating and establishing a fund for the care, maintenance and relief of the aged, retired and disabled employes of the Bureau of Fire in cities of the second class; creating

a board for the management thereof; providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds, and providing for the transfer and payment of all moneys and securities in existing funds in similar boards, superceded by the fund and board herein created.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1414 (Senate Bill No. 901), entitled:

An Act to amend section one of the act approved the twenty-fourth day of April, one thousand nine hundred and twenty-nine (P. L. 653), entitled "An act regulating the operation of certain boats upon lakes wholly within the Commonwealth by requiring the use of lights on all boats at certain hours"; eliminating the provision requiring boats and floats at rest to have lights thereon.

Which was committed to the Committee on Canals and Inland Navigation.

House Bill No. 22 (Senate Bill No. 902), entitled:

An Act to amend the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "Administrative Code of 1929" as amended repealing certain sections, abolishing certain administrative agencies, abolishing certain functions of certain administrative agencies, decreasing the salaries and compensation and limiting and decreasing the number of certain State officers and employes increasing the powers of the Auditor General, State Treasurer and the Secretary of Internal Affairs and generally further reorganizing and limiting the conduct of the administrative work of the Commonwealth.

Which was committed to the Committee on Finance.

House Bill No. 65 (Senate Bill No. 903), entitled:

A Joint Resolution proposing an amendment to section eighteen, article three of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Pensions and Gratuities.

House Bill No. 67 (Senate Bill No. 904), entitled:

A Joint Resolution proposing an amendment to section seven, article nine of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Pensions and Gratuities.

House Bill No. 1026 (Senate Bill No. 905), entitled:

An Act to provide for contribution among tortfeasors.

Which was committed to the Committee on Judiciary General.

House Bill No. 1476 (Senate Bill No. 906), entitled:

An Act providing for the deferring of sentences in certain cases pending the mental examination of defendants; authorizing trial judges and the Department of Welfare to require psychiatrists employed by county and state mental hospitals to examine certain such defendants without additional compensation except expenses payable by counties; providing for the commitment of defendants to certain institutions where the reports show the same to be advisable; providing for the payment by individuals, counties, or the Commonwealth of the cost of admission, care and discharge of such defendants.

Which was committed to the Committee on Judiciary General.

House Bill No. 860 (Senate Bill No. 907), entitled:

An Act conferring jurisdiction on the Municipal Court of Philadelphia with respect to civil proceedings arising in magistrates' courts; providing for the filing of transcripts of judgments entered by magistrates in said court, and validating proceedings heretofore filed in said court.

Which was committed to the Committee on Judiciary General.

House Bill No. 1025 (Senate Bill No. 908), entitled:

An Act giving courts of common pleas jurisdiction of actions for injuries to, or breaches of contracts or covenants relative to, lands situate without the Commonwealth, or estates or interests in such lands.

Which was committed to the Committee on Judiciary General.

House Bill No. 1337 (Senate Bill No. 909), entitled:

An Act to amend section one of the act approved the eleventh day of July, one thousand nine hundred and seventeen (P. L. 758), entitled "Narcotic Law," as amended, by extending the provisions of said act to include marihuana.

Which was committed to the Committee on Public Health and Sanitation.

House Bill No. 1415 (Senate Bill No. 910), entitled:

An Act imposing penalties for improper use of food orders issued by or under the authority of the State Emergency Relief Board, or any poor board or other relief agency and improper furnishing of money, food and other merchandise thereon.

Which was committed to the Committee on Judiciary General.

House Bill No. 1537 (Senate Bill No. 911), entitled:

An Act to amend clause five of section three of the act, approved the thirteenth day of May, one thousand nine hundred and nine (P. L. 520), entitled "Pure Food Law," as amended, by extending, changing and limiting the provisions thereof; relating to fruits used in fruit cake and the use of sulphur dioxide.

Which was committed to the Committee on Public Health and Sanitation.

House Bill No. 1565 (Senate Bill No. 912), entitled:

An Act to amend that portion of section one relating to Lehigh County of the act, approved the tenth day of May, one thousand nine hundred and twenty-one (P. L. 455), entitled "State Representation Law," rearranging the legislative districts in Lehigh County.

Which was committed to the Committee on Legislative Apportionment.

House Bill No. 1758 (Senate Bill No. 913), entitled:

An Act to repeal the act approved the eighth day of July, one thousand nine hundred and nineteen (P. L. 770), entitled "An act creating a Division of Township Highways in the State Highway Department; conferring powers, and imposing duties upon officers of the State Highway Department requiring certain duties of clerks of the courts of quarter session; and providing penalties."

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 1800 (Senate Bill No. 914), entitled:

An Act providing for the control and eradication of white pine blister rust; providing for the destruction of trees, plants and bushes infected with the white pine blister rust; authoriz-

ing the Department of Forests and Waters to remove, appraise and pay for healthy host plants necessarily destroyed; declaring certain plants and bushes to be a public nuisance; authorizing the Department of Forests and Waters to set aside fruiting current and gooseberry and white pine growing districts as control areas; authorizing the collection of the expense of destroying the plants from owners failing to destroy; and providing penalties for its violation.

Which was committed to the Committee on Forestry.

House Bill No. 1806 (Senate Bill No. 915), entitled:

An Act to eliminate reckless and irresponsible drivers from the public highways and to protect the safety of users of the public highways by providing in certain cases for the suspension and revocation of operator's licenses and privileges (whether resident or non-resident) and for the establishment of ability to respond in damages for injury to property and persons including injuries resulting in death caused by the use or operation of motor vehicles (including unlicensed operators and unregistered motor vehicles) conferring powers and imposing duties upon the Department of Revenue the Insurance Commissioner insurance carriers and clerks of the courts requiring certain provisions in motor vehicle liability insurance policies and provding penalties.

Which was committed to the Committee on Judiciary General.

House Bill No. 1872 (Senate Bill No. 916), entitled:

An Act to amend that portion of section one relating to Luzerne County of the act approved the tenth day of May, one thousand nine hundred and twenty-one (P. L. 455), entitled "State Representative Law," re-arranging the legislative districts in Luzerne County.

Which was committed to the Committee on Legislative Apportionment.

House Bill No. 1934 (Senate Bill No. 917), entitled:

An Act providing for receipt by the Commonwealth of personal property bequeathed to the Commonwealth; providing for the vesting of title in the Commonwealth of real estate devised to the Commonwealth, the custody, repairs, leasing and sale thereof by the Department of Property and Supplies with approval of the Department fo Justice; and providing the payment of costs of repair of such property.

Which was committed to the Committee on Judiciary General.

House Bill No. 1645 (Senate Bill No. 918), entitled:

An Act to amend Section 5 of the act approved the sixth day of May, one thousand nine hundred and twenty-nine (P. L. 1561), entitled "Maternity Home Licensure Law" by increasing the license fee to be collected by the Department of Welfare and providing for the payment thereof into the State Treasury through the Department of Revenue.

Which was committed to the Committee on Finance.

House Bill No. 1646 (Senate Bill No. 919), entitled:

An Act to amend Sections 1 and 2 of act No. 276 approved the seventh day of June, one thousand nine hundred and twenty-three (P. L. 677), entitled "An act to provide for the care, treatment, and maintenance of dependent, crippled children, conferring powers in connection therewith upon the Department of Public Welfare and juvenile courts; and imposing certain expenses upon counties" by requiring the data and notices required by the act to be filed with the Department of Health instead of the Department of Welfare.

Which was committed to the Committee on Finance.

House Bill No. 1664 (Senate Bill No. 920), entitled:

A Supplement to the act approved the second day of June, one thousand nine hundred and fifteen (P. L. 762), entitled "State Workmen's Insurance Fund Law" providing for the examination and audit of the State Workmen's Insurance Fund by the Insurance Department and appropriating the moneys in the fund for the payment of the cost of such audit and examination.

Which was committed to the Committee on Finance.

House Bill No. 1675 (Senate Bill No. 921), entitled:

An Act to amend section one of the act approved the eighth day of June, one thousand nine hundred and twenty-three (P. L. 685), entitled "An act prescribing the fees for the office of Secretary of the Commonwealth" by increasing the fee to be charge by the Department of State for filing the power of attorney and statement of a foreign corporation.

Which was committed to the Committee on Finance.

House Bill No. 1676 (Senate Bill No. 922), entitled:

An Act to further amend paragraph (b) of Section nine of the act approved the fifteenth day of June, one thousand nine hundred and twenty-three (P. L. 809), entitled "Banking Act of 1923" by requiring building and loan associations to pay the full cost of examinations by the Department of Banking.

Which was committed to the Committee on Finance.

House Bill No. 1678 (Senate Bill No. 923), entitled:

An Act to amend the act approved the nineteenth day of February one thousand nine hundred and twenty-six (P. L. 16), entitled "A supplement to the act, approved the twenty-seventh day of March, one thousand nine hundred and twenty three (P. L. 34), entitled 'An act concerning alcoholic liquors; prohibiting the manufacture, advertisement, furnishing, traffic in, and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; defining intoxicating liquor; providing for penalties, forfeitures, and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws'; providing for the registering of federal permits; also regulating, under permit, through a Pennsylvania Alcohol Permit Board created in the Department of Welfare, the manufacture, production, distillation, development, use in manufacture, denaturization, redistillation, recovery, re-use holding in bonds holding in storage by bailees for hire, sale at wholesale, and transportation for hire, of any alcohol or alcoholic liquid, by certain persons; also providing for fees and the disposition thereof; also authorizing the inspection of the records of permittees and purchasers of said alcohol or alcoholic liquid; also declaring certain places nuisances and providing for their abatement; also providing penalties; and also repealing all acts or parts of acts inconsistent with this act" by abolishing the Pennsylvania Alcohol Permit Board and transferring the powers and duties of the board to the Department of Health

Which was committed to the Committee on Finance.

House Bill No. 1679 (Senate Bill No. 924), entitled:

An Act to amend an act approved the seventh day of May, one thousand nine hundred and twenty-three (P. L. 151), entitled "Dry Cleaning Regulation Law," as amended, by transferring the duty of enforcing the act from the Pennsylvania State Police to the Department of Labor and Industry.

Which was committed to the Committee on Finance.

House Bill No. 1845 (Senate Bill No. 925), entitled:

An Act authorizing school districts to issue and sell bonds for certain purposes, and for a certain period of time; providing for a trust fund and a sinking fund for the payment thereof, and defining the duties of the officers and members of the school board in relation to said funds, and fixing a penalty for the violation thereof.

Which was committed to the Committee on Education.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 206

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 206, entitled:

An Act authorizing the Board of County Commissioners of counties of the second class on approval of the president judge of the court of common pleas of said counties to adequately compensate fire marshalls who have been regularly appointed annually under existing law and who discharged the duties of said appointments for twenty years and upward at a compensation of not more than ten dollars per annum, and also to authorize the Board of County Commissioners of counties of the second class subject to the approval of the common pleas court, to provide for the retirement during the life of each of such fire marshalls on annual pensions not to exceed in excess of one hundred dollars each calendar month.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL NO. 158

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate, as follows:

In the Senate, April 4, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 158, entitled:

An Act to amend section six, as amended, and section eight of an act approved the twelfth day of July, one thousand nine hundred and thirteen (P. L. 719), entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation"; prohibiting persons from being candidates for more than one party nomination.

be recalled from the Governor for the purpose of amendment.

HOUSE CONCURS IN SENATE BILL NO. 591

He also returned to the Senate, Senate Bill No. 591, entitled:

An Act to further amend section one of an act, approved the thirty-first day of May, one thousand eight hundred ninety-three (Pamphlet Laws, one hundred eighty-eight), entitled "An act designating the days and half days to be observed as legal holidays, and for the payment, acceptance and protesting of bills, notes, drafts, checks and other negotiable paper on such days," by authorizing bank holidays during State and National financial crises.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 598

He also returned to the Senate, Senate Bill No. 598, entitled:

An Act to amend sections one hundred and sixty-four, one hundred and sixty-five, and one hundred and sixty-six of the act, approved the thirty-first day of March, one thousand eight hundred and sixty (P. L. 382), entitled "An act to consolidate, revise and amend the penal laws of this Commonwealth," by making unlawful the counterfeiting, altering and uttering of scrip and possession of materials for falsely making the same.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 398

He also returned to the Senate, Senate Bill No. 398, entitled:

An Act to amend Section 1 of, and to add Section 2 to, the act approved the twenty-fifth day of June, one thousand nine hundred and thirty-one (P. L. 1364), entitled "An act prohibiting the use of counterfeit or spurious coins in automatic instruments or machines; and providing a penalty," by including devices or substances other than metal, and by providing penalties for the manufacture for sale, or sale or gift or counterfeit or spurious coins for the fraudulent operation of automatic instruments or machines.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 682

He also returned to the Senate, Senate Bill No. 682, entitled:

An Act authorizing and regulating the issue and sale of preferred stock by banks and trust companies

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 138

He also returned to the Senate, Senate Bill No. 138, entitled:

An Act to amend section sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Phamplet Laws, four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highway of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highway to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways;

making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended, fixing the time within which proceedings to assess damages for land taken for the changing, widening or relocation of highways.

with the information that the House has passed the same without amendment.

SENATE BILL NO. 619, RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 619, entitled:

An act authorizing courts of common pleas to stay and adjourn the execution of certain writs in the hands of sheriffs ratifying confirming and validating the actions of courts in staying and adjourning the execution of such writs and of sheriffs in obeying orders and decrees of courts in accordance with a resolution of the General Assembly and dispensing with the necessity of re-advertising and re-posting such writs

Whereas The General Assembly by resolution duly adopted March eighth one thousand nine hundred and thirty-three authorized the several courts of common pleas to stay and adjourn until a date not later than Monday April third one thousand nine hundred and thirty-three the execution of certain writs in the hands of sheriffs because of the proclamation of the President of the United States restricting business transactions by financial institutions therefore

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. COYNE. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this cause dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. KRAUSE. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having bee printed as required by the Constitution, were twice read as follows:

Amend title page 1, line 7, by striking out the following: "this act and"; also section 3, page 3, lines 12 and 13, by striknng out the words "this act or of."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	Miller,	Scott,
Aron,	Frazier,	Norton,	Shapiro,
Batchelor,	Gelder,	Owlett,	Snyder,
Baumer,	Graff,	Parkinson,	Sones,
Bell,	Harris,	Pethick,	Sordoni,
Bennett,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	Boyd,
Ealy,	Mansfield,	Salus,	Pres. Pro. Tem.
Einstein,	McClure,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

He also presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 374, entitled:

An Act to authorize the purchase by the Commonwealth of historical works relative to the services of Pennsylvania volunteers.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendment to concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 1, page 2 ,line 16, by striking out the word "said" and insert in lieu thereof: "sum of one thousand dollars ($1,000) is hereby specifically appropriated out of the General Fund for the purchase of said copies which,"

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	Miller,	Scott,
Aron,	Frazier,	Norton,	Shapiro,
Batchelor,	Gelder,	Owlett,	Snyder,
Baumer,	Graff,	Parkinson,	Sones,
Bell,	Harris,	Pethick,	Sordoni,
Bennett,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	Boyd,
Ealy,	Mansfield,	Salus,	Pres. Pro. Tem.
Einstein,	McClure,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 5, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss M. G. McLaughlin, Pittsburgh.

CRAWFORD COUNTY

Henry E. Brown, Meadville.

LANCASTER COUNTY

Mrs. Anna E. Davis Mumma, Lancaster.

PHILADELPHIA COUNTY

Leonard W. Belz, Philadelphia.
Miss Freda R. Zuckerman, Philadelphia.

SCHUYLKILL COUNTY

Carl R. Berner, Pottsville.

SNYDER COUNTY

Jacob B. Bulick, Selinsgrove.

WESTMORELAND COUNTY

W. R. Stephens, Monessen.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 5, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for reappointment as a Notary Public, for a term of four years to compute from the date set opposite her name:

PHILADELPHIA COUNTY

Miss Margaret A. Carton, Philadelphia. April 16, 1933.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 5, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

NORTHUMBERLAND COUNTY

D. H. Fegley, Sunbury. April 15, 1933.

CLEARFIELD COUNTY

Miss Estelle DeViney, Clearfield. April 16, 1933.

GIFFORD PINCHOT.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 5, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

R. L. Reinert, of Laureldale, Berks County, as Justice of the Peace in the Borough of Laureldale, Berks County, until the first Monday in January, 1934.

Mrs. Miriam Waite, of Waterstreet, Huntingdon County, as Justice of the Peace in the Township of Morris, Huntingdon County, vice Samuel R. Zacharias, deceased, until the first Monday in January, 1934.

GIFFORD PINCHOT.

HOUSE AMENDMENT TO SENATE BILL No. 106

Mr. GELDER. Mr. President, I move that the Senate do now proceed to the consideration of the amendments made by the House to Senate Bill No. 106, entitled:

An Act to amend section ten as amended of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet laws, four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvements; providing for payment of cost of improvement and repairs; providing penalties for injury or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," by providing for the construction and reconstruction maintenance of certain bridges forming parts of state Highways in boroughs and incorporated towns by the Department of Highways.

Mr. McCLURE. Mr. President, I second the motion.

The motion was agreed to.

Mr. GELDER. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. McCLURE. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend title, page 3, line 14 thereof, by striking out the word "and;" also line 14 thereof, by striking out the word "of" and inserting in lieu thereof the following: " and maintenance of certain;" also line 15 thereof, by inserting after the word "boroughs" the following: "and incorporated towns," also section 1, page 8, by adding at the end of the section the following: "Nothing in this act shall be construed as placing on the Commonwealth the payment of any cost of the construction or reconstruction of any such bridges in boroughs or incorporated towns between the first day of September, one thousand nine hundred and thirty-two and the effective date of this act;" also page 8, by adding at the end thereof the following section: "Section 2. This act shall become effective on the first day of June, one thousand nine hundred and thirty-three."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	Miller,	Scott,
Aron,	Frazier,	Norton,	Shapiro,
Batchelor,	Gelder,	Owlett,	Snyder,
Baumer,	Graff,	Parkinson,	Sones,

Beil,	Harris,	Pethick,	Sordoni,
Bennett,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	Boyd,
Ealy,	Mansfield,	Salus,	Pres. Pro. Tem
Einstein,	McClure,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Mr. GELDER. Mr. President, I move that the Senate do now proceed to the consideration of the amendment made by the House to Senate Bill No. 435, entitled:

An Act to amend section sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporaed town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended, by providing for payment by the Commonwealth out of the Motor License Fund of damages for land or property taken, injured or destroyed by the change of width, lines and locations of State highways, and the cost of the removal of structures where the county does not agree to such changes or removals requiring approval of the court of quarter sessions to all agreements relating to damages made by the county commissioners with property owners and fixing the time when the Secretary of Highways may begin work.

Mr. McCLURE. Mr. President, I second the motion.

The motion was agreed to.

Mr. GELDER. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. McCLURE. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend page 3, line 17 of the title, by inserting at the end of the line, after the word "removals" the following: "requiring approval of the court of quarter sessions to all agreements relating to damages made by the county commissioners with property owner and fixing the time when the Secretary of Highways may begin work."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	Miller,	Scott,
Aron,	Frazier,	Norton,	Shapiro,
Batchelor,	Gelder,	Owlett,	Snyder,
Baumer,	Graff,	Parkinson,	Sones,
Bell,	Harris,	Pethick,	Sordoni,
Bennett,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	Boyd,
Ealy,	Mansfield,	Salus,	Pres. Pro. Tem,
Einstein,	McClure,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEES

Mr. McCLURE, from the Committee on Appropriations, reported as committed, Senate Bill No. 434, entitled:

An Act making an appropriation to the trustees of the Pennsylvania Military College, Chester, Pennsylvania, for the training and education of students.

Mr. SNYDER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 221, entitled:

An Act to amend sections one, two, three, four and five of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 1215), entitled "An act authorizing the filing of notices of liens for taxes payable to the United States of America, and certificates discharging such liens; and to make uniform the law relating thereto," providing for the filing of notices of liens in the office of the recorder of deeds.

Mr. SHAPIRO, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 690, entitled:

An act providing for the assessment of costs for the acquiring and adopting of or connecting with existing sewers of adjacent municipalities by townshtips or boroughs and the maintenance thereof, and providing for filing of liens therefor.

Mr. BAUMER, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 532 (House Bill No. 421), entitled:

An Act validating, ratifying and confirming certain assessments by boroughs of sewage taxes against property outside

the limits of such boroughs, benefited by sewers constructed by such boroughs and all municipal claims filed and entered pursuant to such assessments.

Mr. SONES, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 583 (House Bill No. 750), entitled:

An Act to amend section one thousand nine hundred and two of the act approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled, "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto;" permitting cities temporarily to construct and reconstruct highways and sewers without contract.

Mr. GELDER, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 856, entitled:

An Act authorizing cities of the third class to provide, by ordinance, for the payment for public work or improvements heretofore made for or furnished to the city, where no legal or valid contract was entered into as required by law.

Mr. HOMSHER, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 459, entitled:

An Act to authorize cities of the third class to sue out writs of scire facias on certain municipal claims, where more than five years have elapsed since said claims were filed, and to reduce such claims to judgement; and providing for the revival and collection of such judgements.

Mr. FRAZIER, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 481 (House Bill No. 265), entitled:

An Act to validate certain proceedings for municipal improvements, municipal assessments, municipal claims and municipal liens, in the several boroughs of this Commonwealth, and validating such improvements, assessments, claims and liens; providing for the filing of claims and liens therefor; and the proceedings for the collection of such assessments and claims.

Also from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 570 (House Bill No. 131), entitled:

An Act to validate certain proceedings for municipal improvements, municipal assessments, municipal claims, and municipal liens, in the several boroughs of this Commonwealth, and validating such improvements, assessments, claims, and liens; providing for the filing of claims and liens therefor; and the proceedings for the collection of such assessments and claims.

Mr. MANSFIELD, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 492, entitled:

An Act to amend section one thousand one hundred and forty of the act approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs"; changing the term of office of borough managers.

Mr. ARON, from the Committee on Judiciary General, reported as committed, Senate Bill No. 879, entitled:

An Act to exclude from the provisions of the Workmen's Compensation Act of 1915 and the supplements and amendments thereto, certain persons whose wages are paid as unemployment or poor relief.

Mr. McCLURE, from the Committee on Finance, reported as committed, Senate Bill No. 892, entitled:

An Act to amend section one of the act approved the fourteenth day of April, one thousand eight hundred and eighty-one (P. L. 10), entitled "An act granting power to counties, cities (except cities of the first and second class), boroughs, municipalities and school districts in this Commonwealth, which have issued bonds or other interest-bearing evidences of indebtedness, to redeem the same and issue new bonds therefor, with or without interest coupons attached," as amended, by extending the provisions of the said act to cities of the first and second classes and providing that the refunding bonds, issued under the provisions thereof may bear interest at a rate of six per centum and providing further that said bonds shall be payable at any time not exceeding twenty years after the date thereof.

Mr. TRAINER, from the Committee on Municipal Affairs, rereported as amended, Senate Bill No. 603 (House Bill No. 320), entitled:

An Act to amend clause (b) of section four, article two, of the act approved the twenty-fifth day of June, one thousand nine hundred and nineteen (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth; as amended, changing the order in which officers of such cities shall act as mayor in case of a vacancy or disability of the mayor to act.

Also from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 604 (House Bill No. 451), entitled:

An Act to amend section one of the act approved the twenty-sixth day of August, one thousand nine hundred and thirty-two (P. L. 101), entitled "An act authorizing collectors of delinquent taxes, except in cities of the first class, to accept payments of delinquent taxes or water-rents or rates in installments;" extending the provisions thereof to county taxes, other than county taxes in counties of the second class, and clarifying the term "delinquent tax collector."

Mr. WILLIAMSON, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 730, entitled:

An Act to ratify, confirm and validate, as debts of the municipality, bonds and obligations issued by municipal corporations for the payment of the cost of a public improvement which were to rest alone for their security and payment upon assessments for benefits.

Mr. HOWELL, from the Committee on Municipal Affairs, reported as committed Senate Bill No. 898 entitled:

An Act authorizing municipalities and townships to provide work for unemployed persons by removing, repairing and replacing sidewalks.

Mr. PARKINSON from the Committe on Executive Nominations, reported with a favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 3, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following appointment:

Paul D. Shive, of York, York County, as Alderman of the 8th Ward of the city of York, York County, vice John I. Keech, deceased, until the first Monday in January, 1934.

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. KRAUSE,

That Rule 38, which requires reports of committees on nominations made by the Governor to lie on the table one day, be dispensed with, and the Senate do now resolve itself into

Executive Session for the purpose of acting upon all the nominations reported as today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. KRAUSE,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	Miller,	Scott,
Aron,	Frazier,	Norton,	Shapiro,
Batchelor,	Gelder,	Owlett,	Snyder,
Baumer,	Graff,	Parkinson,	Sones,
Bell,	Harris,	Pethick,	Sordoni,
Bennett,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	Boyd,
Ealy,	Mansfield,	Salus,	Pres. Pro. Tem.
Einstein,	McClure,		

NAYS—0

Two-third of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. HOMSHER. Mr. President, I move that the Executive Session do now rise.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

BILLS INTRODUCED

Mr. KRAUSE read in his place and presented to the Chair, Senate Bill No. 926, entitled:

An Act making an appropriation to the Old Ladies' Home located at Wissinoming, Philadelphia.

Which was committed to the Committee on Appropriations.

Mr. BATCHELOR read in his place and presented to the Chair, Senate Bill No. 927, entitled:

An Act making an appropriation to the Almira Home Association, New Castle, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. SCOTT read in his place and presented to the Chair, Senate Bill No 928, entitled:

An Act making an appropriation to the Women's Southern Homeopathic Hospital of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair, Senate Bill No. 929, entitled:

An Act making a deficiency appropriation to the Department of the Auditor General.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair, Senate Bill No. 930, entitled:

An Act making an appropriation to the Chestnut Hill Hospital, of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair, Senate Bill No. 931, entitled:

An Act making an appropriation to the Florence Crittenton Home, Germantown, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. Clark read in his place and presented to the Chair, Senate Bill No. 932, entitled:

An Act to amend section one, two, three and four of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1229), entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption; conferring powers and imposing duties on the Secretary of Health and the Advisory Health Board and otherwise providing for the administration of the act; and imposing penalties"; limiting the status of an approved inspector; changing the requirements for holders of milk permits and imposing additional duties on such permit holders or applications therefor granting additional power to the Secretary of Health in the enforcement of the act.

Which was committed to the Committee on Agriculture.

Mr. FAY read in his place and presented to the Chair, Senate Bill No. 933, entitled:

An Act to amend section two of the act approved the twenty-second of June, one thousand nine hundred and thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class, second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies, using such streets providing that no assessment shall be made upon the Commonwealth in the elemination of any grade crossing thereon; authorizing cities, persons, associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacements of certain facalities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours, authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act," by adding thereto certain streets in the cities of Farrel and Sharon.

Which was committed to the Committee on Public Roads and Highways.

Mr. SNYDER read in his place and presented to the Chair, Senate Bill No. 934, entitled:

An Act to amend Route 39062 of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act."

Which was committed to the Committee on Public Roads and Highways.

Mr. HARRIS read in his place and presented to the Chair, Senate Bill No. 935, entitled:

An Act making an appropriation to the Industrial Home for Crippled Children at Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair, Senate Bill No. 936, entitled:

An Act making an appropriation to the Children's Aid Society of Western Pennsylvania at Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. MANSFIELD read in his place and presented to the Chair, Senate Bill No. 937, entitled:

An Act making an appropriation to the Colored Women's Relief Association of Western Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair, Senate Bill No. 938, entitled:

An Act making an appropriation to the Ladies of the Grand Army of the Republic Home, Department of Pennsylvania, at Hawkins Station, Allegheny County, Pennsylvania.

Which was committed to the Committee on Appropriations.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL NO. 392

Mr. GRAFF offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 4, 1933.

Resolved (if the House of Representatives concur), that Senate Bill No. 392, entitled "An act authorizing the compromise of tax claims on real property purchased by the county on county treasurers' sales for nonpayment of taxes and the reconveyance of such property," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

The PRESIDENT (Lieutenant Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 70 entitled:

An Act to amend sections sixty-nine and seventy-one of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594), entitled "Rural State Highway Law," by increasing the obligation of the Commonwealth in the construction of certain structures located on such highways.

House Bill No. 206 entitled:

An Act authorized the Board of County Commissioners of counties of the second class on approval of the president judge of the court of common pleas of said counties to adequately compensate fire marshalls who have been regularly appointed annually under existing law and who discharged the duties of said appointments for twenty years and upward at a compensation of not more than ten dollars per annum, and also to authorize the Board of County Commissioners of counties of the second class subject to the approval of the common pleas court, to provide for the retirement during the life of each of such fire marshalls on annual pensions not to exceed in excess of one hundred dollars each calendar month.

Whereupon,

The PRESIDENT (Lieutenant Governor Edward C. Shannon) in the presence of the Senate signed the same.

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed consideration of Senate Bill No. 257, as follows:

An Act requiring State-aided hospitals under certain conditions immediately to admit indigent veterans as herein defined and to provide care and treatment for them until they can be accommodated in Federal institutions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That within the meaning of this act "veteran" shall mean any ex-service man or woman having a legal residence in this Commonwealth who has been honorably discharged from any branch of the military or naval forces of the United States and ex-members of the Army Nurse Corps (female) ex-members of the Navy Nurse Corps (female) and women who were transported from the United States by the United States Government to serve in base hospitals overseas and whose service with the United States Government terminated honorably whether by discharge or otherwise

Section 2 It shall be the duty of any State-aided hospital within this Commonwealth which has facilities available for treatment of the disease with which an indigent veteran is afflicted immediately to admit such veteran if sick or disabled and eligible for Federal hospitalization upon the presentation to the hospital of a certificate by any sick or disabled and eligible for Federal hospitalization if said indigent veteran has applied for Federal hospitalization and that an emergency exists and the hospital shall provide care and treatment for such veteran until such time as a bed is available in a Federal institution

Section 3 Every State-aided hospital which cares for and treats an indigent veteran under the provisions of this act shall be compensated for such care and treatment as in the case of other indigent patients

Section 4 This act shall become immediately effective upon its final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed consideration of Senate Bill No. 322, as follows:

An Act to eliminate reckless and irresponsible drivers from the public highways and to protect the safety of users of the public highways by providing in certain cases for the suspension and revocation of operator's licenses and privileges (whether resident or non-resident) and for the establishment of ability to respond in damages for injury to property and persons including injuries resulting in death caused by the use

or operation of motor vehicles (including unlicensed operators and unregistered motor vehicles) conferring powers and imposing duties upon the Department of Revenue the Insurance Commissioner insurance carriers and clerks of the courts requiring certain provisions in motor vehicle liability insurance policies and providing penalties.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall in no respect be considered as a repeal of any of the provisions of the Vehicle Code but shall be construed as supplemental thereto

Section 2 Whenever the Department of Revenue shall revoke or suspend an operator's license or privilege or shall suspend the operating privilege of a non-resident as may now or hereafter be provided by law such license or privilege shall not be renewed or restored unless and until the holder of said license or privilege has furnished proof of financial responsibility as hereinafter required Provided That this section shall not apply to any suspension for a term or period of less than three calendar months

Section 3 Such operator's license or privilege shall remain suspended or revoked and shall not at any time thereafter be restored nor shall any such license or privilege be hereafter issued to such person or persons until he shall have given proof as hereinafter required of his ability to respond in damages for any liability thereafter incurred resulting from the operation thereafter of a motor vehicle for personal injury to or death of any one person in the amount of at least five thousand dollars in any one accident for at least ten thousand dollars for personal injury to or death of two or more persons in any one accident and for damages to property in the amount of at least one thousand dollars resulting from any one accident Provided however That this provision shall also apply to any person who shall by final order or judgment have been convicted of or pleaded guilty to or forfeited any bail for his appearance for trial for operating a motor vehicle upon any public highway without being licensed to do so or for operating an unregistered motor vehicle upon any public highway

Section 4 It shall be the duty of the clerk of every court of record in which any such final judgment or order is rendered or entered to forward immediately to the department a certified copy of such final judgment or order which shall be prima facie evidence of the conviction plea or other action stated therein In the event that such person is a non-resident of this State the department shall transmit a copy of such certified copy certified to by it to the official in charge of the issuance of operator's licenses or privileges of the resident State of such non-resident

Section 5 Proof of ability to respond in damages required under this act may be evidenced by filing with the department a written certificate or certificates of any insurance carrier or carriers duly authorized to do such business within this State that it has issued to such person a motor vehicle liability policy or policies in the form hereinafter prescribed which at the date of the certificate or certificates is or are in full force and effect and such certificate or certificates shall certify that said motor vehicle policy or policies therein cited shall not be cancelled or shall not expire except as hereinafter provided and the department shall be notified in writing by said insurance carrier of the cancellation or expiration of any motor vehicle liability policy certified under the provision of this act at least fifteen days before the effective date of such cancellation or expiration and such policy shall continue in full force and effect until the cancellation or expiration date specified in such notice and unless such person shall file as aforesaid another certificate or certificates in lieu of those expired or cancelled such person's license or privilege shall again be suspended by the department

Section 6 The department shall upon request furnish any person a certified abstract of the operating record of any person subject to the provisions of this act which abstract shall disclose whether or not the operator's license or privilege of such person has been suspended or revoked whether or not proof of financial responsibility herein required has been furnished and the name and address of the insurance carrier or carriers whose policy or policies is or are in force at the time of said request The department shall collect a fee of two dollars for such certified abstract

Section 7 Any operator whose license or privilege shall have been suspended or revoked or whose policy of insurance when same is required under this act shall have been cancelled or terminated and has not filed a certificate or certificates in lieu thereof shall immediately return to the department his said license or privilege if any person shall wilfull fail to return said privilege or license as provided herein the department shall forthwith direct any peace officer to secure possession thereof and return the same to the department Any person wilfully failing to return such license or privilege shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not more than one hundred dollars and in addition may be imprisoned in the county jail for a term not exceeding ninety days and such penalty shall be in addition to any penalty imposed by the vehicle Code of this State

Section 8 The department shall require proof of financial responsibility as herein required for and during a term of three years from the date when such proof has been filed with and accepted by the department

Section 9 The department may relieve any person from complying with this act at any time within said three years period if such person has become permanently incapacitated from operating a motor vehicle

Section 10 Nothing in this act contained shall be held to apply to or affect policies of automobile insurance against liability which may now or hereafter be required by any other law of this State and such policies if endorsed to conform with the requirements of this act shall be accepted as proof of finanacial responsibility when required under this act

Section 11 Any person who shall forge or without authority sign or utter any evidence of ability to respond in damages as required by this act and any person who shall violate any provision of this act for which no penalty is otherwise provided shall be guilty of a misdemeanor and shall be sentenced to pay a fine of not more than one hundred dollars and in addition may be sentenced to the county jail for a term of not exceeding ninety days

Section 12 Motor vehicle liability policy as used in this act shall be taken to mean a policy of liability insurance issued by an insurance company authorized to transact business in this State and shall insure the person therein named as insured against loss from the liability imposed by law upon such insured for injury to or the death of any person other than such insured and for damage to the property other than the property of said insured and occurring while such insured is personally in control as driver of such motor vehicle within the continental limits of the United States of America to the amount of limit of five thousand dollars exclusive of interest and costs on account of injury to or death of any one person in any one accident of ten thousand dollars exclusive of interest and costs on account of the injury or death of two or more persons in any one accident and for damages to property in the amount of at least one thousand dollars resulting from any one accident or a binder pending the issuance of any such policy or an endorsement to an existing policy as hereinafter provided Provided however That this section shall not be construed as preventing any insurance carrier from granting in a motor vehicle libility policy any coverage in excess of or in addition to the coverage herein provided for or from embodying in such policy any agrement or provision or stipulation not contrary to the provisions of this act and otherwise contrary to law And provided further That separate concurrent policies may be issued by one or several carriers covering respectively (a) personal injury or death as aforesaid and (b) property damage as aforesaid

Section 13 No motor vehicle liability policy shall be issued or delivered in this State until a copy of the form of policy shall have been approved by the Insurance Commissioner The Insurance Commissioner shall approve any form of policy issued by an insurance carrier authorized to do business in Pennsylvania which specifies the name address and business of the insured the coverage afforded by the policy the premium charged therefor the policy period and the limits of liability and contains an agreement that the insurance thereunder is provided in accordance with the coverage required by this act as respects personal injury or death or property damage or both

Section 14 Every such motor vehicle liability policy shall be subject to the following provisions whether or not contained therein

(a) The liability of the said insurance carrier shall become absolute whenever loss or damage covered by such policy occurs and the satisfaction by the insured of a final judgment for such loss or damage shall not be a condition precedent to the right or obligation of the carrier to make payments on account of such loss or damage Provided always That the insurance carrier shall have the right to settle any claim covered by the policy and if such settlement is made in good faith the amount thereof shall be deductible from the limits of liability specified in the policy

(b) No such policy shall be cancelled or annulled as respects any loss or damage by any agreement between the carrier and the insured after the said insured has become responsible for such loss or damage and any such cancellation or annullment is null and void

(c) The policy may provide that the insured or any other person covered by the policy reimburse the insurance carrier for payment made on account of any loss or damage claim or suit involving a breach of the terms provisions or conditions of the policy and further if the policy shall provide for limits in excess of the limits specified in this section the insurance carrier may plead against any plaintiff with respect to the amount of such excess limits of liability any defense or defenses which it may be entitled to plead against the insured and any such policy may further provide for the prorating of the insurance thereunder with other applicable valid and collectible insurance

(d) The policy the written application therefor if any and any rider or endorsement shall not conflict with the provisions of this act and shall constitute the entire contract between the parties

(e) The insurance carrier shall upon request of the insured deliver to the insured for filing or at the request of the insured shall file direct with the department an appropriate certificate in conformity with the provisions of this act

(f) Any carrier authorized to issue motor vehicle liability policies may pending the issue of such a policy execute an agreement to be known as a "binder" or may in lieu of such a policy issue an endorsement to an existing policy Every such binder or endorsement shall be subject to the provisions of this section and shall be construed to provide indemnity or insurance in like manner and to the same extent as a motor vehicle liability policy

Section 15 If during said three year period by payment or otherwise the amount required under this act has been reduced below the amount required by this act the insured shall within fifteen days thereafter raise the amount of existing insurance to the amount required by this act and in case he refused so to do within said fifteen days his operator's license or privilege shall again be suspended by the department

Section 16 The following words as used in this act shall have the following meanings

(a) "Department" shall mean the Department of Revenue of this State

(b) The singular shall include the plural the plural shall include the singular and the masculine shall include the feminine and neuter

(c) "Person" shall include individuals (whether minors or adults) partnerships corporations receivers assignees trustees executors and administrators but shall not include the State or any political subdivision thereof or any municipality therein

(d) "Motor vehicle" shall include trailers semi-trailers motorcycles and tractors

(e) "Operator" shall mean every person who is in actual physical control of a motor vehicle upon a highway

Section 17 The department shall make rules and regulations necessary for the administration of this act

Section 18 Nothing herein shall be construed as preventing the plaintiff in any action at law from relying for security upon the other processes provided by law

Section 19 If any part subdivision or section of the act shall be deemed unconstitutional the validity of its remaining provisions shall not be affected thereby

Section 20 This act shall become effective on the first day of September one thousand nine hundred and thirty-three

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 84, entitled:

An Act making an appropriation to carry into effect the provisions of an act, approved the tenth day of July, one thousand nine hundred and nineteen (P. L. 893), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants, and fixing the salaries of such State supervisor and assistants ;defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties, and requiring counties coming under the provisions of this act to appropriate certain moneys; and providing penalties," as amended.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 185, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 223, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 243, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 244, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 253, entitled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry, Philadelphia School of Design for Women at Philadelphia, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 267, entitled:

An Act to amend section eighteen of the act, approved the sixteenth day of May, one thousand nine hundred and twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," changing the method of service of writs on persons who are without the Commonwealth, and providing for the effect of a return nihil habet on persons named in such writs or added thereto, when such persons cannot be located.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. PARKINSON, Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. PETHICK, Mr. President, I second the motion.

The motion was agreed to.

BILL RECOMMITTED

Mr. OWLETT. Mr. President, I move that Senate Bill No. 403, on third reading entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, nine hundred five), entitled "For the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," by revising existing regulations for length, height and weight of certain vehicles; changing method of enforcement; and providing certain penalties.

be recommitted to the Committee on Public Roads and Highways.

Mr. SCOTT. Mr. President, I second the motion,

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to third reading and consideration of Senate Bill No. 416, entitled:

An Act making an appropriation to the Woman's Medical College of Pennsylvania, located at East Falls, Philadelphia.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 442, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art, Philadelphia.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. GELDER. Mr. President, I ask unanimous consent that Senate Bill No. 514 (House Bill No. 456), on third reading, entitled:

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring certain motor vehicles to be equipped with laminated safety glass fixing penalties and providing for the suspension or revocation by the Public Service Commission of certificates of public convenience of common carriers for violation of the provisions of this act.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 616, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of soldiers, sailors, marines, female field clerks, yoemanettes, and nurses, who were killed in action or died during the World War, and conferring certain duties upon the State Veterans' Commission.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 655 (House Bill No. 747), entitled:

An Act to amend section five hundred and three of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, three hundred forty-three), entitled, "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every departments, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports, under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," as amended, providing for appeals from refusals of the Board of Finance and Revenue to allow refunds.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Geider,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. MANSFIELD. Mr. President, I ask that Senate Bill No. 671, entitled:

An Act to amend sections three hundred twelve three hundred thirteen three hundred fourteen three hundred seventeen three hundred eighteen three hundred nineteen three hundred twenty three hundred twenty-one three hundred twenty-two three hundred twenty-three three hundred twenty-four three hundred twenty-five and three hundred twenty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An Act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by changing the amount of contributions to the retirement fund the retirement age the length of service necessary to entitle members to retirement allowance upon being totally disabled and increasing the number of members of the retirement board and authorizing counties of the second class to make appropriations to an employes retirement fund.

go over in its order.

The PRESIDENT. Is there objection?

Mr. COYNE. Mr. President, I object.

The PRESIDENT. The Chair hears objection.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 671, entitled:

An Act to amend sections three hundred twelve three hundred thirteen three hundred fourteen three hundred seventeen three hundred eighteen three hundred nineteen three hundred twenty three hundred twenty-one three hundred twenty-two three hundred twenty-four three hundred twenty-five and three hundred twenty-six of the act approved the second day of May one thousand nine hundred and twenty nine (P. L. 1278) entitled "An Act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by changing the amount of contributions to the retirement fund the retirement age the length of service necessary to entitle members to retirement allowance upon being totally disabled and increasing the number of members of the retirement board and authorizing counties of the second class to make appropriations to an employes retirement fund.

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

MOTION TO POSTPONE

Mr. MANSFIELD. Mr. President, I move that the bill be postponed for the present.

Mr. HARRIS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. COYNE. Mr. President, there was a hearing on this bill and a number of people took the trouble to come down to Harrisburg to tell us what this meant. The Committee reported the bill to the floor of the Senate and I think that it is a good bill. The employes of Allegheny County have been paying into the pension fund for twenty years and they should be protected. They are now without a pension and we are trying to establish a pension in Allegheny County for the employees.

Mr. MANSFIELD. Mr. President, in asking that this bill be placed on the postponed calendar it is for the purpose of endeavoring to work out amendments that will give to the employees of Allegheny County a pension, and to create a pension fund that is sound and workable. In June, 1915, under an act of assembly, there was established in the County of Allegheny, a pension fund which provided that the County should pay out of the taxes not less than one-half per cent. and not more than one per cent. It also provided that the County employees should pay in one per cent. Shortly after the present board of County Commissioners took office it was called to the attention of the board by the County Comptroller that we were working under an insolvent pension fund. The County Commissioners then employed Mr. George Buck, an actuary, the same actuary who prepared the State Employees Retirement Act, the same actuary who prepared the School Teachers Employment Retiring Act. This bill as it was prepared was agreed upon by the County Commissioners, by the County Comptroller, by the County Treasurer, and a representation from the employees, two in number. After the bill had been agreed upon the employees became dissatisfied because the provisions were not as good for them as the old act, and I agree that the provisions in the bill prepared by the actuary were not as valuable to the employees at the time being as the old act, but it would have permitted the County to create and maintain a solvent fund.

It is true, as Senator Coyne has said, we did have a public hearing on the question but that does not change the situation. I have spoken here a sufficient number of times against Senator Coyne to know that what I say to you is not going to have an effect upon you. Nevertheless, before you vote for this bill I feel that you should know just what you are handing to the taxpayers of Allegheny County. Under the plan that is now in operation, on March 1, 1933, there were about 2,100 members in the Fund. The pensioners of the Fund number 253, of which 66 were retired under the disability clause. The Fund has $115,594.54 in cash and $93,000.00 of investments, or total assets of $208,594.54.

To date the County of Allegheny has contributed to this Fund $768,685.08, the Poor Board $34,982.15, and the em-

ployees Fund $587,242.15, while $101,473.35 was earned as interest, making the total receipts of the Fund $1,492,382.73.

To date the Fund has paid $1,059,625.80 to pensioners; returned $217,402.92 to employes retiring from the Fund; purchased $93,000.00 of bonds; and spent $6,759.47 for office expenses, a total of $1,376,788.19.

Contributions by employes not as yet on the pension roll are returnable to them upon demand. If all members of the Fund at this time would make this demand, $297,275.84 would be required on almost $9,000.00 more than is in the fund. The Fund's assets are only $208,594.54 or $88,681.30 less than what the demand would amount to or a return of about 70 cents on the dollar if the Fund were liquidated. This would leave nothing in the Fund for present pensioners. Pensioners who have received $1,059,625.80 in pensions have contributed only $72,563.39 to the Fund.

To date 23 pensioners have each received in pensions more than $9,000.00 and as much as $20,100.00, or an average of approximately $11,700.00. One of this group contributed only $16.50 and the greatest amount contributed by any one of them was only $243.85. These 23 pensioners have been paid pensions in the total sum of $268,158.29, although their entire contributions to the Fund amounted to only $2,248.92 or less than one per cent. of the pensions thus far paid them, as will be noted. Other pensioners listed in this statement each received pensions in amounts totaling under $9,000.00. This condition is due to the fact that employes were permitted to join the Fund at its inception and were given credit for the years of service to make them eligible for pensions, but they only contributed to the Fund their assessment from June, 1915, when the Fund commenced, to the date of retiring upon pension.

As I have stated, the total contribution by the employes up to the present time has been $587,242.15, and by the county $768,685.08. I want to point out a few outstanding reasons why the pension fund in Allegheny County is in an insolvent condition:

One man, W. L. Albertson, drew from the fund $11,221.74, and contributed $63.45. Another, Joseph Brownlee, drew from the fund $12,450.00, and contributed $55.30. Another contributed $87.50 and has drawn $14,750.40. Another contributed $41.99 and has drawn $16,582.71. Another has contributed $27.50 and has drawn from the fund $20,100.00.

Mr. President and members of the Senate, that is the reason that the pension fund of Allegheny County is now in an insolvent condition. The bill that was prepared on an actuarial basis attempted to put the fund in a solvent condition, but the provision that is in the employes bill, to which I want to call your particular attention, is a paragraph that reads as follows:

"Appropriations to Retirement Fund. The county commissioners and the poor district shall * * * * prior to February fifteenth of each year set aside, apportion and appropriate out of all taxes and income of said county and county poor district unto the retirement fund."

I asked Attorney General Schnader what was meant by a solvent retirement fund. His answer was that a solvent retirement fund was one based on an actuarial analysis. I asked Mr. Fertig what his interpretation of that language was and he said that it was based on an actuarial analysis.

Well then, this is the point I want you to think about, no matter how you cast your vote. In order to place this pension fund of Allegheny County on an actuarial basis under the provisions of this bill, there must be appropriated by the county commissioners on or before the fifteenth day of February, 1934, $5,228,739. That would be an increase of at least four mills in our county tax. I am perfectly satisfied to have this bill placed on the postponed calendar and endeavor to work out with the county employes an act that would put their fund in a position so it could be resumed, and payment of pensions be resumed but I would be ashamed to go back and face the taxpayers of Allegheny County if I did not stand up and voice my sentiments against any plan that would take from the taxpayers in any one year the sum of $5,228,739.

Mr. HARRIS. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Allegheny, Mr. Harris, will state his point of order.

Mr. HARRIS. Mr. President, I call attention that the Senator from Allegheny, Mr. Coyne, and the Senator from Allegheny, Mr. Mansfield, are both out of order. The motion before this body now is a matter of postponing action and a discussion of the bill is highly improper. I will ask the Chair to so rule.

The PRESIDENT. The point of order is well taken.

Mr. COYNE. Mr. President, I want to call the attention of the members of the Senate to the fact that the Senator from Allegheny, Mr. Harris, raised the point of order promptly enough when his man was through speaking.

Mr. HARRIS. Mr. President, I again rise to a point of order.

The PRESIDENT. The Senator from Allegheny, Mr. Harris, will state his point of order.

Mr. HARRIS. Mr. President, I called the attention of the Chair to the point of order after both Senators from Allegheny had spoken on the bill, and I desire to say that, when the proper time comes, I also desire to speak on the bill and wish to be in order when I do so.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. MANSFIELD and Mr. HARRIS and were as follows, viz:

YEAS—14

Batchelor,	Homsher,	Rice,	Sones,
Brandt,	Lanius,	Salus,	Thompson,
Buckman,	Mansfield,	Snyder,	Trainer,
Harris,	Prince,		

NAYS—33

Armstrong,	Einstein,	Krause,	Reed,
Aron,	Fay,	McClure,	Roberts,
Baumer,	Frazier,	Miller,	Scott,
Bell,	Gelder,	Norton,	Shapiro,
Bennett,	Graff,	Owlett,	Sordoni,
Boyd,	Harvey,	Parkinson,	Staudenmeier,
Chapman,	Howell,	Pethick,	Williamson,
Coyne,	Hunsicker,	Quigley,	Ziesenheim,
Ealy,			

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HARRIS. Mr. President, on the discussion of this bill before the Committee on New Counties and County Seats I was convinced that it was very good legislation. At that meeting there was one question involved in my mind and that was the words keeping this fund solvent. I was assured that the employes of Allegheny County would defeat this bill and I was supported in the contention by Senator Coyne, that the maximum amount that Allegheny County would have to appropriate would be one hundred and twenty to one hundred and thirty thousand dollars. I made a very definite promise to

those gentlemen to support this bill I predicted that promise on the fact that it was to be amended. It was to be amended to read for a fixed sum to be appropriated by the Commissioners of Allegheny County. When I made that promise I had the solemn promise from the members of this Committee who had been to this hearing to make that change and amend it, and I stand ready to vote for Senator Coyne's bill, strange as it may seem, if this amendment is put in the bill. I voted for postponement and seconded Senator Mansfield's motion for the purpose of meeting this Committee again and having this amendment made so that I could vote for the bill, but I can not vote for the bill without this amendment. As Senator Mansfield has pointed out, we would have to appropriate close to $5,000,000 to make this Fund solvent, and I repeat again, so that it will be thoroughly understood, that I will vote for this bill if it is amended to substitute a fixed amount, and I remember distinctly that Senator Coyne, in the meeting, agreed that there should be some maximum amount so the County Commissioners would know just what they had to appropriate at the beginning of each year, and I ask the Senators now to vote against this bill, or ask Senator Coyne to agree to have it go over in order, so that we will be able to get together and keep the promise that was made to the Commissioners of Allegheny County and the people of Allegheny County to fix a maximum amount to be appropriated.

Mr. COYNE. Mr. President and members of the Senate, I am always willing to sit down and talk to any group to amend this bill, to get the Fund in shape where it will be solvent. If this bill passes the Senate today and goes to the House it has at least a week to make the amendment, if it is necessary.

Now about this insolvency of the Pension Fund: A member of the pension association of Allegheny County told us at that meeting that if the County Commissioners would pay them what they owed them, which I think is seventy-six thousand dollars, that the fund would be solvent for two years. They are willing to raise their own membership dues from one to three and they want the Commissioners to raise their pro rata share the same. If they do that the Fund will be solvent. Now the Senator from Allegheny, Mr. Mansfield, stressed the fact that some men in Allegheny County have received more money out of the Pension Fund than they have paid in. That was already the case when this Pension Fund went into effect, there were men who would be eligible for pension the next year and naturally those people did not pay much into the Fund and they have received pension ever since. That is true of all pensions. The former Chief Justice of the Supreme Court never paid anything into the pension fund until two years ago and he gets ten thousand dollars a year pension. If he lives twenty years he will be getting more than any man or woman in Allegheny County will ever get, and that is no fault of his. The Judges started to pay into the Pension Fund two or three years ago and will pay from now on to keep that fund solvent; nevertheless, the retired men have reaped the benefit of the Fund that was created, and the same way with the Fund in Allegheny County. The pension bill that Senator Mansfield refers to was more of an insurance than a pension. Those men worked for Allegheny County from thirty to thirty-five years, some of them forty, and were left under the impression that they had a pension coming when they retired, a certain amount, and all of a sudden the Commissioners refused to pay into the Fund what they were supposed to pay, one-half per cent at least. Instead of that last year they did not pay anything, they told me. If they pay that in they would be solvent for at least two years. I would like to see this bill passed, go to the House and then insert any amendments that they agree upon.

Mr. MANSFIELD. Mr. President, I never did think it was good legislation to pass the buck from one body of this General Assembly to the other. If this bill is all right as it is written then it is perfectly proper to send it over to the House; if it is not all right there is no reason why it should be sent over to the House and ask them to amend it. Senator Coyne is mistaken when he makes the statement, and I do not criticise him for it, because the employes are mistaken when they say they believe that the county owes this Fund any money. By the Act under which this Fund is operated, the minimum amount that could be paid into the county over the period of years that this Fund has been in operation is $436,092.16. The amount the county did pay into the fund was $768,685.08. over fifty per cent more than they were obligated under the law to pay into the Fund. I have always felt that any retirement or pension fund should require the employes to pay in an equal amount with the taxpayers. I am in favor of the employes of Allegheny County having a pension fund, but the taxpayers of Allegheny County have a few checks in this game and should be considered when it comes to passing a bill that would burden them to an extent that they could not bear. The County Commissioners are perfectly willing to go fifty-fifty with the employes in this Fund, but under this plan the employes' contribution would be increased from one to three per cent, and they would be required to pay in one hundred and thirty thousand dollars next year, while the Commissioners would be required to pay in five million five hundred thousand dollars.

Mr. COYNE. Mr. President, I would like to interrogate the Senator from Allegheny, Mr. Mansfield.

The PRESIDENT. Will the Senator from Allegheny, Mr. Mansfield, permit himself to be interrogated?

Mr. MANSFIELD. Mr. President, I would be delighted.

Mr. COYNE. Mr. President, did the Commissioners pay any dues to the pension fund for 1932?

Mr. MANSFIELD. Mr. President, yes, sir; they paid seventy-five thousand dollars, which was more than was required under the act. They also approved in addition this year seventy-five thousand dollars, but it has not been paid in because the county solicitor gave us a written opinion that the fund was insolvent and we could neither legally pay in or pay out of it.

Mr. COYNE. Mr. President, did the Commissioners of Allegheny county appropriate one hundred and seventy thousand dollars for an audit in Allegheny County?

Mr. MANSFIELD. Mr. President, yes, sir; and it was worth several times what it cost.

Mr. COYNE. Mr. President, were the taxpayers of Allegheny County considered when the hundred and seventy thousand dollars were appropriated?

Mr. MANSFIELD. Mr. President, yes, sir. We did that for the advantage of the County of Allegheny to the extent of half a million dollars. If it had not been for the audit in Allegheny County, it would not have developed that the Fund was in the condition it was, and these employes who have been depending on retiring on this Fund and who are not able to work anywhere else would have found this fund was insolvent several years after this and that there was nothing to pay them with.

Mr. COYNE. Mr. President, outside of discovering that this Fund was insolvent, is that the only thing that was discovered in Allegheny County for the benefit of the taxpayers?

Mr. MANSFIELD. Mr. President, no, we have discovered a lot of things in Allegheny County.

Mr. COYNE. Mr. President, there was one man employed by the name of Conick?

Mr. MANSFIELD. Mr. President, I did not become a party to employing auditors in Allegheny County.

Mr. HARRIS. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Allegheny, Mr. Harris, will state his point of order.

Mr. HARRIS. Mr. President, the Senators are not discussing the bill.

Mr. MANSFIELD. Mr. President, I would like to continue the discussion.

The PRESIDENT. The Senators will confine themselves to the merits of the bill.

Mr. COYNE. Mr. President, I am for conserving the taxpayers' money, and I will assure you that the paying to the Pension Fund of money from the taxpayers is more essential than spending it for other purposes; and I was going to ask the Senator if they have indicted one man as the result of this audit, and the courts released him by nol prossing the case because they did not have anything on him.

Mr. MANSFIELD. Mr. President, my object in being a party to the audit of Allegheny County was not to indict anyone. My object was to straighten out the financial affairs of the county. And anyone who examines the audit made by Main and Company will discover that hundreds of thousands of dollars were wasted. Hundreds of thousands of dollars that should be on the books charged against different municipalities had not been charged, and in the end, when it is all over, the audit will pay the biggest dividend Allegheny County has ever had.

The PRESIDENT. The Senators will confine themselves to the bill before the Senate.

Mr. COYNE. Mr. President, I am trying to show the members of the Senate that it is more essential to appropriate the taxpayers' money to help old people who have given thirty or forty years service than it is to slander the good names of men by indicting them and then having the cases nol-prossed by the judges of Allegheny County. We hear a lot about conserving the taxpayer's money, but I assure you that the present Commissioners who have done some good, a lot of good, instead of wasting the taxpayers' money, should have paid it into the Pension Fund, I am for the pensioners of the county and city, for those who have served the county thirty or forty years.

Mr. HARRIS. Mr. President, I think this matter can be very easily adjusted, at least so far as I am concerned. There are just three words in this bill that require changing "shall keep solvent," and if there is an amendment made with these three words stricken out, I will vote for this bill. This can be very easily adjusted by letting the bill go over in order. I will prepare the amendment, have it here for this afternoon's Session, if we have one, and present the amendment and vote for the bill. If that can be done, it will save a lot of trouble and a lot of discussion, and I ask unanimous consent to let this bill go over in order for the purpose of preparing this small amendment.

Mr. COYNE. Mr. President, I object.

The PRESIDENT. The Chair hears objection.

Mr. EINSTEIN. Mr. President, I want to place on record as a member of the Senate, that I do not think it is right to put this Senate in a position that we are asking the taxpayers of Allegheny County to appropriate within six months or one year, five million dollars. I want to say that at the meeting before the Committee on New Counties and County Seats I never heard the word "Five Million Dollars" mentioned. I heard the words "One hundred and seventy thousand dollars" mentioned. And this is all news to me. I believe our Committee was practically unanimous in reporting the bill out, as Senator Coyne has said, to have this bill come out to the Senate and have proper amendments placed in the bill. I can take his word, and I believe every member of the Senate will take his word, but it should not go out to the public that we are spending five million dollars to save the Pension Fund. I have the highest regard for Senator Mansfield's veracity, and if that had come before the Committee on New Counties and County Seats, I feel confident that the bill would not be on the calendar. We had an actuary there that was employed, he did not say anything about the five million dollars, and I believe if this bill is passed, as Senator Coyne said this morning he is satisfied it shall be done, it can be placed in proper shape in the House. I for one would like to see it passed and will vote for it.

Mr. HARRIS. Mr. President, I desire to interrogate the Senator from Allegheny, Mr. Einstein.

The PRESIDENT. Will the Senator from Allegheny, Mr. Einstein, permit himself to be interrogated?

Mr. EINSTEIN. Mr. President, yes, sir.

Mr. HARRIS. Mr. President, I would like to say that I did not hear a discussion in the committee room, but there was an agreement made by the committee of the employes that the maximum amount expended by the Commissioners would be about a hundred and thirty thousand dollars?

Mr. EINSTEIN. Mr. President, yes.

Mr. HARRIS. Mr. President, and we were assured that would be in the bill?

Mr. EINSTEIN. I understand the employes stated at that meeting that the County Commissioners would appropriate three per cent provided the employes would contribute three per cent. Is that correct?

Mr. HARRIS. Mr. President, that is correct.

Mr. EINSTEIN. I have heard more about the word "solvent" than anything else before that committee, and it seems nobody can interpret that, and I don't know today what the word "solvent" would mean in connection with this Fund. It seems to me nobody could offer an explanation of that word "solvent."

Mr. HARRIS. Mr. President, I desire to remind the Senator from Allegheny that the amendment I desire to offer would eliminate the word "solvent."

Mr. EINSTEIN. May I interrogate the Senator from Allegheny, Mr. Harris?

Mr. HARRIS. Mr. President, yes, sir.

Mr. EINSTEIN. Mr. President, why did not the Senator from Allegheny, Mr. Harris, bring that before the committee?

Mr. HARRIS. Mr. President, because I had a very definite promise from the members of the employes' committee that an amendment would be prepared and inserted in the bill, and until Senator Mansfield's eloquent speech this morning, which he made when he was out of order, I found then that this amendment had not been prepared.

Mr. FRAZIER. Mr. President, I would like to interrogate the Senator from Allegheny, Mr. Harris.

The PRESIDENT. Will the Senator from Allegheny, Mr. Harris, permit himself to be interrogated?

Mr. HARRIS. Mr. President, I will be very glad to be interrogated.

Mr. FRAZIER. Mr. President, am I to understand that this is the correct version of the matter, that there was an understanding between the Senators from Allegheny and the committee which came down from Allegheny county in re-

gard to a certain sum to be inserted in the bill, and not the understanding with the Committee on New Counties and County Seats itself?

Mr. HARRIS. Mr. President, that is correct.

Mr. MANSFIELD. Mr. President, I would like to say a few words in answer to the statement of Senator Einstein. We all understand one another, there cannot be any misunderstanding as far as I am concerned. When we had the public hearing we went over these bills very thoroughly and while Mr. Buck, the actuary, and myself were trying to convince the representatives of the employes association that some amendment should be made to the bill, the Committee of New Counties and County Seats met when I was not there and reported out the bill, knowing that I was not there to give any opinion about it. But as far as the $5,228,739 that the taxpayers of Allegheny County must place on the dotted line before February 15th is concerned I just got that information this morning. The actuary, who has been in New York City working on the bill from the time of the public hearing up until yesterday, worked out just exactly what the taxpayers would have to pay under Senator Coyne's bill, and it was mailed to me this morning. I had this bill put over in order yesterday and talked to Senator Coyne about it and we both talked to the representatives of the employes association this morning, and the last word of the representatives of the employes association was that they would be perfectly satisfied to have this bill go over until next Monday and have it amended.

Mr. HARRIS. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Allegheny, Mr. Harris, will state his point of order.

Mr. HARRIS. Mr. President, I again call attention to the fact that we are all out of order.

Mr. EINSTEIN. Mr. President, I would like to interrogate the Senator from Allegheny, Mr. Harris.

The PRESIDENT. Will the Senator from Allegheny, Mr. Harris, permit himself to be interrogated?

Mr. HARRIS. Mr. President, I will.

Mr. EINSTEIN. Mr. President, Senator Mansfield says he was not at that meeting to report the bill out. Were you there?

Mr. HARRIS. Mr. President, I was not present at the meeting when this bill was reported out.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Armstrong,	Coyne,	Krause,	Roberts,
Aron,	Ealy,	McClure,	Salus,
Batchelor,	Einstein,	Miller,	Scott,
Baumer,	Fay,	Norton,	Shapiro,
Bell,	Frazier,	Owlett,	Sordoni,
Bennett,	Gelder,	Parkinson,	Staudenmeier,
Boyd,	Graff,	Pethick,	Trainer,
Buckman,	Harvey,	Quigley,	Williamson,
Chapman,	Hunsicker,	Reed,	Ziesenheim,

NAYS—10

Brandt,	Lanius,	Rice,	Sones,
Harris,	Mansfield,	Snyder,	Thompson,
Homsher,	Prince,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 676, entitled:

An Act to amend section four of the act approved the fourth day of April, one thousand nine hundred and one (P. L. 70), entitled "An act fixing the term of office of notaries public, regulating the appointment, and prescribing certain duties thereof"; reducing the fees for a notary public's commission.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL POSTPONED

Mr. GRAFF. Mr. President, I move that further consideration of Senate Bill No. 703, entitled:

An Act requiring cities, boroughs, towns townships, school districts and poor districts to issue serial bonds when incurring, increasing or refunding indebtedness, and imposing powers and duties on the Department of Internal Affairs.

be postponed for the present.

Mr. BENNETT. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 77, entitled:

An Act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,

Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 729, entitled:

An Act requiring corporations of the second class to furnish reports to shareholders, to file such reports with the Secretary of the Commonwealth, giving the Secretary power to prescribe forms and make regulations, prescribing penalties, providing for certain exemptions and repealing inconsistent acts and parts of acts.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 754, entitled:

An Act to further amend section five of the act, approved the nineteenth day of April, one thousand nine hundred and one (Pamphlet Laws, eighty-eight), entitled "An act relating to replevin, and regulating the practice in cases where the writ of replevin is issued," as amended, providing that no affidavit of defense shall be required before the return day of the writ.

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. REED. Mr. President, I ask unanimous consent to amend section 1, page 1, line 8, by striking out the word "of"

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL RECOMMITTED

Mr. HOMSHER. Mr. President, I move that Senate Bill No. 758 on third reading, entitled:

An Act limiting the jurisdiction of The Public Service Commission over carriers of property on the public highways.

be committed to the Committee on Judiciary General.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 809 (House Bill No. 256), entitled:

An Act to validate acts done by corporations before the recording of their charters.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 834, as follows:

An Act empowering cities boroughs incorporated towns and townships to charge and collect annual rentals for the use of certain sewers, sewage systems and treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any city except cities of the first class

borough incorporated town or township shall hereafter consruct any sewer or sewage system or sewage treatment works either wholly or partially at public expense or shall have acquired the same either wholly or partially at public expense such city borough incorporated town or township may provide by ordinance or resolution for the collection of an annual rental or charge fo rthe use of such sewer sewage system or sewage treatment works from the owners of the property served by it whether such property is located within or without the corporate limits of such city borough town or township either wholly or partially at public expense or shall have acquired the same either wholly or partially at public expense such city borough incorporated town or township may provide by ordinance or resolution for the collection of an annual rental or charge for the use of such sewer sewage system or sewage treatment works from the owners of the property served by it whether such property is located within or without the corporate limits of such city borough town or township

Section 2 Any such annual rental or chage shall be sufficient to meet but shall not exceed the amount expended annually by the city borough incorporated town or township in the operation maintenance repair alteration inspection depreciation or other expenses in relation to such sewer sewage system or sewage treatment works together with such nanual amount as may be necessary to provide for the amortization of the indebtedness incurred by the city borough incorporated town or township in the construction or acquisition of such sewer sewage system or sewage treatment works and interest thereon in order that said improvements may become self-liquidating The amount required for sinking fund and interest shall be paid into the sinking fund and shall not be used for any other purpose The said annual rental or whatever charge shall be decided upon by the city borough incorporated town or township shall be apportioned equitably among the properties served by the said sewer sewage system or sewage treatment works

Section 3 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. McCLURE. Mr. President, I ask unanimous consent to amend section 2, page 2, line 5, by striking out the words "but shall not exceed" and insert in lieu thereof "(a)"; also line 10, by inserting after the word "with" the following: "(b)"; also line 15, by inserting after the word "liquidating" the following: "and (c) sufficient to establish a margin of safey of ten per centum. Any unused surplus from any preceding year shall be paid into the fund accruing from said rentals or charges, and whenever the amount in said fund exceeds the said margin of safety of ten per centum, the excess shall be paid into the sinking fund"; also line 17, by inserting after the word "and" the following: "the amount so paid including any excess as above provided."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 847 (House Bill No. 1500), entitled:

An Act for the development and use of unredeemed seated and unseated lands purchased by county commissioners at tax sales providing for the holding and permanent retention of such lands by the county for forest or recreational uses beneficial to the local community or for their transfer to the State under suitable restrictions for similar uses subject to certain annual charges providing for the use of revenues derived from such lands providing a procedure for the discharge of liens of record against such lands by sale after notice to owners and lien creditors providing for the sale by counties of such lands as are retained by the county providing for the appointment by local State forest advisory councils and conferring powers upon the Department of Forests and Waters and the Board of Game Commissioners with respect to the acquisition and exchange of such lands their proper organization and development and the acceptance of gifts of lands.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott.
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,
Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye' the question was determined in the affirmative.

Ordered That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 848, entitled:

A Supplement to the act, approved the eighth day of May, one thousand nine hundred and nineteen (P. L. 148), entitled "An act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New Jersey of certain toll bridges over the Delaware River," and its amendments, authorizing the commission created under said act to borrow money from the Reconstruction Finance Corporation for the purpose of constructing toll bridges, to charge tolls thereon, and to repay loans from tolls collected.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Shapiro,
Bell,	Graff,	Owlett,	Snyder,
Bennett,	Harris,	Parkinson,	Sones,
Boyd,	Harvey,	Pethick,	Sordoni,

Brandt,	Homsher,	Pierson,	Staudenmeier,
Buckman,	Howell,	Prince,	Thompson,
Chapman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye' the question was determined in the affirmative.

Ordered That the Clerk return said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. SCOTT. Mr. President, I move that Senate Bill No. 870 (House Bill No. 1487), on third reading, entitled:

An Act making appropriations to the State Emergency Relief Board for expenditure by it and for allocation and reallocation to political subdivisions charged by law with the care of the poor or to other substituted agencies for direct and work relief defining the purposes for which such moneys may be expended providing for the audit of such expenditures and prescribing the powers and duties of the State Emergency Relief Board of cities coextensive with counties and of counties

be recommitted to the Committee on Appropriations.

Mr. HARRIS. Mr. President, I second the motion.

Will the Senate agree to the motion?

Mr. SCOTT. Mr. President, this is the Talbot Unemployment Relief Bill and there are some matters that must be corrected in the bill. There is a general understanding that if a meeting is desired we will be glad to have that hearing.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1, as follows:

An Act authorizing counties of the second class and cities of the second class to appropriate sums of money to aid in defraying the expenses of entertaining the stated convention of the National Encampment of the United Spanish War Veterans in the year one thousand nine hundred and thirty-four

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the respective authorities of the several counties of the second class and cities of the second class of this Commonwealth are hereby authorized severally to appropriate to Allegheny County Council United Spanish War Veterans and to the General Encampment Committee appointed and authorized by said Council a sum not to exceed ten thousand dollars ($10,000) to aid in defraying the expenses of entertaining the stated convention of the National Encampment of the United Spanish War Veterans in the year one thousand nine hundred and thirty-four

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

The PRESIDENT. Senate Bill No. 315, on second reading, entitled:

An Act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercise supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons and appropriating the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions, with supervised corporations, associations or persons; prescribing and limiting the powers and duties of certain courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts.

is not up from the Printer, and will go over in its order.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 367, as follows:

A Further Supplement to the act approved the first day of April one thousand eight hundred and sixty-three (Pamphlet Laws two hundred thirteen) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" and making an appropriation for carrying the same into effect

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in order to carry into effect the act of Congress approved July second one thousand eight hundred and sixty-two granting public land to the several states for educational purposes and subsequent act of Congress related thereto and the act of the Legislature of Pennsylvania approved April first one thousand eight hundred and sixty-three and subsequent acts of the Legislature of Pennsylvania accepting the provisions and conditions of said acts of Congress and pledging the faith of the State to carry the same into effect the sum of three million seven hundred and eight thousand dollars ($3,708,000) is hereby specifically appropriated for the two fiscal years beginning June first one thuosand nine hundred and thirty-three to the Trustees of The Pennsylvania State College for the general maintenance of instruction research and extension in the School of Agriculture the School of Engineering the School of the Liberal Arts the School of Mineral Industries the School of Chemistry and Physics the School of Education the Graduate School the School of Physical Education for the general maintenance of other departments offices and services including repairs and improvements to the grounds and buildings service of light heat power water and sewage disposal salaries and wages materials supplies equipment books and periodicals insurance and interest and such other expenditures as the trustees may deem necessary and practicable including any payments becoming due under a cooperative agreement between the Commonwealth and the trustees for the joint use of the facilities of the Pennsylvania State Forest School at Mont Alto

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

The PRESIDENT. Senate Bill No. 446, on second reading, entitled:

An Act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of banking corporations, with or without fidu-

ciary powers, including the conversation of national banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts.

is not up from the Printer, and will go over in its order.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 478, entitled:

An Act to amend paragraph two of section four as amended and paragraph two of section six as amended and paragraph one and five of section eight as amended and to add paragraph nine to section eight of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for the payment of administrative expenses from excess interest earnings making an appropriation therefor and providing for the reduction in the rate of payment to State Annuity Reserve Account Number Two

The first to sixth sections inclusive of the bill were read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That paragraph two of section four of the act approved the eighteenth day of July one thousand nine hundred seventeen (Pamphlet Laws one thousand forty-three) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by the act approved the fourteenth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand seven hundred thirty-eight) be and the same is hereby further amended to read as follows

2 The expenses of the administration of this act by the retirement board exclusive of the payment of retirement allowances and of the other benefits provided for in this act shall be paid from interest earnings on the funds in excess of four per centum except that if in any year such earnings are not sufficient the balance required shall be paid by the Commonwealth by biennial appropriations from the General Fund made on the basis of estimates submitted by the retirement board Under the direction of the board there shall be paid from such excess earnings and charged to the Administration Expense Account salaries wages or other compensation of the officers and employes of the Public School Employes' Retirement Board contingent expenses traveling expenses postage incidental and other expenses including telegram and telephone toll charges necessary for the proper conduct of the work of the Public School Employes' Retirement Board So much of such interest earnings on the investments of the School Employes' Retirement Fund in excess of four per centum as shall be credited to the Administration Expense Account in the manner provided in this act from time to time are hereby specifically appropriated to the Public School Employes' Retirement Board and may be expended for the purposes hereinbefore enumerated Estimates of the amounts to be expended under this act from time to time by the Public School Employes' Retirement Board shall be submitted to the Department of Public Instruction and after approval thereof by the Department of Public Instruction shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations made to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition for the expenditure of any moneys out of this appropriation by the Public School Employes' Retirement Board in excess of the estimates approved by the Governor Subject to the foregoing provisions the Auditor General shall from time to time upon requisition of the Public School Employes' Retirement Board draw his warrant on the State Treasurer for the amount specified in such requisition not exceeding however the amount in such fund at the time of making such requisition All amounts credited to the Administration Expense Fund which remain unexpended and uncommitted at the end of the biennium shall be credited to State Annuity Reserve Account Number Two The members of the retirement board shall serve without compensation but shall be reimbursed from the aforesaid appropriations for any necessary expenditures and no contributor shall suffer loss of salary or wages through serving on the retirement board

Section 2 That paragraph 2 of Section 6 of the said act as amended by the act approved the fourteenth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred thirty-eight) be and the same is hereby further amended to read as follows

2 (a) The retirement board shall annually allow regular interest on the mean amount for the preceding year to the credit of each of the accounts created in accordance with the provisions of this act The amount so allowed shall be annually credited thereto by the retirement board

(b) The retirement board shall annually credit to the State Annuity Reserve Account Number Two all interest on the investments of the fund created by this act in excess of four per centum and the expenses of administration as determined in the manner provided in this act

Section 3 That paragraph one of section eight of said act as amended by the act approved the Fourteenth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred thirty-eight) be and the same is hereby further amended to read as follows

The fund and accounts hereby created are the School Employes' Retirement Fund the contingent reserve account State annuity reserve account State annuity reserve account number two the employes' annuity savings account [and] the employes' annuity reserve account [.] and the administration expense account

Section 4 That paragraph five of section eight of said act as amended by the act approved the twenty-eighth day of April one thousand nine hundred twenty-five (Pamphlet Laws three hundred fifty-four) and the act approved the fourteenth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred thirty-eight) be and the same is hereby further amended to read as follows

5 Beginning with the month of July nineteen hundred nineteen and continuing until the accumulated reserve equals the present value as computed by the actuary of the retirement board of all State annuity payments thereafter payable by the Commonwealth on account of present employes then retired or to be retired on State annuities as provided in this act the said Commonwealth shall pay semi-annually into the fund created by this act through the Department of Revenue an amount equal to two and eight-tenths (2.8) per centum of the total compensation paid to all contributors for service during the preceding school year and in every case an amount at least three per centum greater than the second preceding

semi-annual payment which amount shall be credited by the retirement board to a ledger account to be known as State annuity reserve account number two Beginning with the month of July nineteen hundred twenty-five the Commonwealth shall pay semi-annually into the fund created by this act as aforesaid to the credit of State annuity reserve account two an amount equal to two (2) per centum of the total compensation paid to all contributors for service during the preceding school year Beginning with the month of July nineteen hundred thirty-three the Commonwealth shall pay semi-annually into the fund created by this act as aforesaid to the credit of State annuity reserve account number two an amount equal to one and six-tenths (1.6) per centum of the total compensation paid to all contributors for service during the preceding school year Provided That in every case the amount shall be sufficient when combined with that in the fund to the credit of said account to provide the pensions payable by the Commonwealth during the half-year then current to present employes then retired or to be retired as provided in this act Upon the retirement of a present employe his or her State annuity shall be charged to the State annuity reserve account number two and paid from the fund created by this act

Section 5 That section eight of said act as amended by the act approved the seventh day of April one thousand nine hundred twenty-five (Pamphlet Laws one hundred sixty-two) the act approved the twenty-eight day of April one thousand nine hundred twenty-five (Pamphlet Laws three hundred fifty-four) and the act approved the fourteenth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred thirty-eight) be and the same is hereby further amended by adding the following paragraph

9 There shall be credited by the retirement board to a ledger account to be known as the Administration Expense Account the amount of the estimate of amounts to be expended from time to time by the Department of Public Instruction for expenses of administration

Section 6 This act shall take effect immediately upon its passage and approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

The title of the bill was read as follows:

An Act to amend paragraph two of section four as amended and paragraph two of section six as amended, and paragraph nine to section eight of the act approved the eighteenth day of July one thousand nine hundred seventeen (Pamphlet Laws one thousand forty-three) entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties," by providing for the payment of administrative expenses from excess interest earnings making an appropriation therefor and providing for the reduction in the rate of payment to State Annuity Reserve Account Number Two.

On the question,

Will the Senate agree to the title?

Mr. McCLURE. Mr. President, I move to amend the title on Page 2, line 2, by striking out after the word of the word "administration" and inserting in lieu thereof the word "administrative"

Mr. SCOTT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreebaly to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 531 (House Bill No. 1099), as follows:

An Act authorizing counties cities boroughs townships of the first and second class and school districts to issue and sell bonds for certain purposes and for a certain period of time providing for a trust fund and a sinking fund for the payment thereof and defining the duties of the officers and governing bodies of the said municipalities in relation to said funds and fixing a penalty for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That to meet the emergency occasioned by the extraordinary decrease in tax collections due to business depression and widespread unemployment it shall be unlawful for any county city borough townships of the first and second class and school districts hereinafter called municipalities to issue and sell at not less than par bonds bearing interest at a rate not exceeding six per centum (6%) per annum payable in not more than ten (10) years and callable at par not more than five years from the date of said bonds in an amount not exceeding eighty per centum (80%) of the amount of uncollected taxes due on real estate at the date of the enactment of the ordinance or the adoption of the resolution authorizing such action and against which no other indebtedness has been created The proceeds of any bonds created under the provisions of this act by any such municipality shall be used only for the payment of the operating expenses of such municipality.

Section 2 For the purpose of creating a sinking fund for the payment of the principal and interest of the bonds created under the provisions of this act and any taxes covenanted to be paid thereon the governing bodies of the municipalities issuing same shall annually (until the payment of the said bonds and the interest therein and any taxes covenanted to be paid thereon by fully provided for) levy and collect in addition to the other taxes a tax sufficient to pay the interest and principal of said indebtedness and any taxes covenanted to be paid thereon within ten (10) years from the date of said bonds Such taxes shall be called the "Emergency Sinking Fund Tax" Such tax shall be paid into the treasury of such municipality and shall be kept separate and distinct from all other funds in a fund to be called "Emergency Sinking Fund" and shall be applied to the redemption of said bonds and the payment of the interest and taxes if any thereon and to no other purpose whatsoever Such bonds when so redeemed shall be cancelled

Section 3 The ordinance or resolution authorizing the issuing of such bonds shall recite the amount of uncollected taxes then due which amount of taxes shall become a trust fund for the redemption of the bonds and the payment of the interest and taxes if any thereon and it shall be the duty of the secretary or clerk of the governing body to credit the Emergency Sinking Fund with such taxes and of the treasurer of such municipality to deposit in the Emergency Sinking Fund immediately upon receipt thereof any and all said uncollected taxes provided that the amount of such uncollected taxes received and deposited in the Emergency Sinking Fund in any year may be deducted from the amount of the annual tax levied for the year following to be levied and collected for the redemption of said bonds and the payment of the interest and taxes if any thereon

Section 4 Any person who shall directly or indirectly apply or use any of said uncollected taxes to or for any purpose other than to deposit the same in the Emergency Sinking Fund shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not exceeding one thousand dollars ($1,000) or imprisoned for a term not exceeding one (1) year or either or both in the discretion of the court

Section 5 Each sinking fund created under the provisions of this act shall be consecutively numbered and the amount thereof as well as the uncollected taxes due and collectible

shall be deducted from the gross indebtedness in ascertaining the net indebtedness of such municipality

Section 6 The temporary emergency power hereby granted shall be in addition to the powers granted to such municipalities to issue and create indebtedness under existing law

Section 7 Any bonds issued under the provisions of this act shall be issued in accordance with the provisions of the Constitution of this Commonwealth and the act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" as supplemented and amended and shall require the approval of the Department of Internal Affairs as in the case of other bond issues

Section 8 This act shall become effective immediately upon its approval by the Governor and remain in force and effect only for five (5) years thereafter

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

The PRESIDENT. Senate Bill No. 625, on second reading, entitled:

An Act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, attorneys, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts.

is not up from the Printer's, and will go over in its order.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 641 (House Bill No. 534), as follows:

An Act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Health and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same Practice of Beauty Culture without Registration Prohibited That no person shall practice or teach beauty culture or manage a beauty shop and no place shall be used or maintained for the practice or teaching of beauty culture for compensation except under a certificate of registration issued in accordance with the provisions of this act Nothing contained in this act however shall apply to or affect any person who is now actually engaged in such occupation except as hereinafter provided

Section 2 Definitions The word "department" when used in this act shall refer to and mean the Department of Health of the Commonwealth of Pennsylvania

Section 3 Beauty Culture Defined The practice of beauty culture includes any or all work done for compensation by any person which work is generally and usually performed by so-called hairdressers cosmetologists cosmeticians beauticians or beauty culturists and however denominated in so-called hairdressing and beauty shops ordinarily patronized by women which work is for the embellishment cleanliness and beautification of the women's hair such as arranging dressing curling waving permanent waving cleansing cutting singeing bleaching coloring pressing or similar work thereon and thereabout and the removal of superbuous hair and the messaging cleansing stimulating manipulating exercising or similar work upon the scalp face arms or hands or the upper part of the body by the use of mechanical or electrical appartus or appliances or cosmetics preparations tonics antiseptics creams or lotions or by any other means and of manicuring the nails which enumerated practies shall be exclusive of the term beauty culture but not in limitation thereof

Section 4 Requirements to Practice Before any person may practice manage or teach beauty culture such person shall file with the department a written application for registration accompanied by a health certificate issued by a registered licensed physician of Pennsylvania under oath on a form which shall be prescribed and supplied by such department and shall deposit with the department the required fee and pass an examination as to fitness to practice or teach beauty culture or manage a beauty shop

Section 5 Eligibility Requirement for Examination No person shall be permitted to take an examination to receive a certificate as an operator unless such person shall be at least sixteen years of age and has been registered as a student and has had training as provided in section seven of this act in a beauty school duly registered by the said department or unless such person shall have been registered and served as an apprentice at least two years as provided in section eleven hereof Provided however That the department may permit a person to take an examination without the prior studentship or apprentiiceship herein required if such person shall establish to the satisfaction of the department that he or she has been an operator in the active practice of beauty culture for at least twenty-four months within the five years next preceding the effective date of this act No person shall be permitted to take an examination for a certificate to teach beauty culture or act as manager of a beauty shop unless such person be at least eighteen years of age and has had at least eighteen months' experience as an operator in a beauty shop or has had a training in a duly registered beauty school of fifteen hundred hours inclusive of the studies necessary to become an operator

Section 6 Manicuring A limited certificate of registration to manicure the nails only may be applied for and granted under all of the terms and conditions of this act except that the examination therefor may be limited to such practice only and the required schooling shall be not for less than one month

Section 7 Requirements of a School No school of beauty culture shall be granted a certificate of registration unless it shall attach to its staff as a consultant a person licensed by this State to practice medicine and employ and maintain a sufficient number of competent teachers registered as such and shall possess apparatus and equipment sufficient for the proper and full teaching of all subjects of its curriculum shall keep a daily record of the attendance of each student maintain regular class and instruction hours establish grades and hold examinations before issuance of diplomas and shall require a school term of training of not less than one thousand hours within a period of not less than six consecutive months or a night school term of training for a period of not less than twelve consecutive months for a complete course comprising all or a majority of the practices of cosmetology as provided by this act and to include practical demonstrations and theoretical studies and study in sanitation sterilization and the use of antiseptics cosmetics and electrical appliances consistent with the practical and theoretical requirements as applicable to beauty culture or any practice thereof In no case shall there be less than one teacher to each twenty-five pupils

Section 8 Student Practice Upon the Public for Pay Prohibited It shall be unlawful for any school to permit its students to practice beauty culture upon the public under any circumstances except by way of clinical work upon persons willing to submit themselves to such practice after having first been properly informed that the operator is a student No school shall directly or indirectly charge any money whatsoever for treatment by its students even though such charge be only for actual material used

Section 9 Practice in Shops Only It shall be unlawful for any person to practice beauty culture for pay in any place other than a registered beauty shop Provided That

a registered operator may furnish beauty culture treatments to persons in residences of such persons by appointment

Section 10 Exceptions to Examination Requirements Present Students and Apprentices Any person who has practiced or taught beauty culture or acted as manager of a beauty shop or beauty school under a similar certificate license or permit for not less than two years in another state territory or District of Columbia or any person who has done so in this State for at least six months next preceding the effective date of this act and is thus engaged in this State at the time this act goes into effect shall secure such certificate of registration without an examination or compliance with other requirements as to age or education providing due application for registration shall be made within ninety days after the effective date of this act which application shall be accompanied by an affidavit of a practicing physician that the applicant was examined and is free from all contagious and infectious diseases and the required fee paid by such person under the rules of said department Any person studying beauty culture in a beauty school or as an apprentice in a shop in this State at the time this act goes into effect shall receive credit for such time and studies without complying with the requirements as to age and preliminary education providing a due application shall be made for registration as a student or apprentice within three months after this act goes into effect Students upon graduating from registered schools may apply for and receive from the department a temporary permit to practice as an operator until the next regular examination

Section 11 Apprentices in Shops Any cosmetologist hairdresser or cosmetician who is a shop owner after first receiving a teacher's certificate may instruct apprentices provided that there shall be no less than four licensed operators for each apprentice in any shop and there shall be no more than two apprentices in any shop and in their regular course of business provided they do not hold themselves out as a school Such apprentices may apply for examination at the end of their apprenticeship at the next regular examination and if successful therein shall be registered as operators Registered apprentices upon completion of their required term of apprenticeship may apply for and receive from the department a temporary permit to practice as an operator until the next regular examination

Section 12 Rules by Department The department shall prescribe reasonable rules for its conduct and for the qualifications registration and examination of applicants to practice or teach beauty culture and for the registration of apprentices teachers students and managers of beauty shops or beauty schools and for temporary licenses to be issued at the discretion of the department and generally for the conduct of persons copartnerships associations or corporations affected by this act Rules established by the department shall be printed and supplied to applicants and license holders

Section 13 Examinations If the department finds that the applicant has submitted the credentials required for admission to examination and has paid the required fee the said department shall admit such applicant to examination and shall issue a certificate of registration to practice as operator manager or teacher as the case may be to those successfully passing the said examinations The department shall hold public examinations on the third Tuesdays in January April July and October in the cities of Philadelphia Pittsburg Wilkes-Barre Harrisburg and Erie at such hours as the department shall prescribe The examinations for teachers' and managers' licenses shall differ from the examination for operators' licenses in that it shall be of a more exacting nature and require higher standards of knowledge of the practice and theories of beauty culture as well as include ability to properly teach the various practices and theories

Section 14 Examiners and Inspectors The department shall call to its aid any person or persons of established reputation and known ability in the practices for the purpose of conducting examinations inspections and investigations of any and all persons firms and corporations affected by the act Such person shall receive for his or her services the sum of ten dollars ($10.00) for each day actually employed in the discharge of his or her actual duties and necessary expenses incurred in the discharge of such duties payable in the same manner as other employes of said department are paid

Section 15 Powers and Duties of Department The department shall have the power to refuse revoke or suspend licenses or certificates upon due hearing on proof of violation of any provisions of this act the rules and regulations established by the said department under this act or for gross incompetency or dishonest or unethical practices and shall have the power to require the attendance of witnesses and the production of such books records and papers as it may desire Before any certificate shall be suspended or revoked for any of the reasons contained in this section the holder thereof shall have notice in writing of the charge or charges against him or her and shall at a day specified in said notice which shall be at least five days after the service thereof be given a public hearing before a duly authorized representative of the department with a full opportunity to produce testimony in his or her behalf and to confront the witnesses against him or her Any person whose certificate of registration has been so suspended or revoked may after the expiration of ninety days on application have the same reissued to him or her upon satisfactory showing that the disqualification has ceased Before the department may institute any of the above proceedings it shall send a notice in writing to the certificate holder of any alleged violation of this act or rules thereunder together with a notice that if the said violation is not abated within fifteen days the proceedings above outlined will be initiated

Section 16 Sanitary Rules The said department shall prescribe such sanitary rules as it may deem necessary with particular reference to the precautions necessary to be employed to prevent the creating and spreading of infectious and contagious diseases and it shall be unlawful for the owner or manager of any beauty shop or school to permit any person to sleep in or use for residential purposes any room used wholly or in part as a beauty shop or school

Section 17 Appeal from Actions of Department An appeal may be taken from any actions of the said department to the court of common pleas of Dauphin County The judgment of the common pleas court may be reviewed by the Superior Court on appeal

Section 18 Fees The registration fee for the issuance of a license with or without examination shall be as follows Five dollars ($5.00) for shop owners and managers and school instructors two dollars ($2.00) for operators and manicurists one dollar ($1.00) for students or apprentices and fifty dollars ($50.00) for schools Annual renewal fees shall be fipe dollars ($5.00) for shop owners and managers and school instructors two dollars ($2.00) for operators and manicurists and twenty-five dollars ($25.00) for schools The above fees for registration examination and certificate shall be paid in advance to the department and by it paid into the State Treasury through the Department of Revenue

Section 19 To Whom Provisions in This Act Shall Not apply Nothing in this act shall prohibit service in case of emergency or domestic administration without compensation nor service by persons authorized under the laws of this State to practice medicine surgery dentistry chiropody osteopathy or chiropractice nor services by barbers lawfully engaged in the performance of the usual and ordinary duties of their vocation Nothing in this act is intended to be inconsistent with the act approved the nineteenth day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred eighty-nine) entitled "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops barber schools and barber colleges and apprentices and students therein conferring certain powers and duties on the Department of Public Instruction and providing penalties"

Section 20 Display of Certificates Every holder of a certificate granted by the said department as provided in this act shall display it in a conspicuous place in his or her principal office place of business or employment

Section 21 Duration of Renewal and Certificates of Registration The certificates of registration issued in the year in which this act goes into effect shall expire as of December thirty-first one thousand nine hundred and thirty-four Thereafter certificates shall be issued for no longer than one year All certificates shall expire on the thirty-first day of December next succeeding unless renewed for the next year Certificates may be renewed by application made prior to the thirty-first day of December of each year and the payment of the renewal fees provided by section eighteen of this act

Section 22 Penalties Any person who shall practice or teach beauty culture or act in any capacity wherein registration is required without complying with this act shall be guilty of a

misdemeanor and upon conviction shall be fined not to exceed one hundred dollars ($100.00) or shall be imprisoned for not more than ninety (90) days or both Each and every day of violation shall be construced as a separate offense Any operator manager teacher student or apprentice who shall practice the occupation of beauty culture while knowingly suffering from contagious or infectious disease or who shall knowingly serve any person afflicted with such disease shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine nota exceeding one hundred dollars ($100.00) or undergo an imprisonment not exceeding thirty (30) days or both at the discretion of the court

Any operator manager teacher student or apprentice who shall infect any person or who shall impart any contagious or infectious disease by reason of carelessness or negligence in the practice of such occupation shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not xeceeding five hundred dollars ($500.00) or to undergo an imprisonment not exceeding six months or both at the discretion of the court All fines and penalties shall be paid to the department and by the department shall be paid into the State Treasury through the Department of Revenue

Section 23 Effect of Partial Invalidity of Act Each section of this act and every part of each section is hereby declared to be independent of every other and the holding of any section or part thereof to be void or ineffective for any cause shall not be deemed to affect any other section or part thereof

Section 24 Effective Date This act shall become effective on the first day of January one thousand nine hundred and thirty-four

Section 25 Repeal All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. PARKINSON. Mr. President, I move that Senate Bill No. 641, the bill just read, be recommitted to the Committee on Public Health and Sanitation.

Mr. PETHICK. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. HUNSICKER. Mr. President, I should like to ask the Senator from Greene, Mr. Parkinson, his purpose on recommitting this bill.

Mr. PARKINSON. Mr. President, it is for the purpose of a hearing.

And the question recurring,

Will the Senate agree to the bill?

It was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 715 (House Bill No. 1325), entitled:

An Act providing that the lien of any tax or municipal claim assessed upon or with respect to real property and of any judgment entered therefor and any execution to enforce such lien or judgment shall be limited to the property against which said tax has been assessed and shall not impose personal liability upon the owner of such property.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 726 (House Bill No 1219), entitled:

An Act to amend sections eight and sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight)), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended by providing for the payment of all damages due to the change of width grades lines and locations of State highways in boroughs towns and townships including the removal of structures by the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 728, as follows:

A Supplement to act number fifteen-A approved the eleventh day of June one thousand nine hundred thirty-one (Appropriation Acts of One Thousand Nine Hundred Thirty-one page sixteen) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of public schools for two years beginning June first one thousand nine hundred and thirty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-one" providing for a deficiency in the appropriation to the Department of Forests and Waters

for the extinction and control of forest fires for the fiscal biennium ending May thirty-first one thousand nine hundred thirty-three

Section 1 Be it enacted by the Snate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred and thirty thousand dollars ($130,000) or as much thereof as may be necessary is hereby appropriated for the deficiency in the appropriation to the Department of Forests and Waters for expenses incurred in the extinction and control of forests fires

Section 2 This act shall beocme effective on the date of its approval by the Governor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 737 (House Bill No. 1220, entitled:

An Act to amend section ten of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township, or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town requiring contracts by counties, townships, boroughs and incorporated town with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended, relieving boroughs and incorporated towns from the responsibility for maintenance of highways and bridges under the control of the Department of Highways of the Commonwealth of Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 756, as follows:

An Act making an appropriation to the Department of Military Affairs for the use of the State Armory Board for the partial payment of an arbitration award to the general contractors for services rendered in connection with the construction of the Wilkes-Barre Artillery Armory

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enactd by the authority of the same That the sum of one thousand nine hundred twelve dollars and one cent ($1,912.01) or so much thereof as may be necessary is hereby appropriated to the Department of Military Affairs for the use of the State Armory Board for the partial payment of an arbitration award to the general contractors appointed for the construction of the Wilkes-Barre Artillery Armory for services rendered in connection with the construction of such armory

Section 2 This act shall become effective on the date of its approval by the Governor

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committe of the Whole being in this case dispensed with,

The Senate proceeded to th second reading and consideration of Senate Bill No. 762, as follows:

An Act to amend the act approved the twenty-fifth day of February one thousand eight hundred and seventy-five (Pamphlet Laws four) entitled "A supplement to the act approved March thirty-first one thousand eight hundred and sixty entitled 'An Act to consolidate revise and amend the penal laws of this Commonwealth' further defining the offence of kidnapping and affixing additional penalties thereto" by increasing the penalty for kidnapping with intent to extort money for restoration

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the twenty-fifth day of February one thousand eight hundred and seventy-five (Pamphlet Laws four) entitled "A supplement to the act approved March thirty-first one thousand eight hundred and sixty entitled 'An act to consolidate revise and amend the penal laws of this Commonwealth' further defining the offence of kidnapping and affixing additional penalties thereto" is hereby amended to read as follows

That if any person shall maliciously either by force or fraud lead take or carry away or decoy or entice away any child under the age of ten years from its parent or parents or any other person having the lawful charge or care of such child or the possession of such child with the intent to extort money or any valuable thing from the parent or any other person for the restoration of such child every such person shall be guilty of a felony and upon conviction thereof shall be sentenced [to pay a fine not exceeding ten thousand dollars and] to suffer death or to undergo an imprisonment by separate and solitary confinement at labor for [a period not exceeding twenty-five years] the term of his or her natural life as the jury by its verdict shall fix and if any person within this Commonwealth shall knowingly conceal harbor or detain or assist in concealing harboring or detaining any such child so taken carried or enticed away as aforesaid either within or without this Commonwealth every such person shall be guilty of a felony and upon conviction thereof be sentenced [to pay a fine not exceeding five thousand dollars and] to suffer death or to undergo an imprisonment by separate or

solitary confinement at labor [not exceeding fifteen years] for the term of his or her natural life as the jury by its verdict shall fix Provided That this act shall not apply to the detaining or concealing of any child taken or carried away before the passage of this act where the person or persons so harboring or concealing shall within thirty days after the passage of this act surrender up such child to the custody of the nearest magistrate or justice of the peace or to the sheriff of any county within this Commonwealth Provided further That where sentence of death is imposed under this act the sentence shall be executed in the same manner as in the case of murder in the first degree where sentence of death is imposed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. GELDER. Mr. President, I ask unanimous consent that Senate Bill No. 793, on second reading, entitled:

An Act to amend Section Two of the Act approved the twenty-second day of June, A. D. One thousand nine hundred thirty-one (Pamphlet Laws seven hundred twenty), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A. and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," by changing certain routes.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER. Mr. President, I ask unanimous consent that Senate Bill No. 794, on second reading, entitled:

An Act establishing certain public roads and streets, in the City of Pittsburgh and County of Allegheny as a State highway, and providing for their construction and maintenance by the Department of Highways, subject to certain terms and conditions.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 812 (House Bill No. 876), as follows:

An Act to amend sections one hundred ten four hundred seven four hundred eight five hundred thirty six hundred twelve six hundred twenty-one six hundred twenty-two eight hundred eight one thousand seven hundred and fifteen two thousand sixty-three two thousand seventy two thousand three hundred and one two thousand three hundred and two and three thousand two hundred and one to repeal sections two thousand seventy-one two thousand seventy-two two thousand seventy-three two thousand seventy-four two thousand seventy-five three thousand two hundred and two three thousand two hundred and three three thousand two hundred and four three thousand two hundred and five and three thousand two hundred and six and to add sections two hundred nine two hundred nine a three thousand two hundred and two and three thousand two hundred and three to the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand two hundred six) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" regulating advertising fixing the voting powers at county conventions of township officers correcting certain section headings providing the security to be given by depositories prescribing penalties for delinquent taxes permitting certain municipal claims to be embraced in one claim and providing that the width of sidewalks may be fixed by resolution regulating the carrying of Workmen's Compensation Insurance providing for the laying out and ordaining of sidewalks for the removal of shrubbery and obstructions within highways for the filling of vacancies in office for the reestablishment of a first class township as a second class township and defining the powers and duties of the planning commission

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections one hundred ten four hundred seven four hundred eight five hundred thirty six hundred twelve six hundred twenty-one six hundred twenty-two eight hundred eight sections one thousand seven hundred and fifteen two thousand and sixty-three two thousand and seventy two thousand three hundred and one two thousand three hundred and two and three thousand two hundred and one of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand two hundred six) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" are hereby amended to read as follows

Section 110 Legal Advertising Whenever under the provisions of this act notice is required to be published in one newspaper such publication shall be made in a newspaper of general circulation as defined by the Newspaper Advertising Act approved May sixteenth one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand seven hundred eight-four) printed [in the township if there is such a newspaper and if not then in a newspaper] or circulating generally in such township If such notice is required to be published in more than one newspaper it shall be pubished in at least one newspaper of general circulation defined as aforesaid printed [if there be such a newspaper] or circulating generally as above provided in the township When such notice relates to any proceeding or matter in any court or the holding of an election for the increase of indebtedness or the issue and sale of bonds to be paid by taxation such notices shall also in counties of the second third fourth and fifth classes be published in the legal newspaper if any designated by the rules of court of the proper county for the publication of legal notices and advertisements unless such publication be dispensed with by special order of court Provided however That ordinances auditors' statements summaries of auditors' statements advertisements inviting proposals for public contracts and for bid for material and supplies or lists of delinquent taxpayers shall be published only in newspapers of general circulation defined as aforesaid

Section 407 Schedule for Election of Commissioners in Townships First Divided Into Wards When a township is first divided into wards the township commissioners then in office shall continue in office until the expiration of their respective terms

At the first municipal election occurring at least ninety days after such division into wards there shall be elected by the qualified electors of each ward of the township one township commissioner who [need not] shall reside in the ward for which he is elected At such election the township commissioners elected in even-numbered wards shall be elected for terms of two years each and those in odd-numbered wards for terms of four years each or vice versa as the case may be in order that the expiration of such terms will harmonize with the expiration of term of township commissioners elected for such numbered wards under the provisions of this act There-

after successors to such commissioners elected by ward shall be elected for term of four years each at the municipal election immediately preceeding the expiration of the terms of ward commissioners

If the number of wards into which the township has been divided is less than five then at the municipal election preceding the expiration of the terms of any commissioner or commissioners theretofore elected at large if such expiration of terms will leave the township with less than five township commissioners there shall be elected at large a sufficient number of township commissioners so that the total number of commissioners elected by wards and at large in the township shall thereafter be five If one township commissioner is elected at large at such election he shall be elected for a term of four years If two township commissioners are elected at large at such election one shall be elected for a term of two years and one for a term of four years If three township commissioners are elected at large at such election two shall be elected for terms of four years each and one for a term of two years Successors to such township commissioners elected at large at such election shall be elected for terms of four years each

All terms of office of township commissioners elected at large or by wards shall commence on the first Monday of January next following their election

Section 408 Schedule of Election of Commissioners in Newly Created Wards Whenever in a township previously divided into wards a new ward is created and the number of wards thereafter in such township including the new ward is less than five then at the municipal election next following the expiration of the term of the commissioner or commissioners elected at large whose terms shall first expire after such creation there shall be elected by the qualified electors of such new ward one township commissioner who [need not] shall reside in the ward for which he is elected for a term of two or fours years so that the expiration of his term will harmonize with the expiration of terms of commissioners for such numbered wards under the provisions of this act Successors to such township commissioners shall be elected for term of four vears The number of commissioner thereafter elected at large in any such township shall be the difference between the number of wards and five and a sufficient number of commissioners shall be elected at large at each municipal election preceding the expiration of terms of commissioners at large so that the total number of commissioners in the township will at all times be five

Whenever in any township previously divided into wards a new ward is created and the number of wards thereafter in such township is five then at the municipal election preceding the expiration of the term of office of any commissioner or commissioners elected at large a township commissioner shall be elected for such ward who [need not] shall reside in the ward Such election shall be for a two or four year term so that the expiration of his term will harmonize with the expiration of terms of commissioners for such numbered wards under the provisions of this act The successor to such ward commissioner shall be elected for a four-year term No township commissioner shall thereafter be elected at large in such township

If the number of wards in such township including the new ward shall be more than five the court of quarter sessions shall appoint a township commissioner for such new ward who shall hold office until the first Monday in January succeeding the first municipal election at which township commissioners are elected in such numbered wards under the provisions of this act at which election and every four years thereafter a township commissioner who [need not] shall reside in the ward shall be elected by the qualified electors of said ward for a term of four years

All township commissioner selected under this section shall take office on the first Monday of January next succeeding their election

Section 530 Township Commissioners When a vacancy occurs in the office of township commissioners in any township by reason of death resignation removal from the township or ward or otherwise the court of quarter sessions upon the petition of twenty qualified voters of the ward or township as the case may be in which the vacancy occurs may appoint a qualified voter of the township to fill such vacancy If such petition is not presented to the court within thirty days after such vacancy occurs the board of township commissioners of the township may appoint a qualified voter of the township to fill the vacancy In either event the person so appointed shall hold office until the next municipal election at which election a township commissioner shall be elected for the unexpired term of the person whose place he is elected to fill

Section 612 Officers of Association Ex-Officio Membership The officers of the association shall consist of a president two vice presidents a secretary and a treasurer all of who except the secretary shall be members of the association and shall hold office for one year or until their successors are chosen If desirable the secretary may be a person not a regular member of the association and may be paid for his service such compensation not exceeding ten dollars per annum as the other officers may determine Every township [oiffcer attending such convention may vote in the election of officers] shall have one vote in the convention The mayor of any city the burgess of any borough or their duly appointed representative the county commissioners and the judges of the court in the county the township engineer of the State Highway Department the assistant engineers of the division of township highways and the superintendent of State highways in charge of such county shall be eligible to membership but shall not be entitled to vote nor to hold office

Section 621 Delegates from [County Associations] Townships Each township shall send one township officer as a delegate to each annual meeting of said State association who shall be selected by the commissioners of the township of which he is a commissioner or an officer

Section 622 Expenses of Delegates Paid by [County Associations] Townships The expenses of the delegates and other officers attending the annual meeting shall not exceed seven dollars and fifty cents per day for each officer attending for not more than three days together with the actual mileage at the prevailing rate of railroad fare and shall be paid by the respective townships

Section 808 Depositories of Township Funds Selection [of] Bonds The Board of commissioners shall from time to time designate by resolution a depository or depositories for township funds and tax collectors' funds Such depository or depositories shall be banks banking institutions or trust companies located in the Commonwealth.

Depositories so designated shall upon receipt of notice of their selection as a depository of township funds either furnish a bond to secure payment of deposits of township and tax collectors funds and any interest to the township with a proper warrant to confess judgment in favor of the township secured by a surety company or individual sureties to be approved by the board of commissioners or deposit United States municipal or county bonds to be approved by the board of commissioners to secure the payment of township deposits and any interest thereon Such surety bonds shall be in a sum to be fixed by ordinance or resolution at least equal to the probable greatest amount of such deposit at any one time The current market value of deposit bonds shall be at all times at least equal to the amount of township funds then on deposit with such depository Such deposit bonds shall be accompanied by proper assignments or powers of attorney to transfer the same In the event of the failure of the depository to pay to the township the full amount of such deposit and interest thereon such bonds and the proceeds of sale thereof shall belong to the township until it shall receive therefrom the full amount of such deposits and interest thereon and the township shall have a prior standing as respects such bonds and be in all respects preferred to any and all claims except such as have heretofore been preferred by law

The township treasurer shall upon the designation and qualification of such depository or depositories immediately transfer thereto the township funds and shall thereafter keep such deposits solely in such depository or depositories in the name of the township

No township treasurer or tax collector complying with the provisions of this section nor his surety or sureties shall be

chargeable with losses in township funds caused by the failure or negligence of such depository or depositories

Section 1715 Penalties All persons who fail to make payment of any tax charged against them in the duplicate within the period of sixty days from the date of notice thereof by the township treasurer shall be charged with a penalty of two per centum additional on the amount of tax and thereafter an additional penalty of [one] one-half per centum for each month or fractional part thereof [during the remainder of the fiscal year for which the tax is levied] until paid which penalties shall be added to the tax by the treasurer and collected by him [or his deputy] for the benefit of the township Provided however That said penalty of one-half of one per centum per month shall cease at any time when and if interest is added to such taxes under laws providing for the return of unpaid taxes or the filing of liens therefor

Section 1806 Workmen's Compensation Insurance All contracts executed by any township which involve the construction or doing of any work involving the employment of labor shall contain a provision that the contractor shall accept in so far as the work covered by any such contract is concerned the provisions of the Workmen's Compensation Act of one thousand nine hundred and fifteen and any supplements or amendments thereto and that the said contractor will insure his liability thereunder or file with the township with which the contract is made a certificate of exemption from insurance from the Bureau of Workmen's Compensation of the Department of Labor and Industry

Every officer of any township who shall sign on behalf of the township any contract requiring in its performance the employment of labor shall require before the said contract shall be signed proof that the said contractor with whom the contract is made shall have accepted the Workmen's Compensation Act of one thousand nine hundred and fifteen and any supplements or amendments thereto and proof that the said contractor has insured his liability thereunder in accordance with the terms of the said act or that the said contractor has had issued to him a certificate of exemption from insurance by the Bureau of Workmen's Compensation of the Department of Labor and Industry.

[Any] In any contract executed in violation of the provisions of this act [shall be null and void] the Commonwealth or any municipal corporation division or subdivision of the Commonwealth being a party thereto shall be regarded as the employer and liable to pay compensation to any person entitled to compensation under the laws of the Commonwealth as the result of employment pursuant to such contract

Section 2063 Collection of Assessments If any assessment shall remain unpaid at the expiration of the notice it shall be the duty of the township solicitor to collect the same with interest from the time of completion of the improvement by action of assumpsit or by a lien to be filed and collected in the same manner as municipal claims When an owner has two or more lots against which there is an assessment of the same improvement all of such lots [shall] may be embraced in one claim

(k) Trees [and] Shrubbery and Obstructions within Limits of Highways

Section 2070 [Saving Trees and Shurbbery Where any highway passes through or along forested lands wild lands or uncultivated lands no trees growing within the limits of such highway at a distance beyond fifteen feet on either side of the center line thereof and which measure four inches or over in diamter at a point two feet from the surface of the ground shall be cut down or destroyed by the commissioners or persons employed by them or any other person without first obtaining the consent of the abutting owners

Whenever any highway running through improved or cultivated lands has been opened and there are growing along the roadside and within the road limits shrubs or trees not interfering with public travel no commissioners or other persons in their employ shall remove cut injure or destroy or in any other manner interfering with such shrubs or trees If such removal or cutting is absolutely necessary for the purpose of maintaining the highway at its highest efficiency the commissioners or other persons in their employ may so cut or remove such shrubs or trees after notifying the abutting property owners and entering into an agreement with them relating to the removal cutting or interference with said shrubs or trees]

In order to provide for easy and convenient traveling upon the public highways the township commissioners may cut alter or remove any trees shrubbery underbrush refuse or obstructions within the legal width of any public road street lane or alley or any part thereof All logs cordwood or other forms of wood derived from the destruction or removal of any trees growing along such highways become the property of the abutting owners provided that such abutting owners shall within ten days after notice from the township remove such logs cordwood or other forms of wood from the legal width of the highway In the event of their failure to do so they shall forfeit all interest therein and the same may be disposed of as the township commissioners deem proper

Section 2301 Power to Lay Out Ordain and Establish Grades Townships may lay out ordain and establish sidewalks upon any [of the roads streets lanes and alleys of the township] public road street lane or alley including State and State-aid highways and county roads and may establish grades for such sidewalks which grades may be separate and apart from the grade established for the highway and for this purpose any township may acquire land by purchase gift or by the right of eminent domain

Section 2302 Width The width of any sidewalk shall be fixed by the township commissioners either by ordinance or resolution

Section 3201 Power to Create Planning Commission Residence of Commissioners Employes Rules and Regulations The township commissioners may create by ordinance and appoint a Planning Commission consisting of five persons in the first instance one member of said commission shall be appointed for one year one for two years one for three years one for four years and one for five years and annually thereafter a member of said commission shall be appointed for a term of five years An appointment to fill a vacancy shall be for the unexpired portion of the term All members of the commission shall reside within the [zone of jurisdiction of said commission as hereinafter defined] township [The Planning Commission may make and alter rules and regulations for their own organization and procedure consistent with the ordinance of the township and the laws of the Commonwealth] They shall serve without compensation and make annually to the township commissioners a report of their transactions The Planning Commission may with the consent of the township commissioners [employ engineers and other persons whose salaries and wages and other necessary expenses of the commission shall be provided for through proper appropriation by the township commissioners] retain the services of an engineer or engineers as well as other necessary employes. The township commissioners shall appropriate such sum as they deem necessary for defraying the expenses of the Planning Commission and in no event shall the expenses of the Planning Commission including the salaries of the engineer or other employes exceed the amount of the appropriation

Section 2 That sections two thousand seventy-one two thousand seventy-two two thousand seventy-three two thousand seventy-four two thousand seventy-five three thousand two hundred two three thousand two hundred three three thousand two hundred four three thousand two hundred five and three thousand two hundred six of said act are hereby repealed

Section 3 That said act is hereby amended by adding thereto the following sections

(bb) Reestablishment of Townships of the Second Class

Section 209 Ascertainment of Population At any time not less than one year before the time fixed for taking a decennial census of the United State whenever the owners of twenty-five per centum of the assesed valuation of the real estate of any township of the first class shal present their petition to the court of quarter sessions averring that the township no longer has a population of three hundred inhabitants to the square mile and shall give such security as the court may prescribe for the payment of all costs and expenses which may be incurred in any procedure had upon said petition the court shall appoint a commissioner to perform the duties hereafter prescribed

The said commissioner shall make an enrollment of the inhabitants of such township and make report thereof to the court at the next ensuing term Upon the filing of the report the same shall be confirmed nisi which confirmation shall become absolute unless excepted to within thirty days thereafter during which time notice of the said filing and confirmation shall be advertised in a newspaper published in the county once a week for three weeks If exceptions are filed to the report within the said thirty days the court upon consideration thereof shall confirm the report or modify the said finding After final con-

firmation the clerk of the court shall certify to the county commissioners and to the township supervisors of the township the population of the township as shown by said proceedings The costs and expenses of the proceedings including a reasonable fee for the commissioner and attorney shall be paid by the petitioners or by the township or partly by each as the court shall direct

In addition to the procedure provided in the preceding paragraph the county commisisoners of each county shall following each decennial census of the United States ascertain from such census whether any township of the first class in the county no longer has a population of three hundred inhabitants to the square mile and shall immediately certify the fact that any township no longer has a population of three hundred inhabitants to the square mile to the board of commissioners of the township

Section 209a Submission of Question of Voters Returns of Election and Effect Thereof At the first general or municipal election occuring at least ninety days after the ascertainment by special enrollment or from the United States census including the United States census of one thousand nine hundred and thirty and each subsequent census that any township of the first class no longer has a pouplation of at least three hundred inhabitants to the square mile the question whether such township of the first class shall be reestablished as a township of the second class shall be submitted to the voters of the township and the county commissioners shall cause to be printed on separate ballots to be used in such township at such election a proper question framed in accordance with the election laws of the Commonwealth

The election officers shall compute the votes cast at the election provided for in the preceding paragraph and make return thereof to the clerk of the court of quarter sessions who shall tabulate the same and certify the result thereof to the county commissoiners and the township commissioners of such township If a majority of the votes cast at any such election shall be in favor of becoming reestablished as a township of the second class the government of the township of the second class shall be organized and become operative on the first Monday of January next succeeding such election at which time the terms of the officers of the township of the first class shall cease and terminate If a majority of the votes cast at any such election shall be in favor of remaining a township of the first class no further proceedings shall be had for a period of four years after which period the board of township commissioners by unanimous action may or upon petition of ten per centum of the registered voters of the township shall resubmit the question to the electors of the township in the manner hereinbefore provided

The provisions of this and the preceding section shall apply to all townships of the first class the governments of which as townships of the second class have not been actually organized at the time this act becomes effective and such townships shall continue as townships of the first class until the election hereinbefore provided shall determine otherwise

Section 3202 Maps and Plans Recommendations of Planning Commission In addition to filing an annual report it shall be the duty of the Planning Commission to make or cause to be made and to lay before the township Commissioners maps and plans of the township or any portion thereof showing the strets highways and other natural and artifical features and also any locations recommended by it for any new public buildings civic schemes parkways parks playgrounds or any other public grounds or public improvements and any widening extension or relocation of the same and thereafter from time to time the Planning Commission may lay before the township commisisoners any modification change or supplement to any prior plan or plans The Planning Commission may also from time to time make recommendations to the township commissioners with respect to any and all matters and things referred to in this section and in so doing shall have regard for the present conditions and future needs and growth of the township

Any maps or plans so submitted shall not be affective unless regularly approved and adopted by ordinance or rseolution of the township commissioners and after such approval and adoption shall be subject to revision and change from time to time as the township commissioners may deem expedient

Section 3203 Reference of Proposals to Planning Commission The township commisisoners may at their discretion from time to time submit to the Planning Commission any question or proposal relating to any of the matters or things refered to in the preceding section hereof or any other matter or thing relating to the growth or development of the township including any plans for the development of any particular sections of the township and it shall be the duty of the Planning Commission in due course to make a report with respect to any such question or proposal with its recommendation thereon

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 816 (House Bill No. 974), entitled:

An Act providing that whenever a husband or wife creates a trust fund of personal property reserving for himself or herhelf during his or her life time any part of the income or benefits therefrom and disposing of the principal or income upon his or her death such trust shall be subject to the rights of the surviving spouse under the interstate laws.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. ARON. Mr. President, I move that Senate Bill No. 816 (House Bill No. 974), the bill just read, be recommitted to the Committee on Judiciary General.

Mr. TRAINER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee on the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 820, as follows:

An Act relating to seated lands purchased by county commissioners at county treasurer's sale of seated lands for collection of taxes authorizing the county commissioners to sell the same at private sale under the circumstances

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act county commissioners be and they are hereby authorized to sell at private sale any and all seated lands purchased by them pursuant to existing law at any county treasurer's sale of seated lands for the collection of taxes and not redeemed within two years from the date of such sale to the county commissioners upon first procuring the approval of such sale by the court of common pleas of the county in which such lands are situated

Section 2 Upon petition of the county commissioners to the proper court of common pleas setting forth the date of sale of such lands to the county commissioners the date when the right of redemption expired and that the right of redemption was not exercised prior to its expiration a description of the lands sought to be sold the name of the proposed purchaser and the terms of the proposed sale and the amount of taxes and costs accrued against the said lands the court shall fix a time for hearing upon said petition and require ten days' notice thereof to be given by publication in one newspaper of general circulation published in the county wherein such lands are located

Section 3 Upon hearing being held if no valid objections are interposed to said sale and if it shall appear to the court that said sale should be made according to its terms the court shall order the county commissioners to make and deliver to the

purchaser a commissioner's deed for the proper conveying of said lands and to collect the purchase price therefor and to pay all costs of the proceeding from said purchase price

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 833, as follows:

An Act to amend section five hundred and fifteen of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" requiring approval of court to agreements by counties for the payment of land taken injured or destroyed

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five hundred and fifteen of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 515 Agreement of Damages The county commissioners pursuant to a resolution duly adopted by a majority of the board may agree with the owner as to the amount of damages occasioned to any person for property taken injured or destroyed Such damages shall be payable by the county out of the general county funds or other funds provided for that purpose Provided however that before the amount so agreed upon shall be paid by the county the proposed agreement shall be presented by the county commissioners to the court of quarter sessions for its approval The court shall fix a time for hearing the matter at which time the parties to such agreement and any taxpayer interested therein and their witnesses shall be heard and the court shall either approve or disapprove the agreement as it deems proper If the court disapproves the agreement it shall indicate a sum which it would approve for such case if the county commissioners and the property owner could agree thereon In such cases if the property owner and the county commisisoners should agree on the amount of damages indicated by the court as acceptable to it such agreement may be entered into and shall be final and binding on the said parties without any further approval by the court Notice of the time and place of hearing in all such cases shall be given by one publication in one newspaper of general circulation throughout the county which shall state that any taxpayer may appear at such hearing and be heard together with his witnesses Only such payments by agreement as have been approved by the court as above provided shall be paid by the county

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 863 (House Bill No. 664), entitled:

An Act making an appropriation for the purpose of maintaining the public roads through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 866 (House Bill No. 1146), entitled:

An Act to repeal section three of the act approved the eighth day of April one thousand eight hundred and fifty-two (P. L. 296) entitled "An act relative to the county offices of Clarion county to certain streets in the borough of Brookville and to hawkers and peddlers in Bedford County"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 867 (House Bill No. 1163), as follows:

A Supplement to the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred thirty) entitled "An act relating to the erection of a dam at the outlet of Pymatuning Swamp and the establishment of a reservoir for the flood control of the Shenango and Beaver Rivers conferring and continuing certain powers and duties on the Department of Forests and Waters such reservoirs providing for the acquisition of necessary lands therefor and the necessary agreements and releases relating thereto and the disposition of surplus land and materials" and making an appropriation to the Department of Forests and Waters to carry into effect the provisions of said act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of Four Hundred Fifty Thousand Dollars ($450,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the use of the Water and Power Resources Board for the construction of a dam and spillway across the outlet of Pymatuning Swamp in Crawford County on lands heretofore acquired therefor for clearing the reservoir site for raising relocating and reconstructing railroads and highways which the Water and Power Resources Board shall deem necessary in connection with the reservoir project for acquiring additional lands rights of way and releases necessary for the completion of the reservoir and the relocation of railroads and highways for the relocation of telephone and power lines and for any other expenses of every kind and description which the Water and Power Resources Board shall deem necessary in connection with the completion and operation of the Pymatuning Reservoir Project

Section 2 The dam spillway and other works shall be constructed under the supervision of the Water and Power Resources Board in accordance with plans and specifications which have been or shall be prepared by or under the direction of the Department of Forests and Waters and which shall be approved by the Governor The Water Power Resources Board subject to the approval of the Department of Forests and Waters shall advertise for proposals and award contracts for the construction of said dam spillway and other works in the same manner and subject to the same conditions as proposals are advertised and contracts are awarded by the Department of Property and Supplies under section two thousand four hundred eight of "The Administrative Code of one thousand nine hundred and twenty-nine"

Section 3 The Department of Forests and Waters with the approval of the Governor shall pay out of the appropriation made by this act the cost of supervision engineering and other expenses for carrying out the purposes of this act

Section 4 This act shall be effective immediately upon its passage and approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 876, as follows:

An Act to amend clause (a) of section four hundred and eleven of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing for transfer of registration from husband and wife to either spouse

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause (a) of section four hundred and eleven of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates alderman justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended to read as follows

(a) Upon transfer of ownership or the destruction of any motor vehicle trailer or semi-trailer the registration shall expire except in the case of the transfer of ownership from husband and wife jointly to either spouse and in such case transfer of registration shall be made upon the joint application of husband and wife and upon the payment of the fee prescribed in section seven hundred and fifteen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 878 as follows:

An Act to amend section fifty-one of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended regulating the holding of the office of district attorney where no person is elected or the elected district attorney fails to qualify

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section fifty-one of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth clasess and revising amending and consolidating the laws relating thereto" which was amended by the act approved the ninth day of June one thousand nine hundred and thirty-one (Pamphlet Laws four hundred one) is hereby further amended to read as follows

Section 51 Enumeration of Elected Officers In each county there shall be the following officers elected by the qualified electors of the county (a) three county commissioners (b) three auditors or in all counties where the office of auditor has heretofore or shall hereafter be abolished one controller (c) one treasurer (d) one county surveyor (e) one coroner (f) one recorder of deeds (g) one prothonotary (h) one clerk of the court of quarter sessions and of the court of oyer and terminer (i) one clerk of the orphans' court (j) one register of wills (k) one sheriff (l) one district attorney and (m) two jury commissioners All such officers shall remain as now constituted in each county

All such officers shall be elecetd at the municipal election next preceding the expiration of the terms of the officers now in office and quadrennially thereafter and shall hold their offices for a term of four years from the first Monday of January next after their election and until their successors shall be duly qualified but in the event that any such officer so elected shall fail to qualify or if no successor shall be elected then the previously elected officer then in office shall continue in office only until the first Monday of January following the next municipal election at which time his successor shall be elected for a term of four years This section does not create any office in any county where such office does not now exist

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 888, as follows:

An Act making an appropriation to the Department of Welfare to pay for the care treatment removal and maintenance of the indigent insane in Dixmont Hospital at Dixmont Allegheny County

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two hundred seventy thousand dollars ($270,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare for and during the two fiscal years beginning June first one thousand nine hundred and thirty-three to pay for the care treatment removal and maintenance of the indigent insane at Dixmont Hospital Dixmont Allegheny County at a rate not exceeding three dollars ($3) per week for the care treatment and maintenance of each indigent patient in the hospital

No warrant shall be drawn or settlement made until the directors or managers of the hospital shall have made on oath or affirmation to the Department of Welfare a monthly or quarterly report as may be required by the Department of Welfare setting forth the actual total number of weeks of service rendered to indigent patients in said hospital during the period for which the report is made nor until the Secretary of Welfare shall have certified to the Auditor General that the monthly or quartely report of the cost of such care and treatment contains no charge except for "care treatment removal and maintenance" which words as used in this act shall be construed to mean medical and surgical treatment and nursing food and clothing

Section 2 It shall be the duty of directors or managers of the hospital to make on oath or affirmation to the Department of Welfare a report on the fifteenth day of June one thousand nine hundred and thirty-three setting forth the name of each and every indigent patient resident in the hospital on the first day of June preceding Such list shall show the date of admission or readmission of each such patient the identification number of such patient and the county or poor district from which such patient was committed

Each month or quarter thereafter during the period covered by this appropriation as may be requested by the Secretary of Welfare the directors or managers of the hospital shall make on oath or affirmation a report to the Department of Welfare setting forth the name of each indigent patient admitted or readmitted during the period of the report together with the identification number of such patient the date of admission or readmission and the county or poor district from which such patient was committed Such report shall also contain the name of each indigent patient removed from the hospital by death discharge or parole together with the identification number of such patient the date of removal and the count or poor district from which such patient was committed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 889, as follows:

An Act making an appropriation to the Department of Welfare to pay for the care treatment removal and maintenance of the indigent insane in county and poor district hospitals

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two million four hundred forty-six thousand and eight dollars and thirty cents ($2,446,008.30) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare to pay for the care treatment removal and maintenance of the indigent insane in county and poor district hospitals for and during the two years beginning June first one thousand nine hundred and thirty-three and to pay for the deficiency in the care treatment removal and maintenance of the indigent insane prior to June first one thousand nine hundred and thirty-one

No warrant shall be drawn on this appropriation until the directors trustees or managers of such hospitals shall have made on oath or affirmation to the Department of Welfare a monthly or quarterly report as may be required by Secretary of Welfare setting forth the actual total number of weeks of service rendered to indigent insane patients in such hospitals respectively during the period for which the report is made nor until the Secretary of Welfare shall have certified to the Auditor General that the monthly or quarterly report of the cost of such care and treatment contains no charge except for "care treatment removal and maintenance" which words as used in this act shall be construed to mean medical and surgical treatment nursing food and clothing

Section 2 It shall be the duty of the directors trustees or managers of such hospitals to make on oath or affirmation to the Department of Welfare a report on the fifteenth day of June one thousand nine hundred and thirty-three setting forth the name of each and every indigent insane patient resident in such hospitals respectively on the first day of June preceding Such list shall show the date of admission or readmission of each such patient the identification number of such patient and the county or poor district from which such patient was admitted

Each month or quarter thereafter during the period covered by this appropriation as may be requested by the Secretary of Welfare the directors trustees or managers of such hospitals shall make on oath or affirmation a report to the Department of Welfare setting forth the name of each indigent insane patient admitted or readmitted during the period of the report together with the identification number of such patient the date of admission or readmission and the county or poor district from which such patient was committed Such report shall also contain the name of each indigent insane patient removed from such hospitals by death discharge or parole together with the identification number of such patient the date of removal and the county or poor district from which such patient was committed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. McCLURE. Mr. President, I ask unanimous consent that Senate Bill No. 890 (House Bill No. 1681) on second reading, entitled:

An Act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined creating a commission for each of several districts, defining their powers and the powers of the courts of distircts of the first class providing for the licensing of the manufacture sale transportation and distribution of such beverages imposing taxes and license fees and providing for collection and distribution of revenues therefrom restricting ownership and interest in licensed places making appropriations providing penalties and repealing existing acts.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

HOUSE MESSAGE

HOUSE NON-CONCURS IN AMENDMENTS TO HOUSE BILL NO. 445

The Clerk of the House of Representatives being introduced, informed the Senate that the House of Representatives has non-concurred in amendmentss made by the Senate to House Bill No. 445, entitled:

An Act to amend sections 703 1015 1406 1902 2103 2403 Cl 53 2559 2562 2563 2564 2566 2567 2601 2620 2621 2706 2955 2978 3206 3211 3212 3501 3801 and 3803 of and to add sections 1913 and 2990 to the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" providing for vacancies in office and the filling thereof where persons elected fail to qualify for the publication of ordinances for the deposit of funds by the city treasurer for exemption from advertisemnet of contracts with the Commonwealth for a platoon system for paid men of volunteer fire departments for group insurance for the exoneration of tax collectors and the settlement of their duplicates for penalties and interest on taxes for the collection of delinquent taxes for the licensing of transient merchants and business for the acquisition of unobstructed views for detours for the construction of sewage treatment works and the acquisition of property therefor for the collection of a frontage tax for water mains and certain license taxes that the powers of the Shade Tree Commission may be exercised by council for the advertisement of contracts in trade journals and for the improvement of boundary streets

Mr. SCOTT. Mr. President, I move that the Senate insists upon the amendments non-concurred in by the House.

Mr. HARVEY. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

ANNOUNCEMENT

Mr. EALY. Mr. President, I have asked the Secretary to announce a meeting of the Committee on Judiciary General at two o'clock. There seems to be a serious disposition to adjourn this Legislature within the next two weeks, and in view of that fact I would like to ask that all Senators who are interested in Senate bills in the Judiciary General Committee to appear at this meeting, announced for this afternoon, so that action may be taken on those bills.

RECESS

Mr. SCOTT. Mr. President, I move that the Senate do now take a recess until 4:30 o'clock this afternoon.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 9 (Senate Bill No. 939), entitled:

An act to amend and further amend the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "Fiscal Code" making further provision for the settlement, assessment, collection, lien, and procedure for collection of taxes, and other moneys due the Commonwealth.

Which was committed to the Committee on Finance.

House Bill No. 902 (Senate Bill No. 940), entitled:

An Act to amend the title and sections one and three of the act approved the fourteenth day of April, one thousand nine hundred and thirty-one (P. L. 38), entitled "An act regulating the removal or dismissal of policemen and firemen in cities of the second class A"; extending the provisions of said act to cities of the second class.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1157 (Senate Bill No. 941), entitled:

An Act to amend section three of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 831), entitled "An act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth; prescribing the qualifications, defining the powers and duties and fixing the compensation of such examiners; providing for the appointment and removal of inspectors of anthracite mines; prescribing their qualifications, and regulating their salaries and terms of office; and abolishing the terms of office of the present mine inspectors of the anthracite mines," by defining the term "coal miners."

Which was committed to the Committee on Mines and Mining.

House Bill No. 1371 (Senate Bill No. 942), entitled:

An Act to further amend sections three, five and six of the act approved the tenth day of June, one thousand eight hundred and ninety-three (P. L. 419), entitled "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections"; by increasing the number of signers to nomination papers, changing the time for filing same and changing the time for filing objections thereto.

Which was committed to the Committee on Elections.

House Bill No. 1440 (Senate Bill No. 943), entitled.

An Act to amend section one of the act, approved the eleventh day of June, one thousand eight hundred and seventy-nine (Pamphlet Laws, one hundred forty-eight), entitled, "An act to require all magistrates and other officials in cities of the first, second and third class, authorized to take acknowledgments and administer oaths, to perform such service free of charge for soldiers and widows of soldiers, when making affidavit to papers for the purpose of drawing pensions," by extending the provisions of this act to include bonuses, compensation and war risk insurance, and extending the application of the act to all political subdivisions of the State.

Which was committed to the Committee on Judiciary General.

House Bill No. 1669 (Senate Bill No. 944), entitled:

An Act to amend section three and four of the act approved the twenty-seventh day of April, one thousand nine hundred and eleven (P. L. 110), entitled "An act for the assignment of judges to districts other than their own, for the purpose of expediting business, with provision for their compensation" by further regulating the assignment of judges to districts other than their own and requiring such judges to itemize their expenses in reports filed with the Auditor General.

Which was committed to the Committee on Judiciary General.

House Bill No. 1788 (Senate Bill No. 945), entitled:

An Act to further amend sections 3 and 4 of the act approved the first day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand forty-six) entitled "An act appropriating the moneys in the Motor License Fund" by making the moneys in the Motor License Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments.

Which was committed to the Committee on Finance.

House Bill No. 1789 (Senate Bill No. 946), entitled:

An Act to further amend paragraph (a) of section nine of the act approved the fifteenth day of June, one thousand nine hundred and twenty-three, (P. L. 809), entitled "Banking Act of 1923," by making the moneys in the Banking Department Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments.

Which was committed to the Committee on Finance.

House Bill No. 2059 (Senate Bill No. 947), entitled:

An Act creating and appropriating a special fund in the State Treasury for the purpose of insuring the Commonwealth against losses of public moneys or securities arising from embezzlement or theft thereof by or the malfeasance of its officers and employes, except the officers and employes of the Treasury Department; prohibiting the purchase of surety bonds for officers and employes covered by the fun; and providing for the investment of the moneys in the fund and the ascertainment of losses to be paid out of the fund.

Which was committed to the Committee on Finance.

House Bill No. 2060 (Senate Bill No. 948), entitled:

An Act to amend section 3 of the act approved the thirty-first day of March, one thousand nine hundred and twenty-seven (Pamphlet Laws, ninety-one) entitled "An act relating to municipal indebtedness; imposing certain powers and duties upon the Department of Internal Affairs, and the officers of counties, cities of the third class, boroughs, towns, townships, school districts of the second, third and fourth classes and poor districts, in connection with the proceedings to incur and increase indebtedness; and the establishing and maintaining of sinking funds; fixing the maximum maturity of refunding bonds; and providing penalties" by authorizing the Department of Internal Affairs to charge and collect fees for examining and approving proceedings relating to municipal indebtedness.

Which was committed to the Committee on Finance.

House Bill No. 2061 (Senate Bill No. 949), entitled:

An Act providing for the transfer of the State Nursery at Milton from the Department of Highways to the Department of Forests and Waters.

Which was committed to the Committee on Finance.

House Bill No 703 (Senate Bill No. 950), entitled:

An Act requiring the corporate authorities of any first, second, second-A, and third class cities of the Commonwealth having a paid or part paid fire department, fire alarm operators and fire box inspectors to ascertain the will of the electors of such cities as to the salary or compensation to be paid to firemen, fire alarm operators and fire box inspectors and their hours and working conditions; providing an election to ascertain the will of the electors and the manner and method whereby such election may be held; providing the form and manner in which the question shall be submitted to the vote of the people of such cities; and the effect of such vote.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1933 (Senate Bill No. 951), entitled:

An Act to amend section two of an act approved the twenty-first day of April, one thousand nine hundred twenty-seven (P. L. 327), entitled "An act relating to the extradition of persons charged with crime and to make uniform the law with reference thereto," by giving the Governor of this State authority to deliver up certain imprisoned persons, for the purpose of trial for murder in the demanding state, and providing for their return in case of acquittal.

Which was committed to the Committee on Judiciary General.

REPORTS FROM COMMITTEES

Mr. SCOTT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT, from the Committee on Appropriations reported as committed, Senate Bill No. 327, entitled:

An Act making an appropriation to the Aged Colored Women's Home at Williamsport, Lycoming, County, Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 379, entitled:

An Act making an appropriation to the Curtis Home for Destitute Women and Children, Pittsburgh, Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 380, entitled:

An Act making an appropriation to the Home for Colored Children, Termon Avenue, Twenty-seventh Ward, Pittsburgh, Pennsylvania, or its successors.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 382, entitled:

An Act making an appropriation to the Robert Wood's Industrial Home and Day Nursery for Colored Boys and Girls of Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 383, entitled:

An act making an appropriation to the Philadelphia Home for Infants located at four thousand six hundred and eighteen Westminster Avenue, Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 451, entitled:

An Act making an appropriation to the Home for the Aged and Infirm Colored Women of Pittsburgh, Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 485, entitled:

An Act making an appropriation to the Beulah Anchorage of Reading, Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 493, entitled:

An Act making an appropriation to the Woods Run Settlement House of Allegheny County.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 667, entitled:

An Act making an appropriation to the Home for Widows and Single Women of Reading, Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 795, entitled:

An Act making an appropriation to the Home for the Friendless Children in the City of Reading, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 80, entitled:

An Act making an appropriation to the Children's Home of Bethlehem, Salisbury Township, Lehigh County, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 110, entitled:

An Act making an appropriation to the Board of Managers of the Seamen's Church Institute of Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 177, entitled:

An Act making an appropriation to the Home of Industry for Discharged Prisoners of the City of Philadelphia and State of Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 198, entitled:

An act making an appropriation to the Pennsylvania Association for the Blind, Incorporated, at Pittsburgh, Pennsylvania

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 199, entitled:

An act making an appropriation to the Boys Industrial Home of Western Pennsylvania, located at Oakdale, Allegheny County.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 229, entitled:

An Act making an appropriation to the Florence Crittenton Circle of Wilkes-Barre, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 233, entitled:

An Act making an appropriation to the New Future Association located on Sherman Avenue, North Side, Pittsburgh, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 240, entitled:

An Act making an appropriation to the Union Home for Old Ladies of West Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 241, entitled:

An Act making an appropriation to the Friends' Home for Children of the City of Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 242, entitled:

An Act making an appropriation to the Western Temporary Home of Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 255, entitled:

An Act making an appropriation to the Home for the Aged, located at one thousand eight hundred nine Mount Vernon Street, Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 289, entitled:

An Act making an appropriation to the Northern Tier Home, Harrison Valley, Potter County, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 328, entitled:

An Act making an appropriation to the Home for the Friendless of the City of Williamsport, Pennsylvania.

Also from the Committee on Appropriations, reported as maended, Senate Bill No. 329, entitled:

An Act making an appropriation to the Florence Critterton Mission of the City of Williamsport, Lycoming County, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill, No. 419, entitled:

An Act making an appropriation to the Children's Aid Society of Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 445, entitled:

An Act making an appropriation to the Pennsylvania Society to Protect Children from Cruelty, Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 452, entitled:

An Act making an appropriation to the McKeesport Day Nursery at McKeesport, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 891, entitled:

An Act making an appropriation to the first Allegheny Day Nursery, Pittsburgh, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 926, entitled:

An act making an appropriation to the Old Ladies' Home located at Wissinoming, Philadelphia.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 927, entitled:

An act making appropriation to the Almira Home Association, New Castle, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 931, entitled:

An act making an appropriation to the Florence Crittenton Home, Germantown, Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 935, entitled:

An Act making an appropriation to the Industrial Home for Crippled Children at Pittsburgh, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 936, entitled:

An Act making an appropriation to the Children's Aid Society of Western Pennsylvania at Pittsburgh, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 937, entitled:

An Act making an appropriation to the Colored Women's Relief Association of Western Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 938, entitled:

An Act making an appropriation to the Ladies of the Grand Army of the Republic Home, Department of Pennsylvania, at Hawkins Station, Allegheny County, Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 226, entitled:

An Act making an appropriation to the Pennsylvania Epileptic Hospital and Colony Farm, Chester County, Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 232, entitled:

An Act making an appropriation to the Lancaster General Hospital, Lancaster, Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 269, entitled:

An Act making an appropriation to the Homeopathic Medical and Surgical Hospital, of Reading, Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 342, entitled:

An Act making an appropriation to the Northeastern Hospital of Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 733, entitled:

An Act making an appropriation to the South Side Hospital of Pittsburgh, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 81, entitled:

An Act making an appropriation to Saint Luke's Hospital located at Bethlehem, Lehigh County, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 82, entitled:

An Act making an appropriation to the Allentown Hospital, Allentown, Lehigh County, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 184, entitled:

An Act making an appropriation to the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 191, entitled:

An Act making an appropriation to the Columbia Hospital, at Columbia, Lancaster County, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 227, entitled:

An Act making an appropriation to the Chester County Hospital, West Chester, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 238, entitled:

An Act making an appropriation to the Hospital of the University of Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 239, entitled:

An Act making an appropriation to the Graduate Hospital of the University of Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 245, entitled:

An Act making an appropriation to the Rush Hospital for Consumption and Allied Diseases of Philadelphia.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 247, entitled:

An Act making an appropriation to the George F. Geisinger Memorial Hospital, Danville, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 254, entitled:

An Act making an appropriation to the Wills Eye Hospital, Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 259, entitled:

An Act making an appropriation to the Reading Hospital, Reading, Pennsylvania

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 271, entitled:

An Act making an appropriation to the Lee Homeopathic Hospital, Johnstown, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 272, entitled:

An Act making an appropriation to the Conemaugh Valley Memorial Hospital at Johnstown, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 276, entitled:

An Act making an appropriation to the St. Luke's and Children's Homeopathic Hospitals of Philadelphia, Pennsylvania, for the maintenance of said hospitals.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 303, entitled:

An Act making an appropriation to the Bloomsburg Hospital, Bloomsburg, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 304, entitled:

An Act making an appropriation to the Berwick Hospital, Berwick, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 305, entitled:

An Act making an appropriation to the American Ontologic Hospital, at Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 306, entitled:

An Act making an appropriation to the Women's Hospital, of Philadelphia, Preston and Parrish Streets, Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 307, entitled:

An Act making an appropriation to the Citizens General Hospital, New Kensington, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 309, entitled:

An Act making an appropriation to the Easton Hospital, at Easton, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 930, entitled:

An Act making an appropriation to the Chestnut Hill Hospital of Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 310, entitled:

An Act making an appropriation to the National Stomach Hospital, of Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 326, entitled:

An Act making an appropriation to the Williamsport Hospital of the City of Williamsport, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 335, entitled:

An Act making an appropriation to the Greenville Hospital Greenville, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 354, entitled:

An Act making an appropriation to the Elizabeth Steel Magee Hospital, Pittsburgh, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 355, entitled:

An Act making an appropriation to the Montefiore Hospital Association of Western Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 378, entitled:

An Act making an appropriation to the Allegheny General Hospital, Pittsburgh, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 418, entitled:

An Act making an appropriation to the Germantown Dispensary and Hospital, Germantown, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 423, entitled:

An Act making an appropriation to the Coudersport General Hospital.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 429, entitled:

An Act making an appropriation to the Wilkes-Barre General Hospital, Wilkes-Barre, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 437, entitled:

An Act making an appropriation to the Carlisle Hospital, Carlisle, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 441, entitled:

An Act making an appropriation to the Lying-in Charity Hospital, Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 443, entitled:

An Act making an appropriation to the Maternity Hospital, Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 444, entitled:

An Act making an appropriation to the Contributors to the Pennsylvania Hospital of Philadelphia, Pennsylvania, for the maintenance of its Department for the Sick and Injured.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 551, entitled:

An Act making an appropriation to the Greene County Memorial Hospital, of Waynesburg, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 589, entitled:

An Act making an appropriation to the Charleroi-Monessen Hospital, at Charleroi, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 597, entitled:

An Act making an appropriation to the Annie M. Warner Hospital, Gettysburg, Adams County, Pennsylvania

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 628, entitled:

An Act making an appropriation to the American Hospital for Diseases of the Stomach, of Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 635, entitled:

An Act making an appropriation to the Memorial Hospital Association, Monongahela City, Washington County, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 636, entitled:

An Act making an appropriation to the Washington Hospital Association of Washington, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 637, entitled:

An Act making an appropriation to the Cannonsburg General Hospital Association, at Cannonsburg, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 669, entitled:

An Act making an appropriation to the Somerset Community Hospital, at Somerset, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 704, entitled:

An Act making an appropriation to the Philadelphia Orthopaedic Hospital and Infirmary for Nervous Diseases of Philadelphia.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 766, entitled:

An Act making an appropriation to the Chester Hospital, in the City of Chester, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 874, entitled:

An Act making an appropriation to the Clearfield Hospital, Clearfield, Pennsylvania.

REPORTS FROM COMMITTEE

Mr. ZIESENHEIM. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ZIESENHEIM, from the Committee on Education, reported as committed, Senate Bill No. 672 (House Bill No. 720), entitled:

An Act to amend section one thousand seven hundred and sixteen of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as added by further defining the term "cost of tuition" or "cost of tuition text book and school supplies."

Mr. SNYDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 769, entitled:

An Act authorizing and empowering certain public officers, boards, commissions, departments and other bodies to enter into contracts, and to provide the moneys for the payment of service rendered thereunder, for the photographic reproduction of papers, documents, instruments, indexes and volumes and other public records within their jurisdiction.

Mr. BENNETT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BENNETT, from the Committee on Education, reported as committed, Senate Bill No. 431, entitled:

An Act suspending the provisions of the laws requiring school districts to pay minimum salaries to district superintendents, teachers, supervisors and principals, and providing for continuing contracts; requiring boards of school directors to fix salaries of district superintendents, teachers, supervisors and principals for the school years beginning the first day of July, one thousand nine hundred and thirty-three and the first day of July, one thousand nine hundred and thirty-four; and providing for State aid to be given to school districts during said years.

Mr. TRAINER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TRAINER, from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 895 (House Bill No. 810), entitled:

An Act to amend section thirteen of the act approved the seventeenth day of May one thousand nine hundred and seven-

teen (P. L. 208), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality and purity" as amended removing liver products from the provision which prohibits the sale of medicines containing substances of glandular origin except by registered pharmacists and assistants.

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Education, reported as amended, Senate Bill No. 825, entitled:

An Act to amend the act approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws, general, special or local or any parts thereof, that are or may be inconsistent therewith," as amended; authorizing the officers of school districts to prepare, sign and make payment upon certain orders before approval of the orders by the board; relating to the payment of temporary indebtedness from current revenue; permitting the refunding of certain indebtedness and the depositing of collateral security by depositories, secretaries, treasurers and tax collectors of school districts in lieu of surety bonds; removing the right of certain boards of school directors to make agreements concerning the tuition of non-resident pupils; relieving certain school districts of the duty of providing special education for feeble minded children and placing such obligation upon the Department of Welfare; allowing certain pupils to attend schools in other districts; empowering the State Council of Education to regulate the issuance of certificates to students and graduates of State teachers colleges; authorizing boards of trustees of State teachers colleges to charge their pupils certain fees; designating certain persons as auditors of financial matters of certain school districts; relating to the filing of reports of audits, discontinuing teachers institutes and providing for meetings of teachers, the payment of the expenses thereof by the counties, and the compensation for the teachers in attendance; and repealing certain sections and parts of sections.

Mr. OWLETT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. OWLETT, from the Committee on Judiciary General, reported as committed, Senate Bill No. 617, entitled:

An Act to amend section twenty-five of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions, debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies; including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devisd at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents"; as amended, so as to limit the duration of the lien of legacies unless proceedings are brought to enforce their payment within ten years after the probate of the testator's will, or after said legacies become due and payable.

BILLS INTRODUCED

Mr. SCOTT. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT read in his place and presented to the Chair Senate Bill No. 952, entitled:

An Act to amend section two hundred and twenty-one of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," providing a procedure to provide for the holding of two more county offices in certain counties by the same person.

Which was committed to the Committee on New Counties and County Seats.

Also read in his place and presented to the Chair Senate Bill No. 953, entitled:

An Act to further amend section three of the act, approved the first day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand foryt-six), entitled "An act appropriating the moneys in the Motor License Fund," by making the moneys in the Motor License Fund available for administering the laws, rules and regulations relating to aeronautics.

Which was committed to the Committee on Appropriations.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN read in his place and presented to the Chair, Senate Bill No. 954, entitled:

An Act constituting a commission to act with a similar commission of the State of New Jersey for the purpose of constructing a bridge over the Delaware River from Pennsylvania to New Jersey at a point near Yardley; defining the powers and duties of the joint commission; and making an appropriation.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair, Senate Bill No. 955, entitled:

An Act authorizing the Department of Highways to enter into an agreement or agreements with the Highway Commission of the State of New Jersey for the construction under certain terms and conditions of a free bridge across the Delaware River at or near Yardley; granting certain powers to the Department of Highways in connection with said construction, and making an appropriation.

Which was committed to the Committee on Public Roads and Highways.

Mr. HARRIS. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HARRIS read in his place and presented to the Chair Senate Bill No. 956, entitled:

An Act to require and provide for the issuing of licenses and permits to persons, firms and corporations for the construction, maintenance and use of billboards and/or other structures for outdoor advertising, to regulate the same and providing penalties for violations hereof.

Which was committed to the Committee on Judiciary General.

Mr. CHAPMAN. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN read in his place and presented to the Chair Senate Bill No. 957, entitled:

An Act making an appropriation to the Grand View Institution for the Care and Treatment of Pool Consumptives, Oil City, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. COYNE. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE read in his place and presented to the Chair Senate Bill No. 958, entitled:

An Act making an appropriation to the Coleman Industrial Home for Colored Boys, of one thousand seven hundred and twenty-one Bedford Avenue, Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 959, entitled:

An Act making an appropriation to the Children's Hospital of Pittsburgh in the city of Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair, Senate Bill No. 960, enitled:

An Act making an appropriation to the Eye and Ear Hospital of Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair, Senate Bill No. 961, entitled:

An Act making an appropriation to the Pittsburgh Home for Babies, Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

REPORTS FROM COMMITTEES

Mr. PARKINSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PARKINSON, from the Committee on Finance, reported as committed, Senate Bill No. 819 (House Bill No. 1543), entitled:

An Act to amend section five of the act approved the nineteenth day of August, one thousand nine hundred and thirty-two (P. L. 92), entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors, as herein defined; prescribing the method and manner of collecting such tax; and providing penalties"; extending the period for payment of part of the tax.

Also, from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 699, entitled:

An Act to amend clause five of section three of the act approved the thirteenth day of May, one thousand nine hundred and nine (P. L. 520), entitled "An act relating to food; defining food; providing for the protection of the public health, and the prevention of fraud and deception, by prohibiting the manufacture or sale, the offering for sale or exposing for sale, or the having in possession with intent to sell, of adulterated, mis-branded, or deleterious foods; prescribing certain duties of the Dairy and Food Commissioner in reference thereto; and providing penalties for the violation thereof," as amended, further regulating the use of sulphur dioxide in the preparation of dried fruits and molasses.

Also from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency the Governor of the Commonwealth:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 5, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as a Notary Public, for a term of four years to compute from the date set opposite her name:

PHILADELPHIA COUNTY

Miss Margaret A. Carton, Philadelphia, April 16, 1933

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 5, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for the terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss M. G. McLaughlin, Pittsburgh.

CRAWFORD COUNTY

Henry E. Brown, Meadville.

LANCASTER COUNTY

Mrs. Anna E. Davis Mumma, Lancaster.

PHILADELPHIA COUNTY

Leonard W. Belz, Philadelphia.

Miss Freda R. Zukerman, Philadelphia.

SCHUYLKILL COUNTY

Carl R. Berner, Pottsville.

SNYDER COUNTY

Jacob C. Bulick, Selinsgrove.

WESTMORELAND COUNTY

W. R. Stephens, Monessen.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 5, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following

persons for reappointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

NORTHUMBERLAND COUNTY

D. H. Fegley, Sunbury, April 15, 1933.

CLEARFIELD COUNTY

Miss Estelle DeVincy, Clearfield, April 16, 1933.

GIFFORD PINCHOT.

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following appointment to compute from the date of confirmation:

Homer C. Errett, of Greensburg, Westmoreland County, as Alderman of the Fifth Ward of the City of Greensburg, Westmoreland County, vice W. Irwin Hunter, deceased, until the first Monday in January, 1934.

GIFFORD PINCHOT.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

R. L. Reinert, of Laureldale, Berks County, as Justice of the Peace in the Borough of Laureldale, Berks County, until the first Monday in January, 1934.

Mrs. Miriam Waite, of Waterstreet, Huntingdon County, as Justice of the Peace in the Township of Morris, Huntingdon County, vice Samuel R. Zacharias, deceased, until the first Monday in January, 1934.

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. SALUS

That Rule 38, which requires reports of committees on nominations made by the Governor to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. SALUS

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	Miller,	Scott,
Aron,	Frazier,	Norton,	Shapiro,
Batchelor,	Gelder,	Owlett,	Snyder,
Baumer,	Graff,	Parkinson,	Sones,
Bell,	Harris,	Pethick,	Sordoni,
Bennett,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Ziesenheim,
Coyne,	Lanius,	Roberts,	Boyd,
Ealy,	Mansfield,	Salus,	Pres. Pro. Tem.
Einstein,	McClure,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. SALUS. Mr. President, I move that the Executive Session do now rise.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVAL OF RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 158.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 5, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor Senate Bill No. 158, Printer's No. 214, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

BILLS ON SECOND READING

Mr. FAY. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 793, on third reading, entitled:

An Act to amend Section two of the act approved the twenty-second day of June, A. D. one thousand nine hundred thirty-one (Pamphlet Laws seven hundred twenty), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities ,persons, associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," by changing certain routes.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 793, entitled:

An Act to amend Section Two of the Act approved the twenty-second day of June A D one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions

and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the costs of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purpose of this act" by changing certain routes

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following routes established by Section Two of the Act approved the twenty-second day of June One thousand nine hundred thirty-one (Pamphlet Laws Seven hundred twenty) entitled "An Act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" are hereby amended to read as follows

Beginning at a point on the Butler Township-Butler City line thence northeasterly and easterly on Roosevelt Boulevard to South Main Street and continuing northerly on South Main Street to an intersection at East Jefferson Street until such time as a new street shall be opened by relocation from the Butler Township-Butler City line to an intersection with the Roosevelt Boulevard west of South Main Street when this route shall follow the relocated street in the city of Butler a distance of about 1.16 miles

Beginning at a point on the intersection of Ninth Street and Tenth Street and running south over the Quentin Road to the intersection with the Colebrook Road thence west and southwest over the Colebrook Road [Tenth Street] to the North Cornwall Township-Lebanon City line in the city of Lebanon a distance of about .169 of a mile

Beginning at a point on the intersection of Ninth Street and Cumberland Street and running south over Ninth Street to the intersection of Ninth Street and Tenth Street thence over the Cornwall Pike to the North Cornwall Township-Lebanon City line in the city of Lebanon a distance of about .622 of a mile

Beginning at a point on the Hickory Township-New Castle City line and running in a generally southwesterly direction on Croton Avenue to an intersection on East Washington Street also from the intersection of Croton Avenue and Eastbrook Road in a northeasterly direction along Eastbrook Road to the Hickory Township-New Castle City line in the city of New Castle a distance of about [1.5] 1.96 miles

Beginning at a point on Frankstown Road at the easterly city line of Pittsburgh thence along Frankstown Road to Frankstown Avenue thence along Frankstown Avenue to [Hale Street] the east end of Bennett Street [thence along Hale Street to Kelly Street] thence along [Kelly] Bennett Street to North Dallas Street thence along North Dallas Street to an intersection at Penn Avenue thence along Penn Avenue to South Beatty Street thence along South Beatty Street to Baum Boulevard thence along Baum Boulevard to Bigelow Boulevard thence along Bigelow Boulevard to Seventh Avenue thence along Seventh Avenue to Liberty Avenue thence along Liberty Avenue to the Boulevard of the Allies in the City of Pittsburgh a distance of about [2.15] 8.32 miles

[Beginning at a point on West Carson Street at the south end of the Point Bridge thence along West Carson Street to Smithfield Street thence along East Carson Street to Arlington Avenue thence along Arlington Avenue to the [Liberty Tunnel approach thence by way of the Liberty Tunnels and West Liberty Avenue to the Saw Mill Run Boulevard] Beginning at a point at the intersection of South Main Street and West Carson Street thence along South Main Street to its intersection with Alexander Street along Alexander Street to its intersection with Neptune Street thence along Neptune Street to Wabash Street thence along Wabash Street to its intersection with Independence Street thence along Independence Street to its intersection with Woodville Street thence along Woodville Street to its intersection with the Saw Mill Run Boulevard thence along the Saw Mill Run Boulevard to its intersection with Nobles Lane and the Library Road thence along the Library Road to the line dividing the City of Pittsburgh and the Borough of Castle Shannon in the City of Pittsburgh a distance of about [5.56] 6.3 miles

Beginning at a point on Allegheny Avenue at the intersection of Manchester Avenue and Ridge Avenue thence along Allegheny Avenue to Columbus Avenue Bridge thence across the Columbus Avenue Bridge to California Avenue as relocated [the intersection of California Avenue and Island Avenue] thence along California Avenue to its intersection with the Ohio River Boulevard thence along the Ohio River Boulevard to the line dividing the City of Pittsburgh and Bellview Borough in the City of Pittsburgh a distance of about [1.89] 1.14 miles

Beginning at a point on Hazle Avenue on the dividing line between the City of Wilkes-Barre and the township of Hanover thence over Hazle Avenue to the intersection of Hazle Avenue and Park Avenue thence over Park Avenue to the intersection of Park Avenue and South Street thence over South Street to the intersection of South Street and South Washington Street thence over South Washington Street and North Washington Street to the intersection of North Washington and Butler Streets also from the intersection of Washington and East Market Streets over East Market Street through the Public Square and over West Market Street to the Wilkes-Barre city line in the city of Wilkes-Barre a distance of about [2.9] 3.19 miles

On the question,

Will the Senate agree to the section?

Mr. FAY. Mr. President, I move to amend section 1, page 6, by adding after line 12 the following: "Beginning at a point on the Farrell City-Hickory Township line and running in a southwesterly direction on Mercer Avenue to a point on the Farrell City-Hickory Township line in the city of Farrell, a distance of about .84 of a mile "Beginning at a point on the Farrell City-Hickory Township line and running in a northwesterly direction on Division Street to a point on the Farrell City-Sharon City line in the City of Farrell a distance of about 1.24 miles "Beginning at a point on the intersection of Haywood Street and Broadway Street and running in an easterly direction on Haywood Street to the intersection of Haywood Street and Division Street in the City of Farrell a distance of about 1.37 miles "Beginning at a point on the Farrell City-Wheatland Borough line and running in a northwesterly and northerly direction on Broadway Street to a point on the Farrell City-Sharon City line in the City of Farrell a distance of about 1.48 miles "Beginning at a point on the Farrel City-Sharon City line and running in a northerly direction on South Dock Street to the intersection of State Street and South Dock Street, in the City of Sharon a distance of about .87 of a mile"

Mr. SCOTT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows and agreed to.

Section 2 This act shall become effective upon its approval by the Governor

The title of the bill was read as follows and agreed to.

An Act to amend section two of the act approved the twenty-second day of June Anno Domini one thousand nine hundred thirty-one (Pamphlet Laws seven hundred twenty) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing certain routes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. McCLURE. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 890 (House Bill No. 1681), on second reading, entitled:

An Act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined creating a commission for each of several districts defining their powers and the powers of the courts of districts of the first class providing for the licensing of the manufacture sale transportation and distribution of such beverages imposing taxes and license fees and providing for collection and distribution of revenues therefrom restricting ownership and interest in licensed places making appropirations providing penalties and repealing existing acts

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

Mr. STAUDENMEIER. Mr. President, I desire to introduce at this time amendments to Senate Bill No. 890 (House Bill No. 1681), and also desire, in a few brief words, to offer an explanation of these amendments.

Mr. BUCKMAN. Mr. President, I ask that the amendments be read for the information of the Senate.

The amendments were read as follows:

AMENDMENTS TO HOUSE BILL No. 1681

Amend title, page 1, lines 3, 4 and 5, by striking out the following: "creating a commission for each of several districts defining their powers and the powers of the courts of districts of the first class." Amend title, page 1, next to the last line, by striking out the following: "making appropriations." Amend section 2, page 3, lines 15, 16 and 17, by striking out the following: "the commissions herein created for the several districts and the court of quarter sessions of counties of the first class." Amend section 2, page 3, line 17, by striking out the strikeout bracket before the word "the." Amend section 2, page 3, line 25, by striking out the strikeout bracket after the word "license." Amend section 4, page 4, by striking out all of lines 12 to 29, inclusive. Amend section 4, page 5, by striking out all of lines 1 to 20, inclusive. Amend section 5, page 5, by striking out all of lines 21 to 29, inclusive. Amend section 5, page 6, by striking out all of lines 1 to 9, inclusive. Amend section 6, page 6, by striking out all of lines 10 to 23, inclusive. Amend section 7, page 6, by striking out all of lines 24 to 28, inclusive. Amend section 7, page 7, by striking out all of lines 1 to 29, inclusive. Amend section 7, page 8, by striking out all of lines 1 to 29, inclusive. Amend section 7, page 9, by striking out lines 1 and 2. Amend section 8, page 9, by striking out lines 3 to 8, inclusive. Amend section 9, page 9, by striking out all of lines 9 to 12, inclusive. Amend section 10, page 9, line 13, by striking out the figure "10" and inserting in lieu thereof "4." Amend section 11, page 10, line 15, by striking out the figure "11" and inserting in lieu thereof "5." Amend section 12, page 11, line 12, by striking out the figure "12" and inserting in lieu thereof "6." Amend section 13, page 11, line 23, by striking out the figure "13" and inserting in lieu thereof "7." Amend section 14, page 12, line 5, by striking out the figure "14" and inserting in lieu thereof "8." Amend section 14, page 12, line 10, by striking out the following: "or district." Amend section 14, page 12, line 14, by striking out the strike-out bracket before the word "expenses." Amend section 14, page 12, line 14, by striking out the strike-out bracket after the word "therewith." Amend section 14, page 12, lines 14, 15 and 16, by striking out the following: "The use of the Commonwealth except in the first district where it shall be for the use of the city." Amend section 15, page 12, line 26, by striking out the figure "15" and inserting in lieu thereof "9." Amend section 16, page 15, line 6, by striking out the figure "16" and inserting in lieu thereof "10." Amend section 16, page 15, by striking out lines 19 and 20. Amend section 17, page 16, line 4, by striking out the figure "17" and inserting in lieu thereof "11." Amend section 18, page 17, line 15, by striking out the figure "18" and inserting in lieu thereof "12." Amend section 19, page 17, line 26, by striking out the figure "19" and inserting in lieu thereof "13." Amend section 20, page 18, line 14, by striking out the figure "20" and inserting in lieu thereof "14." Amend section 20, page 18, line 17, by striking out the words "or district." Amend section 21, page 18, line 25, by striking out the figure "21" and inserting in lieu thereof "15." Amend section 21, page 19, line 2, by striking out the strikeout bracket before the word "uses." Amend section 21, page 19, line 2, by striking out the strikeout bracket after the word "provided." Amend section 21, page 19, lines 2, 3 and 4, by striking out the following: "use of the Commonwealth except in the first district where it shall be for the use of the city." Amend section 22, page 19, line 12, by striking out the figure "22" and inserting in lieu thereof "16." Amend section 23, page 19, line 20, by striking out the figure "23" and inserting in lieu thereof "17." Amend section 24, page 20, line 1, by striking out the figure "24" and inserting in lieu thereof "18." Amend section 25, page 20, line 22, by striking out the figure "25" and inserting in lieu thereof "19." Amend section 25, page 22, line 11, by inserting before the word "shall" the following "and for manufacturers' licenses." Amend section 25, page 22, line 11, by striking out the following: "in the first district into the city treasury" and inserting in lieu thereof: "by the county or the State Treasurer to the municipalities and townships in which the licensed places are located." Amend section 25, page 22, by striking out all the lines 12 to 20, inclusive,

ending with the word "appropriated." Amend section 25, page 23, by striking out all of lines 8 to 16, inclusive. Amend section 26, page 23, line 17, by striking out the figure "26" and inserting in lieu thereof "20." Amend section 27, page 23, line 17, by striking out the figure "27" and inserting in lieu thereof "21." Amend section 28, page 24, line 17, by striking out the figure "28" and inserting in lieu thereof "22." Amend section 29, page 25, line 9, by striking out the figure "29" and inserting in lieu thereof "23." Amend section 30, page 26, line 3, by striking out the figure "30" and inserting in lieu thereof "24." Amend section 31, page 26, line 16, by striking out the figure "31" and inserting in lieu thereof "25." Amend section 32, page 26, line 21, by striking out the figure "32" and inserting in lieu thereof "26." Amend section 33, page 26, line 25, by striking out the figure "33" and inserting in lieu thereof "27." Amend section 34, page 27, line 3, by striking out the figure "34" and inserting in lieu thereof "28." Amend section 35, page 28, line 27, by striking out the figure "35" and inserting in lieu thereof "29." Amend section 36, page 29, line 6, by striking out the figure "36" and inserting in lieu thereof "30." Amend section 37, page 29, line 22, by striking out the figure "37" and inserting in lieu thereof "31." Amend section 38, page 31, line 1, by striking out the figure "38" and inserting in lieu thereof "32." Amend section 39, page 33, line 8, by striking out the figure "39" and inserting in lieu thereof "33." Amend section 40, page 33, line 24, by striking out the figure "40" and inserting in lieu thereof "34." Amend section 41, page 34, line 3, by striking out the figure "41" and inserting in lieu thereof "35." Amend section 42, page 34, line 23, by striking out the figure "42" and inserting in lieu thereof "36." Amend section 43, page 35, by striking out all of lines 21 to 29, inclusive.

Mr. STAUDENMEIER. Mr. President, you will find that most of the amendments pertain to the numbering of the paragraphs to make the amended bill correspond to the actual paragraphs that are still left in the bill. The vital portions of the bill are that they cut out the commission form for the granting of licenses, which this bill now has, with the exception of the city of Philadelphia. The city of Philadelphia, under the bill as it now exists, would have the licenses granted by the court. In addition to that it cuts out the appropriation in section forty-three of the bill. I understand that this appropriation was reduced from six hundred thousand to three hundred thousand in the amendments that were to be introduced afterwards, if this amendment should fail. The purpose of the amendment is that after a conference held with a great many of the Senators it was the consensus of opinion that this so-called beer granting privilege should not create any new machinery, and above all should not call for an appropriation of any money, inasmuch as there is now a system in existence which could grant licenses, just as it did heretofore, to wit, the courts of the various counties in this Commonwealth. It would save, for instance, on commissions alone, thirty commissioners at thirty-five hundred dollars apiece, would be a saving right there of one hundred and five thousand dollars, without any hotel expenses, railroad expenses, or anything else. It naturally would save six hundred thousand dollars appropriation which, as I have stated, amounted in the amendments to three hundred thousand dollars. We could scarcely go back to our folks and say at this particular time that we were setting up machinery to spend money for the granting of licenses when there are so many people in the Commonwealth who are anxious for something to eat and shelter.

Mr. BUCKMAN. Mr. President, I desire to interrogate the Chairman of the Finance Committee, the Senator from Delaware, Mr. McClure.

The PRESIDENT. Will the Senator from Delaware, Mr. McClure, permit himself to be interrogated?

Mr. McCLURE. Mr. President, I will.

Mr. BUCKMAN. Mr. President, I desire to ask the Senator from Delaware, Mr. McClure, the effect of these amendments on the bill as stated and on the Senator's desk.

Mr. McCLURE. Mr. President, it was impossible for me to follow the amendments as they were read.

Mr. BUCKMAN. Mr. President, I do not see how it is possible for the Senators to intelligently vote on these amendments at this time not knowing more about them. There are a lot of amendments here, strike outs of amendments in the bill, insertions, and without the bill with the amendments I do not see how the Senators can intelligently vote on these amendments. The bill as written is certainly what I have frequently called half-baked legislation. Instead of being an act to regulate the traffic in malt liquor, it seems to me, it should have been entitled an act to place the granting of beer licenses in politics and to create twenty-seven new jobs at thirty-five hundred dollars each and give half of them to Democrats. I do not know, I rather take it from what I have heard and what I could gather from the desk when these amendments were read, that some of those objectionable features are taken out, but whether all have been taken out or not I do not know. It seems to me it is a very unfortunate time to try to rush through this Legislature anything that is as important as this bill. The sponsors have said we must do something by April 7th. If they know that now they knew it at the beginning of this Session and why they did not get this bill in shape prior to this time is more than I can tell and if they do not get it through by April 7th it will be their fault and not ours.

Mr. STAUDENMEIER. Mr. President, I wish to assure the Senator from Bucks, Mr. Buckman, as well as every other Senator in this room, that it has not been my habit in the past, and I assure you it is not going to be my habit during my tenure in the Senate, to make the mistake on the floor of the Senate of stating what I propose to do and propose not to do.

I stated here that these amendments took out the appropriation of six hundred thousand dollars as it now exists. In addition to that it amends the title, naturally. In addition to that they destroy all machinery setting up these various commissions, destroy the ten classifications and put the rest of the counties of the Commonwealth exactly on a par with the city of Philadelphia, to wit, that any licenses that will be granted in the future, if we ever reach that point, in the Commonwealth of Pennsylvania, irrespective of whether it is Forest, Schuylkill, Philadelphia, or whatever it may be, will be granted by the court of quarter session. Now that is all that these amendments do. If you will start at number eleven, and start there, amend section eighteen, page seventeen, line fifteen, by striking out the figure eighteen and inserting in lieu thereof the figure twelve, and so on down to the finish. Why is that necessary? Because if that were not done it is manifest that the bill would be incorrectly numbered, the paragraphs, and that is why. This thing appears to be a very bulky and voluminous matter and may have caused some confusion on account of the clerk having gone through it so diligently, whereas he might have, with a great deal of propriety, if the question had not been raised, omitted a great number of these sections, because all that we did is to renumber the paragraphs, which is occasioned by the fact that a great number of paragraphs are omitted under this amended form.

I can assure each and every Senator in this body that all these amendments do is cut out this commission form, places

all the counties of the Commonwealth on a par with Philadelphia county, take out the expenditure of the appropriation of a sum of money for the dispensation of beer, because this is no time, in my humble opinion, to be creating commissions of any kind and it is certainly no time, in my opinion, for the spending of money for setting up machinery to do—what? To distribute beer and sell beer, be it intoxicating or not intoxicating. The machinery now exists in the Commonwealth of Pennsylvania, as it did prior to the passage of the Volstead Act, for the granting of licenses through the quarter sessions courts, without any new machinery whatsoever. If this bill is passed here and goes over to the House and is concurred in, then is approved by the Governor, you present your petition to the courts of quarter sessions and if the judges see fit to grant you a license they do so and if they do not see fit it says that they have to write an opinion and give their reason in it. That is the position this bill will be in if these amendments are adopted. I will ask each and every Senator to bear with me and if he finds out I have stated my position incorrectly or that there is something else contained in these amendments other than I have stated here—well, for the first time I have taken the floor in the Senate and it will be an awful bad start.

When I came over here I made a firm resolve that I would not during my first session make a speech—before it was an old German saying, but I will give it to you in English—at least I had been dry behind my ears. I did not think it would be necessary to get up here on the beer bill to make my first speech.

Mr. BUCKMAN. Mr. President, I would like to interrogate the Senator from Schuylkill, Mr. Staudenmeier.

The PRESIDENT. Will the Senator from Schuylkill, Mr. Staudenmeirer, permit himself to be interrogated?

Mr. STAUDENMEIER. Mr. President, I will.

Mr. BUCKMAN. Mr. President, I have every confidence in the Senator from Schuylkill, but I would like to ask a question or two as to the effect of this amendment, whether this amendment would put the bill in substantially the form as the Brooks high license law?

Mr. STAUDENMEIER. Mr. President, yes, except in this, that under the Brooks law, in granting licenses, it was not necessary for the court to render an opinion. For instance, the petition went up from the clerk of the court and came back to the clerk of the court, in some places to the prothonotary, stamped "refused" or "granted," but here the court is called upon to write an opinion if granted or refused and it goes to another court on appeal.

Mr. BUCKMAN. Mr. President, I would like to ask if this bill is passed on second reading today and third reading tomorrow, whether it is possible to set up any machinery for granting licenses prior to April 7th.

Mr. STAUDENMEIER. Mr. President, I think not. As far as April 7th is concerned, I think we better forget that. It is water over the dam.

Mr. BUCKMAN. Mr. President, can the Senator say how long it would take before these licenses can be granted in some counties of the State?

Mr. STAUDENMEIER. Mr. President, as far as my case is concerned, it is satisfactory to me personally. I would not try to force it on any one else. I do not know how long the Governor would keep it on his desk, if it should reach there. If the Governor signs the bill, there is nothing, as far as I see, to prevent drawing up petitions and sending them to the court.

Mr. BUCKMAN. Mr. President, I thank the Senator from Schuylkill for his very able and illuminating answer.

Mr. REED. Mr. President, I would like to interrogate the Senator from Schuylkill, Mr. Staudenmeier.

The PRESIDENT. Will the Senator from Schuylkill, Mr. Staudenmeier, permit himself to be interrogated?

Mr. STAUDENMEIER. Mr. President, I will.

Mr. Reed. Mr. President, I will.

Mr. REED. Mr. President, I was not in the Senate when the Senator made his remarks. I would like some information, under the bill and under the amendment, with respect to the license fees and to whom the licenses are paid.

Mr. STAUDENMEIER. Mr. President, the license fee—on Page 20, section 25, "License fees, distribution of revenues"—now, if you follow that, the second section, you can readily see how this money is distributed between the county and the borough or township, as the case may be, or cities. I might say in passing that there are some Senators who feel that there should be some change here as to that feature of the bill. There is some defect about the distribution, but I am saying here now that these amendments will correct that.

Mr. REED. Mr. President, do I understand that all of the license goes within the county, and part to the State?

Mr. STAUDENMEIER. Mr. President, part to the State and part to the county.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 890 (House Bill No. 1681), entitled:

An Act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined creating a commission for each of several districts defining their powers and the powers of the courts of districts of the first class providing for the licensing of the manufacture sale transportation and distribution of such beverages imposing taxes and license fees and providing for collection and distribution of revenues therefrom restricting ownership and interest in licensed places making appropriations penalties and repealing existing acts

The first section of the bill was read as follows and agreed to.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be ctied as the "Mild Beverage Law"

The second section of the bill was read as follows:

Section 2 Definitions The following words and terms as used in this act shall be construed as defined in this section

(a) The word "beverages" means any and all malt or brewed vinous liquids or fruit juices having an alcoholic content in excess of one-half of one per centum by volume the manufacture and sale of which and traffic in which for beverage purposes is not prohibited by the laws of the United States

(b) The word "person" means and includes natural persons associations partnerships and corporations

(c) The word "manufacturer" means and includes all persons associations partnerships and corporations licensed to engage in the brewing and manufacture of all malt or brewed beverages or the fermenting and production of vinous or fruit juices beverages for sale

(d) The term "wholesale distributor" means and includes persons associations partnerships and corporations licensed to engage in the purchase and resale of beverages in the original sealed packages as prepared for the market by the manufacturer but not for consumption on the premises where sold

(e) The term "retail distributor" means and includes persons associations partnerships and corporations licensed to engage in the retail sale of beverages where the consumption thereof is upon the premises of such vendor with the priv-

ilege of selling in quantities not exceeding seventy-two ounces to be carried from the premises by the purchaser thereof only however in the original containers

(f) The term "original containers" means and includes bottles casks kegs or other containers that have been securely capped or corked by the manufacturer with the name and address of the manufacturer permanently affixed to the bottle cask keg or other container or to the cap or cork used in sealing same

(g) The term "license" means and includes both the person making the application therefor and the premises upon which the privileges of the license are to be exercised and includes manufacturers' wholesale distributors' retail distributors' licenses and public service licenses

(h) The term "licensing power" means the commissions herein created for the several districts and the court of quarter sessions of counties of the first class

(i) As used in this act the singular shall include the plural and the masculine gender shall include the feminine and the neuter

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to Amend section 2, page 3, lines 15, 16 and 17, by striking out the following: "the commissions herein created for the several districts and the court of quarter sessions of counties of the first class"; also line 17, by striking out the strikeout bracket before the word "the"; also line 25, by striking out the strikeout bracket after the word "license."

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third section of the bill was read as follows and agreed to.

Section 3 LICENSE to SELL BEVERAGES REQUIRED It shall be unlawful for any person to produce manufacture sell or offer for sale any beverages unless a license therefor shall have first been previously obtained by such person and for the place where the sale is made as hereinafter provided

The fourth section of the bill was read as follows:

Section 4 TREATING COMMISSIONS AND DISTRICTS Except as hereinafter provided a Board of License Commissioners consisting of three members at least one of whom shall be learned in the law is hereby created for each of the several districts of the Commonwealth of Pennsylvania and each such district shall be numbered composed and designated respectively as hereinafter provided In the first district no commission shall be created but the licensing power shall be the court of quarter sessions of the county

(a) The first district shall be composed of the City and County of Philadelphia.

(b) The second district shall be composed of the County of Aylegheny

(c) The third district shall be composed of the counties of the counties of Delaware Chester Montgomery Berks Lehigh Northampton and Bucks

(d) The fourth district shall be composed of the Counties of Luzerne Lackawanna Wyoming Susquehanna Wayne Pike Monroe and Carbon

(e) The fifth district shall be composed of the Counties of Tioga Bradford Lycoming Sullivan Union Snyder Northumberland Montour Columbia and Schuylkill

(f) The sixth district shall be composed of the Counties of Lancaster Lebanon Dauphin York Cumberland Perry Franklin and Adams

(g) The seventh district shall be composed of the Counties of Somerset Bedford Fulton Cambria Blair Huntingdon Mifflin and Juniata

(h) The eighth district shall be composed of the Counties of Westmoreland Fayette Greene Washington and Beaver

(i) The ninth district shall be composed of the Counties of McKean Potter Elk Cameron Clinton Clearfield and Centre

(j) The tenth district shall be composed of the Counties of Erie Crawford Mercer Lawrence Butler Armstrong Indiana Jefferson Clarion Venango Forrest and Warren

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to Amend section 4, page 4, by striking out all of lines 12 to 29, inclusive; also page 5, by striking out all of lines 1 to 20, inclusive.

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fifth section of the bill was read as follows:

Section 5 APPOINTMENT OF COMMISSIONERS AND TERMS The members of each Board of License Commissioners shall be appointed by a majority of the following officials of this Commonwealth namely the Governor the Lieutenant Governor the State Treasurer the Auditor General and the Speaker of the House of Representatives The members of the several boards shall be appointed for terms of three years each and one member of each board shall be a member of the minority political party to be appointed from three persons for each district nominated by the State chairman of the political party polling the second highest vote at the last preceding general election

Appointments at the end of terms and vacancies for unexpired terms shall be filled by the same authority as original appointments and subject to like nominations to preserve at all times the representation of the minority political party

On the question,

Will the Senate agree to the section?

Mr. STAUDEMEIER. Mr. President, I move to amend Section 5, page 5, by striking out all of lines 21 to 29, inclusive; also page 6, by striking out all of lines 1 to 9, inclusive.

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The sixth section of the bill was read as follows:

Section 6 SALARIES AND EXPENSES Each member of the several Boards of License Commissioners shall receive an annual salary of three thousand five hundred dollars ($3,500) payable semi-monthly and shall also receive actual traveling and hotel expenses necessarily incurred in the performance of the duties of the commission while away from the central place of business of the commission in the district

Such of the commission's employes as may be required to travel from place to place in the performance of the commission's business shall receive actual traveling and hotel expenses necessarily incurred in the performance of their duties while away from the central place of business of the commission in the district

Mr. STAUDENMEIER. Mr. President, I move to amend Section 6, page 6, by striking out all of lines 10 to 23, inclusive.

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The seventh section of the bill was read as follows:

Section 7 POWERS AND DUTIES OF THE COMMISSION (a) Each commission shall select in its district a central place of business for the general conduct of its administrative functions and shall also designate within the proper district for the purpose of holding hearings upon applications for licenses and hearing of remonstrances or complaints for the suspension or revocation of licenses

(b) Each commission is hereby authorized empowered and directed to issue wholesale distributors' and retail distributors' licenses to applicants who have duly qualified to receive the same in the proper district wherein beverages are to be sold and delivered

(c) Two members of each commission shall constitute a quorum for the transaction of business and the granting or dismissing of applications and the suspension or revocation of any license shall require the approval of at least two members of each commission

(d) Each commission shall have power to administer oaths and hear testimony of persons appearing before them

(e) The character and qualifications of the applicant and the suitability of the place asked to be licensed and all questions of fact in regard to the same shall be found and determined by each commission and for this purpose it shall have the power of subpoena or otherwise to compel the attendance of witnesses and to conduct hearings in the same manner and with the same effect as a court of record of this Commonwealth Upon the refusal of any person to obey the subpoena issued by any commissioner such commissioner may apply to the court of common pleas of the county wherein the place licensed or proposed to be licensed is situate setting forth such refusal and petitioning the said court for the issuance of a subpoena of said court of common pleas directing such persons to attend before the commission and to testify and the said court of common pleas shall thereupon issue such subpoena

(f) Each commission shall adopt promulgate and enforce such rules and regulations for the transaction of its business and for the regulation and licensing of the sale of and traffic in beverages as may be deemed necessary and proper but such rules and regulations shall not be inconsistent with this act

(g) Each commission shall fix by proper rules and regulations a time and place in each county within its district at which applications for wholesale distributors' and retail distributors' licenses shall be heard at which time and place all persons appearing or making objections to applications for licenses may be heard by evidence petition remonstrance or counsel

(h) Each commission may personally or by its agents visit and inspect premises at which applicant proposes to conduct or is conducting his business and may investigate the fitness of any person to engage in such business

(i) Where a district is composed of more than one county the clerk of the commission shall advertise all applications in the county wherein the proposed places of business are located

(j) The commission shall have power to appoint or dismiss a clerk and such other employes as are necessary to properly carry out the functions of the commission and to fix the salaries of such clerk and other employes in accordance with the standards of the Executive Board which salaries shall be on an annual basis payable semi-monthly and the number of employes shall be fixed by the Executive Board

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend Section 7, page 6, by striking out all of lines 24 to 28, inclusive; also page 7, by striking out all of lines 1 to 29,inclusive; also page 8, by striking out all of lines 1 to 29, inclusive; also page 9, by striking out lines 1 and 2.

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The eighth section of the bill was read as follows:

Section 8 TERMS OF LICENSES shall run for annual periods beginning in a county of a district at such date as the licensing power shall fix by rule License fees for any license issued for a fractional part of the year shall be reduced by one-twelfth for each full month that such license is not in force

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President. I move to amend Section 8, page 9, by striking out lines 3 to 8, inclusive.

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The ninth section of the bill was read as follows:

Section 9 STATE TO FURNISH COMMISSION FACILITIES The Department of Property and Supplies of the Commonwealth shall furnish each district except the first with proper office facilities and supplies

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend Section 9, page 9, by striking out all of lines 9 to 12, inclusive.

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The tenth section of the bill was read as follows:

Section 10 MANUFACTURERS' LICENSE A manufacturer of good repute upon application as hereinafter provided shall be licensed by the State Treasurer of the Commonwealth to produce and manufacture beverages at one or more places of manufacture and to sell and deliver the same anywhere within the Commonwealth and elsewhere but not in prohibited territory but where a manufacturer operates or conducts more than one place of manufacture he shall obtain a separate manufacturers' license for each place so operated or conducted

The application by a manufacturer for such a license shall contain (a) the names and addresses of applicant together with (b) information concerning the size capacity and equipment of all plants to be used for the purpose of such license and (c) the name of the applicant and where applicant is a partnership or association the names of the partners or members and where the applicant is a corporation the names and addresses of all officers and directors of the corporation

All such licenses to manufacture beverages shall be granted for the calendar year and where a license runs for less than the full calendar year the license fee shall be reduced one-twelfth for each full month such license was not in force during the then calendar year

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend Section 10, page 9, line 13, by striking out the figure "10" and inserting in lieu thereof: "4."

Mr. McCLURE. Mr. Pesident, I second the motion.

On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.

The eleventh section of the bill was read as follows:

Section 11 SUSPENSION AND REVOCATION APPEALS If the State Treasurer from information in his possession or that may come into his possession by remonstrance or otherwise is of the opinion that any manufacturer is conducting his or its business in an unlawful manner he shall have power to suspend for any time or to revoke the license of such manufacturer after granting a hearing Any manufacturer aggrieved by the decision of the State Treasurer in refusing suspending or revoking a license may within thirty days thereafter appeal to the court of quarter sessions of the County where the manufacturing plant is situate which shall fix a time for hearing of which notice shall be given to the State Treasurer as the court may provide The court shall hear the appeal de novo and shall make such order affirming modifying or reversing the order of the State Treasurer as to it shall appear just The action of the court shall be final

On the question,
Will the Senate agree to the section?
Mr. STAUDENMEIER. Mr. President, I move to amend section 11, page 10, line 15, by striking out the figure "11" and inserting in lieu thereof "5."
Mr. McCLURE. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.

The twelfth section of the bill was read as follows:

Section 12 PUBLIC SERVICE LICENSES The State Treasurer is hereby directed to issue licenses to persons operating and conducting restaurant or dining services on railroad cars or coaches and to persons operating and conducting passenger service by water provided however that the applicant is a reputable person and the place to be licensed is a fit place or places for such license Such licenses shall permit the consumption of the beverages upon the licensed premises

On the question,
Will the Senate agree to the section?
Mr. STAUDENMEIER. Mr. President, I want to amend section 12, page 11, line 12, by striking out the figure "12" and inserting in lieu thereof "6."
Mr. McCLURE. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.

The thirteenth section of the bill was read as follows:

Section 13 DISTRIBUTORS' LICENSES LICENSE YEAR Licenses to wholesale distributors and retail distributors shall be granted only by the licensing power of the proper county wherein beverages are to be sold and shall be for one year from the date fixed by rule or standing order of the licensing authority The said licensing power shall by rule or standing order fix a time at which applications for such licenses shall be heard at which time all persons applying or making objections to applications for licenses may be heard by evidence petition remonstrance or counsel

On the question,
Will the Senate agree to the section?
Mr. STAUDENMEIER. Mr. President, I move to amend section 13, page 11, line 23, by striking out the figure "13" and inserting in lieu thereof "7."
Mr. McCLURE. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.

The fourteenth section of the bill was read as follows:

Section 14 FILING AND PUBLICATION OF APPLICATIONS FOR WHOLESALE AND RETAIL DISTRIBUTORS' LICENSES Every person intending to apply for a wholesale or retail distributor's license as aforesaid in any city or county of this Commonwealth shall file with the clerk of the licensing power of the proper county or district his or its petition at least two weeks before the first day for the sessions of such licensing power at which the same is to be heard and shall at the same time pay said clerk twenty-five dollars for the use of the Commonwealth except in the first district where it shall be for the use of the city Said clerk shall cause to be published two times in two newspapers of general circulation designated by the said clerk a list containing the names of all such applicants their respective residences and the place for which application is made the first publication shall be no less than ten nor more than fourteen days before the time fixed by the licensing power for sessions of the licensing power.

On the question,
Will the Senate agree to the section?
Mr. STAUDENMEIER. Mr. President, I move to amend section 14, page 12, line 5, by striking out the figure "14" and inserting in lieu thereof "8"; also line 10, by striking out the following: "or district"; also line 14, by striking out the strike-out bracket before the word "expenses"; also line 14, by striking out the strike-out bracket after the word "therewith"; also lines 14, 15 and 16, by striking out the following: "use of the Commonwealth except in the first district where it shall be for the use of the city."
Mr. McCLURE. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.

The fifteenth section of the bill was read as follows:

Section 15 APPLICATION FOR DISTRIBUTORS' LICENSES Application for wholesale and retail distributors' licenses shall contain

(a) The name and residence of the applicant and how long he has resided there and if an individual the residence of such applicant and if an association partnership or corporation the residences of the mmbers officers and directors

(b) The particular place for which the license is desired and a detailed description thereof and a history of any business that may have been conducted there during the past two years

(c) Place of birth of applicant and if a naturalized citizen where and when naturalized and if a corporation when and where incorporated with the names and addresses of each officer and director and that such officers and directors are citizens of the United States and that all stockholders owning ten per centum or more of the capital stock of such corporation are citizens of the United States

(d) Name of owner of premises and his residence

(e) That the applicant is not or in case of a partnership or association that the members or partners are not and in the case of a corporation that the officers and directors are

not in any manner pecuniarily interested either directly or indirectly in the profits of any other class of business licensed or taxed under this act except as hereinafter temporaliy permitted

(f) That applicant is the only person in any manner pecuniarily interested in the business so asked to be licensed and that no other person shall be in any manner pecuniarily interested therein during the continuance of the license except as hereinafter temporarily permitted

(g) Whether applicant or in case of a partnership or association any member or partner thereof or in case of a corporation any officer or director thereof has had a license for sale of said beverages revoked during any time preceding this application and whether applicant or any of said persons during the past two years has ever been convicted for any criminal offense and if so a detailed history thereof

(h) A full description of that portion of the premises for which license is asked and if any other business is to be conducted concurrently with the sale and distribution of beverages a full history of such business relating the nature thereof the length of time it has so previously been conducted by the applicant or his predecessor at such location

There shall be annexed to such petition a certificate signed by at least twelve reputable qualified electors of the ward borough or township in which such beverages are to be sold setting forth that they have been acquainted with the applicant or applicants or the members of the association or partnership or the directors and officers of the corporation where the applicant is a corporation that they have good reason to believe that each and all the statements contained in the petition are true and they therefore pray that the prayer of said petitioner be granted and that the license issue

Petition must be verified by affidavit of applicant and by affidavit of owner or his authorized agent as respects information concerning the property and if any false statement is made in any part of the petition the affiant shall be deemed guilty of the crime of perjury

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend section 15, page 12, line 26, by striking out the figure "15" and inserting in lieu thereof "9."

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agree to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The sixteenth section of the bill was read as follows:

Section 16 SUBSTITUTED APPLICATIONS IN CASE OF DEATH Whenever an applicant for a wholesale or retail distributor's license having filed his application in due form and in due time shall die before such application has been acted upon by the licensing power it shall be lawful for said licensing power upon petition setting forth said fact to permit the substitution of another applicant in the form as required for a license to sell such beverages at the same place said licensing power specifying in the order granting such allowance a time not less than two weeks distant for hearing said substituted application Thereupon upon payment to the clerk of said licensing power of the sum of twenty-five dollars for the use of the Commonwealth except in the first district where it shall be for the use of the city a notice of said petition of the order thereon and of the substituted application together with the date and hour of the hearing thereof shall by said Clerk be published for two successive weeks in two newspapers of general circulation designated by said clerk On the day specified said licensing power shall hear said substituted application and any remonstrance or objection made to the same in like manner as is required for the original application and thereupon may grant or refuse a license to said substituted applicant

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend section 16, page 15, line 6, by striking out the figure "16" and inserting in lieu thereof "10"; also page 15, by striking out lines 19 and 20.

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The seventeenth section of the bill was read as follows:

Section 17 HEARINGS TO GRANT LICENSES RESTRICTIONS Said licensing power shall hear the petition from residents of the ward borough or township in addition to that of the applicant in favor of and in remonstrance against the application for any such wholesale or retail distributor's licenses and in all cases shall refuse the same whenever in the opinion of the said licensing power having due regard to the number and character of the petitioners for and against such application that the applicant or applicants is or are not fit persons to whom such license should be granted or the place applied for is not a fit place without regard to the proximity of other places

A wholesale distributor maintaining operating or conducting more than one place of business where beverages are resold or places of his business where orders are taken for such resale shall obtain a separate license for each such place of business

Licenses shall be granted only to reputable persons or to associations partnerships and corporations whose members or officers and directors are reputable persons

Licenses shall be granted only to individual citizens of the United States who have been residents of this Commonwealth for at least three years immediately preceding or to corporations organized in or duly authorize to transact business in this Commonwealth

No retail distributor's license shall be granted for the sale of beverages in any drug store or pharmacy or in any grocery store or in any mercantile establishment unless there is conducted in such mercantile establishment a bona fide restaurant or dining room in which case a license may be granted for the sale of beverages in the room or space occupied by such restaurant or dining room

No wholesale distributor's license shall be granted except where the room or rooms to be occupied by such business shall be fully separated by walls from any other room or space where other business is conducted in the same building No other commodities of any kind shall be stored or sold in the room or rooms occupied for the business as a wholesale distributor

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend section 17, page 16, line 4, by striking out the figure "17" and inserting in lieu thereof "11."

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The eighteenth section of the bill was read as follows:

Section 18 REVOCATION AND SUSPENSION OF LICENSES After a license has been granted upon sufficient cause being shown or proof being made to the said licensing power that the licensee holding a license or any partners members officers or directors of the licensee has or have violated any of the laws of this Commonwealth relating to the sale of beverages it may upon due notice and proper hearing being given to the person so licensed suspend or revoke the said license The action of the licensing power in suspending or revoking a license shall be final

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend section 18, page 17, line 15, by striking out the figure "18" and inserting in lieu thereof "12."

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Will the Senate agree to the section as amended?

It was agreed to.

The nineteenth section of the bill was read as follows:

Section 19 TRANSFER OF LICENSES The said licensing power is hereby authorized to transfer wholesale or retail license from one person to another or from one place to another within the juriusdiction of the licensing power as it may determine Any transfer of such license may be made when the applicant or applicants for said transfer shall have presented a petition setting for all of the facts necessary for original application for such license In cases where the application is made to transfer from one place to another the application shall be advertised as herein provided for original applications for license and residents of the ward borough or township shall have the same right to remonstrate against such transfer in the same manner as against applications for original licenses

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend section 19, page 17, line 26, by striking out the figure "19" and inserting in lieu thereof "13."

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Will the Senate agree to the section as amended?

It was agreed to.

The twentieth section of the bill was read as follows and agreed to.

Section 20 APPLICATIONS FOR TRANSFERS Applications for any such transfer shall be filed in the office of the clerk of the licensing power of the proper county or district ten days before the said petition shall be presented to the licensing power and upon expiration of the said ten days the clerk shall certify that the application for such transfer has been on file in his office for the period of time required Provided however In case of death of the licensee such transfer may be made forthwith on petition without preliminary or interlocutory order and without publication of notice

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend section, 20, page 18, line 14, by striking out the figure "20" and inserting in lieu thereof "14"; also line 17, by striking out the words "or district"

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twenty-first section of the bill was read as follows:

Section 21 FEE FOR LICENSE TRANSFERS Whenever any license shall hereafter be transferred under the provisions of this act no license or other fees shall be required from the persons to whom such transfer is made for the balance of the then current term except a fee of twenty-five dollars to be paid to the clerk of the licensing power for the use of the Commonwealth except in the first district where it shall be for the use of the city

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend section 21, page 18, line 25, by striking out the figure "21" and inserting in lieu thereof "15"; also page 19, line 2, by striking out the strike-out bracket before the word "uses"; also line 2, by striking out the strikeout bracket after the word "provided"; also lines 2, 3 and 4, by striking out the following: "use of the Commonwealth except in the first district where it shall be for the use of the city"

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question.

Will the Senate agree to the section as amended?

It was agreed to.

The twenty-second section of the bill was read as follows:

Section 22 RENEWAL OF LICENSES Renewal licenses may be granted by the licensing power upon proper application without the necessity of such applicant appearing with his witnesses before the licensing power at its sessions unless remonstrances are filed Where such remonstrances are filed to the renewal of licenses the same, proceedings shall be had to in the case of application for an original license

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend section 22, page 19, line 12, by striking out the figure "22" and inserting in lieu thereof "16."

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twenty-third section of the bill was read as follows:

Section 23 DISPLAY OF LICENSE Every licensee shall frame his or its license under a transparent substance and display the same in a conspicuous space so that it may easily be read in his or its place of business and no license shall authorize sales until this section has been complied with

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend section 23, page 19, line 20, by striking out the figure "23" and inserting in lieu thereof "17."

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twenty-fifth section of the bill was read as follows:

Section 24 ALL LICENSES TO FURNISH BOND No license shall be issued to any manufacturer wholesale distrib-

utor or retail distributor until the licensee shall have first executed a bond to the Commonwealth of Pennsylvania and a warrant of attorney to confess judgment in the penal sum hereinafter prescribed and with sufficient sureties either personal or a surety company authorized to do business in this Commonwealth Such bond shall not be accepted until approved by the State Treasurer as respects manufacturers or approved by some one designated by the licensing power as respects wholesale and retail distributors All such bonds shall be conditioned for the faithful observance of all laws of this Commonwealth relating to the traffic in and sale of beverages Such bond as respects the manufacturer shall be filed with and retained by the State Treasurer and in the case of wholesale and retail distributors by the clerk of the licensing power The penal sum in such bonds shall be as follows In the case of manufacturer two thousand dollars and in the case of wholesale or retail distributor one thousand dollars

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to Amend section 24, page 20, line 1, by striking out the figure "24" and inserting in lieu thereof "18."

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twenty-fifth section of the bill was read as follows:

Section 25 LICENSE FEES DISTRIBUTION OF REVENUES No license shall be issued to any manufacturer wholesale distributor or retail distributor until the licensee shall have first paid an annual license fee for such grant as follows

(a) In the case of a manufacturer one thousand dollars for each place of manufacture which shall be paid to the State Treasurer

(b) In the case of a wholesals distributor as follows In counties of the first and second classes five hundred dollars in counties of the third and fourth classes four hundred dollars and in all other counties three hundred dollars

(c) In the case of a retail distributor the license fee shall be graduated according to the population of the municipal unit in which the place of business is located as follows

I In municipalities or townships having a population of less than one thousand five hundred inhabitants seventy-five dollars

II In those having a population of one thousand five hundred and more but less than ten thousand inhabitants one hundred dollars

III In those having a population of ten thousand more but less than fifty thousand inhabitants one hundred and fifty dollars

IV In those having a population of fifty thousand and more but less than one hundred thousand inhabitants two hundred dollars

V In those having a population of one hundred thousand and more but less than one hundred fifty thousand inhabitants two hundred and fifty dollars.

VI In those having a population of one hundred fifty thousand and more three hundred dollars.

(d) In the case of a license for the sale of beverages in dining cars the fee shall be five hundred dollars for each railroad company

(e) In the case of a license to sell the beverages in a passenger boat or water vehicle the fee shall be twenty-five dollars for each such vessel or boat

The license fees fixed by this section shall be paid within fifteen days after the license is granted and the license shall not be delivered until the license fee is paid

The fees for wholesale and retail distributors' licenses shall be paid in the first district into the city treasury for the use of the city and in all other districts shall be paid to the licensing power and by it paid to the State Treasurer through the Department of Revenue The fees for manufacturers' licenses shall also be deposited in the State Treasury All license fees including those paid by manufacturers so deposited shall be paid over quarterly to the municipalities and townships in which the licensed places for which such fees were paid are respectively located and for such purposes are hereby appropriated

Remittances shall be made by the county treasurer to the Commonwealth and to municipalities townships within thirty days of the receipt of any license fee and by the State Treasurer to counties municipalities townships quarterly any moneys received by the State Treasurer for manufacturers' licenses and deposited into the State Treasury are hereby appropriated for payment to municipalities and townships as provided by this act

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend section 25, page 20, line 22, by striking out the figure "25" and inserting in lieu thereof "19"; also page 22, line 11, by inserting before the word "shall" the following: "and for manufacturers' licenses"; also page 22, line 11, by striking out the following: "in the first district into the city treasury" and inserting in lieu thereof "by the county or the State Treasurer to the municipalities and townships in which the licensed places are located"; also by striking out all of lines 12 to 20, inclusive, ending with the word "appropriated"; also page 23, by striking out all of lines 8 to 16, inclusive.

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twenty-sixth section of the bill was read as follows:

Section 26 SALES BY MANUFACTURERS MINIMUM QUANTITIES No manufacturer shall sell or deliver any of such beverages except in original containers permanently marked with the name of such manufacturer nor in quantities of less than one hundred and forty-four (144) fluid ounces when in bottles or in casks or kegs of not less than three and one-half (3½) gallons each in the case of malt and brewed beverages or two (2) gallons in the case of vinous or fruit juice beverages

Mr. STAUDENMEIER. Mr. President, I move to amend section 26, page 23, line 17, by striking out the figure "26" and inserting in lieu thereof: "20."

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twenty-seventh section of the bill was read as follows:

Section 27 SALES BY WHOLESALE DISTRIBUTORS MINIMUM QUANTITIES No wholesale distributor shall purchase receive or resell such beverages except in the original containers permanently marked as prepared for market by the manufacturer and then shall resell the same only in the county wherein he is licensed in no less quantities however than one hundred and forty-four (144) fluid ounces when in bottles or in casks or kegs of not less than three and one-half (3½) gallons each in the case of malt and brewed beverages and two (2) gallons in the case of vinous or fruit juice beverages Provided That no such beverage sold or delivered shall be consumed upon the premises of the wholesale distributor or in any place provided for such purpose by such distributor Provided further That such beverages when legally sold by a wholesale

distributor in the county where licensed may be delivered anywhere in the county of sale and its adjacent counties except in prohibited territory

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend section 27, page 23, line 17, by striking out the figure "27" and inserting in lieu thereof "21."

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twenty-eighth section of the bill was read as follows:

Section 28 SALES BY RETAIL DISTRIBUTORS No retail distributors shall purchase or receive any beverages except in the original containers permanently marked as marketed by the manufacturer and thereafter may break the bulk upon the licensed premises and sell or dispense the same for use and consumption only however in and upon the premises so licensed Provided however That such retail distributor may sell such beverages in quantities not exceeding seventy-two (72) ounces in the original containers to be carried from the premises by the purchaser thereof

No retail distributor shall maintain any bar at which beverages are served to customers or sell any beverages for consumption on the licensed premises except at a table in a room or rooms or place on the licensed premises at all times accessible to the use and accommodation of the general public and the windows doors or entrances of such rooms or places shall permit free and unobstructed visibility of the interior thereof A retail distributor may sell and deliver beverages in any room of an hotel occupied by a bona fide registered guest entitled to purchase the same

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend section 28, page 24, line 17, by striking out the figure "28" and inserting in lieu thereof "22."

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

Mr. SNYDER. Mr. President, I move to amend Section 28, page 24, line 27, by adding after the word "thereof" the following: "And may sell and deliver beverages in any room of a hotel occupied by a bona fide registered guest entitled to purchase the same;" also line 27, by striking out lines 27, 28, 29; also page 25, by striking out lines 1, 2, 3, 4, 5, 6, 7, and 8 and inserting in lieu thereof, the following: "No retail distributor shall serve beverages to customers for consumption on the licensed premises unless in any building upon said premises in which said beverages are served a portion thereof is lawfully used in conducting a restaurant or dining room or said building be lawfully used in the operation of a hotel or inn."

Mr. SORDONI. Mr. President, I second the motion.

On the question,

Will the Senate agree to amendments?

Mr. McCLURE. Mr. President, I would like the sponsor of the amendments to tell the effect they would have on the bill.

Mr. SYNDER. Mr. President, in explanation of these amendments, if the members of the Senate will refer to page twenty-four, line twenty-seven, they will notice that the language used in the first portion of the amendment is the same language used in the latter portion of the amendment, to wit, "No retail distributor shall maintain any bar at which beverages are served to customers or sell any beverages for consumption on the licensed premises except at a table in a room or rooms or place on the licensed premises at all times accessible to the use and accommodation of the general public, and the windows, doors or entrances of such rooms or places shall permit free and unobstructed visibility of the interior thereof. A retail distributor may sell and deliver beverages in any room of a hotel occupied by a bona fide registered guest entitled to purchase the same."

With regard to the first portion of the amendment, there is no change, and the amendment was only necessary to complete the language following the word "thereof" in line twenty-six on page twenty-four. Now, in regard to the second portion of the amendment, the following language is stricken out as proposed in the amendment, and which language I shall read from the bill as we now have it. Page twenty-four at the twenty-seventh line: "No retail distributor shall maintain any bar at which beverages are served to customers or sell any beverages for consumption on the licensed premises except at a table in a room or rooms or place on the licensed premises at all times accessible to the use and accommodation of the general public, and the windows, doors or entrances of such rooms or places shall permit free and unobstructed visibility of the interior thereof." The amendment strikes out or proposes to strike out all that language, and the language which is substituted in its stead is the proposed amendment itself, which perhaps needs a more lengthy explanation.

By this amendment there will be removed from this bill all this provision, which to me seems perhaps bordering on the ridiculous, and that is that the man who dispenses these beverages is required by the bill to sell only at tables, and in addition thereto, if the language is followed on the top of page twenty-seven, you will see the impossibility of complying with this provision, to wit, that the windows, door or entrances of such rooms or places shall permit free and unabstructed visibility of the interior thereof, containing the implication, of course, that these beverages can be sold only on the first floor of the building, and further containing the implication, if I may go so far as to say, that the doors, perhaps, must have no curtains, the windows must have no curtains, and you could easily read into the language almost any provision which would border on the ridiculous, requiring the man or company or corporation operating such a place directly doing what I regard as being impossible of doing unless they would limit those selling this beverage on the first floor and complying with certain matters which to me I think they should not be called upon to comply with. Beyond that, if the Chair will grant me further indulgence, there is a further reason for these amendments. It goes beyond perhaps the bill itself, but my explanation to my colleague, Senator McClure, would not be complete unless I would make this statement.

I am just a little bit suspicious, and that is the entire reason of offering the amendments, because the ardent dries of the State would very much enjoy provisions of this kind, and they have delayed the passage of this bill, at least as far as I personally am concerned, for an hour or two in the preparation of these amendments, for even they themselves surely adhere to the doctrine that the least governed people are the best governed.

I also want to say frankly I have not understood that the

presence of a bar any place would necessarily make the place a saloon, and when I say that I believe I am going to the very gist of the amendments themselves. I do not hesitate in this explanation to stand before you and say that the presence of a bar in a place has never increased or decreased the sobriety of our people.

I further believe that if we had avoided the great mistake made some years ago when we were told what we could drink, this provision in the bill would not now go so far as to tell us we must sit down when we drink it; and that to my mind does not improve the sobriety or moral standards of our people. To me it looks like a foolish regulation. To me it seems that the language of that act is almost laughable. I doubt whether there is one member of this Senate who wants to have that restriction as it is there worded remain. I do not believe anything can be gained by such a restriction. Furthermore, If I should happen to refer to the language used by the Governor of this State, as quoted in The Evening News of this city, I find the following in connection with this proposed beer legislation. Quoting from that paper, I read: "I am against two things, first, the return of the saloon; and, second, such brazen political mixing of beer and politics as is intended in the rank proposition to have beer licenses in Philadelphia, Allegheny, and five other counties passed out by commissions named by Republican and Democratic county committees."

Now, this is apart from the explanation of my colleague from Schuylkill county. I think that second proposition has been very ably handled. But the Governor says also that he is against the return of the saloon; and as the saloon was once, one of the rooms upon the premises where there was nothing but a bar, I would say I also agree with the Governor, and that my amendment, so far as those are concerned, the language should be entirely pleasing to the Governor of this Commonwealth, because it is not possible to permit the return of the saloon. It means just this in plain words, that if these amendments are adopted, and beer, whether it is intoxicating in fact or only in law, will be sold in hotels, it will be sold in other places where that portion of the building is given over to the conducting, lawful conducting of a restaurant or dining-room. My attention has been called to the fact that that might put hotels out of business where there were only bars and nothing else. That is my notion of a saloon, and I would not at all defend the return of a business where there is a bar and nothing else. So my amendments are even more restrictive than you would have them be.

And that Mr. President, completes my feeble explanation of the amendments.

And the question recurring,

Will the Senate agree to the amendments?

A division being called for, twenty-six Senators voted in the affirmative and sixteen in the negative.

Whereupon the question was decided in the affirmative.

And the question, recurring,

Will the Senate agree to the section as amended?

It was agreed to.

The twenty-ninth section of the bill was read as follows:

Section 29 UNLAWFUL SALES It shall be unlawful for any licensee or his or its servants agents or employes

(a) To sell trade or barter in beverages between the hours of twelve o'clock midnight of any Saturday and six o'clock in the forenoon of the following Monday

(b) To sell furnish or give any beverages to any person visibly intoxicated or to any insane person or to any minor

(c) To sell furnish or give any beverages to any person on any day on which a general municipal special or primary election is being held

(d) To sell or offer to sell any beverages to any person on credit excepting the customary credits between the various classes of licensees and credits extended by an hotel to a bona fide registered guest No right of action shall exist to collect any claims for credit extended contrary to the provisions of this clause

(c) To sell furnish or give any beverages to any person on son on a pass-book or store order or to receive from any person any goods wares merchandise or other articles in exchange for beverages

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend section 29, page 25, line 9, by striking out the figure "29" and and inserting in lieu thereof: "23."

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The thirtieth section of the bill was read as follows:

Section 30 THINGS OF VAULE NOT TO BE OFFERED FOR THE RETURN OF CERTAIN ARTICLES It shall be unlawful for any person licensed to sell beverages to offer or give anything of value as a premium for the return of caps stoppers corks stamps or lables taken from any bottle case barrel or package containing such beverages or to offer or give anything of value as a premium or present to induce the purchase of such beverages or for any other purpose whatsoever in connection with the sale of such beverages "provided however that this section shall not apply to the return of any moneys specifically deposited for the return of the original containers to the owners thereof"

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend section 30, page 26, line 3, by striking out the figure "30" and inserting in lieu thereof: "24."

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The thirty-first section of the bill was read as follows:

Section 31 UNLAWFUL TO FORTIFY ADULTERATE OR CONTAMINATE BEVERAGES It shall be unlawful to fortify adulterate contaminate or in any wise to change the character or purity of the beverages from that as originally marketed by the manufacturer

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend section 31, page 26, line 16, by striking out the figure "31" and inserting in lieu thereof: "25."

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The thirty-second section of the bill was read as follows:

Section 32 TRANSPORTATION IN ORIGINAL PACKAGES It shall be unlawful to transport any beverages except in the original containers permanently marked as marketed by the manufacturer

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend section 32, page 26, line 21, by striking out the figure "32" and inserting in lieu thereof: "26."

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The thirty-third section of the bill was read as follows:

Section 33 DELIVERY VEHICLES TO BEAR NAME AND ADDRESS OF LICENSEE It shall be unlawful for a manufacturer or wholesale distributor to deliver any beverages excepting in vehicles bearing the name and address of such license holder on each side of such vehicle in letters no smaller than four inches in height

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend section 33, page 26, line 25, by striking out the figure "33" and inserting in lieu thereof: "27."

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The thirty-fourth section of the bill was read as follows:

Section 34 INTERLOCKING BUSINESS PROHIBITED (a) No manufacturer and no officer or director of any manufacturer shall at the same time be a distributor or an officer director or stockholder or creditor of any wholesale distributor or of any retail distributor nor be the owner proprietor or lessor of any place covered by such wholesale or retail distributor's license

(b) No wholesale distributor and no officer or director of any wholesale distributor shall at the same time be a manufacturer or retail distributor or be an officer director stockholder or creditor of a manufacturer or retail distributor or be the owner proprietor or lessor of any place covered by such retail distributor's license

(c) No manufacturer or wholesale distributor or retail distributor licensed under this act shall own any stock of or have any financial interest in any other class of business licensed under this act

(d) Excepting as hereinafter proyided No manufacturer or wholesale distributor shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or in any mortgage lien against the same for which a retail license is granted nor shall a manufacturer or wholesale dealer either directly or indirectly lend any money credit or equivalent thereof to any retail dealer in equipping fitting out or maintaining and conducting either in whole or in part an establishment or business where such beverages are licensed for sale and consumption upon the premises excepting only the usual and customary commercial credits for beverages sold and delivered

(e) Excepting as hereinafter provided No manufacturer shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or any mortgage lien against the same for which a wholesale license is granted nor shall a manufacturer either directly or indirectly lend any moneys credit or their equivalent to any wholesale dealer in equipping fitting out or maintaining and conducting either in whole or in part an establishment or business where such beverages are licensed for sale at wholesale excepting only usual and customary commercial credits for beverages sold and delivered

The purpose of this section is to require a separation of the financial and business interest between the various classes of business authorized to be licensed by this act and no person or corporation shall by any device whatever directly or indirectly evade the provisions of this section But in view of existing economic conditions nothing contained in this section shall be construed to prohibit the ownership of property or conflicting interest existing at the date this act takes effect which is contrary to this section but to prohibit the establishment of such ownership or conflicting interest after said date

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend section 34, page 27, line 3, by striking out the figure "34" and inserting in lieu thereof: "28."

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The thirty-fifth section of the bill was read as follows:

Section 35 SALE OF IMPORTED BEVERAGES No beverages imported into this Commonwealth shall be delivered in the first instance anywhere in this Commonwealth except to a licensed wholesale distributor and shall be resold and delivered only in accordance with this act by such wholesale distributor to whom delivered who shall be liable for the tax imposed thereon by this act when such beverages come to rest or storage in this Commonwealth

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend section 35, page 28, line 27, by striking out the figure "35" and inserting in lieu thereof: "29."

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The thirty-sixth section of the bill was read as follows:

Section 36 STATE TAX ON BEVERAGES In addition to the license fees imposed by this act each manufacturer shall be subject to pay the State taxes imposed by this section upon all beverages manufactured in this Commonwealth when prepared for market and each wholesale distributor shall be subject to pay the State taxes imposed by this act upon all beverages imported into this Commonwealth when the same come to rest or storage in this Commonwealth Such taxes shall be at the following rates On malt and brewed beverages one dollar ($1) per barrel or equivalent and on vinous or fruit juice beverages three cents (3c) per gallon

Manufacturers and wholesale distributors shall be liable to the Commonwealth as taxpayers for the payment of the taxes imposed by this act

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend sec-

tion 36, page 29, line 6, by striking out the figure "36" and inserting in lieu thereof: "30."

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The thirty-seventh section of the bill was read as follows:

Section 37 MONTHLY REPORTS AND PAYMENT OF TAX PENALTIES For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every manufacturer and wholesale distributor on or before the last day of each month to transmit to the Department of Revenue upon a form prescribed prepared and furnished by the Department a report under oath or affirmation of the beverages prepared for market or which were imported and came to rest or storage at his place of business in this Commonwealth during the preceding month Such report shall show the number of barrels or gallons prepared for market or imported during the period for which it is made and such further information as the department shall prescribe Each manufacturer shall on such report also show the number of barrels or gallons of beverages prepared for market which during such month were exported from this State and shall be entitled to a deduction of the tax on such beverages in computing the tax payable under this act

Each manufacturer and wholesale distributor at the time of making every report required by this section shall compute and pay to the department the tax due to the Commonwealth on the beverages prepared for market or imported into this State The amount of all taxes imposed under the provisions of this act for each month shall be due and payable on the last day of the next succeeding month and shall bear interest at the rate of one per centum per month or fractional part of a month from the day they are due and payable until paid

If any manufacturer or wholesale distributor shall neglect or refuse to make any report and payment as herein required an additional ten per centum of the amount of the tax shall be added by the department and collected as hereinafter provided and in addition thereto the license of such manufacturer or wholesale distributor may be suspended by the State Treasurer or the licensing power at the request of the department

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend section 37, page 29, line 22, by striking out the figure "37" and inserting in lieu thereof: "31."

Mr. SNYDER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The thirty-eighth section of the bill was read as follows:

Section 38 DETERMINATION AND REDETERMINATION OF TAX PENALTIES AND INTEREST (a) if the department is not satisfied with the report and payment of the tax made by a manufacturer or wholesale distributor it is authorized to make a determination of the tax due based upon the facts contained in the report or upon any information within its possession or that shall come into its possession

(b) Promptly after the date of any such determination the department shall sent by registered mail a copy thereof to such manufacturer or wholesale distributor Within thirty days after the date of any such determination such manufacturer or wholesale distributor may file with the department a petition for redetermination of such tax Every petition for redetermination shall state specifically the reason which the petitioner believes entitles him to such redetermination and shall be supported by affidavit that it is not made for the purpose of delay and that the facts set forth therein are true It shall be the duty of the department within ninety days after the date of any determination to dispose of any petition for redetermination Notice of the action taken upon any petition for redetermination shall be given to the petitioner promptly after the date of redetermination by the department

(c) Within thirty days after notice by the department of the action taken of any such petition for redetermination filed with it the manufacturer or wholesale distributor against whom such determination was made may be petition require the Board of Finance and Revenue to review such action Every petition for review shall state specifically the reason upon which the petitioner relies and shall be in such form as the Board of Finance and Revenue shall prescribe The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true The Board of Finance and Revenue shall dispose of each such petition filed with it within ninety days after it shall have been received and in the event of the failure of said board to dispose of any such petition within ninety days the action taken by the department upon the petition for redetermination shall be deemed sustained The Board of Finance and Revenue may sustain the action taken on the petition for redetermination or it may redetermine the tax upon such basis as it shall deem to be according to law and equity Notice of the action of the Board of Finance and Revenue shall be given by mail or otherwise to the department and to the petitioner

(d) The department or any person aggrieved by the decision of the Board of Finance and Revenue or by the Board's failure to act on said petition within ninety days may within sixty days appeal to the Court of Common Pleas of Dauphin County from the decision of the Board of Finance and Revenue or from the decision of the department as the case may be in the manner provided by law for appeals in the case of tax settlements

(e) If any manufacturer or wholesale distributor shall neglect or refuse to make any report and payment of the tax required by this act the department shall estimate the tax due by such corporation and determine the amount due by him for taxes penalties and interest thereon from which determination there shall be no right of review or appeal Upon any such neglect or refusal the license of the manufacturer or wholesale distributor may be suspended or revoked by the State Treasurer or licensing power at the request of the department

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend section 38, page 31, line 1, by striking out the figure "38" and inserting in lieu thereof: "32,"

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The thirty-ninth section of the bill was read as follows:

Section 39 EXAMINATION OF RECORDS AND EQUIPMENT The Department of Revenue or any agent appointed in writing by it is authorized to examine the books papers records plant and equipment of any manufacturer or wholesale distributor to verify the accuracy of any report or payment made under this act or to ascertain whether or not the tax imposed by this act has been paid But any information gained by the department as the result of the reports investigations or verifications herein required to be made shall be confidential and any person divulging such information shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than one thousand dollars $1,000) and costs of prosecution or to undergo imprisonment of not more than one year or both

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend section 39, page 33, line 8, by striking out the figure "39" and inserting in lieu thereof: "33."

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fortieth section of the bill was read as follows:

Section 40 RECORDS OF MANUFACTURERS AND WHOLESALE DISTRIBUTORS Each manufacturer and wholesale distributor shall maintain and keep for a period of two years such record or records of beverages manufactured or imported together with invoices bills of lading and other pertinent papers as may be required by the department

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend section 40, page 33, line 24, by striking out the figure "40" and inserting in lieu thereof: "34."

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The forty-first section of the bill was read as follows:

Section 41 LIEN OF TAXES All taxes penalties and interest imposed by this act due by any manufacturer or wholesale distributor shall be a lien upon the franchises and property both real and personal of such manufacturer or wholesale distributor from the date said taxes are due and payable and shall have priority over any subsequent liens or encumbrances whatsoever except the lien of other State taxes having priority by law and except also that such taxes penalties and interest shall have priority over a mortgage only if the statements thereof were filed of record as hereinafter provided prior to the recording of the mortgage

Statements of all taxes herein imposed due and unpaid together with penalties and interest thereon certified by the Secretary of Revenue or his agents may at any time be transmitted to the prothonotaries of the respective counties to be by them entered of record upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgment and execution in the same manner as such writs are ordinarily employed

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend section 41, page 34, line 3, by striking out the figure "41" and inserting in lieu thereof: "35."

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The forty-second section of the bill was read as follows:

Section 42 DISTRIBUTION OF REVENUES FROM TAX All taxes collected under the provisions of this act shall be paid by the Department of Revenue into the State Treasury and fifty per centum (50%) of such tax shall be for the use of the Commonwealth The remaining fifty per centum (50%) of such tax shall be paid into the Beverage Fund which is hereby created and shall be paid by the State Treasurer quarterly to the county treasurers of the various counties of this Commonwealth for the use of such counties on a ratio that the population of a county bears to the total population of the Commonwealth Any moneys in the Beverage Fund from time to time are hereby appropriated for payment over to the several counties as herein provided except interest earned on moneys in such fund which shall be for the use of the General Fund

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend section 42, page 34, line 23, by striking out the figure "42" and inserting in lieu thereof: "36."

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The forty-third section of the bill was read as follows:

Section 43 APPROPRIATION The sum of six hundred thousand dollars ($600,000) or so much thereof as may be necessary is hereby appropriated for the payment of the salaries of the members of the several commissions their clerks and employes for traveling and hotel expenses for postage supplies and equipment for printing legal advertising and for all other incidental and necessary expenses incurred in carrying into effect the provisions of this act

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend section 43, page 35, by striking out all of lines 21 to 29, inclusive.

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The forty-fourth section was read as follows:

Section 44 PENALTY Any person copartnership association or corporation violating any of the provisions of this act for which a specific penalty is not provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding three hundred dollars ($300) for the first offense and for any second or subsequent offense shall be sentenced upon conviction to pay a fine not exceeding five hundred dollars ($500) Any such person or the members agents servants or employes of any partnerships or associations or the officers directors agents servants or employes of any corporation responsible for any violation of any of the provisions of this act may upon a second or subsequent conviction be sentenced to imprisonment fo ra term not exceeding six months or by both such fine and imprisonment in the discretion of the court

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President I move to, amend section 44, page 36, line 1, by striking cut the figures "44" and inserting in lieu thereof: "37."

Mr. McCLURE. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.

The forty-fifth section of the bill was read as follows:

Section 45 RULES It shall be the duty of the licensing power in the several counties and district promptly after the passage of this act to fix by rule or otherwise the times and places when applications for wholesale and retail distributors' licenses may be presented so that such licenses may be promptly obtainable by all applicants meeting the necessary requirements and qualifications This provision is intended to meet such emergency as may arise promtply to regulate and license the sale and distribution of the said beverages which may have been legalized by action of Congress of the United States which become automatically legal in this Commonwealth

On the question,
Will the Senate agree to the section?
Mr. STAUDENMEIER. Mr. President, I move to amend section 45, page 36, line 17 by striking out the figures "45" and inserting in lieu thereof: "38."
Mr. McCLURE. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.

The forty-sixth section of the bill was read as follows:

Section 46 CONSTITUTIONALITY The provisions of this act shall be severable and if any of the provisions shall be held to the unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

On the question,
Will the Senate agree to the section?
Mr. STAUDENMEIER. Mr. President, I move to amend section 46, page 37, line 1, by striking out the figure "46" and inserting in lieu thereof: "39."
Mr. McCLURE. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.

The forty-seventh section of the bill was read as follows:

Section 47 EFFECTIVE DATE This act shall become effective immediately upon final enactment

Mr. STAUDENMEIER. Mr. President, I move to amend section 47, page 37, line 8, by striking out the figures "47" and inserting in lieu thereof: "40."
Mr. McCLURE. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.

The forty-eighth section of the bill was read as follows:

Section 48 REPEAL The following acts are hereby repealed as respectively indicated

The act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-seven) entitled "An act authorizing the transfer by the judges of the several courts of the Commonwealth of licenses for the wholesale or retail of vinous spirituous malt or brewed liquors from one person to another and from one place to another" absolutely

The act approved the thirtieth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws four hundred sixty-four) entitled "An act to provide revenue and regulate the sale of malt brewed vinous and spirituous liquors or any admixture thereof by requiring and authorizing licenses to be taken out by brewers distillers wholesalers bottlers rectifiers compounders storekeepers and agents having a store office or place of business within this Commonwealth prescribing the amount of license fees to be paid in such cases and by imposing an additional license fee on retail dealers in intoxicating liquors" and the amendments thereto so far as the same relate to beverages licensed under this act

The act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four entitled "An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws" and the amendments thereto so far as the same relate to beverages the manufacture sale distribution and transportation of which is regulated and licensed under this act

The act approved the ninetenth day of February one thousand nine hundred and twenty-six (Pamphlet Laws sixteen) entitled "A supplement to the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled "An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws' providing for the registering of Federal permits also regulating under permit through a Pennsylvania Alcohol Permit Board created in the Depjartment of Welfare the manufacture production distillation development use in manufacture denaturization redistillation recovery reuse holding in bond holding in storage by bailees for hire sale at wholesale and transportation for hire any alcohol or alcoholic liquid by certain persons also providing for fees and the disposition thereof also authorizing the inspection of the records of the permittees and purchasers of said alcohol or alcoholic liquid also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all octs or parts of acts inconsistent with this act" in so far as the same relates to or requires permits for the manufacture production distillation development use in manufacture denaturization redisillation recovery reuse holding in bond holding in storage by bailees for hire sale at wholesale and transportation for hire beverages the manufacture and sale of which is regulated and licensed under this act

All other acts and parts of acts inconsistent with this act are hereby repealed But nothing contained in this act shall be construed to repeal any law relating to the purity or adulteration of beverages or any law relating to sanitation or any local or special law

Nothing contained in this act shall be construed to repeal or in any manner to impair the provisions of the act approved the second day of June one thousand eight hundred and ninety-one (Pamphlet Laws one hundred seventy-three) entitled "An act to permit the growers of grapes in this Commonwealth to manufacture wine from grapes of their own raising that are not first class or marketable and sell such wine to licensed

dealers without taking out or paying a license for such manufacture or sale"

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend section 48, page 37 line 10, by striking out the figures "48" and inserting in lieu thereof: "41."

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title section of the bill was read as follows:

An Act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined creating a commission for each of several districts defining their powers and the powers of the courts of districts of the first class providing for the licensing of the manufacture sale transportation and distribution of such beverages imposing taxes and license fees and providing for collection and distribution of revenues therefrom restricting ownership and interest in licensed places making appropriations providing penalties and repealing existing acts

On the question,

Will the Senate agree to the title?

Mr. STAUDENMEIER. Mr. President, I move to amend title, page 1, lines 3, 4 and 5, by striking out the following: "creating a commission for each of several districts defining their powers and the powers of the courts of districts of the first class"; also page 1, next to the last line, by striking out the following: "making appropriations."

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS INTRODUCED

Mr. PARKINSON. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PARKINSON read in his place and presented to the Chair Senate Bill No. 962, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the various political divisions of the Commonwealth, for the maintenance of certain streets and roads, and in townships of the second class, for the maintenance and replacement of certain bridges during the calendar years one thousand nine hundred and thirty-four and one thousand nine hundred and thirty-five, and suspending the power of townships of the second class to levy taxes for road purposes during such years.

Which was committed to the Committee on Appropriations.

Mr. ARON. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARON read in his place and presented to the Chair Senate Bill No. 963, entitled:

An Act making an appropriation to the committee created to investigate the affairs of the special poor districts of Philadelphia and to make report thereon.

Which was committeed to the Committee on Appropriations.

REPORTS FROM COMMITTEES

Mr. OWLETT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. OWLETT, from the Committee on Corporations, reported as committed, Senate Bill No. 206, entitled:

An Act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, division and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds and certain State departments, commissions and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations.

Mr. SCOTT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT, from the Committee on Appropriations, reported as committed, Senate Bill No. 962, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the various political divisions of the Commonwealth, for the maintenance of certain streets and roads, and in townships of the second class, for the maintenance and replacement of certain bridges during the calendar years one thousand nine hundred and thirty-four and one thousand nine hundred and thirty-five, and suspending the power of townships of the second class to levy taxes for road purposes during such years.

BILLS ON THIRD READING

Mr. GELDER. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 514 (House Bill No. 556), on third reading, entitled:

An Act to amend the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "Vehicle Code," by requiring certain motor vehicles to be equipped with laminated safety plate glass; fixing penalties; and providing for the suspension or revocation by the Public Service Commission of certificates of public convenience of common carriers for violations of the provisions of this act.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 514 (House Bill No. 456), entitled:

An Act to amend the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled

"An act for the protection of the public safety, regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposton of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by requiring certain motor vehicles to be equipped with laminated safety glass; fixing penalties; and providing for the suspension or revocation by the Public Service Commission of certificates of public convenience of common carriers for violations of the provisions of this act.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. GELDER. Mr. President, I ask unanimous consent to amend title, page 2, line 11 from top of page, by striking out the word "laminated"; also amend section 1, page 3, line 15, by striking out the word "Laminated"; also line 16, by striking out the word "laminated"; also line 16, by placing quotation marks before the word "safety"; also line 17, by inserting after the word "any" the following: "glass or transparent"; also line 17, by inserting after the word "product" the following: "approved by the Department of Revenue"; also lines 18 to 21, by striking out all of said lines, both inclusive; also line 22, by striking out the word "so"; also line 22, by inserting after the word "fabricated" the following: "in such manner"; also line 23, by inserting after the word "glass" the following: "or transparent product"; also page 4, line 2, by striking out the word "laminated"; also line 8, by striking out the word "laminated"; also line 12, by inserting before the word "glass" the following: "safety"; also line 13, by striking out the word "laminated"; also line 19, by inserting before the word "glass" the following: "safety."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 218

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives,

Resolved (if the Senate concur), That House Bill No. 218, entitled:

An Act to amend section twelve of the act, approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149), entitled "Liquid Fuels Tax Law" by preventing suspension of permits without hearings and providing for appeals in case of suspension or revocation of permits.

be recalled from the Governor for further consideration.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 300

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 300, entitled:

An Act to amend section two of the act, approved the thirteenth day of March, one thousand eight hundred and fifteen (P. L. 177), entitled "An act to amend the act, entitled 'An act directing the mode of selling unseated lands for taxes, and for other purposes'"; authorizing and directing county treasurers to execute deeds for unseated lands sold by their predecessors in office, and validating deeds heretofore so executed.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 392

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate,

Resolved (if the House of Representatives concur), That Senate Bill No. 392, entitled:

An Act authorizing the compromise of tax claims on rail property purchased by the county on county treasurers' sales for nonpayment of taxes, and the reconveyance of such property.

be recalled from the Governor for the purpose of amendment.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 106, entitled:

An Act to amend section ten as amended of an act approved the thirty-first day of May, one thousand nine hundred and eleven (P. L. 468), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing

for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," by providing for the construction, reconstruction and maintenance of certain bridges forming parts of State Highways in boroughs and incorporated towns by the Department of Highways.

Referred to the Committee on Public Roads and Highways.

Senate Bill No. 398, entitled:

An Act to amend section 1 of, and to add section 2 to, the act approved the twenty-fifth day of June, one thousand nine hundred and thirty-one (P. L. 1364), entitled "An act prohibiting the use of counterfeit or spurious coins in automatic instruments or machines; and providing a penalty," by including devices or substances other than metal, and by providing penalties for the manufacture for sale, or sale or gift of counterfeit or spurious coins for the fraudulent operation of automatic instruments or machines.

Senate Bill No. 591, entitled:

An Act to further amend section one of an act, approved the thirty-first day of May, one thousand eight hundred ninety-three (P. L. 188), entitled "An act designating the days and half days to be observed as legal holidays, and for the payment acceptance and protesting of bills, notes, drafts, checks and other negotiable paper on such days," by authorizing bank holidays during State and national financial crises.

Senate Bill No. 682, entitled:

An Act authorizing and regulating the issue and sale of preferred stock by banks and trust companies.

Senate Bill No. 138, entitled:

An Act to amend section sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (P. L. 468), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commisisoner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defiining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the state line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commisioner decides to work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, co ytnu,ntowihsnccfhvfEAOIN repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injury or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended, fixing the time within which proceedings to assess damages for land taken for the changing, widening, or relocation of highways.

Senate Bill No. 435, entitled:

An Act to amend section sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commisioner decides to work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township, or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated town with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended by providing for

payment by the Commonwealth out of the Motor License Fund of damages for land or property taken injured or destroyed by the change of width lines and locations of State highways and the cost of the removal of structures where the county does not agree to such changes or removals requiring approval of the court of quarter sessions to all agreements relating to damages made by the county commissioners with property owners and fixing the time when the Secretary of Highways may begin work.

Senate Bill No. 598, entitled:

An Act to amend sections one hundred and sixty-four, one hundred and sixty-five, and one hundred and sixty-six of the act, approved the thirty-first day of March, one thousand eight hundred and sixty (P. L. 382), entitled "An act to consolidate, revise and amend the penal laws of this Commonwealth," by making unlawful the counterfeiting, altering and uttering of scrip and possession of materials for falsely making the same.

Senate Bill No. 619, entitled:

An Act authorizing courts of common pleas to stay and adjourn the execution of certain writs in the hands of sheriffs ratifying confirming and validating the actions of courts in staying and adjourning the execution of such writs and of sheriffs in obeying orders and decrees of courts in accordance with this act and a resolution of the General Assembly and dispensing with the necessity of re-advertising and re-posting such writs.

Whereupon,

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEE

Mr. GELDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER, from the Committee on Public Roads and Highways reported as committed, Senate Bill No. 541, entitled:

An Act establishing as State highways all existing township roads in townships of the second class which have not heretofore been established as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; authorizing the Secretary of Highways under certain conditions to petition the Court of Quarter Sessions to vacate certain of said roads; and making an appropriation out of the Motor License Fund.

REPORTS FROM COMMITTEE

Mr. SNYDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER, from the Committee on Corporations, reported as committed, Senate Bill No. 262, entitled:

An Act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaires of such courts, recorders of deeds, and certain State departments, commissions and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties and repealing certain acts and parts of acts relating to corporations.

MOTION TO READ BILLS FOR THE FIRST TIME

Mr. SCOTT. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 80, entitled:

An Act making an appropriation to the Children's Home of Bethlehem, Salisbury Township, Lehigh County, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 81, entitled:

An Act making an appropriation to St. Luke's Hospital located at Bethlehem, Lehigh County, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 82, entitled:

An Act making an appropriation to the Allentown Hospital, Allentown, Lehigh County, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 110, entitled:

An Act making an appropriation to the Board of Managers of the Seamen's Church Institute of Philadelphia, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 177, entitled:

An Act making an appropriation to the Home of Industry for Discharged Prisoners of the City of Philadelphia and State of Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 184, entitled:

An Act making an appropriation to the Hahneman Medical College and Hospital of Philadelphia, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 191, entitled:

An Act making an appropriation to the Columbia Hospital, at Columbia, Lancaster County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 198, entitled:

An Act making an appropriation to the Pennsylvania Association for the Blind, Incorporated, at Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 199, entitled:

An Act making an appropriation to the Boy's Industrial Home of Western Pennsylvania, located at Oakdale, Allegheny County.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 206, entitled:

An Act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, division and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign non-profit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds and certain State departments, commissions and officers; authorizing certain local public offices and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 221, entitled:

An Act to amend sections one, two, three, four and five of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 1215), entitled "An act authorizing the filing of notices of liens for taxes payable to the United States of America, and certificates discharging such liens; and to make uniform the law relating thereto," providing for the filing of notices of liens in the office of the recorder of deeds.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 226, entitled:

An Act making an appropriation to the Pennsylvania Epileptic Hospital and Colony Farm, Chester County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 227, entitled:

An Act making an appropriation to the Chester County Hospital, West Chester, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 229, entitled:

An Act making an appropriation to the Florence Crittenton Circle of Wilkes-Barre, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 232, entitled:

An Act making an appropriation to the Lancaster General Hospital, Lancaster, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 233, entitled:

An Act making an appropriation to the New Future Association located on Sherman Avenue, North Side, Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 238, entitled:

An Act making an appropriation to the Hospital of the University of Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 239, entitled:

An Act making an appropriation to the Graduate Hospital of the University of Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 240, entitled:

An Act making an appropriation to the Union Home for Old Ladies of West Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 241, entitled:

An Act making an appropriation to the Friends' Home for Children of the city of Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 242, entitled:

An Act making an appropriation to the Western Temporary Home of Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 245, entitled:

An Act making an appropriation to the Rush Hospital for Consumption and Allied Diseases of Philadelphia.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 247, entitled:

An Act making an appropriation to the George F. Geisinger Memorial Hospital, Danville, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 254, entitled:

An Act making an appropriation to the Wills Eye Hospital, Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 255, entitled:

An Act making an appropriation to the Home for the Aged, located at one thousand eight hundred nine Mount Vernon Street, Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 259, entitled:

An Act making an appropriation to the Reading Hospital of Reading, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 262, entitled:

An Act relating to business corporations, defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties and repealing certain acts and parts of acts relating to corporations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 269, entitled:

An Act making an appropriation to the Homeopathic Medical and Surgical Hospital, of Reading, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 271, entitled:

An Act making an appropriation to the Lee Homeopathic Hospital, Johnstown, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 272, entitled:

An Act making an appropriation to the Conemaugh Valley Memorial Hospital at Johnstown, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 276, entitled:

An Act making an appropriation to the St. Luke's and Children's Homeopathic Hospitals of Philadelphia, Pennsylvania, for the maintenance of said hospitals.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 289, entitled:

An Act making an appropriation to the Northern Tier Home, Harrison Valley, Potter County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 303, entitled:

An Act making an appropriation to the Bloomsburg Hospital, Bloomsburg, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.
Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 304, entitled:
An Act making an appropriation to the Berwick Hospital, Berwick, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 305, entitled:

An Act making an appropriation to the American Ontologic Hospital, at Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 306, entitled:

An Act making an appropriation to the Women's Hospital, of Philadelphia, Preston and Parrish Streets, Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 307, entitled:

An Act making an appropriation to the Citizens General Hospital, New Kensington, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 309, entitled:

An Act making an appropriation to the Easton Hospital, at Easton, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 310, entitled:

An Act making an appropriation to the National Stomach Hospital, of Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 326, entitled:

An Act making an appropriation to the Williamsport Hospital of the City of Williamsport, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 327, entitled:

An Act making an appropriation to the Aged Colored Women's Home at Williamsport, Lycoming County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 328, entitled:

An Act making an appropriation to the Home for the Friendless of the City of Williamsport, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 329, entitled:

An Act making an appropriation to the Florence Crittenton Mission of the City of Williamsport, Lycoming County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 335, entitled:

An Act making an appropriation to the Greenville Hospital, Greenville, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 342, entitled:

An Act making an appropriation to the Northeastern Hospital of Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 354, entitled:

An Act making an appropriation to the Elizabeth Steel Magee Hospital, Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 355, entitled:

An Act making an appropriation to the Montefiore Hospital Association of Western Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 378, entitled:

An Act making an appropriation to the Allegheny General Hospital, Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 379, entitled:

An Act making an appropriation to the Curtis Home for Destitute Women and Children, Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 380, entitled:

An Act making an appropriation to the Home for Colored Children, Termon Avenue, Twenty-seventh Ward, Pittsburgh, Pennsylvania, or its successors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 382, entitled:

An Act making an appropriation to the Robert Wood's Industrial Home and Day Nursery for Colored Boys and Girls, of Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 383, entitled:

An Act making an appropriation to the Philadelphia Home for Infants located at 4618 Westminster Avenue, Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 418, entitled:

An Act making an appropriation to the Germantown Dispensary and Hospital, Germantown, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 419, entitled:

An Act making an appropriation to the Children's Aid Society of Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 423, entitled:

An Act making an appropriation to the Coudersport General Hospital.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 429, entitled:

An Act making an appropriation to the Wilkes-Barre General Hospital, Wilkes-Barre, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 431, entitled:

An Act suspending the provisions of the laws requiring school districts to pay minimum salaries to district superintendents teachers, supervisors and principals, and providing for continuing contracts; requiring boards of school directors to fix salaries of district superintendents, teachers, supervisors and principals for the school years beginning the first day of July, one thousand nine hundred and thirty-three and the first day of July, one thousand nine hundred and thirty-four; and providing for State aid to be given to school districts during said years.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 434, entitled:

An Act making an appropriation to the trustees of the Pennsylvania Military College, Chester, Pennsylvania, for the training and education of students.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 437, entitled:

An Act making an appropriation to the Carlisle Hospital, Carlisle, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 441, entitled:

An Act making an appropriation to the Lying-in Charity Hospital, Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 443, entitled:

An Act making an appropriation to the Maternity Hospital, Philadelphia, Pa.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 444, entitled:

An Act making an appropriation to the Contributors to the Pennsylvania Hospital of Philadelphia, Pennsylvania, for the maintenance of its Department for the Sick and Injured.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 445, entitled:

An Act making an appropriation to the Pennsylvania Society to Protect Children from Cruelty, Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 451, entitled:

An Act making an appropriation to the Home for the Aged and Infirm Colored Women of Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 452, entitled:

An Act making an appropriation to the McKeesport Day Nursery at McKeesport, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 459, entitled:

An Act to authorize cities of the third class to sue out writs of scire facias on certain municipal claims, where more than five years have elapsed since said claims were filed, and to reduce such claims to judgment; and providing for the revival and collection of such judgments.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 481 (House Bill No. 265), entitled:

An Act to validate certain proceedings for municipal improvement municipal assessments municipal claims and municipal liens in the several boroughs of this Commonwealth and validating such improvements assessments claims and liens providing for the filing of claims and liens therefor and the proceedings for the collection of such assessments and claims.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 485, entitled:

An Act making an appropriation to the Beulah Anchorage of Reading, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 492, entitled:

An Act to amend section one thousand one hundred and forty of the act approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs"; changing the term of office of borough managers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 493, entitled:

An Act making an appropriation to the Woods Run Settlement House of Allegheny County.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 532 (House Bill No. 421), entitled:

An Act validating ratifying and confirming certain assessments by boroughs of sewage taxes against property outside the limits of such boroughs benefited by sewers constructed by such boroughs and all municipal claims filed and entered pursuant to such assessments.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 541, entitled:

An Act establishing as State highways all existing township roads in townships of the second class which have not heretofore been established as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; authorizing the Secretary of Highways under certain conditions to petition the Court of Quarter Sessions to vacate certain of said roads; and making an appropriation out of the Motor License Fund.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 551, entitled:

An Act making an appropriation to the Greene County Memorial Hospital, of Waynesburg, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 570 (House Bill No. 131), entitled:

An Act to validate certain proceedings for municipal improvements municipal assesments municipal claims and municipal liens in the several boroughs of this Commonwealth and validating such improvements assessments claims and liens providing for the filing of claims and liens therefor and the proceedings for the collection of such assessments and claims.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 583 (House Bill No. 750), entitled:

An Act to amend section one thousand nine hundred and two of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" permitting cities temporarily to construct and reconstruct highways and sewers without contract.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 589, entitled:

An Act making an appropriation to the Charleroi-Monessen Hospital, at Charleroi, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 597, entitled:

An Act making an appropriation to the Annie M. Warner Hospital, Gettysburg, Adams County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 604 (House Bill No. 451), entitled:

An Act to amend section one of the act approved the twenty-sixth day of August one thousand nine hundred and thirty-two (P. L. 101) entitled "An act authorizing collectors of delinquent taxes except in cities of the first class to accept payments of delinquent taxes or water-rents or rates in installments" extending the provisions thereof to county taxes other than county taxes in counties of the second class and clarifying the term "Delinquent tax collector."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 617, entitled:

An Act to amend section twenty-five of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies; including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities, of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings; and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents"; as amended, so as to limit the duration of the lien of legacies unless proceedings are brought to enforce their payment within ten years after the probate of the testator's will, or after said legacies become due and payable.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 628, entitled:

An Act making an appropriation to the American Hospital for Diseases of the Stomach, of Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 635, entitled:

An Act making an appropriation to the Memorial Hospital Association of Monongahela City, Washington County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 636, entitled:

An Act making an appropriation to the Washington Hospital Association of Washington, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 637, entitled:

An Act making an appropriation to the Canonsburg General Hospital Association at Canonsburg, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 667, entitled:

An Act making an appropriation to the Home for Widows and Single Women of Reading, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 669, entitled:

An Act making an appropriation to the Somerset Community Hospital, at Somerset, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 672 (House Bill No. 720), entitled:

An Act to amend section one thousand seven hundred and sixteen of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as added by further defining the term "cost of Tuition" or "cost of tuition text book and school supplies."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 690, entitled:

An Act providing for the assessment of costs for the acquiring and adopting of or connecting with existing sewers of adjacent municipalities by townships or boroughs and the maintenance thereof, and providing for filling of liens therefor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 699, entitled:

An Act to amend clause five of section three of the act approved the thirteenth day of May, one thousand nine hundred and nine (P. L. 520), entitled "An act relating to food; defining

food; providing for the protection of the public health; and the prevention of fraud and deception, by prohibiting the manufacture or sale, the offering for sale or exposing for sale, or the having in possession with intent to sell, of adulterated misbranded or deleterious foods; prescribing certain duties of the Dairy and Food Commissioner in reference thereto; and providing penalties for the violation thereof," as amended, further regulating the use of sulphur dioxide in the preparation of dried fruits and molasses.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 704, entitled:

An Act making an appropriation to the Philadelphia Orthopaedic Hospital and Infirmary for Nervous Diseases of Philadelphia.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 730, entitled:

An Act to ratify, confirm and validate, as debts of the municipality, bonds and obligations issued by municipal corporations for the payment of the cost of a public improvement which were to rest alone for their security and payment upon assessments for benefits.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 733, entitled:

An Act making an appropriation to the South Side Hospital of Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 766, entitled:

An Act making an appropriation to the Chester Hospital, in the City of Chester, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 769, entitled:

An Act authorizing and empowering certain public officers, boards, commissions, departments and other bodies to enter into contracts and to provide the moneys for the payment of service rendered thereunder, for the photographic reproduction of papers, documents, instruments, indexes and volumes and other public records within their jurisdiction.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 795, entitled:

An Act making an appropriation to the Home for Friendless Children in the City of Reading, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 819 (House Bill No. 1543), entitled:

An Act to amend section five of the act approved the nineteenth day of August one thousand nine hundred and thirty-two (P. L. 92), entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors as herein defined prescribing the method and manner of collecting such tax and providing penalties" extending the period for payment of part of the tax.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 825, entitled:

An Act to amend the act, approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended; authorizing the officers of school districts to prepare, sign and make payment upon certain orders before approval of the orders by the board; relating to the payment of temporary indebtedness from current revenue; permitting the refunding of certain indebtedness, and the depositing of collateral security by depositories, secretaries, treasurers and tax collectors of school districts in lieu of surety bonds; removing the right of certain boards of school directors to make agreements concerning the tuition of non-resident pupils; relieving certain school districts of the duty of providing special education for feebleminded children and placing such obligation upon the Department of Welfare; allowing certain pupils to attend schools in other districts; empowering the State Council of Education to regulate the issuance of certificates to students and graduates of State teachers colleges; authorizing boards of trustees of State teachers colleges to charge their pupils certain fees; designating certain persons as auditors of financial matters of certain school districts; relating to the filing of reports of audits; discontinuing teachers institutes and providing for meetings of teachers, the payment of the expenses thereof by the counties, and the compensation for the teachers in attendance; and repealing certain sections and parts of sections.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 856, entitled:

An Act authorizing cities of the third class to provide, by ordinance, for the payment for public work or improvements heretofore made for or furnished to the city and accepted and used by the city, where no legal or valid contract was entered into as required by law.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 874, entitled:

An Act making an appropriation to the Clearfield Hospital, Clearfield, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 879, entitled:

An Act to exclude from the provisions of the Workmen's Compensation Act of 1915 and the supplements and amendments thereto, certain persons whose wages are paid as unemployment or poor relief.

An said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 891, entitled:

An Act making an appropriation to the First Allegheny Day Nursery, of Pittsburgh, Pennsylvania.

An said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 892, entitled:

An Act to amend section one of the act approved the fourteenth day of April, one thousand eight hundred and eighty-one (P. L. 10), entitled "An act granting power to counties, cities (except cities of the first and second classes) boroughs, municipalities and school districts in this Commonwealth, which have issued bonds or other interestbearing evidences of indebtedness, to redeem the same and issue new bonds therefor, with or without interest coupons attached," as amended, by extending the provisions of the said act to cities of the first and second classes and providing that the refunding bonds, issued under the provisions thereof may bear interest at a rate of six per centum per annum and providing further that said bonds shall be payable at any time not exceeding twenty years after the date thereof.

An said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 895 (House Bill No. 810), entitled:

An Act to amend section thirteen of the act approved the seventeenth day of May one thousand nine hundred and seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge of the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality and purity" as amended removing liver products from the provision which prohibits the sale of medicines containing substances of glandular origin except by registered pharmacists and assistants.

An said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 898, entitled:

An Act authorizing municipalities and townships to provide work for unemployed persons by renewing, repairing and replacing sidewalks.

An said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 926, entitled:

An Act making an appropriation to the Old Ladies' Home located at Wissinoming, Philadelphia.

An said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 927, entitled:

An Act making an appropriation to the Almira Home Association, New Castle, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 930, entitled:

An Act making an appropriation to the Chestnut Hill Hospital of Philadelphia, Pennsylvania.

An said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 931, entitled:

An Act making an appropriation to the Florence Crittenton Home, Germantown, Philadelphia, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 935, entitled:

An Act making an appropiration to the Industrial Home for Crippled Children at Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 936, entitled:

An Act making an appropriation to the Children's Aid Society of Western Pennsylvania at Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 937, entitled:

An Act making an appropriation to the Colored Women's Relief Assocaition of Western Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 938, entitled:

An Act making an appropriation to the Ladies of the Grand Army of the Republic Home, Department of Pennsylvania, at Hawkins Station, Allegheny County, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 962, entitled·

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the various political divisions of the Commonwealth, for the maintenance of certain streets and roads, and in townships of the second class, for the maintenance and replacement of certain bridges during the calendar year, one thousand nine hundred and thirty-four and one thousand nine hundred and thirty-five, and suspending the power of townships of the second class to levy taxes for road purposes during such years.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

The SECRETARY. The Governor and Mrs. Pinchot have invited the members of the General Assembly to a buffet dinner at the Executive Mansion at 6 P. M. on Monday, April 10th. The dinner will be informal. The invitations have been mailed to the home addresses of the members.

Mr. SCOTT. Mr. President, I move that the Senate do now adjourn until tomorrow morning at 9.30 o'clock.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5.53 P. M. until Thursday morning, April 6, 1933, at 9.30 o'clock A. M.

HOUSE OF REPRESENTATIVES

WEDNESDAY, April 5, 1933.

The House met at 11:00 o'clock A. M.

The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Chaplain, Rev. George F. Conner, offered the following prayer:

O God, our merciful Heavenly Father, we join the President of the United States and our countrymen, in expressing our profound grief for the victims of the ill-fated airship Akron. Look with infinite pity upon the families bereft of loved ones, and sustain them in their sorrow.

We invoke Thy blessing upon our Speaker and the ladies and gentlemen of the House today. Legislators more than any other group in the Commonwealth today are the subjects of congratulation, commiseration, or condemnation. Grant, O God, that the members of the General Assembly may have the patience, courage and strength to carry on their constructive work in behalf of the citizenry of the State and bring this session of the Legislature, to an auspicious close.

For the good of the people and the glory of God. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when on motion of Mr. Scorza, the further reading was dispensed with and the Journal approved.

COMMUNICATIONS

The SPEAKER laid before the House the following communications which were read by the Clerk.

REQUESTING INCREASED HOSPITAL APPROPRIATION

Uniontown Hospital Association.

Referred to the Committee on Appropriations.

URGING PASSAGE OF HOUSE BILL No. 2010

Methodist Episcopal Church Union of Pittsburgh, Inc.

Referred to the Committee on Judiciary General.

PROTESTING REVISION OF SNYDER-ARMSTRONG ACT

Methodist Episcopal Church Union of Pittsburgh, Inc.

Referred to the Committee on Law and Order.

URGING ADOPTION OF PINCHOT BEER CONTROL AND REPEAL OF CONVENTION PLANS

Legislative Committee of Cumberland County Unit of Allied citizens of United States.

Referred to the Committee on Ways and Means.

COMMUNICATION

The SPEAKER laid before the House a communication which was read by the Clerk as follows:

Uniontown Hospital Association,
Uniontown, Pennsylvania, April 3, 1933.

Hon. Robert B. Sterling, House of Representatives, Harrisburg, Pennsylvania.

Dear Sir: Inasmuch as the Hospital Appropriations Bill will be coming up for consideration in the near future, I am making another appeal to you to ask your kind assistance in trying to secure for us an increase over our present appropriation, and in order that you may have first-hand facts before you in considering this appeal, I am attaching herewith a condensed statement of the free work which has been approved by the Department of Welfare, from June 1, 1931, to February 28, 1933, showing a total number of free days already dispensed in the sum of 29,527 days, which multiplied by the $3.00 per day allowed for this service shows a total of $88,581 involved in this service. In the recent quarter, beginning December 1, 1932, and ending February 28, 1933, there has been a heavy increase in the free service rendered and it is only fair to assume that for the next biennium we are going to be called upon more than ever to take care of the deserving sick who are without funds to underwrite any hospital expense. Anticipating that we will give approximately 4500 free days for the next quarter of the present biennium, beginning March 1, 1933, and ending May 31, 1933, it will show that we have provided approximately 34,000 free days for the entire biennium and this figure multiplied by the $3.00 per day allowance will prove that we have supplied $102,000 worth of free service against which we will have received in full the sum of $56,700 from the Welfare Department.

I feel that you will agree with me that this is a burden that is almost impossible to shoulder, and if it is at all possible, we all sincerely trust that you will make every effort toward having our allowance increased to the largest possible figure.

Our entire Board of Trustees joins me in this petition and we all sincerely trust that something may develop which will permit a substantial increase in our appropriation for the next two years.

Very sincerely yours,

JOHN FARRELL, Secretary.

Free Service Rendered by the Uniontown Hospital, Uniontown, Fayette County, Pennsylvania

Quarterly Periods	Total Free Days	Total Cost
June 1, 1931, to Aug. 31, 1931	4332	$12,996
Sept. 1, 1931, to Nov. 30, 1931	4143	12,429
Dec. 1, 1931, to Feb. 29, 1932	4181	12,543
March 1, 1932, to May 31, 1932	4460	13,380
June 1, 1932, to August 31, 1932	3673	11,019
Sept. 1, 1932, to Nov. 30, 1932	3958	11,874
Dec. 1, 1932, to Feb. 28, 1933	4780	14,340
March 1, 1933 to May 31, 1933 (anticipated)	4500	13,500
Total Days	34,027	Cost $102,081

REPORTS FROM COMMITTEES

Mr. ROAN, from the Committee on Counties, reported as committed, House Bill No. 1550, entitled:

A Supplement to the act approved the second day of April, one thousand eight hundred and sixty (P. L. 538), entitled "An act to authorize the erection of a Poor House by the township of Wilkesbarre in Luzerne county," authorizing the central poor district to create indebtedness.

Mr. WADE, from the Committee on Agriculture, reported as committed, House Bill No. 2095 (Senate Bill No. 466), entitled:

An Act to amend sections three and seven of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1229), entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption; conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties," by regulating the pasteurization of milk and milk used for certain purposes.

Mr. WOOD, from the Committee on Agriculture, reported as committed, House Bill No. 1979, entitled:

An Act to amend section one of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1229), entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption; conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties;" defining milk to include also ice cream mix.

Mr. GREENSTEIN, from the Committee on Cities, reported reported as committed, House Bill No. 1499, entitled:

An Act to amend section three of article five and section three of article six of an act, approved the twenty-fifth day of June, one thousand nine hundred and nineteen (Pamphlet Laws five hundred and eighty-one), entitled "An act for the better government of cities of the first class of this Commonwealth," by transferring the care, management, administration and supervision of electrical lighting from the Department of Public Safety to the Department of Public Works.

Mr. RECTENWALD, from the Committee on Legislative Apportionment, reported as committed, House Bill No. 1575, entitled:

An Act to fix the number of representatives in the General Assembly of the Commonwealth, and to apportion the State into representative districts, as provided by the Constitution.

Mr. HARRIS, from the Committee on Cities, reported as committed, House Bill No. 1282, entitled:

An Act authoriing cities of the first class to issue scrip to to be used in the payment of employes thereof, providing that such scrip shall be negotiable, shall be received by such city in payment of taxes due and shall bear interest, providing for the redemption of such scrip, limiting the issuance thereof, and the liability of the city therefor, and providing penalties.

Mr. HARMUTH, from the Committee on Cities, reported as committed, House Bill No. 1048, entitled:

An Act to authorize cities of the third class to sue out writs of scire facias on certain munipicapl claims where more than five years have elapsed since said claims were filed and to reduce such claims to judgment and providing for the revival and collection of such judgments.

Mr. EROE, from the Committee on Cities, reported as committed, House Bill No. 93, entitled:

An Act relating to the collection of city, county, school and poor taxes within the territorial limits of cities of the third class, making the city treasurer the collector of taxes therein, defining his duties and powers; providing for the appointment and payment of salaries of assistants and clerks, and imposing the payment of salaries and expenses upon the city, county and school district; changing the powers of and imposing duties upon cities of the third class, counties, school districts and poor districts and the officers thereof, and imposing penalties.

Mr. JOHN B. HOLMES, from the Committee on Cities, reported as committed, House Bill No. 1047, entitled:

An Act to amend sections four thousand one hundred and forty-one, four thousand one hundred and forty-two and four thousand one hundred and forty-three, of the act approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto"; eliminating compensation to owners whose property is destroyed to abate nuisances.

Mr. WILLIAM L. BROWN, from the Committee on Boroughs and Townships, reported as amended, House Bill No. 701, entitled:

An Act defining the powers of townships of the first class with respect to the burial of deceased persons.

Mr. POWERS, from the Committee on Cities, reported as committed, House Bill No. 1984, entitled:

An Act to amend section two thousand five hundred and sixty-three of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," changing the reductions and penalties provided by said act on city and poor taxes.

Mr. FITZGERALD, from the Committee on Cities, reported as committed, House Bill No. 960, entitled:

An Act to amend section one hundred and thirteen of the act approved the fifteenth day of April, one thousand eight hundred and thirty-four (P. L. 537), entitled "An act relating to counties and townships, and county and township officers," as amended; by requiring a deputy constable in cities of the first class to work under or through the constable who appoints him.

Mr. DWYER, from the Committee on Cities, reported as committed, House Bill No. 833, entitled:

An Act providing for the licensing and regulation of junk dealers in cities of the first class and prescribing penalties.

Mr. RECTENWALD, from the Committee on Cities, reported as committed, House Bill No. 2965 (Senate Bill No. 388), entitled:

An Act providing for the appointment, promotion, reduction, removal and reinstatement of paid officers, firemen and employes of fire departments and of fire alarm operators and fire box inspectors in the bureaus of electricity in cities of the first, second [second class A] and third class; creating and defining the powers and duties of civil service commissions for such purposes; and fixing penalties.

Mr. RAUB, from the Committee on Cities, reported as committed, House Bill No. 2083 (Senate Bill No. 3), entitled:

An Act authorizing cities of the first second and third classes to defray the expenses of National encampments of certain organizations of veterans.

Mr. GRIFFITH, from the Committee on Boroughs and Townships, reported as committed, House Bill No. 1445 (Senate Bill No. 48), entitled:

An Act to amend sections nine hundred and one, and one thousand and eighty-one of the act approved the fourth day

of May, one thousand nine hundred and twenty-seven, (P. L. 519), entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs"; providing for the appointment of the county treasurer as tax collector in certain cases.

Mr. SARIG, from the Committee on Elections, reported as committed, House Bill No. 1488 (Senate Bill No. 210), entitled:

An Act fixing the compensation of assessors and registry or assistant assessors performing duties pertaining to the assessment and registration of voters in counties other than first class, and repealing existing acts relating thereto.

Mr. COHEN, from the Committee on Cities, reported as committed, House Bill No. 1459 (Senate Bill No. 458), entitled:

An Act to validate certain proceedings for municipal improvements, municipal assessments, municipal claims, and municipal liens, in the several cities of the third class of this Commonwealth, and validating such improvements, assessments, claims, and liens; providing for the filing of claims and liens therefor; and the proceedings for the collection of such assessments and claims.

Mr. JOHN J. WILLIAMS, from the Committee on Appropriations, reported as committed, House Bill No. 1791, entitled:

An Act making an appropriation in the Motor License Fund to the Department of Public Instruction.

BILLS ON FIRST READING

Mr. ROAN asked and obtained unanimous consent to have House Bill No. 1550 read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1550, entitled:

A Supplement to the act approved the second day of April, one thousand eight hundred and sixty (P. L. 538), entitled "An act to authorize the erection of a poor house by the township of Wilkesbarre in Luzerne county," authorizing the Central Poor District to create indebtedness.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. WADE asked and obtained unanimous consent to have House Bill No. 2095 (Senate Bill No. 466) read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2095 (Senate Bill No. 466), entitled:

An Act to amend sections seven and eight of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1229), entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption; conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties," by regulating the pasteurization of milk and the importation of cream for certain purposes.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. J. J. WILLIAMS asked and obtained unanimous consent to have House Bill No. 1791 read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1791, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Department of Public Instruction.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

RESOLUTIONS

RECESS

Mr. SOWERS offered the following resolution which was twice read and laid over under the rules.

In the House of Representatives, April 3, 1933.

Whereas, The present size of the calendar of bills and the great additional number of bills that will probably be reported by committees within the next two weeks makes it impossible for members to give to such measures the close study that is necessary in order to intelligently vote upon them; and

Whereas, A sufficient length of time to allow such study under the system of weekly adjournments would add considerably to the cost of the session; therefore be it

Resolved (if the Senate concur), That when the General Assembly completes its work during the week of April 10th, it shall take a recess for two weeks and convene again on the 8th day of May at 9 o'clock P. M.; and be it further

Resolved, That during such recess, the per diem compensation payable to employes of the General Assembly shall cease and be suspended.

APPOINTMENT OF COMMITTEE FOR ADOPTION OF FIVE DAY WEEK FOR LABOR

Mr. QUINN offered the following resolution which was twice read and laid over under the rules:

In the House of Representatives, April 4, 1933.

The necessity of permanently solving the unemployment problem in this Commonwealth and restoring to the thousands who are eager to work the right and privilege of being self supporting, demands the most drastic action.

Over production through the use of labor saving machinery has made man power a problem, and the restoration of normal manufacturing, buying and selling activities can only be brought about by a reduction of working days and a redistribution of man power.

The reduction, by employers of labor, of the days per week required of employes would mean the employment of more persons to produce the same output and would assist in the needed distribution of labor; therefore be it

Resolved (if the Senate concur), That a committee, consisting of five Senators appointed by the President pro tempore of the Senate, five Members of the House appointed by the Speaker of the House, and five citizens of the Commonwealth appointed by the Governor, is hereby created for the purpose of devising means of bringing about within the Commonwealth the adoption of a five-day week for labor.

That such committee shall meet and organize immediately after the appointment of the members thereof, and shall make a full and complete investigation of the probable effect of the adoption of the five-day week on the industries of Pennsylvania, and the means to be used in order to accomplish such adoption.

The committee is authorized to take such action as may be within its power to bring about the adpotion by employers of labor of a five-day week as speedily as possible, if convinced that such action would be beneficial.

The committee is further authorized to make a report of its conclusions to the next session of the Legislature and accompany such report with drafts of bills intended to carry into effect its recommendations.

The members of said committee shall receive no compensation but shall be reimbursed for actual expenses necessarily incurred in the discharge of their duties, to be provided for by an item to be inserted in the general appropriation bill.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 70.

An Act to amend sections sixty-nine and seventy-one of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred ninety-four) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by increasing the obligation of the Commonwealth in the construction of certain structures located on such highways

HOUSE BILL No. 206.

An Act requiring the Board of county commissioners of counties of the second class on approval of the president judge of the court of common pleas of said counties to fix the compensation of fire marshals and to require the Board of County Commissioners of counties of the second class subject to the approval of the common pleas court to provide for the retirement of such fire marshals on annual pensions after twenty years of service such compensation and pension to be payable by the county

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. House Bill No. 9, Printer's No. 152 was recommitted to the Committee on State Government, after having passed second reading on March 7th. It was re-reported as committed on April 3rd, and placed on the final passage calendar in error on April 4th, page 26. This bill has not been read for the third time therefore it will be necessary to reconsider the vote by which this bill passed finally in order to comply with the requirements of the Constitution.

RECONSIDERATION OF VOTE

Mr. TURNER. Mr. Speaker, I move that the vote by which House Bill No. 9, Printer's No. 152, entitled

An Act to amend and further amend the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, three hundred forty-three), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," making further provision for the settlement, assessment, collection, lien, and procedure for collection of taxes, and other moneys due the Commonwealth.

passed finally be reconsidered

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. PHILIP STERLING. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Turner.

The SPEAKER. Will the gentleman from Delaware, Mr. Turner, permit himself to be interrogated?

Mr. TURNER. I will Mr. Speaker, although I feel that there is very little reason why we should delay this matter this morning. The bill passed the other day, but go ahead.

Mr. PHILIP STERLING. Mr. Speaker, may I call the gentleman's attention to the fact that when this bill passed the other day, the House did not have called to its attention the importance of the measure. It is a very important measure to the House and to the Commonwealth. Will the gentleman from Delaware state whether or not it is his purpose to amend this bill, either here or in the Senate insofar as concerns the executive board reference?

Mr. TURNER. I do.

Mr. PHILIP STERLING. Mr. Speaker, will the gentleman from Delaware state whether or not by the terms of this measure the functions of the Auditor General of the Commonwealth are extended beyond those which presently are vested in the Auditor General under the Administrative Code and the Fiscal Code?

Mr. TURNER. It does, Mr. Speaker.

Mr. PHILIP STERLING. Mr. Speaker, will the gentleman from Delaware state whether or not the passage of this bill will take away from the Department of Revenue some of the important functions now vested in that department both by the Administrative Code and the Fiscal Code?

Mr. TURNER. It will not, Mr. Speaker, if the gentleman says "important functions now vested."

Mr. PHILIP STERLING. Mr. Speaker, will the gentleman from Delaware say whether or not if this bill passes the functions that are now vested in the Department of Revenue will be transferred to the Auditor General?

Mr. TURNER. Mr. Speaker, I would say that by this bill the functions which are duplications and which are assumed by the Department of Revenue under a construction of the Fiscal Code are eliminated.

Mr. PHILIP STERLING. Mr. Speaker and members of the House, this bill is a companion bill to House Bill No. 22, and it seeks by the same method to change what has become the basic form of the administration of State government.

Under existing law the Auditor General's Department of the Commonwealth is vested with authority to audit the books and accounts of the various departments of the State government.

Prior to the passage of the administrative code, the Auditor General's office had a double function. One was to audit the books and accounts of the department heads and also to collect revenue. With the passage of the Fiscal Code all of the revenue collecting function in the Auditor General's office was transferred, and properly so, to the Department of Revenue. Under the Fiscal Code it became the duty and responsibility of the Department of Revenue to collect all the revenue of the Commonwealth and it became the power and duty of the Auditor General to audit the accounts of the departments of the Commonwealth, including, mind you, the Department of Revenue.

In the collection of the revenue of the Commonwealth, just like the collection of accounts receivable by any business, the collecting agency must have the right to go out into the field

and make an examination of the books and accounts of the taxpayers. Under our present setup this is not the authority of the Auditor General's office, and for the sake of efficiency and good administration I submit to you that it should not be the authority of the Auditor General's office.

Mr. Speaker and members of the House, just as I illustrated to you yesterday, although ineffectually, that the passage of House Bill No. 22 was a step backward, here again I submit to you that the passage of this measure is a step backward. I do not believe that we should sell the rights of the Commonwealth falsely for the sake of economies that cannot be proven by this measure. It is our duty to maintain the effective administration of our government, and you cannot do it and you won't do it by the passage of this bill.

I submit to you that the bill deserves the negative vote of this House.

Mr. HUTTON. Mr. Speaker and members of this House, I simply have this to say relative to the remarks of the gentleman from Philadelphia. This bill, as has been announced by the Chair, was passed finally yesterday. The Chair has discovered an error in the fact that this bill has not passed third reading. So, it is now before you for the first time curing a constitutional defect in the proceedings.

When this bill was before the House yesterday, the gentleman from Philadelphia was in his seat, he was following the procedure very closely and he had the opportunity to present any arguments that he saw fit with reference to this measure.

The House has voted upon this measure and the only purpose of presenting it at this time is in order to cure this constitutional defect. As far as the merits of the bill are concerned, I feel certain that the members of this House considered the matter yesterday and that upon this consideration it will do the same.

I ask you therefor to give this bill an affirmative vote.

Mr. PHILIP STERLING. Mr. Speaker, I desire to interrogate the gentleman from Franklin, Mr. Hutton.

The SPEAKER. Will the gentleman from Franklin permit himself to be interrogated?

Mr. HUTTON. I will, Mr. Speaker.

Mr. PHILIP STERLING. Mr. Speaker, does the gentleman from Franklin recall the vote on this bill yesterday?

Mr. HUTTON. I do, Mr. Speaker.

Mr. PHILIP STERLING. Mr. Speaker, will the gentleman from Franklin state to the House what that vote was?

Mr. HUTTON. The vote was, Mr. Speaker 194 to 1, as I recall.

Mr. PHILIP STERLING. Mr. Speaker, does the gentleman from Franklin know who voted "no" on that bill?

Mr. HUTTON. Mr. Speaker, I do not. I have no information on that score.

Mr. PHILIP STERLING. Mr. Speaker and members of the House, the gentleman from Franklin has told you that the vote on this bill yesterday was one hundred and eighty odd to one.

The SPEAKER. The gentleman stated that the vote was 194 to 1.

Mr. PHILLIP STERLING. Mr. Speaker, 194 to 1 makes my point even more forcible. When bills pass this House on the basis of 194 to 1, it become most obvious that the House was not at that moment attentive to the calendar.

May I say to the members of this House, that the one vote that was recorded against this measure yesterday was my vote, and I would not have voted that way had not the measure come to my attention during the roll call. It is a mighty good thing that the Constitution provides that a bill must be read three times on three different days.

That safeguard that the Constitution gives us is illustrated by the situation that is before you today, and I submit to the House because it erred yesterday is no reason why it should not today stand up and correct that error.

Mr. TURNER. Mr. Speaker and members of the House, I regret that it is necessary, to my mind, for me to rise this morning and answer the gentleman from Philadelphia, Mr. Sterling.

My throat is in a very bad shape and I am suffering from an intense headache, and it was not occasioned by things that happened after I left this House.

As the gentleman from Philadelphia has said, the purpose of this bill is an amendment to the fiscal code. The purpose also is to cut out a duplication of the auditing that is being performed in the State today, and the amendment therefore is not a step backward. Certainly the object of not only the genltman from Philadelphia, but every other member of this House, who are interested in the question of economy in our State government, is to cut out duplication of effort wherever it is possible.

Under the Constitution of Pennsylvania there has been created the Department of the Auditor General, and it runs back into our early Constitution and certainly the intention of the framers, as anyone can see who reads the Constitution, is to set up a check upon our fiscal affairs.

The Auditor General's Department in the minds of most of the members with whom I have discussed this subject and who are familiar with the affairs of this State is that the step we are taking should be taken. When you transfer some of that power from the Department of the Auditor General over to the Revenue Department, and both the Auditor General and the Revenue Department audit, then I say you are wasting the taxpayers' money, and any act that will cut that out is not a step backward but a step forward for efficiency and business administration.

Ladies and gentlemen of the House, just let me give you a simple illustration of what has happened. Down in my county, in the township in which I live, is a justice of the peace. He has very little business and one day three representatives of the Revenue Department came to his office and spent a whole day auditing the books, which should have taken one man about an hour or two at the outside. A few days later arrived from the Auditor General's Department one man who spent two or three hours auditing the books of this justice of the peace. In other words, from two departments, from the Revenue Department and the Auditor General's Department, came representatives of the State to audit the accounts of that justice of the peace, and that is being done up and down through every bit of your local government. The Revenue Department justifies it on the ground that they must make the examination to see that they are getting the right amount of taxes. Well, if one auditor cannot do that, then there is something wrong. Let me just give you one other illustration that will show you what this amounts to in dollars and cents. During the biennium of 1929 to 1931, it cost seven hundred and eighty-five thousand dollars to operate the Department of Revenue and that Department collected, as I recall it, something over fifteen million dollars. In the biennium 1931 to 1933 the expenses were figured somewhere around $1,429,750. In other words, it cost almost twice as much in 1931-1933 to operate that Department as it did in 1929 to 1931, and the department collected less money than it had heretofore. The appropriation that is asked for the

biennium from 1933 to 1935 is one million three hundred and fifty thousand dollars, because a large amount of this cost and expense arises not from the detailed duties of collecting taxes, but from this assumed duty on the part of the Department of Revenue to go out and audit everything. All of the accounts in your court houses, all of the accounts in your cities, all of the accounts of your officials, all of the accounts of your justices of the peace are audited and reaudited, and audited and reaudited by gangs of men who go out in duplication. If you want to spend that amount of the taxpayers' money then just vote against this bill.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—126

Andrews,	Habbyshaw,	McCreary,	Shellenberger,
Baker,	Hamilton,	McElwee,	Shenkel,
Baldi,	Harris,	McGrail,	Shortz,
Beech,	Hart,	McGregor,	Shreiner,
Bennett,	Heffernan,	McHenry,	Shugarts,
Blumberg,	Heffner,	McKay,	Simon,
Boyd,	Hewitt,	Merrell,	Sowers,
Brancato,	Himes, L. R.,	Metzler,	Spann,
Brennan,	Hoffman,	Mohn,	Steedle,
Brown, W. L.,	Holmes, J. L.,	Moore,	Stiteler,
Carey,	Hoopes,	Munley,	Storb,
Cooke,	Horst,	Myers,	Stott,
Cordier,	Hough,	Negley,	Surface,
Craig,	Hutton,	Nothnagle,	Tahl,
Cramer,	Jaffe,	O'Rourke,	Turner,
Dane,	Kane, L. P.,	Patterson,	Wagner,
Davies,	King,	Pennock,	Walker, W. A.,
DeFrehn,	Kinney,	Perry, D. R.,	Wall,
Denning,	Laubach,	Perry, J. J.,	Weidemann,
Downey, G. E.,	Lenahan,	Peters,	Westrick,
Duffy,	Long,	Quinn,	White,
Dwyer,	Lord,	Rectenwald,	Wike,
Emhardt,	Lose,	Reed,	Williams, G. W.,
Evans,	Lovett, J. E.,	Reilly,	Williams, J. J.,
Fleisher,	Lovett, W. S.,	Rice,	Wilson, L. M.,
Flinchbaugh,	Lynch, J. R.,	Roan,	Wilson, T. B.,
Gartner,	Male,	Roth,	Woodside,
Gillette,	Malina,	Royle,	Wright,
Gorman,	Maloney,	Ruth,	Zimmerman,
Green,	Marcks,	Sarig,	Talbot,
Greenstein,	McBride,	Sautter,	Speaker.
Griffith,	McCandless,	Schwartz,	

NAYS—35

Barnhardt,	Cohen,	Labar,	Sheffer,
Bechtel,	Downey, J.,	Lane,	Shettel,
Bernhard,	Dunmire,	McClure,	Stank,
Brown, J. E.,	Flanagan,	McGinnis,	Sterling, P.,
Brownfield,	Gallagher,	Meredith,	Stevens,
Cannon,	Harmuth,	O'Keefe,	Stone,
Caputo,	Hester,	Raub,	Terry,
Carson,	Howard,	Rhodes,	Way,
Chervenak,	Jones,	Schrope,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. House Bill No. 1106, Printer's No. 437, was recommitted to the Committee on Agriculture, after having passed first reading, on March 21st. It was re-reported as amended March 29th, and put on the third reading calendar in error on April 4th, page 27. This bill has not been read the second time. It will, therefore, be necessary to reconsider the vote by which this bill passed finally in order to comply with the requirements of the Constitution.

RECONSIDERATION OF VOTE

Mr. FLYNN. Mr. Speaker, I move that the vote by which House Bill No. 1106, Printer's No. 437, entitled

An Act to provide for the incorporation and regulation of cooperative agricultural credit associations having capital stock; and defining the limitations, powers and duties of such associations.

was defeated on final passage be reconsidered.

The motion was agreed to.

Mr. FLYNN. Mr. Speaker, I move that the vote by which this bill passed on third reading be reconsidered.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committe of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1106, as follows:

An Act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock and defining the limitations powers and duties of such associations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That cooperative agricultural credit associations having capital stock may be formed under the provisions of this act by any number of persons not less than five all of whom are members of associations organized under the provisions of the act approved the twelfth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred sixty-five) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising beekeeping and horticulture" as amended and the act approved the thirtieth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred eighty-five) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising floriculture mushroom growing beekeeping horticulture and other allied occupations and providing penalties" as amended

Section 2 (a) Associations incorporated under the provisions of this act are empowered to act as an agency to enable associations and members and stockholders thereof which associations are members or stockholders of such associations to obtain loans from the Federal Intermediate Credit Banks under and pursuant to an Act of Congress approved the fourth day of March one thousand nine hundred and twenty-three same being Chapter eight of Title twelve of the Code of Laws of the United States as adopted by Congress the thirtieth day of June one thousand nine hundred and twenty-six and amendments thereto and from the Reconstruction Finance Corporation created by an Act of Congress approved the twenty-second day of January one thousand nine hundred and thirty-two and known as the "Reconstruction Finance Corporation Act" and the amendments extensions and supplements thereto

(b) Associations incorporated under the provisions of this act are empowered to make loans to members of stockholders of an agricultural cooperative association which is the owner in whole or in part of the stock of the association and no loans shall be made except to such person or to such agricultural cooperative association No loan shall be made for more than three years nor for other than agricultural dairy poultry or horticultural purposes of the borrower and in all cases there shall be a written statement by the borrower in the note collateral agreement if any or signed application for the loan to the effect

that the loan will be used only for such purposes and such statement shall be relied upon by the association An association organized under this act may discount or pledge such notes with a Federal Intermediate Credit Bank and/or with the reconstruction Finance Corporation with its guaranty or endorsement An association may invest its capital funds in bonds or obligations of the United States of the Commonwealth of Pennsylvania of any municipality therein or in Federal Intermediate Credit Bank and Reconstruction Finance Corporation obligations and may deposit or hypothecate such securities with a Federal Intermediate Credit Bank or the Reconstruction Finance Corporation as security for notes discounted by either

Section 3 The articles of association of an intended association must be subscribed by five or more persons three of whom must be citizens of this Commonwealth and shall set forth

I The name of the association which shall include the words "cooperative credit"

II The class of services to be performed by the association which services shall be one or more of those enumerated in section two of this act

III The principal place where its business is to be transacted which shall be within this Commonwealth

IV The term for which it is to exist

V The amount of its capital stock and the number and par value of shares into which it is divided the names and post-office addresses of the subscribers the number of shares subscribed by each and the amount of capital actually paid into the treasury which shall not be less than ten per centum of the capital stock

VI The number of its directors for the first year not less than five the names and residences of those who are chosen for directors for the first year and the name and residence of the treasurer

Section 4 Notice of the intention to apply for any such charter shall be inserted in one newspaper of general circulation and the legal newspaper if any defined by the Newspaper Advertising Act of May sixteenth one thousand nine hundred and twenty-nine (Pamphlet Laws page one thousand seven hundred eighty-four) printed in the county where the principal place of business is situated for one insertion setting forth briefly the character and purpose of said corporation and the kind of service to be performed by it such advertisement shall be at least three days before the application is laid before the Governor

The articles of association shall be acknowledged by not less than five of the subscribers thereto before any officer authorized to take acknowledgments and administer oaths and affirmations in this Commonwealth and they shall also make and subscribe an oath or affirmation before said officer that the statements contained therein are true

Said articles of association accompanied with proof of publication of the notice as defined by the Newspaper Advertising Act of May sixteenth one thousand nine hundred and twenty-nine (Pamphlet Laws page one thousand seven hundred eighty-four) hereinbefore provided to be given shall then be presented to the Governor of this Commonwealth who shall examine the same and if he finds it in proper form and within the purpose mentioned in this act he shall indorse his approval thereon and direct letters patent to issue in form similar to those issued to corporations of the second class in this Commonwealth which letters patent shall incorporate the subscribers and their associates and successors into a body politic and corporate in deed and in law by the name chosen Said articles of association shall be recorded in the office of the Secretary of the Commonwealth in a book to be by him kept for the purpose

The original articles of association together with all indorsements shall be recorded in the office of the recorder of deeds in and for the county where the principal place of business is situate From thenceforth the subscribers thereto their associates and successors shall be a body politic and corporate for the purposes and upon the terms named in the said article of association Certified copies of the records thereof shall be competent evidence for all purposes in the courts of this Commonwealth

Section 5 Each association so formed under the provisions of this act and when so formed by virtue of its existence as such shall have the following powers

1 To have succession for the period limited in its articles of association and when no period is limited thereby to exist perpetually subject to the power of the General Assembly under the Constitution of the Commonwealth and unless sooner dissolved by operation of law or under the provisions of this act

2 To maintain and defend judicial proceedings by the name specified in the articles of association

3 To adopt and use a common seal and alter the same at pleasure

4 To hold purchase and transfer such real and personal property as the purposes of the corporation require

5 To elect a board of directors which shall have power to appoint a president vice-president secretary treasurer and other officers agents and employes which may be deemed necessary to prescribe their duties to require bonds of them and to dismiss them and any of them in accordance with the by-laws of said association

6 To make by-laws not inconsistent with the law for the management of its property the regulation of its affairs and the conduct and management of the association

7 To perform for stockholders and members and stockholders of such stockholders the service described in the articles of association and authorized by this act

8 To make contracts necessary in the conduct of its operation and the transaction of its affairs

9 To borrow money necessary to the conduct of its operations and to issue notes bonds and other evidences of indebtedness therefor and to give security in the form of mortgage or otherwise for the payment thereof

10 To cooperate with any other such association or corporation whether formed under this act or otherwise for the purpose of promoting the objects for which it was incorporated or to objects for which any other similar association was formed Any such association may upon resolution adopted by its board of directors enter into all necessary and proper contracts and agreements and make all necessary and proper stipulations agreements contracts and arrangements with any other cooperative corporation association or associations formed under the provisions of this act or otherwise for the cooperative and more economical carrying on of its business or any part or parts thereof or any two or more cooperative associations formed under the provisions of this act or otherwise may upon resolutions adopted by their respective boards of directors for the purpose of more economically carrying on their respective businesses by agreement between them unite in employing and using or several such associations may separately employ and use the same methods means and agencies which agencies may be another such association or associations for carrying on and conducting their respective business

11 To exercise such incidental powers as may be necessary in the conduct of its operations

12 To issue and sell its preferred and common stock

Section 6 Any association may issue and sell its preferred stock to any person copartnership association or corporation and it may be redeemable or retirable by the association on such terms and conditions as may be provided for in its articles of association and printed on the stock certificate but common stock of the association shall be sold to and owned only by one or more cooperative associations organized and existing under the provisions of the act approved the twelfth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred sixty-six) entitled "An act to provide for the incorportion and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising beekeeping and horticulture" and its amendments or oranized and existing under the provisions of the act approved the thirtieth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred eighty-five) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising floriculture mushroom growing beekeeping horticulture and other allied occupations and providing penalties" and its amendments Dividends on preferred stock shall be not greater than six per centum per annum and shall be cumulative

At any time as specified in the by-laws except when its capital is impaired thereby and the debts of the association exceed fifty per centum of the assets thereof the association may purchase its preferred stock at the book value thereof as conclusively determined by its board of directors and pay

for the same in cash within one year thereafter Preferred stock shall be non-voting

Section 7 An association organized under the provisions of this act may purchase stock or property or any interest in any property of any person copartnership association or corporation and may discharge the obligations so incurred wholly or in part by exchanging for the acquired interest shares of its preferred stock to an amount which at par value would equal the fair market value of the stock or interest so purchased as determined by the board of directors

Such association shall have the right to hold own and exercise all rights of ownership in and to sell transfer or pledge shares of capital stock or bonds of any corporation engaged in any related activity to the purposes and operations of said association including but not thereby limiting such powers the warehousing handling or marketing in whole or in part of any of the products handled by the corporation

Section 8 Within thirty days after the recording of the articles of association in the office of the recorder of deeds as described in section four of this act and the publication of a notice one time in a newspaper of general circulation and the legal newspaper if any briefly reciting the matters set forth in the articles of incorporation and the volume and page where the same is recorded in the Recorder's Office and after Proof of Publication of said notice has been noted on the margin of record in the Recorder's Office a call signed by not less than a majority of the directors shall be issued for a meeting of the common stockholders At such meeting or any adjourned session or sessions thereof by-laws regulating and conducting the management of the association shall be adopted Such by-laws shall within the limits of this act prescribe

1 The time place and manner of calling and holding meetings

2 The number of directors the time and manner of their election and their powers and duties and the number not less than a majority necessary to the exercise of their powers and the method of fixing their compensation if any

3 The officers their terms of office the time and manner of their appointment and removal their powers and duties and the method of fixing their compensation if any

4 Regulations governing the sale transfer and redemption of common stock

5 Any other provisions proper and necessary to carry out the purposes for which the association was formed

6 Such by-laws shall provide the method or methods by which the by-laws may from time to time be amended Provided however That notice of all proposed amendments shall be given to each stockholder in writing at least twenty days before action shall be taken on the contemplated change

Section 9 The board of directors of each association shall consist of not less than five members The directors shall be members or stockholders of one or more of the cooperative associations which own the common stock At the first regular meeting of the association a quorum as specified by the by-laws being present the common stockholders shall elect directors Cooperative associations owning stock may vote such stock at corporate meetings of associations organized under the provisions of this act by proxy Directors shall hold office until their successors have been elected and qualified and until their successors shall enter upon the discharge of their duties Vacancies shall be filled for the unexpired terms by the board of directors at any regular meeting or at any special meeting called for the purpose The board of directors shall manage the affairs of the association and shall perform such other duties as may be specifically imposed upon the board by this act The board of directors shall be a continuing body the term of one-third or as near as may be of whom shall expire each year and the by-laws of the association shall so regulate the terms of directors including the terms of additional directors that may be authorized from time to time as to make effective this principle

Section 10 Any director of the association may for cause at any regular meeting or any special meeting called for the purpose be removed from office by vote of not less than two-thirds of the stock voted Ten days' written notice of the time place and object of any such meeting shall be given in the manner prescribed in the by-laws to all the common stockholders and to the directors against whom charges are to be presented Such directors shall at the same time be informed of the nature of the charges to be preferred against them and at such meeting shall have an opportunity to be heard in person or by counsel and by witnesses in regard thereto

Section 11 The officers of every association shall include a president vice-president secretary and treasurer who shall be appointed annually by the board of directors The president and vice-presdent shall be appointed from among the directors The secretary and treasurer may be non-stockholders The office of secretary and treasurer may be combined and one individual appointed thereto Vacancies in said offices shall be filled for the unexpired term by the board of directors in the manner provided for the original appointment of officers Such officers shall hold their offices until their successors are appointed and qualified and shall have entered upon the discharge of their duties The board of directors shall require the treasurer and may require such other officers agents and employes charged by the association with responsibility for the custody of funds or property to give bond with sufficient surety for the faithful performance of their duties as such the premium on such bond to be paid by the association

Section 12 At the close of each fiscal year a complete audit of the operations of the association shall be made by a qualified accountant or accountants employed by the board of directors the written report of whom shall include statements of services rendered by the association the balance sheet the receipts and disbursements and the assets and liabilities the total number of stockholders and other proper information and shall be submitted to the members at the next regular meeting Within three months after the expiration of the fiscal year for which made the secretary of said association shall file one copy of said report of the audit with the Secretary of Agriculture of this Commonwealth and one copy with the Dean of the School of Agriculture of the Pennsylvania State College No person shall without consent of the association except in obedience to judicial process make or permit any disclosure whereby any information contained in said report may be identified as having been furnished by said association Abstract summaries under regulations of the Secretary of Agriculture of this Commonwealth of the report and the annual audit of said association shall be made immediately upon the completion of the audit in one newspaper of general circulation as defined by the Newspaper Advertising Act of May sixteenth one thousand nine hundred and twenty-nine (Pamphlet Laws page one thousand seven hundred eighty-four) and the legal newspaper if any of the proper county defined by said Newspaper Act at least one time and Proof of Publication as defined by the Newspaper Advertising Act aforesaid of such notice shall be immediately forwarded with the report of the audit to the Secretary of the Commonwealth

Section 13 The articles of association may be amended pursuant to an affirmative vote of two-thirds of all the common stock voted at any regular meeting or at a special meeting called for the purpose due notice of the time place and object of which regular or special meeting shall have been given as prescribed in the by-laws A copy of such amendment signed and acknowledged by not less than three of the directors shall be presented to the Governor of the State of Pennsylvania who shall examine the same and if he finds it in proper form he shall indorse his approval thereon Said amendment shall then be recorded in the office of the Secretary of the Commonwealth in a book to be by him kept for the purpose The said amendment together with the indorsements thereon shall then be recorded in the office for the recording of deeds in the county where the principal place of business is situate

Section 14 Any association may cease to do business and be dissolved in the same manner as corporations are dissolved under the general corporation laws of the Commonwealth

Section 15 No association organized under the provisions of this act shall be liable for the payment of any State tax upon its capital stock or upon any scrip bonds certificates or other evidences of indebtedness issued by such corporation and all stocks bonds et cetera issued by such associations shall be exempt from all State taxation and such associations shall not be required to file with the Auditor General of this Commonwealth the reports relative to such taxes as are or may be by law required of corporations not exempt from the payment of such taxes

Section 16 If any clause sentence paragraph or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid such judgment shall not affect impair or invalidate the remainder thereof but shall be confined in its operation to the clause sentence paragraph or part thereof directly involved in the controversy in which said judgment shall have been rendered

Section 17 All acts or parts of acts inconsistent herewith are hereby repealed

Section 18 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

The SPEAKER. The Chair requests the gentleman from Philadelphia, Mr. Bennett to preside over the deliberations of this body.

(MR. BENNETT IN THE CHAIR)

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1775, entitled:

An Act authorizing agreements between the Department of Highways and local authorities to provide for the construction and maintenance of streets and highways in cities, counties, boroughs, towns and townships, under certain conditions; providing for assessments on abutting property owners; and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1774, entitled:

An Act establishing portions of certain highways lying partially within the corporate limits of cities, boroughs or incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 68, entitled:

An Act for the relief of owners and operators of motor vehicles from liability for injuries, death and loss suffered by guests, except in certain cases.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1615, entitled:

An Act denying a right of action to the Commonwealth to collect certain claims from boroughs for the maintenance of State highways.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 911, entitled:

An Act to amend sections four and five of the act, approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on non-payment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," by providing for the extension of the period during which such taxes shall remain liens on real estate; and authorizing the filing of such liens in the prothonotary's office.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1698, entitled:

An Act supplementing the act, approved the first day of June, one thousand eight hundred and eighty-nine (P. L. 420), entitled, "A further supplement to an act entitled, 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by providing for the return of tax imposed on premiums received by foreign companies writing motor vehicle insurance, to municipalities for payment into police pension funds.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1504, entitled:

An Act to amend the title, section ten, and sections two hundred and two hundred and two, as amended, of the act, approved the fourteenth day of May, one thousand nine hundred and twenty-five (P. L. 762), entitled "An act concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth, except in counties of the first and second class; and revising, amending, consolidating, and changing the law relating thereto," extending the provisions of said act to counties of the first and second classes.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 548, entitled:

An Act to amend section one of the act approved the seventeenth day of March, one thousand nine hundred and twenty-one (P. L. 32), entitled "An act fixing the salaries of court criers and tipstaves in counties of the third class"; authorizing the judges to fix the salaries of court criers and tipstaves within certain limits.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1254, entitled:

An Act to amend section one of the act, approved July ninth, one thousand nine hundred nineteen (Pamphlet Laws seven hundred ninety-five), entitled "An act to fix the salaries of district attorneys in counties having a population of less than one million inhabitants, by striking out the provisions thereof that relate to counties having a population of less than fifty thousand inhabitants and making certain changes in relation to counties having a population of fifty thousand or more, and less than one thousand inhabitants.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2010, entitled:

An Act establishing courts of record in second class counties for control, care and treatment of delinquent, neglected and dependent children under eighteen years of age; defining their jurisdiction, powers and duties, and regulating procedure therein; providing for the transfer of certain powers, functions and duties from other courts; providing for the election of judges thereof; the appointment of referees, probation officers, other necessary staff officers and assistants; providing for the housing of same; and providing for detention facilities.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1726, entitled:

An Act creating a commission to study the laws relating to poor districts and to draft such new laws as may be necessary to revise and codify such laws and establish State supervision over poor boards.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2094 (Senate Bill No. 707), entitled:

An Act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates justices of the peace and aldermen unless names and addresses of prosecutors defendants and witnesses appear on the transcript thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1455 (Senate Bill No. 361), entitled:

An Act to amend section sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet laws, four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineers, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats; principal cities and towns, and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended, providing that in awarding damages to abutting property owners for changing the width or existing lines and location of State highways, the benefits to such property may be considered in mitigation thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1210 (Senate Bill No. 325), entitled:

A Supplement to the act approved the third day of April, one thousand nine hundred and three (P. L. 137), entitled "An act regulating the confinement of children, under the age of sixteen years, awaiting trial;" providing for the management of houses of detention for juveniles in counties of the second class, imposing expense in connection therewith on the county and permitting and authorizing the county commissioners thereof to appropriate money or issue bonds for the purchase of lands, or erecting, constructing and equipping of buildings for such purpose.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1212 (Senate Bill No. 348), entitled:

An Act permitting sheriffs in counties of the third class to collect the cost of schedules of distribution on sheriff's sales of real estate.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1948, entitled:

An Act to amend section one of an act, approved the eleventh day of June, one thousand nine hundred and fifteen (P. L. 938), entitled "An act to regulate and establish the fees to be charged and collected by the several clerks of the courts of oyer and terminer, general jail delivery, and quarter sessions of the peace, in counties of this Commonwealth having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants, as computed by the last preceding United States census," as amended by extending said act to counties of the second class, changing and further fixing the fees to be charged by said clerks.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1312, entitled:

An Act providing for the filling of vacancies in certain county offices in counties of the first class and fixing the terms of such appointees.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1701, entitled:

An Act to amend section two hundred and twenty-two of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto"; providing a procedure to provide for the holding of two or more county offices in certain counties by the same person.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1809, entitled:

An Act to amend section forty of the act approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," as amended, changing the number of trout to be caught in one day.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1209 (Senate Bill No. 2), entitled:

An Act relating to the collection of delinquent county taxes in counties of the second class; repealing all acts or parts of acts, general, local or special inconsistent herewith.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 629 (Senate Bill No. 139), entitled:

An act fixing the pay and mileage of jurors and witnesses.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 792 (Senate Bill No. 194), entitled:

An Act to amend the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto"; by authorizing counties of the second class to levy and collect tolls on certain county bridges for the purpose of paying off the indebtedness incurred in locating, constructing and purchasing such bridges.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

MOTION TO RECOMMIT

Mr. BLUMBERG. Mr. Speaker, I move that this bill be recommitted to the Committee on Counties, for further study

On the question,

Will the House agree to the motion?

Mr. HOFFMAN. Mr. Speaker and members of the House, I see absolutely no reason for recommitting this bill. This bill was referred to the Committee on Counties about a month ago. Since that time it has been in sub-committee and given due consideration. It was reported out of the Committee on Counties yesterday by unanimous vote of that committee, and there is absolutely no reason for recommitting this bill for further study.

Mr. BLUMBERG. Mr. Speaker, may I state to the members of this House, that this bill come from the Committee on Counties, and relates only to cities of the second class. There appears to be a great deal of misunderstanding. Since the bill was referred to the Committee on Counties and reported to the floor of this Huose, a great number of questions have arisen with respect to it. The request that I have made here, that it be recommitted for further study, in the absence of the Chairman of that Committee, Mr. Conner, who is not here this morning, is made on his behalf as chairman of that committee. I have no personal interest in the matter at all.

Mr. HOFFMAN. Mr. Speaker and members of the House, I differ with the gentleman from Philadelphia. This bill does not apply to cities of the second class, but applies to counties of the second class and to the county of Allegheny only. It takes in my district in particular. There are absolutely other motives in recommitting this bill than what the gentleman has told you.

Mr. McCLURE. Mr. Speaker, I rise to oppose the motion to recomit this bill.

As Mr. Hoffman has told you, this is Senate Bill No. 194. This bill passed the Senate and came to the House on February 7th, when it was referred to the Committee on Counties. The bill has been in the Committee on Counties since that time, up until yesterday. This bill applies only to second class counties. The purpose of this bill is to make the building of bridges in Allegheny County and the placing of tolls thereon to liquidate loans which will be necessary from the Reconstruction Finance Corporation. That is the real purpose of the bill. We have real need for this legislation in Allegheny County. There is not a harmful idea in it; a county bridge to be built, as Mr. Hoffman has said, in his legislative district, crossing the Monongahela River and eliminating two most dangerous grade crossings. The county of Allegheny has contemplated the construction of this bridge for a number of years, and Allegheny county has not been able to build the bridge because of lack of finances.

All that we are asking you members of the House today is to give this bill a chance on the floor of this House, in order that Allegheny County may go to the R. F. C. and borrow the money to build this most important structure. I believe that this House has had full time to understand and study the bill. I believe that the conditions of the bill are most clear. We ask you in all fairness to pass it and give Allegheny county a chance to build this most needed structure. I would ask you to vote against this motion to recommit this bill.

Mr. TURNER. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Hoffman.

The SPEAKER. Will the gentleman from Allegheny, Mr. Hoffman, permit himself to be interrogated?

Mr. HOFFMAN. I will, Mr. Speaker.

Mr. TURNER. Mr. Speaker, I think we would all like to understand this measure. I am somewhat hazy as to whether this is a charge on toll bridges entering Allegheny county, such as we have here in Harrisburg?

Mr. HOFFMAN. Mr. Speaker, in the county of Allegheny this bill permits the county commissioners to get the money to build a bridge, to get the money from the R. F. C. and assess tolls for its payment. At this time the county is no position financially to get funds otherwise. This bridge will protect the lives of the people in my district and at this time it is very necessary. The bill applies only to the county of Allegheny. It permits the county to assess a toll on bridges

exceeding in cost four hundred thousand dollars until the payment thereof.

Mr. TURNER. Mr. Speaker, the gentleman has said that it only affects Allegheny county. Would not the collection of the toll affect all the people?

Mr. HOFFMAN. Absolutely, Mr. Speaker; anybody that goes over it. Doesn't the one here in Harrisburg affect all the people?

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Hoffman and Mr. McClure and were as follows:

YEAS—44

Baldi,	Green,	Metzler,	Steedle,
Blumberg,	Habbyshaw,	Moore,	Stiteler,
Carey,	Haines,	Nothnagle,	Tahl,
Cooke,	Harris,	O'Rourke,	Turner,
Cordier,	Hefferon,	Pennock,	Wall,
Craig,	Hutton,	Perry, D. R.,	Williams, J. J.,
Davies,	Jaffe,	Price,	Wilson, T. B.,
Denning,	Kane, L. P.,	Rice,	Yeakel,
Duffy,	Long,	Sautter,	Zimmerman
Dwyer,	Lovett, W. S.,	Shreiner,	Talbot,
Gartner,	Maloney,	Sowers,	Speaker.
Gorman,			

NAYS—108

Andrews,	Griffith,	McGregor,	Sheffer,
Barnhardt,	Hamilton,	McKinney,	Shellenberger,
Bechtel,	Harmuth,	Melchiorre,	Shettel,
Beech,	Hart,	Meredith,	Shortz,
Bernhard,	Hartman,	Merrell,	Shugarts,
Boyd,	Heffner,	Mohn,	Simon,
Brennan,	Hermansen,	Mumford,	Snyder,
Brown, J. E.,	Hewitt,	Negley,	Spann,
Brown, W. L.,	Himes, L. R.,	O'Connor,	Stank,
Brownfield,	Hoffman,	O'Keefe,	Sterling, P.,
Cannon,	Holmes, J. L.,	O'Neill,	Stevens,
Caputo,	Hoopes,	Peelor,	Stone,
Carson,	Howard,	Perry, J. J.,	Stott,
Chervenak,	Jones,	Powell,	Surface,
Cohen,	Kane, J. J.,	Quinn,	Terry,
Cramer,	Kinney,	Raub,	Wade,
DeFrehn,	Lane,	Rectenwald,	Walker, G. E.,
Downey, G. E.,	Laubach,	Reed,	Walker, W. A.,
Downey, J.,	Lewis,	Reilly,	Way,
Dunmire,	Lord,	Rhodes,	Welsh,
Eroe,	Lovett, J. E.,	Roth,	Westrick,
Evans,	Male,	Ruth,	Wike,
Fitzgerald,	Marcks,	Sarig,	Williams, G. W.,
Flanagan,	McClure,	Schrock,	Wilson, L. M.,
Flinchbaugh	McElwee,	Schrope,	Wood,
Furman,	McGinnis,	Schwab,	Wright,
Gallagher,	McGrail,	Scott,	Yourishin,

So the question was determined in the negative and the motion was not agreed to.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 627 (Senate Bill No. 102), entitled:

An Act authorizing county treasurers to make, execute, acknowledge and deliver deeds of seated lands sold by them for delinquent taxes under the provisions of an act of Assembly of the Commonwealth of Pennsylvania, approved the ninth day of May, one thousand nine hundred and twenty-nine (P. L. 1684), entitled "An act authorizing and empowering the county treasurers of the several counties of this Commonwealth to sell at public sale all seated lands upon which taxes assessed on such seated lands by authority of any county, borough, town, township, school district and poor district are delinquent and remain unpaid, and fixing penalties for such delinquency; authorizing county commissioners to purchase such lands under certain circumstances;" prior to its repeal, notwithstanding that said deeds were not made, issued, acknowledged or delivered and surplus bond not given prior to said repeal; and authorizing the making, execution, acknowledgment and delivery of said deeds by said county treasurers after the expiration of term of office or by their successors in office; and confirming the title to lands so sold where the deeds have been made, executed and delivered and the surplus bonds filed since the repeal of said act, and whether the said deeds were made, executed or delivered by the county treasurer who made said sale during the term of his office or after its expiration, or by his successor in office.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2102 (Senate Bill No. 721), entitled:

An Act authorizing stock corporations, with certain exceptions, to make provisions for, and to issue, shares of capital stock of any class or classes, or to change shares of authorized or outstanding capital stock of any class into one or more classes, with or without nominal or par value, and with such designations, terms, relative rights, powers, privileges, preferences, limitations, restrictions and qualifications as may be specified; regulating such corporations and the liabilities of their directors; making other provisions relating to the capital and capital stock of such corporations; and repealing all acts or parts of acts inconsistent herewith.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2101 (Senate Bill No. 720), entitled:

An Act to authorize certain corporations organized under the laws of Pennsylvania, including railroad corporations organized under the laws of Pennsylvania and of any other state or states, to increase or decrease the par value of the shares of their capital stock; providing that such change of par value of shares may reduce the aggregate par value of outstanding capital stock, or alter or affect the division of authorized capital stock as between outstanding stock and authorized stock unissued; prescribing the manner in which such change shall be made; and repealing all acts and parts of acts inconsistent herewith.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1490 (Senate Bill No. 460), entitled:

An Act providing for the appointment of township police in townships of the second class; defining their powers and duties; providing for their compensation; requiring the keepers or persons in charge of jails, lockups or station houses to receive persons arrested by such policemen; and prohibiting such policemen from charging or accepting additional compensation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1640, entitled:

An Act to amend section forty-five of the act approved the fifteenth day of June, one thousand nine hundred and twenty-three (P. L. 809), entitled "An act relating to the organization, maintenance, and operation of the Department of Banking, and the scope of its supervision and control over corporations, partnerships, unincorporated associations, and individuals, and the assets and liabilities thereof; providing penalties for the enforcement of its provisions and repealing the Banking Department Act of nineteen hundred and nineteen, with table of contents," as amended, requiring accounts filed by the Secretary of Banking in the office of the prothonotary, to be recorded.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2071, entitled:

An Act to amend section one of the act, approved the nineteenth day of May, one thousand eight hundred and eighty-seven (P. L. 130), entitled "An act to provide civil rights for all people, regardless of race or color, extending provisions of said act so as to include agents, employes, and motion picture houses; and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1403, entitled:

An Act authorizing the stay of eviction proceedings under certain circumstances.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1564, entitled:

An Act to amend section one of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 883), entitled, "An act relating to the proceedings where goods or chattels have been levied upon or seized by the sheriff, and claimed to belong to others than the defendant in the execution or process, and relieving the sheriff from liability therfor," by prescribing procedure upon rules for interpleaders.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1248, entitled:

An Act authorizing the publication of legal and official advertising and notices in Sunday newspapers of general circulation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1134 (Senate Bill No. 363), entitled:

An Act to amend sections one, two, four, five, six and seven of the act, approved the first day of June, one thousand nine hundred and fifteen (P. L. 678), entitled "An act to regulate the sale for agricultural purpose of crushed limestone, lime, gypsum, and related products; defining said products; and prescribing penalties for the violation of this act," extending the provisions of said act so as to regulate the sale of all "liming materials for agricultural purposes," defining said term, and giving the Secretary of Agriculture power in certain cases to revoke licenses issued under this act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 264, entitled:

An Act permitting, licensing, regulating and controlling horse racing and betting and wagering on such races; creating a State Racing Commission with jurisdiction over the same; defining its powers and duties; imposing certain license fees and State taxes; and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1340, entitled:

An Act to amend clause (d) as amended of section fifty-nine of the act, approved the seventh day of June, one thousand nine hundred and seventeen (Pamphlet Laws, four hundred and forty-seven), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians and trustees, herein designated as fiduciaries; the adminitsration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, judgments and executions therefor, sales and mortgages of real estate for the payment thereof, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and also generally dealing with the jurisdiction, powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by providing for the action by the natural guardian, or the person by whom the minor is maintained, for the minor upon leave of court and without formal appointment, in matters relating to real estate in which the share of the minor does not exceed two hundred dollars.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1563, entitled:

An Act to amend section one of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 883), entitled "An act relating to proceedings where goods or chattels have been levied upon or seized by the sheriff and claimed to belong to others than the defendant in the execution or process, and relieving the sheriff from liability therefor,," by further prescribing procedure upon rules for interpleaders.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 571, entitled:

An Act to amend section one hundred and seventy-one of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled, "An act relating to counties o fthe second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," as amended, by decreasing and limiting the compensation of the members of the board of

viewers in counties of the third, fourth, fifth, sixth, seventh and eighth classes.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1233, entitled:

An Act to regulate commerce and prevent unfair competition; defining fair prices, prescribing remedies to uphold the same, and providing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1885, as follows:

An Act to regulate and improve the civil service of the Commonwealth of Pennsylvania to make any violation of its provisions a misdemeanor and to provide penalties for any violation thereof

ARTICLE I

General Provisions

Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act may be cited as the "State Personnel Act of One Thousand Nine Hundred and Thirty-three

Section 2 Definition of Terms In this act unless the context otherwise requires

(a) "Commission" means the State Personnel Commission

(b) "Unclassfied service" means all positions now existing or hereafter created which are held by

(1) Officers elected by the people

(2) Officers elected by the General Assembly and other persons engaged directly in the services of either branch of the General Assembly and appointed by any officer or committee thereof

(3) Persons in the Judicial Service including Court Clerks Court Officers Tipstaves Court Attaches Official Stenographers and persons appointed by any court judge or board of judges provided that Court Interpreters and Probation Officers shall be in the classified service

(4) Officers non-commissioned officers enlisted men and other persons employed in the uniformed military or naval service of the Commonwealth

(5) Judges of election inspectors of election clerks of election overseers of elections and registrars of personal registration

(6) Persons holding positions under any school district teachers in any State College or any State Normal Schools and students in any educational institution who are employed less than half time

(7) Members of boards or commissions and heads of departments whose appointment is subject to confirmation by the Senate

(8) One Secretary and one Confidential Clerk to the Governor and one Secretary or one Confidential Clerk to each appointing authority as hereinafter defined and

(9) Persons temporarily appointed or designated to make or conduct a special inquiry investigation or examination where such appointment or desigation is certified by the Commission to be for employment which should not be performed by persons in the classified service

(c) "Classified Service" means all positions now existing or hereafter created not specifically included in the unclassified service

(d) "Non-competitive division" means all positions in the classified service for which the compensation including a fair valuation to be determined by the Commission for meals lodging uniform or other allowance provided by the State is at a rate less than Nine Hundred Dollars ($900.00) per annum or such other amount as may from time to time be fixed by rule of the Commission for the filling of which the Commission shall have found competitive tests to be impracticable after a public hearing of which suitable public notice has been given and for which the Commission has determined that it is unable after actual trial to obtain by competitive tests persons possessing the usual and requisite qualifications for filing such positions

(e) "Labor division" means all positions in the classified service which can be satisfactorily filled by ordinary laborers not required to have skill at the time of employment or thereafter during employment

(f) "Competitive division" means all positions in the classified service other than those in the non-competitive or labor divisions

(g) "Department" or "institution" means a division of the executive branch of the government of the Commonwealth which is not a part of any other division

(h) "Appointing authority" means the officer or group of officers in a department or institution not subordinate or responsible to any other officer in the department or institution

(i) "Position" means a place of employment such that the duties and responsibilities appertaining thereto are exercised by one person

(j) "Class" or "class of positions" means a group of positions established under this act sufficiently similar in respect to the duties and responsibilities thereof that the same requirements as to education experience knowledge and ability are demanded of incumbents that the same tests of fitness may be used to choose qualified appointees and that the same schedule of compensation can be made to apply with equity

(k) "Permanent position" means a position specifically provided for in the annual appropriation acts or established in a department or institution according to law and likely to be needed continuously for a period of six months or more

(l) "Extra position" means a position in the classified service arising out of temporary pressure of extra work and likely to be needed continuously for a period of less than six months

(m) "Employee" means a person legally occupying a position in the classified service

(n) "Employment list" means a list of persons found qualified for appointment to positions of a given class in the classified service through suitable tests given under this act arranged in the order of excellence

(o) "Re-employment list" means a list of persons previously holding positions in a given class in the classified service and entitled to re-employment ahead of all other persons when vacancies occur in the class

Section 3 Constitutionality The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional the decision of the court shall not effect the validity of the remaining provisions It is hereby declared as the legislative intent that this act would have been adopted by the General Assembly had such unconstitutional provision not been included therein

Section 4 Purposes of Act It is the purpose of this act to provide a complete system for the regulation of the civil service of the Commonwealth including employed holding positions in State-owned institutions

ARTICLE II

State Personnel Commission

Section 5 Appointment Term Removal Qualifications and Compensation of Commissioner There is hereby created a State Personnel Commission to consist of three Commissioners who shall be appointed by the Governor One of the Commissioners to be designated by the Governor as Chairman shall be appointed to serve for a period of six years from October first one thousand nine hundred and thirty-two One of the Commissioners to be designated by the Governor as Associate Commissioner shall be appointed for a term of four years from October first one thousand nine hundred and thirty-two One of the Commissioners to be designated by the Governor as Association Commissioner shall be appointed for a term of two years from October first one thousand nine hundred and thirty-two At the expiration of the term of any Commissioner the Governor shall appoint a successor for a term of six years

The Governor shall fill any vacancy by the appointment of a Commissioner for the remainder of the unexpired term Before entering upon the duties of his position each Commissioner shall take and subscribe the oath of office prescribed by the Constitution Any person appointed as Commissioner shall be of good repute in his business or profession and shall be known to be in sympathy with modern personnel methods of employment The Governor may at any time remove a Commissioner for good cause which shall be stated in writing and made part of the records of the Commission along with any reply the Commissioner removed may care to make The Chairman shall be the executive head of the Commission and shall receive an annual salary of eight thousand dollars ($8,000) and all expenses necessarily incurred in the performance of his duties Each of the Associate Commissioners shall receive an annual compensation of one thousand dollars ($1,000) and all expenses necessarily incurred in the performance of his duties including for each meeting of the Commission attended by such Associate Commissioner the actual traveling expenses of such Commissioner between his residence and the place of meeting and his hotel expenses reasonably necessary for attendance at such meetings

Section 6 Functions of the State Personnel Commision The functions of the State Personnel Commission shall include

(a) Ascertaining and recording the duties responsibilities and authority appertaining to positions in the classified service and classifying such positions in the manner hereinafter provided

(b) Establishing and maintaining a roster of employees in the classified service showing for each employee in the classified service at the time the roster is established and for each employee subsequently appointed the position held the place of employment the rate of compensation and every change in status and certifying to the Auditor General and the State Treasurer that the names of persons in the classified service to whom it is proposed to make payments for personal services have legally placed and are legally retained on such roster

(c) Preparing and revising from time to time in the manner hereinafter provided a recommendatory schedule of compensation for each class of positions in the classified service and regulating the compensation of employees in accordance with schedules authorized by law

(d) Preparing and after public hearing adopting subject to the approval of the Governor rules for carrying out this Act which after adoption and approval shall have the force of law administering such rules and after public hearings and subject to the approval of the Governor amending such rules

(e) Testing and passing upon the qualifications of applicants for appointment to or promotion in the classified service and upon written request from appointing authority certifying the names of persons eligible for appointment

(f) On its own motion or upon the request of the Govenor examining into the operation of this Act and the rules adopted thereunder the conduct and efficiency of employees and groups of employees in the classified service and the methods of personnel administration therein and transmitting to the Governor its findings with recommendations for increased efficiency and economy

(g) At the expiration of each calendar year making an annual report to the Governor and General Assembly concerning the work and proceedings of the Commission including any recommendations it deems advisable with regard to the classified or unclassified service

Section 7 Division of Functions The Commission shall pass upon the adoption and amendment of rules for carrying out this Act upon the classification and allocation of positions upon advisory schedules of compensation upon schedules of tests upon the approval of employment lists and upon other matters as specifically provided in this Act The Chairman shall act as the executive head of the Commission and between meetings shall pass upon matters submitted to him by the Chief Examiner and Secretary which require immediate action The Chief Examiner and Secretary shall act as the Commission's advisor on technical personnel matters and administrative methods He shall have direct supervision over the examiners investigators clerks and other employees of the Commission shall have charge of preparing holding and rating test shall keep the Commission's records shall handle routine work of the Commission and shall have direct charge of all other administrative matters not specifically reserved to the Commission by this act

Section 8 Staff of Commission The Commission under the terms of this Act shall appoint a Chief Examiner and Secretary and such other examiners investigators clerks and other assistants as may be necessary to carry out this Act and may employ from time to time with the approval of the Governor such exert and special assistants as its work may require provided that money for the payment of such employees or assistants has been appropriated The Chief Examiner and Secretary shall receive an annual compensation of seven thousand five hundred dollars ($7,500.00) and shall be reimbursed for travel and other expenses actually and necessarily incurred in the performance of his duties Other members of the Commission's staff shall receive compensation in accordance with schedules established as provided in this Act provided that pending the establishment of such schedules of compensation their compensation shall be fixed by the Commission subject to the approval of the Governor

Section 9 Meetings Quorum and Minutes The Commission shall hold regular meetings at the State Capitol at least once each month except August on a date fixed by rule and shall hold special meetings at the State Capitol or elsewhere upon the call of the Chairman or of the two Associate Commissioners or of the Governor upon notice of at least forty-eight hours to each Commissioner and to the Chief Examiner and Secretary Any two comissioners shall constitute a quorum The Chief Examiner and Secretary shall act as secretary of the Commission and shall have the right to participate in all discussions but shall have no vote All meetings of the Commission shall be open to the public The Chief Examiner and Secretary shall prepare the minutes of the meetings of the Commission which after approval by the Commission shall be permanently kept on file and accessible to the public

Section 10 Co-operation by State Officers and Employees The appropriate officers of the Commonwealth shall furnish the Commission with suitable and convenient furnished heated and lighted rooms for carrying on its work and shall supply it with the necessary stationery postage printing and other articles and shall permit the Commission without charge to use for branch offices for conducting tests and for other official purposes available buildings and rooms belonging to or leased by the Commonwealth All officers and employees of the Commonwealth shall during the usual business hours grant the Commission and its employees or authorized agents free access to premises and records under their control and shall furnish the Commission such facilities assistance and information as it may require in carrying on its functions

Section 11 Public Hearings In the case of the adoption or amendment of its rules the cancellation of employment lists on account of illegality or fraud and any other matters required by this Act the Commission shall before taking action hold a public hearing at which any citizen shall have the right to appear and be heard at reasonable length Public notice of any public hearing shall be given at least five days in advance of the hearing by posting on a bulletin board maintained in or near the Commission's principal office in a place accessible to the public during business hours a statement of the time and place of the hearing and of the matter to be considered at the hearing and in such other manner as the Commission may prescribe

Section 12 Records Open to the Public The minutes correspondence employment lists and other papers and records of the Commission shall be preserved for two years and shall be subject to reasonable regulations as to the time of examination and shall be open to public inspection during ordinary business hours provided that the Chief Examiner and Secretary shall take all due precautions to prevent the securing in advance of any unauthorized person of questions or other material to be used in any test unless such questions or material are available for all competitors and to prevent the identification by any examiner or other person where identity is concealed of papers or work of any competitor in a test before the papers or work of all competitors in that test have been rated and provided further that statements of the former employers of competitors in tests may be the director of the Chief Examiner and Secretary or the Commission be considered confidential and not open to examination by any person not employed by the Commission or by a competitor even though employed by the Commission

Section 13 Oaths Testimony and Production of Papers Each Commission the Chief Examiner and Secretary and any other employee or agent authorized by the Commission shall have the power to administer oaths in matters pertaining to

the work of the Commission The Commission shall have the power to secure by subpoena the attendance and testimony of witnesses and the production of books and papers Any judge of a court of record either in term time or in vacation may upon application of the Commission compel the attendance of witnesses the production of books and papers and the giving of testimony before the Commission by attachment for contempt or otherwise in the same manner as the production of evidence may be compelled before such court

ARTICLE III

Classification of Positions in the Classified Service

Section 14 Establishment of Classes Subject to the approval of the Governor and after one or more public hearings the Commission shall as soon as practicable after the passage of this act and in any case before the end of six months ascertain and record the duties of position in the classified service establish classes and prepare and publish a statement giving a complete description of each class Each class shall include all positions sufficiently similar in respect to the duties and responsibilities thereof that the same descriptive title may be used for each of the positions allocated to the class that the same requirements as to education experience knowledge and ability are demanded of incumbents that the same tests of fitness may be used in choosing qualified appointees and that the same schedule of compensation can be made to apply with equity The published statement which shall be known as "The Classification Plan of the Commonwealth of Pennsylvania" shall show for each class

(a) The title given to the class

(b) The duties and responsibilities exercised by those holding positions allocated to the class illustrated where necessary by examples of typical tasks

(c) The minimum qualifications required for the satisfactory performance of such duties and tasks and the exercising of such responsibilities and

(d) As far as practicable the lines of promotion to and from the class

Section 15 Allocation of position to Classes Subject to the approval of the Governor the Commission shall as soon as possible after the adoption of the classification plan and after consultation with appointing authorities and their principal assistants allocate each position in the classified service to its proper class provided that the Commission shall allow employees reasonable opportunity to be heard with regard to the allocation of their positions before final action is taken Each employee shall assume the classification title of his position

Section 16 Additions and Amendments to Classes Subject to the approval of the Governor the Commission shall from time to time as it deems necessary establish additional classes and allocate thereto new positions created or positions not included in any previously established class and may divide combine alter or abolish existing classes and re-allocate positions In case any amendment of the classification plan requires the re-allocation of an existing position the employee holding such position shall have reasonable right to be heard before final action is taken

Section 17 Reporting and Classification of New Positions Appointing authorities shall promptly report to the Commission the establishment of new positions authorized by law in order that they may be classified and allocated Any change in the duties of an existing position which in the judgment of the Commission is material shall be interpreted as serving in effect to abolish the position and to create a new position Appointing authorities shall report material changes in the duties of positions to the Commission

Section 18 Use of Classification Titles The classification titles following the approval by the Governor of the classification plan and the allocation of positions to classes shall be used in all records and communications of the Commission the Auditor General State Treasurer and the budget officers and shall also be used in all estimates submitted to the General Assembly or to budget officers requesting the appropriation of money to pay for personal services and in all reports and payrolls providing for the payment of personal services

ARTICLE IV

Compensation of Employees in the Classified Service

Section 19 Compensation Schedules For each class established by the Commission under this act the Commission shall make a study of the rates being paid for similar services elsewhere and of other information and data pertaining to proper rates of compensation and after consultation with appointing authorities and their principal assistants shall report to the Governor a schedule of compensation for each class with a minimum salary rate a maximum salary rate and such intermediate rates as it considers necessary and proper provided that for any class of positions the minimum and maximum rates may be identical and the intermediate rates may be omitted The Commission may from time to time recommend to the Governor changes in the schedules of compensation for any class together with the reasons therefor Before making any recommendation for the adoption or change of the schedule of compensation for any class however the Commission shall hold a public hearing Pending the adoption of such compensation schedules and the appropriation of funds to make payments for personal services in accordance therewith the compensation of employees in the classified service shall be in accordance with existing law

Section 20 Rate of Compensation on Appointment Following the adoption of the schedule of compensation for any class the rate of compensation for any employee upon appointment to a position in the class shall be at the minimum rate prescribed for the class provided that where the appointee is already in the classified service in a position in another class his compensation upon appointment to the new position shall be the same as that provided before such new appointment or if there is no such rate in the schedule for the class to which appointed then at the next higher rate in the schedule for the class to which appointed

Section 21 Increase in Compensation The rate of compensation of any employee who has not reached the maximum rate for his class may be increased upon the attainment and maintenance of the appropriate service rating as provided elsewhere in this act provided that in the absence of service ratings advances in compensation within the salary range for any class may be made on the recommendation of the appointing authority supported by such evidence of increased usefulness in the service as may be required by the rules of the Commission Each such increase shall be to the next higher rate for the class except as provided in this section and shall become effective at the next quarterly date following its approval by the Governor No employee shall have his compensation increased in the grade oftener than once in a calendar year provided that the Governor upon the request of the appointing authority approved by the Commission and on the basis of facts demonstrating that the action is in the interest of good administration may at any time authorize an increase to any rate established for the class to which the position is allocated The Commission in its annual report shall publish the facts regarding each case or class of cases in which it approves such requests made by appointing authorities to increase the rate of compensation of any employee more frequently than once a year or to a rate above the next higher rate for the class In no case however shall the compensation of any employee be increased unless the General Assembly has appropriated money from which the increase may lawfully be paid nor shall the rate for any employee be increased beyond the maximum rate for the class

ARTICLE V

Selection of Employees for Entrance to or Promotion in the Classified Service

Section 22 Tests Requisite for Appointment Except as otherwise provided in this Act appointments of persons entering the classified service or promoted therein shall be from employment lists established as the result of tests which are competitive free and open to all persons who may be lawfully appointed to any position within the class for which the tests are held with such limitation as may be specified in the rules of the Commission or the announcements of the tests as recorded in the minutes of the Commission as to age sex health habits moral character and other qualifications requisite to the performance of the duties of such positions provided that vacancies in the higher classes of positions shall be filled as far as is consistent in the judgment of the Commission with the best interests of the Commonwealth by promotion and that the Commission may upon recommendation of the Chief Examiner and Secretary limit competition in promotion tests to employees in the classified service who have served not less than one year in a class or classes designated in the public notice of the tests

Section 23 Preparation of Re-employment Lists For each class where such action is appropriate the Chief Examiner and Secretary shall cause to be maintained a re-employment list consisting of the names of persons who have occupied positions in the class and who have been laid off without fault on their part or who have taken leave of absence and are ready to return to duty when a position is open or who have resigned in good standing and with the consent of appointing authority and of the Commission have withdrawn their resignations without being restored to their positions or who have been rejected on probation or been removed and by direction of the Commission given opportunity for re-employment in some other organization unit than that from which dismissed The names shall be arranged on the re-employment list for each class in the order of the average service ratings of the employees for the last six months of service in a position allocated to the class provided that in absence of service ratings the order shall be as provided by the rules of the Commission Any name after a period of one year shall be removed from the re-employment list for the class unless the period is extended by action of the Commission taken before the expiration of the year and entered in its minutes

Section 24 Nature of Tests Tests shall be given by the Commission to establish employment lists Such tests may be written oral or in the form of a demonstration of skill or any combination of these and shall be of such character as fairly to test and determine the qualifications fitness and ability of competitors actually to perform the duties of the class of positions to which they seek appointment Any investigation of education and experience and any tests of intelligence capacity technical knowledge manual skill or physical fitness which in the judgment of the Chief Examiner and Secretary and the Commission serve to this end may be employed

Section 25 Holding Tests and Rating Competitors The Chief Examiner and Secretary shall have charge of the preparation and holding of tests of the rating of the work of competitors and of the preparation of resulting employment lists to be submitted to the Commission for approval He may call on other persons not on the regular staff of the Commission either within or without the service of the Commonwealth for assistance When such persons are in the service of the Commonwealth it shall be deemed a part of their official duty to act as examiners without extra compensation The Chief Examiner and Secretary shall see that proper precautions are taken to prevent any unauthorized person from securing in advance questions or other materials to be used in any tests unless such questions or other materials are availabel for all competitors and shall take steps to prevent the identification by examiners prior to the completion of the rating of all competitors on all or some of the tests of any competitor's work in such tests or parts of tests as required the concealment of identity

Section 26 Notice of Tests The Chief Examiner and Secretary shall give public notice of all competitive tests at least three weeks in advance by causing to be posted on a bulletin board maintained in or near the Commission's principal office in a place accessible to the public during business hours a notice stating the title of each class for which tests are to be held the standard or most common rates of compensation the time and place of holding the tests and the manner in which application forms and detailed information as to duties qualification requirements the scope of the tests (including the nature of each of the tests the weight assigned to it and minimum rating if any required in its or in the tests of a whole) the probable number of appointments to be made immediately or in the future and other pertinent information may be obtained The Chief Examiner and Secretary shall prepare in a form suitable for general distribution such detailed information The tests shall be given such other publicity as the Chief Examiner and Secretary may determine or as the Commission may direct

Section 27 Quarterly Schedules of Tests At the December March June and September meetings of the Commission the Chief Examiner and Secretary shall present a schedule of tests to be held during the ensuing quarter with his recommendations as to the qualification requirements the tests to be used and the weight to be assigned to each The Commission shall review and if it deems such action necessary revise the schedule presented by the Chief Examiner and Secretary Upon the approval of the quarterly schedule of tests by the Commission the Chief Examiner and Secretary shall take such steps as may be necessary to hold the tests Tests for any additional class of positions may be added or tests for any class included in the quarterly schedule may be canceled if such action is recommended by the Chief Examiner and Secretary and approved by the Commission at any regular or special meeting

Section 28 Preparing Employment lists From the reports of examiners the Chief Examiner and Secretary shall cause to be prepared an employment list containing the names arranged in the order of excellence of persons who have been given such minimum rating as may be fixed in advance for the whole or any one or more of the tests whose general average is not less than the minimum fixed by the rules of the Commission and who are otherwise qualified Honorably discharged soldiers marines and regularly enlisted army and navy nurses who have served as such in the service of the United States or in the National Guard of this State shall be given full credit for their experience gained in such service having due regard to the position for which the test is held

Section 29 Duration Combination and Cancellation of Employment Lists Employment lists shall continue in force for a period to be fixed by the rules of the Commission Such period may be different for the different classes of positions but shall not be less than one year nor more than two years for any class provided that the period may be extended in any case upon the recommendation of the Chief Examiner and Secretary approved by the Commission by action taken before the expiration of the period fixed by the rules and entered in the minutes A new employment list for any class shall be combined with any existing list but in such case any portion of such combined list shall be automatically cancelled at the end of the period fixed by the rules unless held in force as above provided The Chief Examiner and Secretary with the approval of the Commission may at any time correct clerical errors occuring in connection with the preparation of any employment list and revise the list accordingly provided that no person who has been appointed as the result of certification with such list shall be displaced by such action The Commisison shall have the power at any time after giving notice as required in this Act and after a public hearing to cancel the whole or any part of any employment list on account of illegality or fraud in connection therewith

Section 30 Non-Competitive and Labor Tests Tests for positions in the non-competitive division shall conform to tests for the competitive divisions except that the competition shall be limited to one or more persons nominated by appointing authority of the department or institution in which the position is located and that public notice of no less than forty-eight hours shall be given Following any non-competitive test an employment list shall be prepared and approved by the Chief Examiner and Secretary and approved by the Commission as for tests for classes of positions in the competitive division Tests for positions in the labor divisions shall as far as practicable conform to tests for the competitive divisions but the Commission may by rule provide for the registration of ordinary unskilled laborers following such medical physical or other tests as may be prescribed and for the order in which their names shall be placed on the employment lists and the number of names which may be certified

ARTICLE VI

The Appointment and Promotion of Employees in the Classified Service

Section 31 Certifications Whenever a vacancy in any permanent position in the competitive division of the classified service is to be filled the appointing authority shall request the Commission in writing to certify the name of a person qualified for appointment The Chief Examiner and Secretary shall thereupon certify the name of the person highest on the re-employment list for the class to which the vacant position has been allocated and who is willing to accept appointment In case there is no re-employment list for the class the Chief Examiner and Secretary shall certify the name of two persons highest on the employment list for the class willing to accept appointment In case more than one vacancy is to be filled an additional name shall be certified for each additional vacancy In case the re-employment and employment lists for the class contain the name of no person willing to accept appointment or the names of fewer persons than there are vacancies to be filled the Chief Examiner and Secretary shall report this fact to the Commission at its next

regular or special meeting with his recommendations for the holding of tests to establish an employment list If necessary to prevent the stoppage of public business but not otherwise the Chief Examiner and Secretary may authorize the filling of the position at once through a provisional appointment as provided in this Act

Section 32 Selection and Appointment of certified Eligibles Unless it is found to be in the interest of the public service not to fill the vacant position the appointing authority shall within a reasonable time to be fixed by the rules of the Commission and in no case to exceed ten days appoint the person whose name has been certified from the re-employment list and in case there is no re-employment list the appointing authority shall with sole reference to the relative merit and fitness of the candidates make an appointment from the two names so certified from the employment list provided that the date at which the new appointee is to begin work may be later than ten days following the date of certification After any name has been twice rejected by any one appointing authority for the same or a similar position in favor of others on the same eligible list said name shall not again be certified to that appointing authority In case an employment list consists of less than two names the appointing authority may at his option expressed in writing to the Commission at the time of appointment treat such appointment as provisional

Appointing authorities shall promptly report to the Commission the selection and appointment of eligibles whose names have been certified If an eligible whose name has been certified shall refuse to accept on appointment offered him such refusal shall be promptly invested by the Chief Examiner and Secretary and if it be found that the refusal has been made for improper or insufficient reasons the Chief Examiner and Secretary may remove his name from the employment or re-employment list

Section 33 Provisional Appointments In case a vacancy of a permanent position in the classified service is to be filled and no person whose name is on the re-employment list or employment list for the class is willing to accept appointment or there is no employment or re-employment list for the class the Chief Examiner and Secretary may if necessary to prevent the stoppage of public business but not otherwise the provisional appointment of a qualified person with or without holding of any test provided that in all such cases the provisional appointee shall before beginning work fill out and forward to the Commission an application form and provided further that such provisional appointment shall be pending the establishment of a re-employment or employment list only and after this act has been in operation for one year for a period not exceeding a total of sixty days

Section 34 Temporary Appointment to Extra Positions When from pressure of work an extra position in the classified service must be established for a period of less than six months the appointing authority shall request the Commission in writing to certify the names of a qualified person In such request the appointing authority shall state the cause of the extra work the probable length of employment and unless the position has been classified the duties the appointee is to perform The Chief Examiner shall thereupon authorize the appointment with or without competitive tests of a qualified person provided however that as far as practicable temporary appointments to extra positions shall be made following certification from re-employment and employment lists and provided further that no such appointment shall be authorized for a period exceeding ninety days or renewed more than once within any calendar or fiscal year

Section 35 Emergency Appointments Any appointing authority or any subordinate authorized by him may to prevent the stoppage of the public business when an emergency arises and time will not permit of securing the authorization from the Chief Examiner and Secretary of the appointment of a certified eligible appoint any qualified person during the emergency for a period not exceeding ten days provided that a vacancy in a position of which the appointing authority has had reasonable notice or that employment conditions of which the appointing authority had previous knowledge or of which by the exercise of due diligence he might have had previous knowledge shall not be considered an emergency Persons thus appointed shall be known as emergency employes Appointing authorities shall forthwith report to the Commission all emergency appointments and such appointments shall not be renewed

Section 36 Probation Period To enable the appointing authority to exercise a choice in the selective process involved in the filling of positions no appointment to a position in the classified service whether made from a reemployment list or an original entrance or promotion employment list shall be deemed complete until after the expiration of a probation period to be prescribed in the rules of the Commission provided that the probation period shall in no case be less than three months nor more than six months and provided further that the Commission may provide probation periods of different lengths for the various classes of positions At any time during the probation period any appointing authority may remove any employee from the position held by him if in his opinon the test provided by observation of his work during the test period thus afforded shows the employee to be unable or unwilling to perform his duties in a satisfactory manner The Commission may require from any appointing authority at any time during the probation period a report showing whether any employee on probation has shown the degree of efficiency which may reasonably be demanded if he is to continue in the classified service

Section 37 Status of Employees Holding Positions when Act takes Effect Any person holding a position in the classified service at the time this act takes effect shall become a classified employee without tests and without serving a probation period and shall thereafter be subject in all respects to the provisions of this act

ARTICLE VII

The Regulation of Employees in the Classified Service

Section 38 Service Standards and Ratings The Commission shall as soon as practicable after this Act takes effect establish standards of performance and a uniform system of service ratings for each class of positions or for groups of classes Such standards of performance shall as far as practicable be based upon actual output including quantity and quality of work done and upon conduct and attendance Such standards of performance shall set forth the degree of efficiency which shall constitute ground for

(a) Increase in the rate of compensation for employees who have not attained the maximum rate for the class to which their positions are allocated

(b) Continuance at the existing rate of compensation without increase or decrease

(c) Decrease in the rate of compensation for employees who at the time are above the minimum rate for the class to which their positions are allocated and

(d) Demotion or removal

The Commission upon the establishment of standards of performance for any class or group of classes shall also provide for the rating according to a numerical percentage normal distribution or other plan of the service of each employee or of groups of employees by the appointing authorities in the various departments and institutions and for such report to review and revision by the Commission of the ratings as may in its judgment be necessary or desirable provided that reports of service ratings for any employee or group of employees shall not be required of any appointing authority without his consent oftener than once in three months Any employee shall have the right at reasonable times during business hours to inspect his service ratings and the service ratings of other employees in the same class as shown by the records of the Commission or of the Department or institution in which he is employed

Section 39 Transfers The Commission shall by rule provide for the transfer of employees provided that no employee shall be transferred from a position in one department or institution without the consent of the appointing authority of the department or institution from which he is transferred and provided further that the transfer of an employee from a position in one class to a position in a different class for which a higher maximum rate or compensation is prescribed shall be considered a promotion and shall be made only after test and certification as provided in this Act

Section 40 Demotions The transfer of an employee from a position in one class to a position in a different class for which a lower maximum rate of compensation is prescribed and involving a reduction in compensation shall be considered a demotion and may be made upon the recommendation of the appointing authority or the petition of the employee supported by such evidence as the Chief Examiner and Secretary may require to show that the employee is not performing satisfactory service in the position he is holding but is able

to perform the duties of the class of positions to which it is recommended or petitioner that he be demoted The compensation of an employee demoted shall in no case exceed the maximum rate for the class to which he is demoted

Section 41 Annual Sick and Special Leave The Commission shall by rule approved by the Governor provide for the granting of annual sick and special leave of absence to employees without or with pay or with reduced pay provided that the total leave with pay in any one calendar year shall not exceed thirty days except for disability incurred in the performance of duty No employee shall be granted leave of absence except under such rules

ARTICLE VIII

The Separation of Employees from the Classified Service

Section 42 Temporary and Permanent Separations An employee may be temporarily separated from the classified service through lay-off leave of absence or suspension and may be permanently separated through rejection on probation resignation retirement or removal

Section 43 Lay Off In case a reduction in forces is necessary because of a change in organization or through stoppage or lack of work the employees having the lowest service rating in the unit and in the class affected shall be laid off providing that in the absence of service ratings the order of lay-off shall be established by the rules of the Commission The appointing authority shall promptly report to the Chief Examiner and Secretary the names of employees laid off together with the date the lay-off of each is effective and the character of his services and the Chief Examiner and Secretary shall place the names of such employees whose services have been satisfactory on the re-employment lists for the appropriate class in the order provided in Section twenty-three of this Act

Section 44 Suspension An appointing authority may for good cause suspend an employee holding a position in the classified service for disciplinary purpose without pay for a period aggregating not more than thirty days in one calendar year provided that no such suspension shall be for racial religious or political reasons The Commission shall by rule approved by the Governor enumerate the reasons which shall constitute good cause for suspension Every cause of suspension together with the reason therefor shall forthwith be reported to the Commission in writing and such report shall be made a part of the Commission's public records

Section 45 Rejection on Probation The appointing authority may reject an employee appointed to a position in his department or institution at any time before the expiration of the probation period fixed by the rules of the Commission In all such cases the appointing authority shall furnish the Commission a statement in writing of the cause for rejection The employee so rejected shall be considered permanently separated from such position but the Chief Examiner and Secretary may if he considers such action appropriate place the name of the person thus rejected on the re-employment list of the appropriate class for future certification to other appointing authorities

Section 46 Resignations The Commission shall by rule prescribe what shall constitute resignation provided that absence from duty without notice to the appointing authority for a period of three working days may be regarded as the abandonment of a position and in effect a resignation

Section 47 Retirement The Chief Examiner and Secretary with the approval of the Commission shall recommend to the Governor the retirement of any employee who in his judgment has become unfitted for the efficient performance of the duties of his position owing to advanced age or to physical or mental disability

Section 48 Demotion and Dismissal No person in the classified service shall be removed dismissed or demoted except for just cause which shall not be religious or political Further no person in the classified service shall be removed dismissed or demoted except as provided in sections thirty-six or Section forty of this Act until he shall have been furnished with a written statement of the reasons for such action and has been allowed to give the removing officer such written answer as the person about to be removed may desire In every case of such removal or demotion a copy of the statement of reasons therefor and of the written answer thereto shall be promptly furnished to the Commission and shall be made a part of its public records

ARTICLE IX

Prohibitions Penalties and Enforcement

Section 49 Commission's Certificate of Legality of Employment and Liability of Appointing and Disbursing Officers It shall be unlawful for the Auditor General or any other officer or employee to draw sign or issue or authorize the drawing or issuing of any voucher payroll check or warrant on the State Treasurer or other disbursing officer to pay the salary or wages of any person holding a position in the service of the Commonwealth unless an estimate payroll or account for such salary or compensation containing the names titles periods for which payments are to be made and rates of pay of the persons to be paid shall bear the certificate of the Chief Examiner and Secretary that the persons named in such estimate payroll or account have been appointed and employed in accordance with the provisions of this Act and the rules made thereunder If the Chief Examiner and Secretary shall find that any person has been employed in violation of any provision of this act or of the rules adopted hereunder he shall so notify the Auditor General or other official officer of the Commonwealth and thereafter such officer shall not draw or issue or authorize the drawing signing or issuing of any warrant on the State Treasurer or other disbursing officer for the payment of salary or compensation to any such person Any sums paid contrary to the provisions of this Act and the rules made thereunder may be recovered from any officer or officers making such payment and if paid contrary to the provisions of this Section may be recovered from any officer signing or counter-signing or authorizing the signing or counter-signing of any voucher payroll check or warrant for such payment or from the sureties on his official bond in an action in the courts of the State maintained by a citizen resident therein who is assessed for and is liable to pay or within one year before the commencement of the action has paid a tax therein All moneys recovered in any action brought under the provisions of this Section shall when collected be paid into the treasury of the Commonwealth except that the plaintiff in any such action shall be entitled to receive for his own use the taxable costs of such action

Section 50 False Statements made under Oath Constitute Perjury Any false statment made under oath either in any application or other paper filed with the Commission or in any proceeding before the Commission or in any investigation conducted by or under the direction of the Commission or in any proceedings arising under this Act shall be perjury and punishable as such

Section 51 Certain Acts Made Misdemeanor Any person who shall wilfully by himself or in co-operation with one or more other persons defeat deceive or obstruct any person in respect to his or her right of taking any test or receiving appointment according to this act or according to any rules made thereunder or who shall wilfully or corruptly or falsely mark rate grade estimate or report upon the tests or proper standing of any person tested or certified pursuant to the provisions of this act or aid in so doing or who shall wilfully make any false representations concerning the same or concerning persons tested or who shall wilfully or corruptly furnish to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of any person so tested or certified or to be tested or certified or who shall personate any other person or permit or aid in any manner any other person to personate him in connection with any test or request to be tested certified or appointed or who shall use or promise to use his influence or official or political authority to secure for any person any appointment or prospect of appointment to any position in the classified service as a reward or return for personal or partisan political service shall for each offense be deemed guilty of a misdemeanor

Section 52 Prohibition of Political Activity No person in the classified service shall be a member of or a delegate or alternate to any political convention nor shall he be present at any such convention except in the performance of his official duty nor shall he serve as a member of or attend the meetings of any committee of any political party or take active part in political management or in political campaigns or use his office or position to influence political movements or influence the political action of any officer or employe in the classified service nor shall he circulate or seek signatures to any nominations or other petition provided by any primary or

election law nor shall he seek or accept election nomination or appointment as an officer of a political club or organization or serve as a member of a committee of any such club or organization nor shall he in any manner participate in or interfere with the conduct of any election or the preparation therefor at the polling place or with the election officers while counting the vote or returning the election material to the place provided by law for that purpose save only for the purpose of making and depositing his own ballot as speedily as it reasonably can be done nor shall he be within the polling place or within fifty feet thereof except for the purposes of ordinary travel or residence during the period of time beginning with one hour preceding the opening of the polls for holding such election and ending with the time when the election officers shall have finished counting the votes and have left the polling place for the purpose of depositing the election material in the place provided by law for that purpose excepting only police officers who may temporarily approach or enter the polling place in order to make any arrest permitted by law or for the purpose of preserving order and in each such case remain only long enough to accomplish the duties aforesaid after which the said officers shall at once withdraw

Section 53 Prohibition of Assessments No person shall solicit pay give or receive in any public building belonging to the Commonwealth any money or valuable thing for any political purpose whatever No person shall orally or by written or printed communication directly or indirectly demand solicit collect or receive or be in any manner concerned in demanding soliciting collecting or receiving any money or valuable thing or any assessment subscription or contribution whether voluntary or involuntary from any officer or employe in the classified service for any political purpose whatsoever No person in the classified service shall orally or by written or printed communication directly or indirectly demand solicit collect or receive or be in any manner concerned in demanding soliciting collecting or receiving any money or valuable thing for any political purpose whatsover No person in the classified service shall pay or give any money or valuable thing or make any subscription or contribution whether voluntary or involuntary for any political purpose whatever No person about to be appointed to any position in the classified service shall in advance of such appointment sign or execute a resignation dated or undated No person in the service of the Commonwealth shall dismiss suspend lay off demote or promote or in any manner change the official status or compensation of any other person in said service or promise or threaten to do so for withholding or neglecting to make any contribution of money or service or other valuable thing for any political purpose

No person shall take part in preparing any political assessment subscription or contribution with the intent that the same shall be sent or presented to or collected from any person in the classified service and no person shall knowingly send or present directly or indirectly in person or by letter any political assessment subscription or contribution to or request its payment by any person in the classified service

Section 5 Removal and Disqualification of Officers and Employes Any person holding a position in the service of the Commonwealth who violates any of the provisions of this act or of the rules made thereunder shall be immediately separated from the service It shall be the duty of the Governor and of the appointing authority over the department or institution in which the offending person is employed to dismiss him at once Any taxpayer may bring an action against the Auditor General or the State Treasurer or both to restrain the payment of compensation of the issuing of warrants for the payment of compensation of any such appointed officer clerk or employe who has violated any of the provisions of this act and may as an additional remedy obtain a writ of mandamus to compel such dismissal Any person dismissed under this section shall for a period of two years be ineligible for re-appointment to any position in the service of the Commonwealth

Section 55 Penalty for Violating Act or Rules Any person who shall wilfully or through culpable negligence violate or shall conspire to violate any of the provisions of this act or of the rules made thereunder shall be guilty of a misdemeanor Persons convicted of a misdemeanor under this Act shall be punished by a fine or not less than Fifty Dollars and not more than Three Thousand Dollars or by imprisonment for a term of not exceeding two years or by both such fine and imprisonment in the discretion of the court

ARTICLE X

Schedule and Repealer

Section 56 Status of Existing Employes In order that no inconvenience may result putting into effect the changes provided by this Act all officers and employees in the classified service of the Commonwealth in office when this Act takes effect shall continue in office until separated from the service as herein provided

Section 57 Effective date of Act This act shall go into effect on the first Monday of January One Thousand Nine Hundred and Thirty-four except as herein provided

Section 58 Effective Date of Article One Two Three and Four Articles One Two Three and Four shall go into effect on October First One Thousand Nine Hundred and Thirty-three

Section 59 Repealer All acts and parts of acts inconsistent with this Act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. McGRAIL. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government for further consideration.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 10, as follows:

An Act to repeal the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred seventy-eight) entitled "An act creating a 'Greater Pennsylvania Council' for the promotion of the economic social industrial agricultural educational civic and recreational welfare of the Commonwealth of Pennsylvania and its citizens prescribing the organization powers and duties of said council and making an appropriation"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred seventy-eight) entitled "An act creating a 'Greater Pennsylvania Council' for the promotion of the economic social industrial agricultural educational civic and recreational welfare of the Commonwealth of Pennsylvania and its citizens prescribing the organization powers and duties of said council and making an appropriation" is hereby repealed

Section 2 This act shall take effect on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1426, as follows:

An Act to amend sections six and seven of the act approved the third day of June one thousand nine hundred and nineteen (Pamphlet Laws three hundred sixty-six) entitled "An act reorganizing the Department of State Police creating therein a Bureau of Fire Protection providing for a State Police Force and defining the powers and duties of the same including the enforcement of the laws relating to game fish forestry and water supply and certain other laws and in-

cluding the collection of information useful for the detection of crime and the apprehension of criminals providing for the equipment maintenance and transporation of such police providing for barracks and substations therefor and prescribing penalties" as amended by transferring the State Highway Patrol to the State Police Force fixing the compensation of the present and added personnel of the State Police Force limiting their right to maintenance and providing for their assignment to State Police duties and to State Highway Patrol duties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six of the act approved the third day of June one thousand nine hundred and nineteen (Pamphlet Laws three hundred sixty-six) entitled "An act reorganizing the Department of State Police creating therein a Bureau of Fire Protection providing for a State Police Force and defining the powers and duties of the same including the enforcement of laws relating to game fish forestry and water supply and certain other laws and including the collection of information useful for the detection of crime and the apprehension of criminals providing for the equipment maintenance and transportation of such police providing for barracks and substations therefor and prescribing penalties" as last amended by section one of the act approved the third day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred thirty-nine) is hereby further amended to read as follows

Section 6 The Superintendent of Pennsylvania State Police is authorized to appoint the State Police Force which shall consist of one school troop consisting of one captain at a salary of [three thousand] twenty-seven hundred and sixty dollars per annum two lieutenants each at a salary of [twenty-two hundred] twenty hundred and twenty-four dollars per annum one sergeant at a salary of [seventeen hundred] sixteen hundred and fifteen dollars per annum two corporals each at a salary of [fifteen hundred] fourteen hundred and twenty-five dollars per annum five troops each consisting of a captain at a salary of [three thousand] twenty-seven hundred and sixty dollars per annum a lieutenant at a salary of [twenty-two hundred] twenty hundred and twenty-four dollars per annum a first sergeant at a salary of [two thousand] nineteen hundred dollars per annum five sergeants each at a salary of [seventeen hundred] sixteen hundred and fifteen dollars per annum ten corporals each at a salary of [fifteen hundred] fourteen hundred and twenty-five dollars per annum one of whom shall be a saddler and one a blacksmith and sixty-five privates each at a salary of fourteen hundred dollars per annum The foregoing officers non-commissioned officers and privates shall be assigned to and perform the duties of the Pennsylvania State Police as now or hereafter provided by law

In addition to the foregoing personnel all the officers non-commissioned officers and patrolmen of the State Highway Patrol as they now exist are hereby transferred and attached to and shall become members of the State Police Force and shall receive the same compensation as hereinbefore provided for officers non-commissioned officers and privates of similar rank in the State Police Force The persons so attached shall be assigned to and continue to perform the duties of the State Highway Patrol as now or hereafter provided by law

No maintenance shall be allowed to any officer noncommissioned officer private or patrolman except when on special duty away from his home barracks

Section 2 Section seven of said act as last amended by section one of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-five (Pamphlet Laws three hundred fourteen) is hereby further amended to read as follows

Section 7 The Superintendent of the Pennsylvania State Police shall be appointed by the Governor for a term of four years from the third Tuesday of January next following the election of a Governor and until his succeessor shall have been appointed and qualified The members of the State Police Force shall be enlisted for a period of two years [and the officers and enlisted men of the State Police Force shall receive an increase of one hundred and twenty dollars per annum after one year's service and an additional increase of one hundred and twenty dollars per annum during continuous service for each of the following three years and an additional increase of sixty dollars per annum during continuous service for each of the following two years Provided That this section shall not apply to the Superintendent of the Pennsylvania State Police and the deputies chiefs statisticians clerks experts and other assistants engaged in the work of the Pennsylvania State Police who are not members of the State Police Force and whose compensation under existing law is fixed by the Superintendent of the Pennsylvania State Police with the approval of the Governor]

Section 3 The provisions of this act shall become effective on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2103, as follows:

An Act providing for the reimbursement by the State of counties for costs and the maintenance of prisoners imposed as the result of prosecutions under laws providing that fines and penalties imposed under such laws or forfeited bail recovered as the result of such prosecutions shall be payable into the State Treasury or any fund thereof providing for the audit of the accounts of counties by the Auditor General and for the collection of amounts due from counties and for appeals by counties to the Board of Finance and Revenue and imposing powers and duties on the Auditor General Department of Revenue and Department of Highways and certain duties upon counties and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any costs are imposed on counties by verdicts of juries or by operation of law as the result of criminal prosecutions brought under any laws of this Commonwealth which provide that the fines penalties and forfeited bail recovered under such laws shall be payable into the State Treasury for the use of the Commonwealth or into any special fund of the Commonwealth the counties shall be entitled to recover such costs together with the cost of the maintenance of prisoners committed to its penal institutions as the result of such prosecutions for any calendar or other fiscal year as fixed by the Auditor General to the extent of such fines penalties and forfeited bail recovered during such year and shall be entitled to deduct such costs and the cost of the maintenance of prisoners from such fines penalties and forfeited bail so recovered

Section 2 The Auditor General shall at the close of each calendar year or other fiscal year as he may fix for a county proceed to audit the accounts of such county determining the total amount of fines penalties and forfeited bail recovered by such county as the result of prosecutions under laws providing for the payment of such fines penalties and forfeited bail recovered by such county as the result of prosecutions under laws providing for the payment of such fines penalties and forfeited bail into any fund of the Commonwealth and the amount of fines penalties and forfeited bail payable into each fund of the Commonwealth The Auditor General shall also determine the total amount paid out by such county during the calendar or other fiscal year in costs and for the maintenance of prisoners as the result of such prosecutions and the amount of the total chargeable to each respective fund of the Commonwealth into which the fines penalties and bail for such prosecutions are payable and he shall strike a balance for each fund In any case where the amount of fines penalties and forfeited bail collected in any such year and payable into one fund exceed the total costs imposed on the county and the maintenance of prisoners for the year arising from prosecutions under the laws directing payment of the fines penalties and forfeited bail into such fund the county shall be liable for the payment of such excess into the proper fund of the Commonwealth upon bills rendered by the Department of Revenue

The Auditor General shall upon the completion of the annual audit of a county certify to the Department of Revenue the amount due by the county to each fund of the State Treasury and file with the county commissioners of the county a copy of his audit

Section 3 In case any county shall neglect or refuse to pay over to the State Treasurer through the Department of Revenue the amount or any part thereof due as shown by the audit of the Auditor General the Department of Revenue shall cause such amount so due to be deducted by the Department of Highways from any sum payable to such county from the Liquid Fuels Tax Fund and pay the amount so deducted into the proper fund of the Commonwealth and for such purposes any moneys in the Liquid Fuels Tax Fund are hereby appropriated

Section 4 Any county dissatisfied with any amount found to be due by the Auditor General shall have the right to appeal by petition from such audit within thirty days from the date of the bill rendered by the Department of Revenue to the Board of Finance and Revenue Such appeal petition shall be filed in triplicate and copy thereof shall be transmitted by the Board of Finance and Revenue to the Auditor General and the Department of Revenue

Any such petition shall specifically state the item or items of the audit from which the appeal is taken and the reason therefor and the appeal shall be limited to the matters set forth in the petition

The Board of Finance and Revenue shall fix a time and place for hearing the appeal of which notice shall be given by the Board of the Auditor General the Department of Revenue and the county commissioners at least ten days before the day fixed for hearing After hearing the matter the Board of Finance and Revenue shall determine the amount if any due by the county on the item or items appealed from and certify a copy of its findings to the county commissioners of the county and the Department of Revenue The findings of the Board of Finance and Revenue shall be final and the amounts so found to be due by it shall be collected by the Department of Revenue as above provided

Section 5 The Auditor General shall have power to fix the fiscal year of any county for the purpose of auditing its accounts under the provisions of this act in order that the audits for the various counties may be spread over the calendar year The Auditor General shall have power to require any county to keep its accounts of fines penalties and forfeited bail collected and of the payment of costs imposed upon it and the cost of the maintenance of prisoners in such form as he may require

Section 6 This act shall take effect on the first day of June one thousand nine hundred and thirty-three and shall apply to all fines penalties and forfeited bail collected on and after said date and to all costs and the maintenance of prisoners imposed on the counties on or after said date

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1505, as follows:

An Act to further amend clause (a) of section four of the act approved the eighteenth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws five hundred forty-nine) entitled "An act to permit the use of voting machines for recording and computing the vote at all elections including primaries in any county city borough or township of the Commonwealth at the option of the electors thereof prescribing regulations with reference to the adoption requirements examination purchase installation preparation custody and demonstration of use of voting machines providing rules and regulations for the conduct of elections held with voting machines prescribing the qualifications number and duties of election officers in the election districts in which voting machines may be used placing duties upon County Commissioners and the Secretary of the Commonwealth providing for redivision of wards of cities and boroughs into election districts and the consolidation of election districts providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used and providing penalties for violation of the provisions of this act" as amended by providing that the Courts of Quarter Sessions may order that one additional voting machine be provided in certain election districts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause (a) of section four of the act approved the eighteenth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws five hundred fotry-nine) entitled "An act to permit the use of voting machines for recording and computing the vote at all elections including primaries in any county city borough or township of the Commonwealth at the option of the electors thereof prescribing regulations with reference to the adoption requirements examination purchase installation preparation custody and demonstration of use of voting machines providing rules and regulations for the conduct of elections held with voting machines prescribing the qualification number and duties of election officers in the election districts in which voting machines may be used placing upon county commissioners and the Secretary of the Commonwealth providing for redivision of wards of cities and boroughs into election districts and the consolidation of election districts providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used and providing penalties for violation of the provisions of this act" as amended by section three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (Pamphlet Laws one thousand one hundred eighty-five) is hereby further amended to read as follows

Section 4 Installation of Voting Machines (a) If a majority of the qualified electors voting on the question shall vote in the affirmative the county commissioners of the said county shall purchase for each election district of such county city borough or township one or more voting machines of a kind or kinds approved by the Secretary of the Commonwealth as hereinafter provided and of sufficient capacity to accommodate the names of a reasonable number of candidates for all public and party offices which under the provisions of existing laws and party rules are likely to be voted for at any future election and shall notify the Secretary of the Commonwealth in writing that they have done so The county commissioners shall provide machines in good working order and shall preserve and keep them in repair Voting machines of different kinds may be used for different districts in the same county city borough or township In each election district in which voting machines are used the county commissioners may provide one voting machine for each five hundred registered voters or fraction thereof therein and shall provide one voting machine for each six hundred registered voters or fraction thereof therein Provided however that the courts of quarter sessions upon petition presented by either the county commissioners or by ten or more qualified electors of any such election district may order that one additional voting machine be provided for any such election district if the court shall be of the opinion that such additional voting machine shall be necessary in such district for the convenience of the voters and the public interests

And said bill having been read ta length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 6, as follows:

An Act to further amend paragraph eight of section one thousand two hundred ten of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may

be inconsistent therewith" as amended decreasing the minimum salaries of county superintendents and assistant county superintendents

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That paragraph eight of section one thousand two hundred and ten of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which was added to said section by section one of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred ten) entitled "An act to further amend section one thousand two hundred ten and to repeal sections one thousand two hundred eleven one thousand two hundred thirteen and two thousand eight hundred and five of an act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' and making an appropriation" which was last amended by section one of the act approved the twenty-third day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred twenty-eight) entitled "An act to further amend section one thousand two hundred ten as amended to an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' and making an appropriation" and which was last amended by section one of the act approved the seventh day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred eighty-seven) entitled "An act to amend paragraph eight of section one thousand two hundred and ten of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' as amended increasing the minimum salaries of county superintendents and assistant county superintendents" is hereby further amended to read as follows

Eight county superintendents of counties having a population of less than twenty thousand (20,000) minimum annual salary [three thousand dollars ($3,000] two thousand five hundred dollars ($2,500) county superintendents of counties having a population of twenty thousand and more but less than forty-five thousand (45,000) minimum annual salary [three thousand five hundred dollars ($3,500)] three thousand dollars ($3,000) county superintendents of counties having a population of forty-five thousand or more but less than one hundred and fifty thousand (150,000) minimum salary [four thousand dollars ($4,000)] three thousand five hundred dollars ($3,500) county superintendents of counties having a population of one hundred and fifty thousand (150,000) or more minimum annual salary [four thousand five hundred dollars ($4,500)] four thousand dollars ($4,000) all assistant county superintendents minimum annual salary [three thousand dollars ($3,000)] two thousand five hundred dollars ($2,500)

Section 2 This act shall become effective upon its approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1760, as follows:

An Act providing for the assessment of costs for the acquiring and adopting or of connecting with existing sewers of adjacent municipalities by townships or boroughs and the maintenance thereof and providing for filing of liens therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any township or borough shall by agreement or decree of court acquire rights in or adopt either in whole or in part or connect with an existing sewer of any adjacent municipality the cost of such acquisition adoption or connectin and the maintenance thereof shall be assessed against the properties accommodated or benefited in any manner now or hereafter provided by law for the assessment of charges for the costs of sewer construction and after the amount of the assessment charged upon the several properties has been established it shall be the duty of the township commissioners or supervisors or borough council to file municipal liens for such assessments within the time and in the manner provided by law Provided however That the time within which the lien shall be filed shall run from the date of the agreement or final decree of court aforesaid where no actual construction is necessary or undertaken

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1198, entitled:

An Act relating to dentistry defining and providing for the licensing and registration of dentists and dental hygienists and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction providing penalties and repealing existing laws

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That SHORT TITLE This act shall be known and may be cited as "The Dental Law"

The second section was read as follows:

Section 2 DEFINITIONS A person engages in the "Practice of Dentistry" within the meaning of this act who diagnoses treats operates on or prescribes for any disease pain or injury or regulates any deformity or physical condition of the human teeth jaws or overlying tissues or who fits constructs and inserts any artificial appliance plate or denture for the human teeth or jaws or who holds himself or herself as being able or legally authorized to do so The term "Practice of Dentistry" does not include

(a) The practice of any of the healing arts by duly licensed practitioners

(b) The extracting of teeth or relieving pain by a surgeon in emergencies or the making of applications for such purposes

(c) The taking of x-ray pictures of the human teeth jaws or adjacent structures

(d) The calling into this Commonwealth for consultation of a duly licensed practitioner of dentistry of any other state or country with respect to any case under treatment or demonstrating before any duly authorized dental society in this Commonwealth

(e) The practice of dentistry by bona fide students of dentistry in clinical departments and laboratories of approved dental colleges

A person is a "Dental Hygienist" is one who is legally licensed as such by the said dental council and examining board to remove tartar deposits accretions and stains from the exposed surfaces of the teeth and directly beneath the free margin of the gums in the office of a dentist or any public or private institutions such as schools hospitals orphan asylums and sanitoriums but does not perform any other operation or work on the teeth jaws gums or mouth whatever

The word "Board" as used in this act means the State Dental Council and Examining Board

On the question,

Will the House agree to the section?

Mr. HEFFNER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 2, line 8, by inserting before the word "surgeon" the following: "licensed physician or."

Amend section 2, page 2, line 20, by striking out the following: "person is a."

Amend section 2, page 2, line 27, by inserting at the end thereof, after the word "sanitoriums" the following: "or State health cars."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read as follows:

Section 3 GENERAL POWERS OF THE STATE DENTAL COUNCIL AND EXAMINING BOARD The State Dental Council and Examining Board (hereinafter called the board) created appointed and organized in accordance with the provisions of the Administrative Code and its amendments shall have power

(a) To establish and alter from time to time the standards of preliminary and professional education and the training required for licensure to practice dentistry and as dental hygienists

(b) To investigate and determine the acceptability and to approve and disapprove institutions and colleges of this State and of other states and countries for the education of students desiring to be licensed to practice dentistry or a dental hygienists and to revoke approvals where such institutions and colleges no longer are deemed proper

(c) To provide for and to regulate the licensing and to license to practice dentistry after examination any duly qualified applicant at least twenty-one years of age of good moral character not addicted to the use of intoxicating liquor or narcotic drugs who has obtained a competent education together with a diploma from an approved institution or college conferring upon him or her the degree of doctor of dental surgery or other established dental degree

(d) To provide for and to regulate the licensing and to license as a dental hygienist after examination any duly qualified person not less than nineteen years of age of good moral character not addicted to the use of intoxicating liquor or narcotic drugs who has obtained a competent education together with a certificate or diploma from an a proved institution or college for the training of dental hygienists

(e) To prescribe the subjects character manner time and place of examinations and the filing of applications for examinations and to conduct and provide for the conduct of the examinations to make written reports of such examinations which reports shall be preserved in the Department of Public Instruction for a period of not less than five years to collect such fees for such examinations as may be fixed according to law and to issue licenses to such applicants as successfully pass such examination

(f) To accept and endorse as valid in this Commonwealth licenses to practice dentistry or a dental hygienists issued by other states and counties and to accept as properly qualified any applicant who has been examined and certified by the National Dental Examining Board upon the payment of such fees as prescribed according to law for applicants in this State Provided That the standards of such other state and country or of such National Board are in the opinion of the board equal to the standards of this Commonwealth and provided further That such other state and country shall recognize and endorse as valid in such state or country licenses issued by this Commonwealth

(g) To prescribe the professional title or other designation which any person licensed under this act may use in connection with his or her name in the practice of dentistry or as a dental hygienist to regulate the use of the same and to prosecute those who illegally use the same

(h) To investigate and conduct hearings either before the membership of the board or committees thereof and to discipline and prosecute those guilty of unethical and illegal practices

(i) To suspend and revoke by majority action of the entire board the license or registration of any licensee who has been guilty of a crime or misdemeanor involving moral turpitude or of fraudulent or unlawful practices or of advertising the price of work or fraudulent misleading or deceptive representations or of unprofessional conduct or of false misleading or deceptive advertising as respects the skill of the operator the quality of materials drugs or medicines used or methods practiced or of habitual intemperance or who is addicted to the use of narcotic drugs or is insane and to reinstate licenses and registrations in any cases where a majority of the entire board shall determine the same to be just and proper

(j) To provide for regulate and require all persons licensed in accordance with the provisions of this act to register annually with the board to prescribe the form of such registrations to require as a condition precedent to such annual registration the payment of such annual registration fee as shall be fixed according to law to issue annual registration certificates to such persons and to suspend or revoke the license or registration of such persons as fail refuse or neglect to register annually or pay such fee. The Department of Public Instruction shall be required to publish annually a list of the persons registered for that particular year

(k) To keep a record and it shall be the duty of the board so to do of all licenses and registrations issued and all registrations made with the board and to prescribe the form of such record

(l) To submit biennially to the Department of Public Instruction an estimate of the financial requirements of the board for administrative investigative legal and miscellaneous expenses

(m) To administer and enforce the laws of the Commonwealth relating to the practice of dentistry and dental hygienists and to instruct and require its agents to bring prosecutions for unauthorized and unlawful Proctices

(n) To keep minutes and records of all its transactions and proceedings

(o) To adopt promulgate and enforce such rules and regulations as may be deemed necessary by the board and proper to carry into effect the powers hereby conferred

On the question,

Will the House agree to the section?

Mr. HEFFNER. Mr. Speaker, I desire to offer the following amendments.

...

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 3, page 3, lines 24 and 25, by striking out the words "a competent" and insert in lieu thereof: "the required."

Amend section 3, page 4, lines 5 and 6, by striking out the words "a competent" and insert in lieu thereof: "the required."

Amend section 3, page 3, line 11, by striking out the words "unethical and."

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth section was read and agreed to as follows:

Section 4 FEES The fee for an applicant for examination and licensure to practice dentistry or as a dental hygienist in this Commonwealth shall be fixed by the Department of Public Instruction in accordance with existing law It shall be the duty of all persons now qualified and engaged in the practice of dentistry and dental hygiene or who shall hereafter be licensed by the board to register annually with said board and pay for each such annual registrtion such fee as may be fixed by the Department of Public Instruction

The fifth section was read as follows:

Section 5 HEARING ON SUSPENSIONS AND REVOCATION OF LICENSES AND REGISTRATIONS APPEALS Before the license of any licensee or any registration is suspended or revoked by the board a written copy of the complaint made shall be furnished to the licensee or registrant against whom the same is directed and an opportunity be afforded him or her to be heard before the board personally and by counsel At least ten days' written notice of the time and place of such hearing shall be given the licensee or registrant by registered mail addressed to the post office address as shown on the annual registration or other record or information in possession of the board

Any person aggrieved by the action of the board in suspending or revoking a license or registration or by any other action of the board which is alleged to be improper unreasonable or unlawful may appeal from such action of the board in writing to the Court of Common Pleas of Dauphin County which shall hear the appeal de novo

Appeals from suspensions and revocations of licenses and registrations must be taken within thirty days after such suspension or revocation of which action immediate notice shall be given the licensee or registrant by registered mail addressed as above provided In the case of appeals from other actions of the board the appeal may be taken at any time by the person aggrieved by such action No such appeal shall act as supersedeas

The court upon application by the board or the appellant shall fix a time and place for hearing at which time or at any adjournment thereof the appeal shall be heard by the court After hearing the court may sustain modify or reverse the action of the board as in its judgment the facts shall warrant

Either party may appeal from the decision of the Court of Common Pleas of Dauphin County to the Superior Court but not later than thirty days after the entry of the decree by said court Such appeals shall be taken and prosecuted in the same manner and with like effect as is provided by law in other cases of appeal to the Superior Court and the records certified to the Superior Court shall contain all that was before the court of common pleas The decree of the Superior Court shall be final and conclusive

On the question,

Will the House agree to the section?

Mr. HEFFNER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 5, page 7, lines 26 and 27, by striking out the words "which shall hear the appeal de novo"

Amend section 5, page 8, by inserting between lines 6 and 7, the following: "Appeals shall be taken by serving upon the department written notice of such appeal, together with reasons for such appeal. Such service shall be made either by filing the said notice of appeal in the office of the department, or, in the event that a hearing has been had, by delivering the same to the deputy, whether general or special, before whom the hearing in the case was had."

"Within thirty (30) days after the service of such notice of appeal, the department shall file with the prothonotary of the said court of common pleas a transcript of the records of the proceedings, if any, in its office, duly certified over the seal of the department, which record shall include all papers on file with the department affecting or relating to the inquiry or investigation, if any, conducted by the department, and all the evidence taken in the hearing, if any, including the stenographic notes of testimony. Notice of the filing of the said transcript, with the term and number to which filed, shall be forthwith given by the department to the licensee or registrant, and as well to the party or parties, if any, upon whose complaint the proceedings before the department were instituted. The cost of the said transcript, at twenty-five cents per folio, and one dollar for certification, shall be entered as part of the record costs in the cause, to be paid as the court may direct. In all proceedings upon such appeal, the Department of Justice shall appear for and represent the Commonwealth."

Amend section 5, page 8, line 10, by striking out the first word "court" and insert in lieu thereof: "judge or judges of the court, without a jury, by whom the proceedings before the department, if any, its findings and rulings, shall be given similar weight, force, and effect as are accorded to the findings and report of a referee selected or appointed under the provisions of the act, entitled "An act to provide for the submission of civil cases by agreement of the parties to a referee learned in the law," approved the fourteenth day of May, one thousand eight hundred and seventy-four, and its supplements."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The sixth, seventh, eighth and ninth sections were separately read and agreed to as follows:

Section 6 RECORDS TO BE PUBLIC AND BE RECEIVED IN EVIDENCE The records of the board shall be public and open to inspection during business hours Copies thereof duly certified by the Superintendent of Public Instruction or any of his deputies shall be received in evidence in all courts and elsewhere

Section 7 COLLECTION AND PAYMENT OVER OF FEES All fees collected under the provisions of this act shall be received by the Department of Public Instruction shall be paid into the State Treasury through the Department of Revenue for the use of the general fund of the Commonwealth

Section 8 STATUS OF EXISTING PRACTITIONERS PRESERVED Any person licensed or legally authorized to practice dentistry or as a dental hygienist in this Commonwealth at the time this act takes effect shall thereafter continue to possess the same rights and privileges with respect to the practice of dentistry or as a dental hygienist without being required to be licensed anew under the provisions of this act subject however to the power of the board as provided in this act to suspend or revoke the license of any such person for any of the causes set forth in this act and subject to the power of the board to require any such person to register annually with the board as provided in this act

Section 9 EMPLOYES AND ASSISTANTS The Department of Public Instruction shall assign to the board such clerks stenographers assistants and investigators as may be deemed necessary to carry out and enforce the provisions of this act

The tenth section was read as follows:

Section 10 PENALTIES It is unlawful for any person to practice dentistry or to hold himself or herself out as a practitioner of or as entitled or authorized to practice dentistry or to assume any title of "dentist" "dental surgeon" or other letters or titles in connection with his or her name which in any way represent him or her as being engaged in the practice of dentistry or authorized so to do unless he or she has been duly licensed registered and authorized to engage in such practice under the provisions of this act

It is unlawful for any person to practice dentistry or as a dental hygienist under a name other than that on his or her license and annual registration or induce any person to practice dentistry or as a dental hygienist in violation of this act

It is unlawful for any person to practice dentistry or as a dental hygienist unless his or her license and annual registration are displayed in his or her regularly established place of business

It is unlawful for a person practicing dentistry to employ a dental hygienist as his or her assistant unless such assistant is licensed and registered as a dental hygienist as required by this act and the rules and regulations of the board

Any person violating any of the provisions of this section or any other provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or to suffer imprisonment not exceeding six months or both in the discretion of the court

On the question,

Will the House agree to the section?

Mr. HEFFNER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 10, page 9, line 27, by striking out the word "as."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The eleventh section was read as follows:

Section 11 RIGHT OF DENTISTS TO PRACTICE AS DENTAL HYGIENISTS RIGHTS OF DENTAL LABORATORIES AND MECHANICS Nothing contained in this act shall be construed as prohibiting a duly licensed and registered dentist from performing the work of a dental hygienist Nothing contained in this act shall be construed to prevent any dental laboratory or dental mechanic from manufacturing and furnishing to licensed and registered dentists artifical teeth crowns bridges prosthetic work and regulating appliances but it shall be unlawful and constitute the practice of dentistry for any dental mechanic or person employed in a dental laboratory or for any other person to fit or attempt to fit or to furnish to any person artifical teeth crowns bridges prosthetic work or appliances except under the immediate direction and supervision of a licensed dentist

On the question,

Will the House agree to the section?

Mr. HEFFNER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 11, page 11, line 11, by inserting before the word "persons" the following: "other."

Amend section 11, page 11, line 12 and 13, by striking out the words "except under the immediate direction and supervision of a licensed dentist."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The twelfth, thirteenth and fourteenth sections and title were separately read and agreed to as follows:

Section 12 CONSTITUTIONAL CONSTRUCTION The provisions of this act are severable and if any of its provisions are declared unconstitutional the decision so holding shall not be construed as impairing any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein

Section 13 EFFECTIVE DATE This act shall take effect on the first day of January one thousand nine hundred and thirty-four

Section 14 REPEALS The following acts of assembly are hereby repealed absolutely as of the first day of January one thousand nine hundred and thirty-four

The act approved the sixth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred six) entitled "An act to establish a Dental Council and a State Board of Dental Examiners to define the powers and duties of said Dental Council and said State Board of Dental Examiners to provide for the examination and licensing of practitioners of dentistry and to further regulate the practice of dentistry"

The act approved the seventh day of May one thousand nine hundred and seven (Pamphlet Laws one hundred sixty-one) entitled "An act regulating and defining the powers and duties of the Dental Council and the State Board of Dental Examiners providing for appointment of examiners defining qualifications of applicants for examination condition of granting licenses regulating and limiting the practice of dentistry prohibiting practice by or employment of unlicensed persons and providing punishment therefor and disposition of fees and fines and fixing the appropriation to the Dental Council"

The act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred ninety-nine) entitled "An act regulating and defining the powers and duties of the Dental Council and the State Board of Dental Examiners providing for appointment of examiners defining qualifications of applicants for examination condition of granting and revoking licenses regulating and limiting and defining the practice of dentistry limiting and defining operator in dental surgery prohibiting practice by or employment of unlicensed and unregistered persons and providing punishment therefor requiring the recording of licenses and registration of practitioners and disposition of fees and fines providing for an annual registration fee for licensed practitioners and the disposition of such fees defining evidence of violations and providing punishment fixing the appropriation to the Dental Council"

All other acts and parts of acts inconsistent herewith are hereby repealed

An Act relating to dentistry; defining and providing for the licensing and registration of dentists, and dental hygienists, and for the revocation and suspension of such licenses and registrations subject to appeal, and for their reinstatement; defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction; providing penalties; and repealing existing laws.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 11, as follows:

An Act to amend clause (b) of section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to domestic animals and providing for their appraisement when about to be slaughtered to prevent the spread of disease and regulating payments by the Commonwealth in such cases and the payment of salvage by butchers" by reducing the amount of payments to be made by the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause (b) of section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (Pamphlet Laws six hundred eighty-two) entitled

"An act relating to domestic animals and providing for their appraisement when about to be slaughtered to prevent the spread of disease and regulating payments by the Commonwealth in such cases and the payment of salvage by butchers" is hereby amended to read as follows

(b) The amount of compensation paid by the Commonwealth shall not in any case exceed the sum of [sixty] fifty dollars for a horse jack or mule [forty] thirty dollars for a non-registered bovine animal [seventy] fifty-five dollars for a pure bred registered bovine animal [ten] six dollars for a non-registered sheep goat or pig [twenty-five] fifteen dollars for a pure bred registered sheep goat or pig

Claims for pure bred registered animals shall be supported by proper certificates of registration and transfer papers issued by recognized purebred registry associations

Section 2 This act shall become effective on the date of its approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1425, as follows:

An Act to reenact section one of the act approved the thirteenth day of June one thousand eight hundred and eighty-three (Pamphlet Laws one hundred nineteen) entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies" as amended reestablishing the Anatomical Board of the State of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the thirteenth day of June one thousand eight hundred and eighty-three (Pamphlet Laws one hundred nineteen) entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that prpose and to prevent unauthorized uses and traffic in human bodies" as amended by section one of the act approved the fourteenth day of May one thousand nine hundred an fifteen (Pamphlet Laws five hundred six) is hereby reenacted to read as follows

Section 1 The professors of anatomy the professors of surgery the demonstrators of anatomy and the demonstrators of surgery of the medical and dental schools and colleges of this Commonwealth which are now or may hereafter become incorporated together with one representative from each of the unincorporated schools of anatomy or practical surgery within this Commonwealth in which there are or from time to time at the time of the appointment of such representatives shall be not less than five scholars shall be and hereby are constituted a board for the distribution and delivery of dead human bodies hereinafter described to and among such persons as under the provisions of this act are entitled thereto The professor of anatomy in the University of Pennsylvania at Philadelphia shall call a meeting of said board for organization at a time and place to be fixed by him within thirty days after the passage of this act The said board shall have full power to estblish rules and regulations for its government and to appoint and remove proper officers and shall keep full and complete minutes of its transactions and records shall also be kept under its direction of all bodies received and distributed by said board and of the persons to whom the same may be distributed which minutes and records shall be open at all times to the inspection of each member of said board and of any district attorney of any county within this Commonwealth The name of said board of distribution shall be Anatomical Board of the State of Pennsylvania

Section 2 The provisions of this act shall become effective on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 427, as follows:

An Act making an appropriation to the Sleighton Farm School For Girls situate in Delaware County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two hundred and forty-three thousand dollars ($243,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Sleighton Farm School For Girls situate in Delaware County Pennsylvania for the two fiscal years beginning the first day of June Anno Domini one thousand nine hundred and thirty-three for the purpose of maintenance

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1061, as follows:

An Act making a deficiency appropriation out of the Motor License Fund for the purpose of carrying into effect the provisions of the act approved the first day of June one thousand nine hundred and thirty-one (Pamphlet Laws three hundred one) entitled "An act providing for the acquisition construction improvement operation and maintenance of bridges over rivers and navigable waters within the Commonwealth authorizing the issuance of bridge revenue bonds free from taxation and payable solely from bridge earnings to pay the cost of such bridges and improvements thereof providing for the collection of bridge tolls for the payment of such bonds and for the cost of maintenance operation and repair of the bridges constituting such bonds legal investments in certain instances prescribing conditions upon which such bridges shall become free bridges conferring powers and imposing duties on the State Bridge Commission providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act and providing for condemnation" specifying the purposes for which such appropriation shall be expended and providing for the return of said appropriation to the Motor License Fund

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-eight thousand seven hundred and twenty-five dollars and twenty-one cents ($28,725.21) or so much thereof as may be necessary is hereby specifically appropriated out of the Motor License Fund to the Department of Highways for a deficiency for the use of the State Bridge Commission of the Commonwealth for the two fiscal years ending May thirty-first one thousand nine hundred and thirty-three for the payment of the salaries and expenses of the members of the Commission for the purpose of surveys of bridges gathering data preparing reports for postage supplies and materials and for all other incidental and necessary expenses required and incurred in carrying into effect the provisions of "The Intra-State Bridge Bond Act" approved June first one thousand nine hundred and thirty-one (Pamphlet Laws three hundred one) which salaries expenses and payments were authorized to be incurred by law but no appropriation for the payment thereof was made by the General Assembly of one thousand nine hundred and thirty-one

Section 2 The State Bridge Commission shall charge any money paid out of this appropriation to the cost of maintenance of any bridge or bridges now or hereafter constructed ac-

quired operated and maintained by it under the provisions of the Intra-State Bridge Bond Act approved June first one thousand nine hundred and thirty-one (Pamphlet Laws three hundred one) The Commission shall reimburse the Motor License Fund for any money paid out under the appropriation made by this act For that purpose the Commission shall pay into the Motor License Fund from time to time through the Department of Revenue from revenues received from any toll bridge or bridges now or hereafter operated and maintained by the Commission and available for the payment of the costs of maintaining repairing and operating such bridges such sums as the Commission may deem appropriate taking into consideration the number of bridges operated and maintained by the Commission at the time of such payment The amount so paid into the Motor License Fund shall not decrease the amount legally required to be paid into any sinking fund established for the payment of the principal and interest of any bridge revenue bonds issued by the State Bridge Commission

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 353, as follows:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for medical education

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pensylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred forty-five thousand eight hundred dollars ($145,800) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Jefferson Medical College of Philadelphia Pennsylvania for the two fiscal years beginning the first day of June one thousand nine hundred and thirty-three for the support and promotion of medical education

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 267, entitled:

An Act making an appropriation to the Woman's Medical College of Pennsylvania located at East Falls Philadelphia

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seventy-two thousand nine hundred dollars ($70,900) or so much thereof as may be necessary is hereby specifically appropriated to the Woman's Medical College of Pennsylvania located at East Falls Philadelphia for the support and promotion of medical education for the two fiscal years beginning June first one thousand nine hundred and thirty-three payment to be made according to law

On the question,

Will the House agree to the section?

Mr. LAUBACH. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 1, line 5, by striking out the figures "($170,000)" and insert in lieu thereof: "($72,900)."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act making an appropriation to the Woman's Medical College of Pennsylvania located at East Falls Philadelphia

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 141, as follows:

An Act to amend sections two and three section four as amend sections seven and eight and section nine as amended of the act approved the sixteenth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand seven hundred eighty) entitled "An act to fix the salaries and compensation of the judges of Supreme Court judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' court the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County" by reducing the salaries of judges

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the sixteenth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand seven hundred eighty) entitled "An act to fix the salaries and compensation of the judges of Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County" is hereby amended to read as follows

Section 2 The annual salary of the Chief Justice of the Supreme Court shall be [twenty thousand dollars ($20,000)] eighteen thousand dollars ($18,000) and the annual salary of each of the asociate judges of said court shall be [ninteen thousand five hundred dollars ($19,500)] seventeen thousand five hundred dollars ($17,500)

Section 2 That section three of said act is hereby amended to read as follows

Section 3 The annual salary of the President Judge of the Superior Court shall be [eighteen thousand five hundred dollars ($18,500)] sixteen thousand five hundred dollars ($16,500) and the annual salary of each of the associate judges of said Court shall be [eighteen thousand dollars ($18,000)] sixteen thousand dollars ($16,000)

Section 3 That section four of said act as amended by the act approved the first day of June one thousand nine hundred and thirty-one (Pamphlet Laws three hundred seventeen) entitled "An act to amend section four of the act approved the sixteenth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand seven hundred eighty) entitled 'An act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County' by providing that salaries of judges of the courts of common pleas of certain judicial districts shall be fixed on the basis of the population of their respective districts as shown from time to time by the last preceding United States consus" is hereby further amended to read as follows

Section 4 The annual salary of each of the judges of the courts of common pleas of the first and fifth judicial districts shall be [fourteen thousand dollars ($14,000)] twelve thousand dollars ($12,000)

The annual salary of each of the judges of the courts of common pleas learned in the law in judicial districts having a population of [more than two hundred and fifty and less than one million inhabitants shall be twelve thousand dollars ($12,000) in judicial districts having a population of one hundred thousand and more but less than two hundred and fifty thousand inhabitants shall be twelve thousand dollars ($12,000) in judicial districts having a population of sixty-five thousand or more and less than one hundred thousand inhabitants shall be ten thousand dollars ($10,000) in judicial districts having a population of less than sixty-five thousand inhabitants shall be nine thousand dollars ($9.000)] one hundred thousand and less than five hundred thousand shall be ten thousand dollars ($10,000) in judicial districts having a population of sixty-five thousand and less than one hundred thousand the annual salary of each of the judges of the court of common pleas learned in the law shall be eight thousand dollars ($8,000) in judicial districts having a population of less than sixty-five thousand the annual salary of each of the judges of the court of common pleas learned in the law shall be seven thousand dollars ($7,000) The amounts of the salaries to be paid under this paragraph in the respective judicial districts shall be determined and fixed according to the population of such districts as ascertained by reference from time to time to the last preceding decennial United State census

Section 4 That section seven of said act is hereby amended to read as follows

Section 7 The annual salary of the President Judge of the Municipal Court of Philadelphia shall be [ten thousand five hundred dollars ($10,500)] eight thousand five hundred dollars ($8,500) and the annual salary of each of the other judges of said court shall be [ten thousand dollars ($10,000)] eight thousand dollars ($8,000)

Section 5 That section eight of said act is hereby amended to read as follows

Section 8 The annual salary of the President Judge of the County Court of Allegheny County shall be [ten thousand five hundred dollars ($10,500)] eight thousand five hundred dollars ($8,500) and the annual salary of each of the other judges of said court shall be [ten thousand dollars ($10,000)] eight thousand dollars ($8,000)

Section 6 That section nine of said act as amended by the act approved the sixth day of May one thousand nine hundred and thirty-one (Pamphlet Laws ninety-seven) entitled "An act to amend section nine of the act approved the sixteenth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred eighty) entitled "An act to fix the salaries and compensation of the judges of Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' court the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County' fixing the mileage for assigned judges" is hereby further amended to read as follows

Section 9 When any judge learned in the law is called in as now provided by law to assist the judge or judges of any other judicial district such judge so called in shall be entitled to receive for each day he is actually engaged in the performance of such duty the sum of [thirty dollars ($30)] twenty dollars ($20) per day and [ten cents for each mile travelled to and from the place of holding court in such district] care fare

Section 7 The salaries fixed by this act for judges learned in the law shall apply only to judges elected or appointed after the date when this act takes effect All judges now in office shall continue to receive the same salaries during their respective terms of office as were fixed for such office by the act amended by this act

Sction 8 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 583, as follows:

An Act making an appropriation to the several fire companies of the city of Harrisburg Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of four thousand five hundred dollars ($4,500) or so much thereof as may be necessary is hereby specifically appropriated for the several fire companies of the city of Harrisburg Pennsylvania as compensation for protection from and extinguishment of any fire or fires that may occur in or on the Capitol building or grounds for the two fiscal years beginning June first one thousand nine hundred and thirty-three Said sum to be distributed among said companies in equal amounts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1612, as follows:

An Act making an appropriation to the Trustees of Temple University of Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five hundred thirty-four thousand six hundred dollars ($534,600) or so much thereof as may be necessary is hereby specifically appropriated to the Trustees of Temple University at Philadelphia for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the general maintenance of the University and the purchase of such apparatus and equipment as the Trustees may deem necessary for the best interests of the University

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 425, as follows:

An Act making an appropriation to The Glen Mills Schools for Boys situate in Delaware County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of Two hundred and forty-three thousand dollars ($243,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to The Glen Mills Schools for Boys situate in Delaware County Pennsylvania for the two fiscal years beginning the first day of June Anno Domini one thousand nine hundred and thirty-three for the purpose of maintenance

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 186, as follows:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State Property

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of nine hundred dollars ($900) is hereby specifically appropriated to the Cresson Volunteer Fire

Company for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the protection of State property at the Cresson Sanitarium

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 503, as follows:

An Act making an appropriation to the Johnson Industrial School of Scranton Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of Forty thousand five hundred dollars ($40,500) is hereby specifically appropriated to the Johnson Industrial School of Scranton Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for maintenance and the purchase of supplies and equipment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 416, as follows:

An Act making an appropriation to the Board of Commissioners of Navigation for the River Delaware and its Navigable Tributaries

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eighty-one thousand dollars ($81,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Board of Commissioners of Navigation for the River Delaware and its Navigable Tributaries together with such other moneys as may be received by the State from the Federal Government in accordance with the Act of Congress of March fourth one thousand nine hundred and eleven for the maintenance of a nautical school located at the Port of Philadelphia and the State Treasurer is hereby authorized to pay the same to the Commissioners in equal quarterly payments during the two fiscal years commencing on the first day of June one thousand nine hundred and thirty-three said payments to be made upon the warrant of the Auditor General drawn upon the State Treasurer upon requisition of the Commissioners approved by the Superintendent of Public Instruction

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1138, as follows:

An Act making an appropriation for the purchase of a history of the One Hundred and Ninth Field Artillery of the Pennsylvania National Guard and providing for the distribution thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one thousand one hundred dollars ($1,100) or so much thereof as may be necessary is hereby specifically appropriated to the Department of State of the Commonwealth for the purpose of purchasing certain histories of the One Hundred and Ninth Field Artillery of the Pennsylvania National Guard published by the Wyoming Historical and Geological Society of Wilkes-Barre covering the period from one thousand seven hundred and seventy-five to one thousand nine hundred and thirty-two containing a narrative history of the regiment and its muster rolls in the Revolution the War of one thousand eight hundred twelve the War with Mexico the Civil War the Spanish American War and the World War and distributing the same as hereafter provided Payment shall be made from such appropriation upon requisition of the Secretary of the Commonwealth upon the Auditor General

Section 2 Whenever the Governor Auditor General and Adjutant General of the Commonwealth are satisfied that said history is of sufficient reliability and importance to justify the purchase of copies as herein provided and to contain a complete roster of the organizations corrected to the date of publication the Secretary of the Commonwealth with the approval of the Governor Auditor General and Adjutant General and at a price fixed by them shall purchase four hundred copies of such history the price thereof not to exceed two dollars and seventy-five cents ($2.75) per copy Provided That the total amount expended shall not exceed the sum of one thousand one hundred dollars ($1,100)

Section 3 The volumes purchased as aforesaid shall be distributed as follows One copy to the office of the Secretary of the Commonwealth one to the office of the Adjutant General of each State and territory of the United States one to the library of each college in the State one to each historical society in the State one to each library of each State and territory in the United States one to each Regimental or similar headquarters of the Pennsylvania National Guard five to the Third Corps Area five to the Militia Bureau five to the Adjutant of the Army five to the Historical Section of the General Staff of the United States Army Washington District of Columbia and the balance to be placed in the State Library of Pennsylvania for the purpose of exchange

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 615, as follows:

An Act making an appropriation to the Moore Institute of Art Science and Industry (Philadelphia School of Design for Women) at Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of same That the sum of thirty-six thousand dollars ($36,000) or so much thereof as may be necessary is hereby specifically appropriated to the Moore Institute of Art Science and Industry (Philadelphia School of Design for Women) at Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for general maintenance Provided That in such school there shall be maintained a free scholarship for one pupil of each county in the State to be filled by appointment of the Governor of the Commonwealth except that for counties having more than one Senator as many scholarships shall be provided as there are senatorial districts in such counties and in the case of the failure of any county to be properly represented by an appointee or appointees at the opening of any school year October first then the Governor shall have the power to fill such vacancy or vacancies by the appointment of applicants from other counties of the State In each quarterly statement by the board of directors of the said institution to the Auditor General shall be included a statement of the names and residences of all pupils filling free scholarships as provided by this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 705, as follows:

An Act making an appropriation to the Trustees of the University of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one million three hundred thirty-six thousand five hundred dollars ($1,336,500) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Trustees of the University of Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the general maintenance of the University and the purchase of such apparatus and equipment as the trustees may deem necessary for the best interests of the University of Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No 1580, as follows:

An Act empowering and directing the State Emergency Relief Board to establish operate and maintain camps in or adjacent to State forest lands to shelter unmarried unemployed men and homeless and migratory men and youths and to employ such men and youths in useful labor and making an appropriation to carry this act into effect

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the State Emergency Relief Board is hereby empowered and directed to cause to be established and to operate and maintain camps in or adjacent to State forest lands and to shelter and board in such camps unmarried unemployed men without family responsibility and who are legally settled in this Commonwealth and homeless and migratory men pending their return to the State where legally settled The board may also establish a camp or camps for migratroy and homeless youths under the age of twenty-one years in order that such youths may be housed and be taken from the built-up sections of this State and put to useful work pending their return to the State in which legally settled Homeless youths resident in this State may be housed in such camps The men and youths for such camps shall be selected on an equitable basis from all of the counties of this Commonwealth in such manner as the State Emergency Relief Board may provide

Section 2 The camps shall be originally established with tents until the men and youths selected have been able to erect suitable barracks or other structures for their own shelter and convenience All men and youths selected for such camps shall be provided with food clothing bedding shelter and medical care and shall be employed in preparing fire wood for needy families clearing underbrush estalbishing fire lanes planting trees building log huts for campers and in other useful work on State forest and State park lands No restrictions beyond ordinary discipline shall prevail in any such camp

The men and youths selected and employed as herein provided who are settled in this State shall be entitled to a wage for the labor to be performed to be fixed by the State Emergncy Relief Board not exceeding five dollars per month

The migratory men and migratory youths housed in such camps who are not settled in this State shall receive only such compensation as the State Emergency Relief Board deems necessary but shall receive a credit for the labor performed and when a sufficient amount has been credited shall be provided with transportation to the place where settled

Section 3 The State Emergency Relief Board shall have power to adopt and enforce suitable rules and regulations for the operation and maintenance of camps The Department of Forests and Waters shall under the supervision of the board operate such camps and plan and supervise the work of the men The board may employ supervisors and other assistants for such camps to assist the department and fix their compensation The board may also hire unemployed men residing in the vicinity of such camps and fix their wages payable from the appropriation made by this act It shall have power to dismiss from any camp without pay any person whose presence in any such camp is deemed objectionable or where the dismissal is deemed to be for the best interests for the orderly conduct or efficient operation and management of any such camp and it shall have all powers to take such necessary steps as may be deemed proper to establish operate and maintain said camps in accordance with the provisions of this act

Section 3 The sum of three million five hundred thousand dollars ($3,500,000) is hereby specifically appropriated to the State Emergency Relief Board for the establishment operation and maintenance of the camps provided for in this act for the payment for food clothing bedding medical and hospital care for tools implements lumber and accessories for the compensation of supervisors and assistants for wages for transportation expenses and for any and all other incidental expenses deemed necessary and proper by the board in carrying into effect the provisions of this act Provided however That the appropriation made by this act shall be contingent upon the receipt of sufficient revenues for the General Fund from a bond issue to defray the expenses of the Commonwealth or from loans or transfers from the Motor License Fund or from other sources so as at all times to keep said General Fund balanced and avoid the incurring of any deficiency and in case at any time there are insufficient moneys in the General Fund or estimated to be collected in the biennium for the General Fund to meet the appropriation made by this act and a deficiency will or is likely to occur at the end of the fiscal biennium then and in that event no moneys shall be paid out by the Auditor General and the State Treasurer under the appropriation made by this act

The State Emergency Relief Board is hereby authorized to add to the moneys appropriated by this act for the establishment operation and maintenance of any such camps any Federal moneys availabel for such purposes not less during the next fiscal biennium than the sum of one million five hundred thousand dollars ($1,500,000) if so much shall be available and such Federal moneys may be expended by the State Emergency Relief Board in the same manner as the moneys appropriated by this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. RICE asked and obtained unanimous consent to have House Bill No. 397 (Senate Bill No. 62) passed over for the present in order to offer amendments.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2070 (Senate Bill No. 670), entitled:

An Act to amend section one of act number three hundred twenty-nine-A, approved the fifteenth day of May, one thousand nine hundred twenty-nine (Appropriation Acts of One Thousand Nine Hundred Twenty-nine, page one hundred sixty-one), entitled "An act making an appropriation to the Department of Property and Supplies for the purchase or condemnation of additional lands for the Commonwealth of Pennsylvania," by extending the scope of the appropriation to the Department of Property and Supplies for the purchase or

condemnation of additional lands for the State Military Reservation, and ratifying certain expenditures heretofore made by said department.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1260, as follows:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the General maintenance of and the purchase of apparatus and equipment for the University of Pittsburgh and for the maintenance of teaching facilities in hospitals for students in the School for Medicine

Section I Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one million sixty-nine thousand two hundred ($1,069,200) dollars or so much thereof as may be necessary is hereby specifically appropriated to the Trustees of the University of Pittsburgh for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the general maintenance of the University of Pittsburgh and the purchase of such apparatus and equipment as the Trustees may deem necessary for the best interests of the University of Pittsburgh including maintenance of teaching facilities in hospitals for students in the School of Medicine of the University of Pittsburgh including the Maternity Dispensary and other dispensaries

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideratio nof House Bill No. 415, as follows:

An Act making an appropriation to the Board of Commissioners of Navigation for the River Delaware and its Navigable Tributaries

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of sixty-one thousand two hundred dollars ($61,200) or so much thereof as may be necessary is hereby specifically appropriated to the Board of Commissioners of Navigation for the River Delaware and its Navigable Tributaries for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the payment of the salaries or other compensation of such secretary statistician captains pilots engineers clerks stenographer harbor masters messengers firemen deckhands and cooks required for the proper conduct of the work of the Commissioners including the operation of a steam tender for the cost of repairs maintenance supplies fuel insurance oil and equipment of such steam tender and for the payment of the rent and care of the offices stationery telephone services subscription to Maratime Exchange books charts and official and incidental expenses of the commission

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

The SPEAKER. The remaining bills on the second reading calendar are not on file and will not be taken up now.

(SPEAKER TALBOT IN THE CHAIR)

The SPEAKER. The Chair desires to thank the gentleman from Philadelphia, Mr. Bennett, for the able manner in which he handled the desk.

BILL ON SECOND READING

Mr. WILSON asked and obtained unanimous consent to call up out of order from page 12 of today's calendar, House Bill No. 1536, Printer's No. 446, bills on second reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1536, as follows:

An Act to amend the title and to amend section one of the act approved the tenth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws eight hundred seventy-nine) entitled "An act regulating the sale in bulk of fifty-one per centum or more of the stock of goods wares or merchandise of any kind fixtures machinery equipment or real estate by every corporation joint-stock association limited partnership or company providing certain requirements therefor and imposing certain duties upon the seller and buyer and fixing penalties" by extending the provisions of the said act to individuals copartnerships and other unincorporated associations and including notice thereof in the title of said act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title of the act approved the tenth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws eight hundred seventy-nine) entitled "An act regulating the sale in bulk of fifty-one per centum or more of the stock of goods wares or merchandise of any kind fixtures machinery equipment or real estate by every corporation joint-stock association limited partnership or company providing certain requirements therefor and imposing certain duties upon the seller and buyer and fixing penalties" be and the same is hereby amended to read as follows

AN ACT

Regulating the sale in bulk of fifty-one per centum or more of the stock of goods wares or merchandise of any kind fixtures machinery equipment or real estate by every corporation joint-stock association limited partnership or company individual copartnership or other unincorporated association whatever providing certain requirements therefor and imposing certain duties upon the seller and buyer and fixing penalties

Section 2 Section one of the said act is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every corporation joint-stock association limited partnership or company now or hereafter incorporated or organized under the laws of this Commonwealth or under the laws of the United States or any other state and engaged in business in this Commonwealth and every individual copartnership or other unincorporated association whatever engaged in business in this Commonwealth which shall sell in bulk fifty-one per centum or more of any stock of goods wares or merchandise of any kind fixtures machinery equipment buildings or real estate shall give the [Auditor General] Department of Revenue ten days' notice of the sale prior to the completion of the transfer of such property It shall also be the duty of every corporation joint-stock association limited partnership or company and every individual copartnership or other unincorporated association whatever to file all State tax reports with the [Auditor General] Department of Revenue to the date of such proposed transfer of property and pay all taxes due the Commonwealth to said date The seller shall present to the purchaser of such property a certificate from the [Auditor General] Department of Revenue showing that all State tax reports have been filed and all State taxes paid to the date of the proposed transfer The failure of the purchaser to require this certificate shall render such purchaser liable to the Commonwealth for the unpaid taxes owing by the seller or transferer Provided further That nothing contained in this act shall apply to sales made under any order

of court or to any sales made by assignees for the benefit of creditors executors administrators receivers or any public officer in his official capacity or by any officer of a court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The newspapermen are holding a dinner at the Penn-Harris tonight, and they request that we dispatch our business so that we may adjourn today at 4 P. M. to give them an opportunity to finish their work and to make the necessary preparations incidental to the dinner.

If there are no objections on the part of the membership, it is the opinion of the Chair that we should work until one thirty, declare a recess for one hour, reconvene at two thirty P. M. and work until four P. M. That will be the procedure if there are no objections on the part of the House.

After a conference at the desk with some of the committee chairmen it has been suggested that we work through until two o'clork and that we then declare a recess for one hour, reconvene at three o'clock and work until four o'clock.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1783, entitled:

An Act to amend the act approved the second day of April, one thousand nine hundred and twenty-five (Pamphlet Laws, one hundred twenty-two), entitled "An act to authorize the Superintendent of Public Instruction to fix and to collect reasonable fees for certain services rendered by that Department" by authorizing the Department of Public Instruction to collect a fee for issuing certificates to teachers.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. RUTH. Mr. Speaker and ladies and gentlemen of the House, I do not desire to be understood as opposing the most commendable work that was performed by the committee of this House, but I feel in justice to my constitutents I must arise to oppose this bill.

Just a few days ago we made it possible for the teachers to have their salaries cut either ten per cent or lower and now we come back and ask to take more from the teachers by requiring them to pay for the services which the State forces them to get and I believe in justice to the teachers we ought to vote this bill down.

BILL POSTPONED

Mr. PHILIP STERLING. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1787, entitled:

An Act to further amend section 1201 of the act approved the twenty-fourth day of May, one thousand nine hundred and twenty-three (Pamphlet Laws, three hundred fifty-nine) entitled, "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto;" by making the moneys in the Game Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BERNHARD. Mr. Speaker, this bill provides for the transfer of certain monies in the Game Fund to the General Fund. I think that that would be entirely improper and believe that this bill should be defeated.

Mr. JONES. Mr. Speaker, this bill is not on my file.

The SPEAKER. Inasmuch as this bill is not on file it will be passed over for the present.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2061, entitled

An Act providing for the transfer of the State Nursery at Milton from the Department of Highways to the Department of Forests and Waters

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—191

Andrews,	Greenstein,	McCreary,	Scott,
Baldi,	Griffith,	McElwee,	Sheffer,
Barnhardt,	Habbyshaw,	McGinnis,	Shellenberger,
Bechtel,	Haines,	McGrail,	Shenkel,
Beech,	Harmuth,	McGregor,	Shettel,
Bennett,	Harris,	McHenry,	Shortz,
Bernhard,	Hart,	McKay,	Shugarts,
Blumberg,	Hartman,	McKinney,	Simon,
Boyd,	Heffernan,	Melchiorre,	Sinwell,
Brancato,	Hefferon,	Metzler,	Snyder,
Brennan,	Heffner,	Mohn,	Sowers,
Brown, J. E.,	Hermansen,	Moore,	Spann,
Brown, W. L.,	Hester,	Mumford,	Stank,
Cannon,	Hewitt,	Munley,	Steedle,
Caputo,	Himes, L. R.,	Myers,	Sterling, P.,
Carey,	Hoffman,	Negley,	Stevens,
Carson,	Holmes, J. B.,	Nothnagle,	Stiteler,
Chervenak,	Holmes, J. L.,	O'Connor,	Stone,
Cohen,	Hoopes,	O'Keefe,	Storb,
Conner,	Horst,	O'Neill,	Stott,
Cooke,	Hough,	O'Rourke,	Surface,
Cordier,	Howard,	Patterson,	Terry,
Craig,	Hutton,	Peelor,	Turner,
Cramer,	Jaffe,	Pennock,	Wade,
Dane,	Jones,	Perry, D. R.,	Wagner,
Davies,	Kane, J. J.,	Perry, J. J.,	Walker, G. E.,
DeFrehn,	Kane, L. P.,	Peters,	Walker, W. A.,
Denning,	King,	Powell,	Wall,
Downey, G. E.,	Kinney,	Powers,	Wasserman,
Downey, J.,	Labar,	Price,	Way,
Duffy,	Lane,	Quinn,	Weidemann,
Dunmire,	Laubach,	Raub,	Welsh,
Dwyer,	Lenahan,	Rectenwald,	Westrick,
Ederer,	Lewis,	Reed,	White,
Emhardt,	Long,	Reilly,	Wike,
Eroe,	Lord,	Rhodes,	Williams, G. W.,
Evans,	Lose,	Rice,	Williams, J. J.,
Fitzgerald,	Lovett, J. E.,	Roan,	Wilson, L. M.,
Flanagan,	Lovett, W. S.,	Root,	Wilson, T. B.,
Fleisher,	Lynch, J. R.,	Roth,	Witkin,
Flinchbaugh	Lynch, M.,	Royle,	Wood,
Flynn,	Male,	Ruby,	Woodside,
Forrest,	Maloney,	Sarig,	Wright,
Gallagher,	Marcks,	Sautter,	Yeakel,

Gartner,	Mason,	Schrock,	Yourishin,
Gillette,	McBride,	Schwab,	Zimmerman,
Gorman,	McCandless,	Schwartz,	Talbot,
Green,	McClure,	Scorza,	Speaker.

NAYS—1

Baker,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. JOSEPH R. LYNCH. Mr. Speaker, I desire to call up at this time House Bill No. 902, Printer's No. 142, from page 53 of today's calendar, bills on third reading postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Joseph R. Lynch.

The House resumed the consideration on third reading of House Bill No. 902, entitled:

An Act to amend the title and sections one and three of the act approved the fourteenth day of April one thousand nine hundred and thirty-one (Pamphlet Laws thirty-eight) entitled "An act regulating the removal or dismissal of policemen and firemen in cities of the second class A" extending the provisions of said act to cities of the second class

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—199

Andrews,	Greenstein,	McElwee,	Scott,
Baker,	Griffith,	McGinnis,	Sheffer,
Baldi,	Habbyshaw,	McGrail,	Shellenberger,
Barnhardt,	Haines,	McGregor,	Shenkel,
Bechtel,	Hamilton,	McHenry,	Shettel,
Beech,	Harmuth,	McKay,	Shortz,
Bennett,	Harris,	McKinney,	Shreiner,
Bernhard,	Hart,	Melchiorre,	Shugarts,
Blumberg,	Hartman,	Meredith,	Simon,
Boyd,	Heffernan,	Merrell,	Sinwell,
Brancato,	Hefferon,	Metzler,	Snyder,
Brennan,	Heffner,	Mohn,	Sowers,
Brown, J. E.,	Hermansen,	Moore,	Spann,
Brown, W. L.,	Hester,	Mumford,	Stank,
Brownfield,	Hewitt,	Munley,	Steedle,
Cannon,	Himes, L. R.,	Myers,	Sterling, P.,
Caputo,	Hoffman,	Negley,	Sterling, R. B.,
Carey,	Holmes, J. B.,	Nothnagle,	Stevens,
Carson,	Holmes, J. L.,	O'Connor,	Stiteler,
Chervenak,	Hoopes,	O'Keefe,	Stone,
Cohen,	Hough,	O'Neill,	Storb,
Conner,	Howard,	O'Rourke,	Stott,
Cooke,	Hutton,	Patterson,	Surface,
Cordier,	Jaffe,	Peelor,	Tahl,
Craig,	Jones,	Pennock,	Terry,
Cramer,	Kane, J. J.,	Perry, D. R.,	Turner,
Dane,	Kane, L. P.,	Perry, J. J.,	Wade,
Davies,	King,	Peters,	Wagner,
DeFrehn,	Kinney,	Powell,	Walker, G. E.,
Downey, G. E.,	Labar,	Powers,	Walker, W. A.,
Downey, J.,	Lane,	Price,	Wall,
Duffy,	Laubach,	Quinn,	Wasserman,
Dunmire,	Lenahan,	Raub,	Way,
Dwyer,	Lewis,	Rectenwald,	Weidemann,
Ederer,	Long,	Reed,	Welsh,
Emhardt,	Lord,	Rhodes,	Westrick,
Eroe,	Lose,	Rice,	White,
Evans,	Lovett, J. E.,	Roan,	Wike,
Fitzgerald,	Lovett, W. S.,	Root,	Williams, G. W.
Flanagan,	Lynch, J. R.,	Roth,	Williams, J. J.,
Fleisher,	Lynch, M.,	Royle,	Wilson, L. M.,
Flinchbaugh,	Male,	Ruby,	Wilson, T. B.,
Flynn,	Malina,	Ruth,	Witkin,
Forrest,	Maloney,	Sarig,	Wood,
Furman,	Marcks,	Sautter,	Woodside,
Gallagher,	Mason,	Schrock,	Wright,
Gartner,	McBride,	Schrope,	Yeakel,
Gillette,	McCandless,	Schwab,	Zimmerman,
Gorman,	McClure,	Schwartz,	Talbot,
Green,	McCreary,	Scorza,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

Mr. LONG. Mr. Speaker, I desire to call up at this time House Bill No. 1371, Printer's No. 287, from page 53 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Long,

The House resumed the consideration on final passage of House Bill No. 1371, entitled:

An Act to further amend sections five and six of the act approved the tenth day of June one thousand eight hundred and ninety-three (Pamphlet Laws four hundred nineteen) entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" by increasing the number of signers to nomination papers changing the time for filing same and changing the time for filing objections thereto

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—113

Andrews,	Hamilton,	McElwee,	Shreiner,
Baker,	Harris,	McGregor,	Sowers,
Baldi,	Hart,	McKay,	Spann,
Barnhardt,	Heffernan,	McKinney,	Steedle,
Bechtel,	Hefferon,	Meredith,	Sterling, P.,
Bennett,	Heffner,	Merrell,	Sterling, R. B.,
Bernhard,	Hermansen,	Metzler,	Stevens,
Brennan,	Hewitt,	Moore,	Stiteler,
Carey,	Hoffman,	Myers,	Storb,
Conner,	Holmes, J. L.,	Negley,	Stott,
Cooke,	Hoopes,	Nothnagle,	Tahl,
Cordier,	Horst,	O'Neill,	Terry,
Dane,	Hough,	Patterson,	Turner,
Davies,	Hutton,	Peelor,	Wade,
Denning,	Jaffe,	Pennock,	Weidemann,
Duffy,	Kane, L. P.,	Perry, D. R.,	White,
Dunmire,	King,	Peters,	Wike,
Dwyer,	Labar,	Price,	Williams, G. W.
Ederer,	Laubach,	Rectenwald,	Williams, J. J.,
Emhardt,	Lewis,	Reed,	Wilson, L. M.,
Evans,	Long,	Rice,	Witkin,
Flynn,	Lord,	Roan,	Wood,
Forrest,	Lose,	Root,	Woodside,
Gartner,	Lovett, W. S.,	Roth,	Wright,
Gorman,	Lynch, J. R.,	Ruby,	Yeakel,
Green,	Maloney,	Sautter,	Yourishin,
Greenstein,	Mason,	Schwartz,	Zimmerman,
Habbyshaw,	McBride,	Shellenberger,	Talbot,
Haines,	McCandless,	Shortz,	Speaker.

NAYS—47

Beech,	Eroe,	Lovett, J. E.,	Raub,
Boyd,	Fitzgerald,	Lynch, M.,	Ruth,
Brown, J.E.,	Flanagan,	Male,	Sarig,
Brownfield,	Flinchbaugh,	Marcks,	Schrock,
Cannon,	Furman,	McGinnis,	Schwab,
Caputo,	Gallagher,	Munley,	Shugarts,
Carson,	Hartman,	O'Connor,	Simon.

Chervenak,	Himes, L. R.,	O'Keefe,	Sinwell,
Cohen,	Holmes, J. B.,	Perry, J. J.,	Stank,
Cramer,	Kane, J. J.,	Powell,	Wagner,
Downey, G. E.,	Lane,	Powers,	Westrick,
Downey, J.,	Lenahan,	Quinn,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

Mr. YOURISHIN. Mr. Speaker, I desire to call up at this time House Bill No. 1157, Printer's No. 301, from page 54 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Yourishin,

The House resumed the consideration on final passage of House Bill No. 1157, entitled:

An Act to amend section three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred thirty-one) entitled "An act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners providing for the appointment and removal of inspectors of anthracite mines prescribing their qualifications and regulating their salaries and term of office and abolishing the terms of office of the present mine inspectors of the anthracite mines" by defining the term "coal miners"

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—196

Andrews,	Griffith,	McGinnis,	Scott,
Baker,	Habbyshaw,	McGrail,	Sheffer,
Baldi,	Haines,	McGregor,	Shellenberger,
Barnhardt,	Hamilton,	McHenry,	Shettel,
Bechtel,	Harmuth,	McKay,	Shortz,
Beech,	Harris,	McKinney,	Shreiner,
Bennett,	Hart,	Melchiorre,	Shugarts,
Bernhard,	Hartman,	Meredith,	Simon,
Boyd,	Heffernan,	Merrell,	Sinwell,
Brancato,	Hefferon,	Metzler,	Snyder,
Brennan,	Heffner,	Mohn,	Sowers,
Brown, J. E.,	Hermansen,	Moore,	Spann,
Brown, W. L.,	Hewitt,	Mumford,	Stank,
Brownfield,	Himes, L. R.,	Munley,	Steedle,
Cannon,	Hoffman,	Myers,	Sterling, P.
Caputo,	Holmes, J. B.,	Negley,	Sterling, R. B.,
Carey,	Holmes, J. L.,	Nothnagle,	Stevens,
Carson,	Hoopes,	O'Connor,	Stiteler,
Chervenak,	Horst,	O'Keefe,	Stone,
Cohen,	Hough,	O'Neill,	Storb,
Conner,	Howard,	O'Rourke,	Stott,
Cooke,	Hutton,	Patterson,	Surface,
Cordier,	Jaffe,	Peelor,	Tahl,
Craig,	Jones,	Pennock,	Terry,
Cramer,	Kane, J. J.,	Perry, D. R.,	Turner,
Dane,	Kane, L. P.,	Perry, J. J.,	Wade,
Davies,	King,	Peters,	Wagner,
DeFrehn,	Kinney,	Powell,	Walker, G. E.,
Denning,	Labar,	Price,	Walker, W. A.,
Downey, J.,	Lane,	Quinn,	Wall,
Duffy,	Laubach,	Raub,	Wasserman,
Dunmire,	Lenahan,	Rectenwald,	Way,
Dwyer,	Lewis,	Reed,	Weidemann,
Ederer,	Long,	Reilly,	Welsh,
Embhardt,	Lord,	Rhodes,	Westrick,
Eroe,	Lose,	Rice,	White,
Evans,	Lovett, J. E.,	Roan,	Wike,
Fitzgerald,	Lovett, W. S.,	Root,	Williams, G. W.,
Flanagan,	Lynch, J. R.,	Roth,	Williams, J. J.,
Fleisher,	Lynch, M.,	Royle,	Wilson, L. M.,
Flinchbaugh,	Male,	Ruby,	Wilson, T. B.,
Flynn,	Maloney,	Ruth,	Witkin,
Forrest,	Marcks,	Sarig,	Wood,
Furman,	Mason,	Sautter,	Woodside,
Gartner,	McBride,	Schrock,	Wright,
Gillette,	McCandless,	Schrope,	Yeakel,
Gorman,	McClure,	Schwab,	Yourishin,
Green,	McCreary,	Schwartz,	Zimmerman,
Greenstein,	McElwee,	Scorza,	Talbot, Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. JONES. Mr. Speaker, the next seventeen bills are not on the calendar. The first bill on the calendar that is on our files is on page 28, House Bill No. 1788.

The SPEAKER. The bills that are not on file will be passed over for the present.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1788, entitled:

An Act to further amend sections three and four of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand forty-six) entitled "An act appropriating the moneys in the Motor License Fund" by making the moneys in the Motor License Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—197

Andrews,	Greenstein,	McCreary,	Shellenberger,
Baldi,	Griffith,	McElwee,	Shenkel,
Barnhardt,	Habbyshaw,	McGinnis,	Shettel,
Bechtel,	Haines,	McGrail,	Shortz,
Beech,	Hamilton,	McGregor,	Shreiner,
Bennett,	Harmuth,	McHenry,	Shugarts,
Bernhard,	Harris,	McKay,	Simon,
Blumberg,	Hart,	McKinney,	Sinwell,
Boyd,	Hartman,	Melchiorre,	Snyder,
Brancato,	Heffernan,	Meredith,	Sowers,
Brennan,	Hefferon,	Merrell,	Spann,
Brown, J. E.,	Heffner,	Metzler,	Stank,
Brown, W. L.,	Hermansen,	Mohn,	Steedle,
Brownfield,	Hester,	Moore,	Sterling, P.,
Cannon,	Hewitt,	Mumford,	Sterling, R. B.,
Caputo,	Himes, L. R.,	Myers,	Stevens,
Carey,	Hoffman,	Negley,	Stiteler,
Chervenak,	Holmes, J. B.,	Nothnagle,	Stone,
Cohen,	Holmes, J. L.,	O'Connor,	Storb,
Conner,	Hoopes,	O'Keefe,	Stott,
Cooke,	Horst,	O'Neill,	Surface,
Cordier,	Hough,	O'Rourke,	Tahl,
Craig,	Howard,	Patterson,	Terry,
Cramer,	Hutton,	Peelor,	Turner,
Dane,	Jaffe,	Pennock,	Wade,
Davies,	Jones,	Perry, D. R.,	Wagner,
DeFrehn,	Kane, J. J.,	Perry, J. J.,	Walker, G. E.,
Denning,	Kane, L. P.,	Peters,	Walker, W. A.,
Downey, G. E.,	King,	Powell,	Wall,
Downey, J.,	Kinney,	Price,	Wasserman,
Duffy,	Labar,	Quinn,	Way,
Dunmire,	Lane,	Raub,	Weidemann,
Dwyer,	Laubach,	Rectenwald,	Welsh,

Ederer,	Lenahan,	Reed,	Westrick,
Emhardt,	Lewis,	Reilly,	White,
Eroe,	Long,	Rhodes,	Wike,
Evans,	Lord,	Rice,	Williams, G. W.,
Fitzgerald,	Lose,	Roan,	Williams, J. J.,
Flanagan,	Lovett, J. E.,	Roth,	Wilson, L. M.,
Fleisher,	Lovett, W. S.,	Royle,	Wilson, T. B.,
Flinchbaugh	Lynch, J. R.,	Ruby,	Witkin,
Flynn,	Male,	Ruth,	Wood,
Forrest,	Malina,	Sarig,	Woodside,
Furman,	Maloney,	Sautter,	Wright,
Gallagher,	Marcks,	Schrock,	Yeakel,
Gartner,	Mason,	Schwartz,	Yourishin,
Gillette,	McBride,	Scorza,	Zimmerman,
Gorman,	McCandless,	Scott,	Talbot,
Green,	McClure,	Sheffer,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1789, entitled:

An Act to further amend paragraph (a) of section nine of the act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled "An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing the Banking Department Act of nineteen hundred and nineteen with table of contents" by making the moneys in the Banking Department Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments

And said bill having been read at length the third time, considered and agreed to.

Shall the bill pass finally?

On the question,

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—196

Andrews,	Griffith,	McElwee,	Sheffer,
Baldi,	Habbyshaw,	McGinnis,	Shellenberger,
Barnhardt,	Hanies,	McGrail,	Shenkel,
Bechtel,	Hamilton,	McGregor,	Shettel,
Beech,	Harmuth,	McHenry,	Shortz,
Bennett,	Harris,	McKay,	Shreiner,
Bernhard,	Hart,	McKinney,	Shugarts,
Blumberg,	Hartman,	Melchiorre,	Simon,
Boyd,	Heffernan,	Meredith,	Sinwell,
Brancato,	Hefferon,	Merrell,	Snyder,
Brennan,	Heffner,	Metzler,	Sowers,
Brown, J. E.,	Hermansen,	Mohn,	Spann,
Brown, W. L.,	Hester,	Moore,	Stank,
Brownfield,	Hewitt,	Mumford,	Steedle,
Cannon,	Himes, L. R.,	Munley,	Sterling, P.,
Caputo,	Hoffman,	Myers,	Sterling, R. B.,
Carey,	Holmes, J. B.,	Negley,	Stevens,
Carson,	Holmes, J. L.,	Nothnagle,	Stiteler,
Chervenak,	Hoopes,	O'Connor,	Stone,
Cohen,	Horst,	O'Keefe,	Storb,
Conner,	Hough,	O'Neill,	Stott,
Cooke,	Howard,	O'Rourke,	Surface,
Cordier,	Hutton,	Patterson,	Tahl,
Craig,	Jaffe,	Peelor,	Terry,
Cramer,	Kane, J. J.,	Pennock,	Turner,
Dane,	Kane, L. P.,	Perry, D. R.,	Wade,
Davies,	King,	Perry, J. J.,	Wagner,
DeFrehn,	Kinney,	Peters,	Walker, G. E.,
Downey, G. E.,	Labar,	Powell,	Walker, W. A.,
Downey, J.,	Lane,	Price,	Wall,
Duffy,	Laubach,	Quinn,	Wasserman,
Dunmire,	Lenahan,	Raub,	Way,
Dwyer,	Lewis,	Rectenwald,	Weidemann,
Ederer,	Long,	Reed,	Westrick,
Emhardt,	Lord,	Reilly,	White,
Eroe,	Lose,	Rhodes,	Wike,
Evans,	Lovett, J. E.,	Rice,	Williams, G. W.,
Fitzgerald,	Lovett, W. S.,	Roan,	Williams, J. J.,
Flanagan,	Lynch, J. R.,	Root,	Wilson, L. M.,
Fleisher,	Lynch, M.,	Roth,	Wilson, T. B.,
Flinchbaugh,	Male,	Royle,	Witkin,
Flynn,	Malina,	Ruth,	Wood,
Forrest,	Maloney,	Sarig,	Woodside,
Furman,	Marcks,	Sautter,	Wright,
Gallagher,	Mason,	Schrock,	Yeakel,
Gartner,	McBride,	Schrope,	Yourishin,
Gillette,	McCandless,	Schwab,	Zimmerman,
Green,	McClure,	Schwartz,	Talbot,
Greenstein,	McCreary,	Scott,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1850, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds" by prohibiting the issuance of certain registration plates unless applier for on a form prescribed and furnished by the department and accompanied by an extra fee

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. SOWERS. Mr. Speaker, I move that this bill be placed upon the postponed calendar. I have spoken to the sponsor of the bill about this action.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1033, entitled:

An Act to amend section seven hundred twenty-two, of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; regis-

tration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts, and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporaetd towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as amended, exempting certain veterans' organizations from payment of fees for registration and certificates of titles of motor vehicles owned and used by them.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. SOWERS. Mr. Speaker, I move that this bill be placed on the postponed calendar until tomorrow.

On the question,

Will the House agree to the motion?

Mr. QUINN. Mr. Speaker, the sponsor of this bill would like to ascertain from the gentleman from Philadelphia, Mr. Sowers, for what purpose he desires the bill postponed.

Mr. Speaker, I desire to interrogate the gentleman.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Sowers, permit himself to be interrogated?

Mr. SOWERS. Mr. Speaker, I will. I think I will have a very satisfactory amendment which I will suggest to the sponsor and which I think he will approve; it will be ready tomorrow.

Mr. QUINN. Mr. Speaker, the sponsor of the bill will stand for that in view of his experience with the gentleman from Philadelphia, Mr. Sowers, on the liquor control bill.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1662, entitled:

An Act to further amend section 14 of an act approved the thirteenth day of May, one thousand nine hundred and fifteen (Pamphlet Laws, two hundred eight-six), entitled "An act to provide for the health, safety and welfare of minors; by forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted, providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school districts and police officers; and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith" by requiring minors or their parents or guardians to pay to physicians a fee not in excess of one dollar ($1.00) for physical examinations made in connection with certificates of physical fitness required by the act.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TAHL. Mr. Speaker, I would like to ask to have the sponsor of this bill explain it to us.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Sterling, explain the provisions of this bill.

Mr. PHILLIP STERLING. Mr. Speaker and members of the House, under existing law the fee paid to physicians for the examination of minors as to their physical fitness for industrial employment under the employment laws are paid by the counties to physicians. In order to relieve the counties of that burden and expense, it was the feeling of the committee that that fee should be paid by the parents of the minor child.

Mr. HERMANSEN. Mr. Speaker and members of the House, I quesiton the wisdom of this legislation at this time. I don't believe that we should add any additional burden on people who we know in many instances are unable to pay the fee and for that reason I think I will have to be opposed to this bill.

Mr. WADE. Mr. Speaker, I would like to interrogate one of the sponsors of the bill.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Sterling, permit himself to be interrogated further?

Mr. WADE. Mr. Speaker, I desire to ask if this bill were enacted into law, would it require the school child who is examined to pay the fee stipulated in the bill?

Mr. PHILLIP STERLING. Mr. Speaker and members of the House, under this bill it would require either the minor or the parents of the minor to pay the fee, limited to one dollar.

Mr. JOHN J. KANE. Mr. Speaker and members of the House, inasmuch as the majority of the school children today are children of the working classes of people who have no employment, I believe that the passage of this bill at this time would add to the burdens of the parents. While I can recognize that it would take care of some of the financial obligations of the counties, I don't believe the parents of the majority of the school children today are in a position to meet this obligation.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—7

Flynn,	Price,	Sterling,	Wike,
Perry, J. J.,	Steedle,	Stott,	

NAYS—146

Andrews,	Gillette,	Male,	Schwartz,
Baker,	Gorman,	Maloney,	Sheffer,
Baldi,	Green,	Marcks,	Shellenberger,
Barnhardt,	Griffith,	McBride,	Shettel,
Bechtel,	Habbyshaw,	McCandless,	Shortz,
Beech,	Haines,	McCreary,	Shreiner,
Bennett,	Hamilton,	McGinnis,	Shugarts,
Bernhard,	Harmuth,	McGrail,	Simon,

Boyd,	Harris,	McGregor,	Sinwell,
Brennan,	Hart,	McKay,	Snyder,
Brown, J.E.,	Hartman,	McKinney,	Sowers,
Brown, W. L.,	Heffernan,	Melchiorre,	Spann,
Brownfield,	Heffner,	Mohn,	Stank,
Caputo,	Hermansen,	Mumford,	Sterling, R. B.,
Carey,	Hester,	Myers,	Stevens,
Carson,	Hewitt,	Negley,	Stone,
Chervenak,	Himes, L. R.,	O'Connor,	Storb,
Cohen,	Holmes, J. B.,	O'Keefe,	Surface,
Cooke,	Holmes, J. L.,	O'Neill,	Terry,
Cordier,	Hoopes,	O'Rourke,	Turner,
Cramer,	Hough,	Patterson,	Wade,
Dane,	Howard,	Peelor,	Wagner,
Davies,	Hutton,	Pennock,	Wall,
Denning,	Jones,	Perry, D. R.,	Wasserman,
Downey, G. E.,	Kane, J. J.,	Powell,	Way,
Duffy,	Kane, L. P.,	Powers,	Weidemann,
Dunmire,	King,	Reed,	Welsh,
Dwyer,	Kinney,	Rhodes,	Westrick,
Ederer,	Lane,	Roan,	Wood
Eroe,	Laubach,	Roth,	Woodside,
Evans,	Lenahan,	Ruby,	Wright,
Fitzgerald,	Long,	Ruth,	Yeakel,
Flanagan,	Lord,	Sarig,	Yourishin,
Fleisher,	Lose,	Sautter,	Zimmerman,
Forrest,	Lovett, J. E.,	Schrock,	Talbot,
Furman,	Lovett, W. S.,	Schrope,	Speaker.
Gallagher,	Lynch, M.,	Schwab,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1663, entitled:

An Act to amend section 2 of the act approved the twenty-second day of June; one thousand nine hundred and thirty-one (Pamphlet Laws, six hundred eighty-two) entitled "An act relating to domestic animals, and providing for their appraisement when about to be slaughtered to prevent the spread of diseases; and regulating payment by the Commonwealth in such cases, and the payment of salvage by butchers" by reducing the amount of compensation payable by the Commonwealth for bovine animals destroyed to prevent the spread of disease.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. PHILIP STERLING. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1440, entitled:

An Act to amend section one of the act approved the eleventh day of June one thousand eight hundred and seventy-nine (Pamphlet Laws one hundred forty-eight) entitled "An Act to require all magistrates and other officials in cities of the first second and third class authorized to take acknowledgments and administer oaths to perform such service free of charge for soldiers and widows of soldiers when making affidavit to papers for the purpose of drawing pensions" by extending the provisions of said act to include bonuses compensation and war risk insurance and extending the application of the act to all political subdivisions of the State

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—198

Andrews,	Greenstein,	McGinnis,	Sheffer,
Baker,	Griffith,	McGrail,	Shellenberger,
Baldi,	Habbyshaw,	McGregor,	Shenkel,
Barnhardt,	Haines,	McHenry,	Shortz,
Bechtel,	Hamilton,	McKay,	Shreiner,
Beech,	Harmuth,	McKinney,	Shugarts,
Bennett,	Harris,	Melchiorre,	Simon,
Bernhard,	Hart,	Meredith,	Sinwell,
Blumberg,	Hartman,	Merrell,	Snyder,
Boyd,	Heffernan,	Metzler,	Sowers,
Brancato,	Heffner,	Mohn,	Spann,
Brennan,	Hermansen,	Moore,	Stank,
Brown, J. E.,	Hester,	Mumford,	Steedle,
Brown, W. L.,	Hewitt,	Munley,	Sterling, P.,
Brownfield,	Himes, L. R.,	Myers,	Sterling, R. B.,
Caputo,	Hoffman,	Negley,	Stevens,
Carey,	Holmes, J. B.,	Nothnagle,	Stiteler,
Carson,	Holmes, J. L.,	O'Connor,	Stone,
Chervenak,	Hoopes,	O'Keefe,	Storb,
Cohen,	Horst,	O'Neill,	Stott,
Conner,	Hough,	O'Rourke,	Surface,
Cooke,	Howard,	Patterson,	Tahl,
Cordier,	Hutton,	Peelor,	Terry,
Craig,	Jaffe,	Pennock,	Turner,
Cramer,	Jones,	Perry, D. R.,	Wade,
Dane,	Kane, J. J.,	Perry, J. J.,	Wagner,
Davies,	Kane, L. P.,	Peters,	Walker, G. E.,
DeFrehn,	King,	Powell,	Walker, W. A.,
Denning,	Kinney,	Powers,	Wall,
Downey, G. E.,	Labar,	Quinn,	Wasserman,
Downey, J.,	Lane,	Raub,	Way,
Duffy,	Laubach,	Rectenwald,	Weidemann,
Dunmire,	Lenahan,	Reed,	Welsh,
Dwyer,	Lewis,	Reilly,	Westrick,
Ederer,	Long,	Rhodes,	White,
Emhardt,	Lord,	Rice,	Wike,
Eroe,	Lose,	Roan,	Williams, G. W.,
Evans,	Lovett, J. E.,	Root,	Williams, J. J.,
Fitzgerald,	Lovett, W. S.,	Roth,	Wilson, L. M.,
Flanagan,	Lynch, M.,	Ruby,	Wilson, T. B.,
Fleisher,	Male,	Ruth,	Witkin,
Flinchbaugh,	Malina,	Sarig,	Wood,
Flynn,	Maloney,	Sautter,	Woodside,
Forrest,	Marcks,	Schrock,	Wright,
Furman,	Mason,	Schrope,	Yeakel,
Gallagher,	McBride,	Schwab,	Yourishin,
Gartner,	McCandless,	Schwartz,	Zimmerman,
Gillette,	McClure,	Scorza,	Talbot,
Gorman,	McCreary,	Scott,	Speaker.
Green,	McElwee,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2059, entitled:

An Act creating and appropriating a special fund in the State Treasury for the purpose of insuring the Commonwealth against losses of public moneys or securities arising from embezzlement or theft thereof by or the malfeasance of its officers and employes, except the officers and employes of the Treasury Department, prohibiting the purchase of surety bonds for officers and employes covered by fund; and providing for the investment of the moneys in the fund and the ascertainment of losses to be paid out of the fund.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—197

Andrews,	Griffith,	McElwee,	Scott,
Baker,	Habbyshaw,	McGinnis,	Sheffer,
Baldi,	Haines,	McGrail,	Shellenberger,
Barnhardt,	Hamilton,	McGregor,	Shenkel,
Bechtel,	Harmuth,	McHenry,	Shettel,
Beech,	Harris,	McKay,	Shortz,
Bennett,	Hart,	McKinney,	Shreiner,
Bernhard,	Hartman,	Melchiorre,	Shugarts,
Blumberg,	Heffernan,	Meredith,	Simon,
Boyd,	Hefferon,	Merrell,	Sinwell,
Brancato,	Heffner,	Metzler,	Snyder,
Brennan,	Hermansen,	Mohn,	Sowers,
Brown, J. E.,	Hester,	Moore,	Spann,
Brown, W. L.,	Hewitt,	Mumford,	Stank,
Brownfield,	Himes, L. R.,	Munley,	Steedle,
Cannon,	Holmes, J. B.,	Myers,	Sterling, P.,
Caputo,	Holmes, J. L.,	Negley,	Sterling, R. B.,
Carey,	Hoopes,	Nothnagle,	Stevens,
Carson,	Horst,	O'Connor,	Stiteler,
Chervenak,	Hough,	O'Keefe,	Stone,
Cohen,	Howard,	O'Neill,	Storb,
Conner,	Hutton,	Patterson,	Stott,
Cooke,	Jaffe,	Peelor,	Surface,
Cordier,	Jones,	Pennock,	Tahl,
Craig,	Kane, J. J.,	Perry, D. R.,	Terry,
Cramer,	Kane, L. P.,	Perry, J. J.,	Turner,
Dane,	King,	Peters,	Wade,
Davies,	Kinney,	Powell,	Walker, G. E.,
DeFrehn,	Labar,	Powers,	Walker, W. A.,
Denning,	Lane,	Price,	Wall,
Downey, G. E.,	Laubach,	Quinn,	Wasserman,
Downey, J.,	Lenahan,	Rectenwald,	Way,
Duffy,	Lewis,	Reed,	Weidemann,
Dwyer,	Long,	Reilly,	Welsh,
Ederer,	Lord,	Rhodes,	Westrick,
Emhardt,	Lose,	Rice,	White,
Eroe,	Lovett, J. E.,	Roan,	Wike,
Evans,	Lovett, W. S.,	Root,	Williams, G. W.,
Fitzgerald,	Lynch, J. R.,	Roth,	Williams, J. J.,
Flanagan,	Lynch, M.,	Royle,	Wilson, L. M.,
Fleisher,	Male,	Ruby,	Witkin,
Flinchbaugh	Malina,	Ruth,	Wood,
Flynn,	Maloney,	Sarig,	Woodside,
Forrest,	Marcks,	Sautter,	Wright,
Furman,	Mason,	Schrock,	Yeakel,
Gallagher,	McBride,	Schrope,	Yourishin,
Gartner,	McCandless,	Schwab,	Zimmerman,
Gillette,	McClure,	Schwartz,	Talbot,
Gorman,	McCreary,	Scorza,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2060, entitled:

An Act to amend Section 3 of the act approved the thirty-first day of March, one thousand nine hundred and twenty-seven (Pamphlet Laws, ninety-one) entitled "An act relating to municipal indebtedness; imposing certain powers and duties upon the Department of Internal Affairs, and the officers of counties, cities of the third class, boroughs, towns, townships, school districts of the second, third, and fourth classes and poor districts, in connection with proceedings to incur and increase indebtedness; and the establishnig and maintaing of sinking funds; fixing the maximum maturity of refunding bonds; and providing penalties," by authorizing the Department of Internal Affairs to charge and collect fees for examining and approving proceedings relating to municipal indebtedness

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and and nays were taken and were as follows, viz:

YEAS—116

Andrews,	Gillette,	McCreary,	Shenkel,
Baker,	Green,	McElwee,	Shettel,
Baldi,	Greenstein,	McGregor,	Shortz,
Barnhardt,	Haines,	McKinney,	Shreiner,
Bechtel,	Harris,	Meredith,	Simon,
Beech,	Hart,	Merrell,	Snyder,
Bennett,	Heffernan,	Metzler,	Sowers,
Bernhard,	Hewitt,	Moore,	Stank,
Blumberg,	Hoffman,	Myers,	Steedle,
Caputo,	Holmes, J. L.,	Negley,	Sterling, P.,
Carey,	Hoopes,	Nothnagle,	Stiteler,
Carson,	Horst,	Patterson,	Storb,
Cohen,	Hutton,	Pennock,	Stott,
Conner,	Jaffe,	Peters,	Tahl,
Cooke,	Kane, L. P.,	Powers,	Terry,
Cordier,	King,	Price,	Turner,
Craig,	Laubach,	Rectenwald,	Walker, W. A.,
Dane,	Lenahan,	Reed,	Weidemann,
DeFrehn,	Lewis,	Rice,	Welsh,
Denning,	Long,	Roan,	Wike,
Duffy,	Lord,	Root,	Williams, G. W.,
Dunmire,	Lose,	Royle,	Wilson, T. B.,
Dwyer,	Lynch, J. R.,	Schrope,	Witkin,
Ederer,	Male,	Schwab	Wright,
Emhardt,	Malina,	Schwartz,	Yeakel,
Eroe,	Maloney,	Scorza,	Yourishin,
Flanagan,	Marcks,	Scott,	Zimmerman,
Flynn,	McBride,	Sheffer,	Talbot,
Forrest,	McCandless,	Shellenberger,	Speaker.
Gallagher,	McClure,		

NAYS—46

Boyd,	Hester,	O'Neill,	Spann,
Brancato,	Howard,	Peelor,	Sterling, R. B.,
Brownfield,	Jones,	Powell,	Stevens,
Cramer,	Lane,	Raub,	Stone,
Evans,	Lovett, J. E.,	Reilly,	Wagner,
Fitzgerald,	Lynch, M.,	Ruby,	Walker, G. E.,
Flinchbaugh,	McGinnis,	Ruth,	Wall,
Furman,	McGrail,	Sarig,	Way,
Griffith,	McHenry,	Schrock,	Westrick,
Harmuth,	Mohn,	Shugarts,	Wood,
Hartman,	O'Connor,	Sinwell,	Woodside,
Heffner,	O'Keefe,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1669, entitled:

An Act to amend sections 3 and 4 of the act approved the twenty-seventh day of April one thousand nine hundred and eleven (P. L. 110) entitled "An act for the assignment of judges to districts other than their own for the purpose of expediting business with provision for their compensation" by further regulating the assignment of judges to districts other than their own and requiring such judges to itemize their expenses in reports filed with the Auditor General

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SOWERS. Mr. Speaker, I would like to ask the sponsor of this bill to explain the bill to the House.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Sterling, explain the bill to the House.

Mr. PHILIP STERLING. I will, Mr. Speaker. Under the existing laws, the committee in its profound study of the traveling judges situation in Pennsylvania discovered that in innumerable instances judges accepted assignments to serve outside of the districts to which they are elected, and in the districts to which they were elected, and while so serving in

the district and to which they were called, it became necessary for the district in which the judge was elected to invite traveling judges to sit in that district. It therefore was the conclusion of the committee that before a judge should accept or be permitted to accept an invitation to serve in a judicial district other than the one in which he was elected he should certify either that all of the work committed to him for performance in the district to which he was elected had been completed or at least should certify that the accepting of a commission to serve outside of his district would not result in the necessity that the district bring into it a traveling judge.

Mr. SOWERS. Mr. Speaker and members of the House, judges from the country have been very valuable in Philadelphia and have caused a large saving of hundreds and thousands of dollars.

It would seem to me as if the present bill which is before us would interfere with the custom long established and I think that the things that were wrong were merely trifling matters. A judge might have gone from one district to another and have been detained two or three weeks, and while he was away it was necessary to hold court in his district for a day. Take Judge Fineletter who went to some western county to try some cases and they lasted two or three weeks. In that case somebody may have substituted for him two or three days while he was away. I would ask you to vote no on this bill. Our present system works well and saves money.

Mr. ANDREWS. Mr. Speaker and members of the House, I have no doubt that the system works well from the standpoint of the gentleman from Philadelphia. We have grown a little tired in the rural districts of having four judges in counties that are not properly entitled to two and then having three judges outside of the county while our calendars are crowded. We have grown a little tired of paying a judge twelve thousand dollars to sit in the county and then have the gentleman and his colleagues from Philadelphia draw on the State Treasury for five thousand more to get him to try cases because for some reason the Philadelphia judges don't want to try them. The same rule holds in Pittsburgh. They have cases that for reasons best known to themselves in Allegheny County and Philadelphia County they don't want their judges to hear, so they get a judge from the sticks and we pay the cost in delayed justice in our own county.

I have been amazed that the judiciary were not more mindful of their own dignity. The time has come that if these judges are to continue to be addicted to the gypsy habit, then the legislature should correct that, so that no judge be allowed to go outside of his own county until his own calendar is clear. The gentleman from Philadelphia, the sponsor of this bill is one hundred per cent correct.

Mr. PHILIP STERLING. Mr. Speaker and members of the House, before we vote on this measure, I feel that the House is entitled to additional information on the subject. Since 1921, the traveling judge system has cost this Commonwealth eight hundred and thirty-eight thousand odd dollars. In the nineteen month period from June 1, 1931 to December 31, 1932, the traveling judge system has cost this Commonwealth one hundred fifty-three thousand odd dollars in addition to the salaries paid the judges in the judicial districts to which they are elected. In other words, I mean to say that one hundred and fifty-three thousand dollars was paid to the traveling judges to their ordinary statutory compensation. The expenditure was for four thousand three hundred and thirteen days spent in two hundred and eighty-three outside districts at thirty dollars per day.

Now, in further explanation of what I superficially referred to when I first spoke to you on this bill I would like very much to have you indulge me for a few moments while I give you an illustration or a number of illustrations which in my opinion justifies the passage of this measure.

Judge A's district is in the western part of the State. His salary is twelve thousand dolars a year. He served one hundred and twenty-two days in six different districts. In nineteen months this netted him three thousand six hundred and sixty dollars additional at thirty dollars per day. His expense account was six hundred and eighty-nine dollars and fifty-eight cents. The total amount received by Judge A from the State was twenty-three thousand three hundred forty-nine dollars and fifty-eight cents. Had Judge A completed all of the work in his own district little could be said, but during this time other judges served fifty-seven days in Judge A's district, also at thirty dollars per day.

Another illustration: Judge B is from the western part of the State. His salary is nine thousand dollars per year. He served one hundred and thirty-nine days in seven outside districts at thirty dollars per day, and outside judges served twenty-two days in his district. In nineteen months Judge B received, including his traveling expenses, eighteen thousand nine hundred forty-nine dollars and twenty-eight cents.

Judge C is from the central part of the Commonwealth. He served one hundred and ten days at thirty dollars per day in ten outside districts, while outside judges served in his district twenty-three days. In nineteen months he received twenty-three thousand three hundred thirty-two dollars and sixty-six cents.

Judge D is from the eastern part of the Commonwealth. His salary is nine thousand dollars a year. While Judge D was serving in ten outside districts for which he received five thousand and forty-four dollars, other judges were serving twenty days in his district.

Now, here is a significant case. Judge E. served three hundred days in two outside district in nineteen months. This meant that he was away from home more than he was at home, and in that particular case no judge came into the district, indicating very clearly to the committee that this judicial district hardly cannot require the services of even one judge.

Now, Mr. Speaker and members of the House, I believe the traveling judges under our present judicial system are probably indispensably necessary. I believe that until the forces that have it within their command to revise our judicial system so that we, like the State of New York, will have a State-wide Court with judges assignable to any place where their services may be necessary, we must have the auxiliary services of the traveling judge, but I say to you, Mr. Speaker and members of the House, that it falls the duty of this Legislature to correct the evils that have crept into the system, that this bill seeks to accomplish at least in part, for these reasons, Whatever else may be said on the other side of the question, I am of the opinion that this bill commands your affirmative vote.

Mr. WITKIN. Mr. Speaker and members of the House, I cannot sit idly by and permit the insinuations and the inuendoes or the direct statement made by the gentleman from Cambria with respect to the Philadelphia judges. I am frank to say that I did not hear the particular remarks of the gentleman, but if I am correctly advised as to what was said, it indicated that the judges in Philadelphia, desiring to disregard their duty or to avoid responsibility called in these traveling judges. If that statement is a correct statement,

then I say to the gentleman from Cambria and to the members of this House that it is the most inaccurate statement that was ever made on the floor of the House.

If the gentleman from Cambria did not so state, then, of course, my remarks are improper.

We have in Philadelphia fifteen Common Pleas Court judges in addition to the Orphans' Court. I know of no group of judges who work harder, who are more conscientious in the performance of their duties, than those judges. In Philadelphia we require a great many more judges than we have. There have been introduced in this Legislature in almost every session in recent years, bills for additional judges in Philadelphia. I know of no more conscientious group of men who work daily and who work harder and who never shirk their duty. I know of no judge, and there is no man or woman who is a lawyer in the city of Philadelphia who would tell you that there has ever been the shirking of a single responsibility by a single judge in Philadelphia.

Where a criticism is directed against the judiciary in any State or city, whether it be the district in your county or mine, it ought to be backed up by facts, and if there are not facts at hand to back it up, the statement ought not to have been made, because if we in the Legislature attack the courts of the Commonwealth, we are seeking to destroy the bulwark of our community and of our country, and I say that no man should get up before this House without definite proof and attack the judiciary of any judicial district, whether it be in your county or in mine, and I as a member of the Philadelphia County Bar and as a member of this Legislature resent the improper and inaccurate statement.

Mr. Speaker and members of the House, just one word with respect to this bill. While it is true that the traveling judges have cost a great deal of money, members of the House, remember this; that if you didn't have them in order to complete the work in various counties, you would have to have additional judges, additional tipstaves, additional official stenographers, and additional costs, and while I don't know the figures, I doubt very much whether the additional judges that would be required would be any less expensive than the present judges we have, and I therefore ask you to vote "no" on this bill.

Mr. ANDREWS. Mr. Speaker and members of the House, in answer to the very vociferous gentleman from Philadelphia, I would say this. I must take the word of a judge, and while I was over home one afternoon I inquired of a judge as to why he was going to Philadelphia, and the judge told me that he was going down to Philadelphia to handle some cases he thought they didn't want to handle down there, and I have to believe the judge.

Mr. SOWERS. Mr. Speaker and members of the House, the figures given to you by my friend from Philadelphia, Mr. Sterling, were so arranged that you would draw an inference from them that the Commonwealth if it did not have the traveling judges would save money. Now, I submit to you that that inference is incorrect. He said that last year it cost eight hundred thousand dollars for traveling judges, with the further inference that that was money wasted. I submit to you that if you did not have traveling judges, the expenses on the State Treasury would have been easily four times eight hundred thousand dollars. Now, this is the reason.

You have in a year three hundred and sixty-five days; you have fifty-two Sundays; you have fifty-two Saturdays; you have a lot of holidays, and you have then a lot of days that judges are ill, and if you figure it out, you will find that the judge in Philadelphia gets approximately one hundred dollars a day. The traveling judge comes to Philadelphia and gets thirty dollars a day. If the traveling judge did not come to Philadelphia, we would have to have in Philadelphia at least six to nine more judges. The State Treasury pays the judges' salaries; would you rather have the traveling judges come down there at an expense on the State Treasury of about thirty dollars a day, or would you rather give us six or nine more judges at an expense of one hundred dollars a day, plus the expense of other court-rooms, plus the expense of other tipstaves, plus the expense of more stenographers, plus the expense of other facilities? All of these things would be tacked onto the expense of the State Treasury, and while my friend's figures are so arranged to bring the inference that it saves money, I submit to you on the contrary, if the system he indicates ought to be corrected were change, that then the State Treasury would be burdened more than five times as heavy as it is now.

Mr. PHILIP STERLING. Mr. Speaker and members of the House, I am very certain that my friend from Philadelphia, Mr. Sowers is not attempting by subterfuge to confuse your minds. I am very certain of that.

There is only one question involved in this case. It is this; may a judge be called out of his district to serve in another district if he has work to do at home? That is the only question involved. This bill has no reference to compensation The bill before you simply provides this; before a judge can accept a commission or assignment to serve out of the district to which he is elected he must do one of two things; he must certify that either all the work in his district is completed or that it is in such shape, that while he is away it will not be necessary for the district to call in a judge to do his work.

Now, I submit to you, Mr. Speaker and members of the House, if you have work to do at home and someone calls you to a distant point to do some work, if the work at home is more important than that which may be necessary to be done abroad, what is the natural thing for you to say? The natural thing for you to say is, "I am sorry, but I have work to do at home, and I cannot accept the job you offer me elsewhere." There is nothing else in this bill except the latter question I presented to you.

Mr. WITKIN. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Sterling.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Sterling, permit himself to be interrogated?

Mr. PHILIP STERLING. I will, Mr. Speaker.

Mr. WITKIN. Is it not a fact if this bill were enacted into law that if a judge had completed all the work save writing one or two opinions in a case or two that he would not be eligible to sit in another district.

Mr. PHILIP STERLING. No, Mr. Speaker, if Mr. WITKIN, will carefully read the language on page 2, he will see that subjunctive preposition "or" appears in line number 18, which provides that that judge need do but one of two things; certify either that his work is completed or that it will not be necessary for him to call a substitute judge into his district.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—151

Andrews,	Hamilton,	McKay,	Shettel,
Barnhardt,	Harmuth,	McKinney,	Shortz,
Bechtel,	Hartman,	Melchiorre,	Shreiner,
Beech,	Helfner,	Merrell,	Shugarts
Bernhard,	Hermansen,	Mohn,	Simon,
Boyd,	Himes, L. R.,	Mumford,	Sinwell,

Brancato,	Holmes, J. B.,	Negley,	Snyder,
Brennan,	Holmes, J. L.,	O'Connor,	Spann,
Brown, W. L.,	Hoopes,	O'Keefe,	Stank,
Brownfield,	Hough,	O'Neill,	Steedle,
Cannon,	Howard,	O'Rourke,	Sterling, P.,
Caputo,	Hutton,	Patterson,	Sterling, R. B.,
Carson,	Jones,	Peelor,	Stevens,
Chervenak,	Kane, J. J.,	Perry, D. R.,	Stiteler,
Cohen,	King,	Perry, J. J.,	Stone,
Craig,	Kinney,	Peters,	Stott,
Cramer,	Lane,	Powell,	Surface,
Dane,	Laubach,	Powers,	Terry,
Davies,	Lenahan,	Price,	Wade,
DeFrehn,	Lord,	Quinn,	Walker, G. E.,
Denning,	Lose,	Raub,	Walker, W. A.,
Downey, J.,	Lovett, J. E.,	Rectenwald,	Wall,
Dunmire,	Lovett, W. S.,	Reed,	Way,
Dwyer,	Lynch, J. R.,	Reilly,	Weidemann,
Ederer,	Lynch, M.,	Rhodes,	Welsh,
Emhardt,	Male,	Rice,	Westrick,
Eroe,	Malina,	Roan,	White,
Evans,	Marcks,	Roth,	Wike,
Fitzgerald,	Mason,	Royle,	Williams, G. W.,
Fleisher,	McBride,	Ruby,	Wilson, L. M.,
Flinchbaugh,	McCandless,	Ruth,	Wilson, T. B.,
Flynn,	McClure,	Sarig,	Wood,
Forrest,	McCreary,	Schrock,	Woodside,
Furman,	McElwee,	Schrope,	Wright,
Gallagher,	McGinnis,	Schwab,	Yeakel,
Gorman,	McGrail,	Scott,	Zimmerman
Greenstein,	McGregor,	Sheffer,	Talbot,
Griffith,	McHenry,	Shellenberger,	Speaker.
Habbyshaw,			

NAYS—25

Baldi,	Gartner,	Jaffe,	Schwartz,
Bennett,	Green,	Long,	Scorza,
Blumberg,	Harris,	Maloney,	Sowers,
Brown, J. E.,	Hart,	Moore,	Tahl,
Carey,	Heffernan,	Myers,	Witkin,
Cooke,	Hefferon,	Pennock,	Yourishin,
Downey, G. E.,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

ANNOUNCEMENTS BY THE SPEAKER

The SPEAKER. The Chair wishes to announce that a meeting of the Bituminous Region members of the House and Senate and others will be held this afternoon in the House Caucus room at 5.00 o'clock. It was originally arranged that the meeting be held in Room No. 1, North Office Building, but that has been changed to the House Caucus Room at 5.00 P. M. Senator H. J. Bell will preside and Dr. Clyde L. King will speak.

His Excellency the Governor has requested the Chair to announce to the members of the House that they are invited to the Executive Mansion on the evening of Monday April 10, 1933, to an informal dinner. The wives of the members will not be invited, and dress will be informal. Invitations will be sent to the members' homes. Acceptances should be sent in as soon as possible.

RECESS

The SPEAKER. If there are no objections the Chair will declare a recess until 3 P. M. Are there objections? The Chair hears none, and (at 2.22 P. M.) declares a recess until 3.00 P. M.

AFTER RECESS

The House reconvened at 3.00 P. M.

The SPEAKER (Grover C. Talbot) in the Chair.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 126

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 5, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor, House Bill No. 126, Printer's No. 151, for further consideration.

Accordingly the original bill is herewith returned.

GIFFORD PINCHOT.

Mr. ROOT. Mr. Speaker, I move that the message together with the bill be laid upon the table.

The motion was agreed to.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 5, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 392, Printer's No. 86, entitled

An Act authorizing the compromise of tax claims on real property purchased by the county on county treasurers' sales for nonpayment of taxes, and the reconveyance of such property,

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 374:

An Act to authorize the purchase by the Commonwealth of historical works relative to the services of Pennsylvania volunteers.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that

the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL No. 619:

An Act authorizing courts of common pleas to stay and adjourn the execution of certain writs in the hands of sheriffs ratifying confirming and validating the actions of courts in staying and adjourning the execution of such writs and of sheriffs in obeying orders and decrees of courts in accordance with this act and a resolution of the General Assembly and dispensing with the necessity of re-advertising and re-posting such writs

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL No. 435.

An Act to amend section sixteen of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of imprvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be use in the improvement providing for payment of cost of improvement and repairs providing penaltiy for injuring or destroying State Highways making appropraitions to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended by providing for payment by the Commonwealth out of the Motor License Fund damages for land or property taken injured or destroyed by the change of width lines and locations of State highways and the cost of the removal of structures where the county does not agree to such changes or removals requiring approval of the court of quarter sessions to all agreements relating to damages made by the county commissioners with property owners and fixing the time when the Secretary of Highways may begin work

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL No. 106.

An Act to amend section ten as amended of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" by providing for the construction reconstruction and maintenance of certain bridges forming parts of State Highways in boroughs and incorporated towns by the Department of Highways

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 747.

An Act to amend section five hundred and three of the act approved the ninth day of April one thousand nine hundred

and twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and liens of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as amended providing for appeals from refusals of the Board of Finance and Revenue to allow refunds.

HOUSE BILL No. 256.

An Act to validate acts done by corporations before the recording of their charters.

HOUSE BILL No. 1500.

An Act for the development and use of unredeemed seated and unseated lands purchased by county commissioners at tax sales providing for the holding and permanent retention of such lands by the county for forest or recreational uses beneficial to the local community or for their transfer to the State under suitable restrictions for similar uses subject to certain annual charges providing for the use of revenues derived from such lands providing a procedure for the discharge of liens of record against such lands by sale after notice to owners and lien creditors providing for the sale by counties of such lands as are retained by the county providing for the appointment by local State forest advisory councils and conferring powers upon the Department of Forests and Waters and the Board of Game Commissioners with respect to the acquisition and exchange of such lands their proper organization and development and the acceptance of gifts of lands.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 445

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 445, entitled:

Ann Act to amend sections 703 1015 1406 1902 2103 2403 Cl 53 2559 2562 2563 2564 2566 2567 2601 2620 2621 2706 2955 2978 3206 3211 3212 3501 3801 and 3803 of and to add sections 1913 and 2990 to the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" providing for vacancies in office and the filling thereof where persons elected fail to qualify for the publication of ordinances for the deposit of funds by the city treasurer for exemption from advertisement of contracts with the Commonwealth for a platoon system for paid men of volunteer fire departments for group insurance for the exoneration of tax collectors and the settlement of their duplicates for penalties and interest on taxs for the collection of delinquent taxes for the licensing of transient merchants and business for the acquisition of unobstructed views for detours for the construction of sewage treatment works and the acquisition of property therefor for the collection of a frontage tax for water mains and certain license taxes that the powers of the Shade Tree Commission may be exercised by council for the advertisement of contracts in trade journals and for the improvement of boundary streets

Mr SHREINER. Mr. Speaker, I move that the House insist upon its nonconcurrence in the amendments made by the Senate and that a committee on conference be appointed.

The motion was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE

The SPEAKER. The Chair appoints as a committee on conference on the part of the House to confer with a similar committee on the part of the Senate, if the Senate shall appoint such a committee, Messrs. Shreiner, Weidemann and Peters.

Ordered, That the Clerk inform the Senate accordingly.

BILL ON FINAL PASSAGE

Mr. WILSON asked and obtained unanimous consent to call up out of order House Bill No. 1009, Printer's No. 531, from page 20 of today's calendar, bills on final passage.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1009, entitled:

An Act fixing the minimum salaries of county and assistant county superintendents for the first year of their terms which will begin on the first Monday of July one thousand nine hundred thirty-four providing for the payment of such minimum salaries by the Commonwealth and temporarily superseding any inconsistent acts and parts of acts

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. WILSON. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. WILSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Education for the purpose of further study and amendment.

The motion was agreed to.

BILL ON SECOND READING

Mr. YOURISHIN asked and obtained unanimous consent to call up out of order House Bill No. 1076, Printer's No. 483, from page 12 of today's calendar, bills on second reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1076, entitled:

An Act requiring the Secretary of the Commonwealth to inquire into the purposes of the incorporators of labor groups and to approve or disapprove their incorporation or right to do business within the Commonwealth

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of

the same. That no certificate of incorporation of a proposed domestic corporation and no settlement and designation of a foreign corporation having for its purpose the formation of an organization of a group or a combination of groups of working men and women or wage-earners having the name of Labor Organized Labor Federation of Labor Brotherhood of Labor Union Labor Union Labor Council Building Trades Council Building Trades Union Allied Printing Trades Council Allied Trades Union Central Labor Body Central Labor Union Federated Trades Council Local Union National Union State union International Union District Labor Council District Labor Union American Federation of Labor Pennsylvania State Federation of Labor or the component parts thereof or the significant words therein whether the same are used in juxtaposition or with interspace shall be filed or recorded for the purpose of effecting incorporation or of authorizing it to do business in this State unless such certificate of designation shall be accompanied by an indorsement thereon by the Secretary of the Comomnwealth that he has held a hearing into the aims and purposes of such organization and has determined that it will not be harmful to the community in which it proposes to operate or to the Commonwealth and that there is a necessity therefor

On the question,

Will the House agree to the section?

Mr. YOURISHIN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 1, lines 4 and 5, by striking out the following: "certificate of incorporation of a proposed domestic corporation and no."

Amend section 1, page 2, line 7, by striking out the following: "effecting incorporation or of" and inserting in lieu thereof: "registering such foreign corporation and."

Amend section 1, page 2, line 9, by striking out the words "certificate of" and inserting in lieu thereof: "Statement or."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the amendments?

It was agreed to.

The title was read and agreed to as follows:

An Act requiring the Secretary of the Commonwealth to inquire into the purposes of the incorporators of labor groups and to approve or disapprove their incorporation or right to do business within the Commonwealth.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 300.

An Act to amend section two of the act approved the thirteenth day of March one thousand eight hundred and fifteen (Pamphlet Laws one hundred seventy-seven) entitled "An act to amend the act entitled 'An act directing the mode of selling unseated lands for taxes and for other purposes'" authorizing and directing county treasurers to execute deeds for unseated lands sold by their predecessors in office and validating deeds heretofore so executed

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 20, by striking out after the word "by" the word "the" and inserting in lieu thereof the word "any."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—195

Andrews,	Griffith,	McGregor,	Sheffer,
Baker,	Habbyshaw,	McHenry,	Shellenberger,
Baldi,	Haines,	McKay,	Shenkel,
Barnhardt,	Hamilton,	McKinney,	Shettel,
Bechtel,	Harmuth,	Melchiorre,	Shortz,
Beech,	Hart,	Meredith,	Shreiner,
Bennett,	Hartman,	Merrell,	Shugarts,
Bernhard,	Heffernan,	Metzler,	Simon,
Blumberg,	Hefferon,	Mohn,	Sinwell,
Boyd,	Heffner,	Moore,	Snyder,
Brancato,	Hermansen,	Mumford,	Sowers,
Brennan,	Hewitt,	Munley,	Spann,
Brown, J. E.,	Himes, L. R.,	Myers,	Stank,
Brown, W. L.,	Hoffman,	Negley,	Steedle,
Brownfield,	Holmes, J. B.,	Nothnagle,	Sterling, P.,
Cannon,	Holmes, J. L.,	O'Connor,	Sterling, R. B.,
Caputo,	Hoopes,	O'Keefe,	Stevens,
Carey,	Horst,	O'Neill,	Stiteler,
Carson,	Hough,	O'Rourke,	Stone,
Chervenak,	Howard,	Patterson,	Storb,
Cohen,	Hutton,	Peelor,	Stott,
Conner,	Jaffe,	Pennock,	Surface,
Cooke,	Jones,	Perry, D. R.,	Tahl,
Cordier,	Kane, J. J.,	Perry, J. J.,	Terry,
Cramer,	Kane, L. P.,	Peters,	Turner,
Dane,	King,	Powell,	Wade,
Davies,	Kinney,	Powers,	Wagner,
DeFrehn,	Labar,	Price,	Walker, G. E.,
Denning,	Lane,	Quinn,	Walker, W. A.,
Downey, G. E.,	Laubach,	Raub,	Wasserman,
Downey, J.,	Lenahan,	Rectenwald,	Way,
Duffy,	Lewis,	Reed,	Weidemann,
Dunmire,	Long,	Reilly,	Welsh,
Dwyer,	Lord,	Rhodes,	Westrick,
Ederer,	Lose,	Rice,	White,
Emhardt,	Lovett, W. S.,	Roan,	Wike,
Eroe,	Lynch, J. R.,	Root,	Williams, G. W.
Evans,	Male,	Roth,	Williams, J. J.,
Fitzgerald,	Malina,	Royle,	Wilson, L. M.,
Flanagan,	Maloney,	Ruby,	Wilson, T. B.,
Flinchbaugh,	Marcks,	Ruth,	Witkin,
Flynn,	Mason,	Sarig,	Wood,
Forrest,	McBride,	Sautter,	Woodside,
Furman,	McCandless,	Schrock,	Wright,
Gallagher,	McClure,	Schrope,	Yeakel,
Gartner,	McCreary,	Schwab,	Yourishin,
Gillette,	McElwee,	Schwartz,	Zimmerman,
Gorman,	McGinnis,	Scorza,	Talbot,
Green,	McGrail,	Scott,	Speaker.
Greenstein,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 257. (HOUSE BILL No. 2139.)

An Act requiring State-aided hospitals under certain conditions immediately to admit indigent veterans as herein defined, and to provde care and treatment for them until they can be accommodated in Federal institutions.

Referred to the Committee on Military Affairs.

SENATE BILL No. 322. (HOUSE BILL No. 2140.)

An Act to eliminate reckless and irresponsible drivers from the public highways, and to protect the safety of users of the public highways by providing in certain cases for the suspension and revocation of operator's licenses and privileges (whether resident or non-resident), and for the establishment of ability to respond in damages for injury to property and persons, including injuries resulting in death caused by the use or operation of motor vehicles (including unlicensed operators and unregistered motor vehicles); conferring powers and imposing duties upon the Department of Revenue, the Insurance Commissioner, insurance carriers, and clerks of the courts; requiring certain provisions in motor vehicle liability insurance policies; and providing penalties.

Referred to the Committee on Highways.

SENATE BILL No. 84. (HOUSE BILL No. 2141.)

An Act making an appropriation to carry into effect the provisions of an act, approved the tenth day of July, one thousand nine hundred and nineteen (P. L. 893), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants, and fixing the salaries of such State supervisor and assistants; defining the powers and duties of boards, of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of this act to appropriate certain moneys; and providing penalties," as amended.

Referred to the Committee on Appropriations.

SENATE BILL No. 185. (HOUSE BILL No. 2142).

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 223. (HOUSE BILL No. 2143).

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 243. (HOUSE BILL No. 2144).

An Act making an appropriation to the Trustees of the University of Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 244. (HOUSE BILL No. 2145).

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum.

Referred to the Committee on Appropriations.

SENATE BILL No. 253. (HOUSE BILL No. 2146).

An Act making an appropriation to the Moore Institute of Art Science and Industry Philadelphia School of Design for Women at Philadelphia Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 416. (HOUSE BILL No. 2147).

An Act making an appropriation to the Woman's Medical College of Pennsylvania, located at East Falls, Philadelphia.

Referred to the Committee on Appropriations.

SENATE BILL No. 442. (HOUSE BILL No. 2148).

An Act making an appropriation to the Pennsylvania Mus.um and School of Industrial Art, Philadelphia.

Referred to the Committee on Appropriations.

SENATE BILL No. 616. (HOUSE BILL No. 2149).

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of soldiers, sailors, marines, female field clerks, yeomanettes and nurses, who were killed in action or died during the World War, and conferring certain duties upon the State Veterans' Commission.

Referred to the Committee on Appropriations.

SENATE BILL No. 671. (HOUSE BILL No. 2150).

An Act to amend sections three hundred eleven three hundredtwelve three hundred thirteen three hundrd fourteen three hundred fifteen three hundred sixteen three hundred seventeen three hundred eighteen three hundred nineteen three hundred twenty three hundred twenty-one three hundred twenty-two three hundred twenty-three three hundred twenty-four three hundred twenty-five and three hundred twenty-six and to repeal section three hundred twenty-seven as added of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by changing the amount of contributions to the retirement fund the retirement age the length of service necessary to entitle members to retirement allowance upon being totally disabled and increasing the number of members of the retirement board and authorizing counties of the second class to make appropriations to an employes' retirement fund.

Referred to the Committee on Counties.

SENATE BILL No. 676. (HOUSE BILL No. 2151).

An Act to amend section four of the act approved the fourth day of April, one thousand nine hundred and one (P. L. 70), entitled "An act fixing the term of office of notaries public, regulating the appointment, and prescribing certain duties thereof;" reducing the fee for a notary public's commission.

Referred to the Committee on Judiciary General.

SENATE BILL No. 717. (HOUSE BILL No. 2152).

An Act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth.

Referred to the Committee on Highways.

SENATE BILL No. 729. (HOUSE BILL No. 2153).

An Act requiring corporations of the second class to furnish reports to shareholders, to file such reports with the Secretary of the Commonwealth, giving the Secretary power to prescribe forms and make regulations, prescribing penalties, providing for certain exemptions and repealing inconsistent acts and parts of acts.

Referred to the Committee on Corporations.

SENATE BILL No. 848. (HOUSE BILL No. 2154).

A Supplement to the act approved the eighth day of May, one thousand nine hundred and nineteen (P. L. 148), entitled "An act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New Jersey of certain toll bridges over the Delaware River," and its amendments, authorizing the commission created under said act to borrow money from the Reconstruction Finance Cor-

poration for the purpose of constructing toll bridges, to charge tolls thereon, and to repay loans from tolls collected.

Referred to the Committee on Highways.

COMMUNICATION

The SPEAKER laid before the House the following communication which was read by the Clerk.

PROTESTING REDUCTION IN TEACHERS' SALARIES

District Convention Patriotic Order Sons of America, Reading-presented by Hon. Frank W. Ruth.

Referred to the Committee on Education.

RESOLUTION

RECALLING HOUSE BILL No. 218 FROM THE GOVERNOR

Mr. ROOT asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, April 5, 1933.

Resolved (if the Senate concur), That House Bill 218, Printer's No. 81, entitled "An act to amend section twelve of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred forty-nine) entitled 'An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such destributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation' by preventing suspension of permits without hearings and providing for appeals in case of suspension or revocation of permits," be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORTS FROM COMMITTEES

Mr. PHILIP STERLING, from the Committee on Judiciary General, reported as committed, House Bill No. 1908, entitled:

An Act to amend section two of the act approved the fourth day of April one thousand nine hundred and twenty-five (Pamphlet Laws one hundred twenty-seven) entitled "An act relating to adoption" as amended by providing that the consent of a parent or parents of the person to be adopted shall not be necessary if the person proposed to be adopted is an adult

Mr. WOODSIDE, from the Committee on Boroughs and Townships, reported as committed, House Bill No. 413, entitled:

An Act to amend section four hundred and twenty-one of the act approved the fourteenth day of July, one thousand nine hundred and seventeen (P. L. 840), entitled "An act concerning townships and revising, amending and consolidating the law relating thereto," as amended; reducing the tax millage which township supervisors may levy.

Mr. WILSON, from the Committee on Judiciary General, reported as committed, House Bill No. 1199, entitled:

An Act to amend section two hundred and eight of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrains, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, alderman, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garages keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds" by providing for the continuance of a lien on motor vehicles where ownership is changed by operation of law or judicial sale, and determining the effect of the issuance of a certificate of title showing a lien or encumbrance.

Mr. WILSON, from the Committee on Judiciary General, reported as committed, House Bill No. 1207, entitled:

An Act to abolish the action of detinue.

Mr. WILSON, from the Committee on Judiciary General, reported as committed, House Bill No. 1206, entitled:

An Act to abolish the action of dower, and to repeal certain acts and parts of acts relating thereto.

Mr. WILSON, from the Committee on Judiciary General, reported as committed, House Bill No. 1204, entitled:

An Act to abolish the action of account render, and to repeal certain acts and parts of acts relating thereto.

Mrs. PENNOCK, from the Committee on Public Health and Sanitation, reported as amended, House Bill No. 1104, entitled:

An Act to amend sections one and two as amended and section seventy of the act, approved the seventh day of June one thousand nine hundred and eleven (P. L. 680), entitled, "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules and regulations and requirements for the construction of plumbing, house drainage, and cesspools in cities of the first class, and imposing fines, penalties, and forfeitures for violation thereof," by including water piping additions, alterations and repairs to plumbing, house drainage, waterpiping cesspools wastes traps or vents changing the terms of the certificate of master plumbers changing the fee for examinations requirements for registration and re-registration of master plumbers and journeymen and providing for the penalty for the violation of the provisions herein.

Mr. SCHWARTZ, from the Committee on Appropriations, reported as committed, House Bill No. 309, entitled:

An Act making an appropriation for the dredging of the Delaware and Schuylkill Rivers.

Mr. SCHWARTZ, from the Committee on Appropriations, reported as amended, House Bill No. 857, entitled:

An Act relating to relief of dependent children of poor and indigent mothers partially or otherwise employed; making an appropriation to the State Emergency Relief Board for partial reimbursement to day nurseries of all kinds for the relief, sustenance and maintenance of such children; prescribing the duties and powers of the Board with reference thereto.

Mr. DAVID R. PERRY, from the Committee on Judiciary General, reported as committed, House Bill No. 896, entitled:

An Act to amend section two hundred and forty-six of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled, "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and

eighth classes; and amending, revising and consolidating the laws relating thereto," as amended, by changing the qualifications of district attorneys.

Mr. STITELER, from the Committee on Pensions and Gratuities, reported as committed, House Bill No. 1140, entitled:

An Act to amend paragraph nine of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred and twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties"; as amended, by further extending the time limit for becoming original members of the retirement association.

Mr. BARNHARDT, from the Committee on Game, reported as committed, House Bill No. 1022, entitled:

An Act to amend sections one hundred and one and six hundred and one of the act, approved the twenty-fourth day of May, one thousand nine hundred and twenty-three (P. L. 359), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," as amended by removing the raccoon from the list of fur-bearing animals.

Mr. LONG, from the Committee on Judiciary General, reported as committed, House Bill No. 1441, entitled:

An Act to amend section one of the act, approved the tenth day of May, one thousand nine hundred and twenty-one (P. L. 434), entitled, "An act to empower courts of competent jurisdiction to issue writs of execution against property of defendant, and attachment execution or in the nature of attachment execution against trusts, including those commonly known as spendthrift trusts, no matter when such trusts were created, in cases where an order, award, or decree has been made against a husband for the support of his wife or children, or both, making an attachment execution against trusts, a continuing lien and levy for fifty per centum of such money or property until the order, judgment, or decree is paid in full with costs; and abolishing the benefit of the exemption law in such cases," by making such support orders, decrees and judgments liens against real property of the husband.

Mr. EMHARDT, from the Committee on Banking, reported as amended, House Bill No. 1216, entitled:

A Joint Resolution to provide for the appointment, by the Governor, of a commission to investigate and report upon the feasibility of the Commonwealth guaranteeing to depositors the payment of moneys deposited in State banks and saving institutions, and to draft and report such legislation as may be deemed necessary; authorizing the employment of experts and assistants by the commission; and making an appropriation to meet the expense of the commission.

Mr. EMHARDT, from the Committee on Judiciary Special, reported as committed, House Bill No. 1394, entitled:

An act to amend sections one hundred and sixty-four, one hundred and sixty-five, and one hundred and sixty-six of the act, approved the thirty-first day of March, one thousand eight hundred and sixty (P. L. 382), entitled "An act to consolidate, revise and amend the penal laws of this Commonwealth," by making unlawful the counterfeiting, altering and uttering of scrip and possession of materials for falsely making the same.

Mr. EMHARDT, from the Committee on Insurance, reported as committed, House Bill No. 2009, entitled:

An Act exempting the net amount payable under policies of accident and disability insurance from the claims of creditors.

Mr. SPANN, from the Committee on Judiciary General, reported as committed, House Bill No. 1711, entitled:

An Act regulating actions of scire facias sur mechanics liens, and prescribing the pleadings and procedure to be observed therein.

Mr. CAPUTO, from the Committee on Judiciary General, reported as amended, House Bill No. 1205, entitled:

An Act exempting household furniture and household goods leased, hired or conditionally sold from levy and sale on execution or distress for rent.

Mr. McELWEE, from the Committee on Judiciary General, reported as committed, House Bill No. 1625, entitled:

An Act relating to jurors in counties of the fourth class, defining their qualifications, and regulating the selection, drawing,, summoning, excusing and challenging of jurors; creating a jury board consisting of the judges of the court of common pleas and the prothonotary; defining its powers and procedure, and providing that an employe in the office of the clerk of the court of quarter sessions shall act as clerk to such board.

Mr. MALINA, from the Committee on Judiciary General, reported as committed, House Bill No. 1557, entitled:

An Act to prohibit the detention of persons in private lockups and on private property for examination pending arraignment.

Mr. FURMAN, from the Committee on Highways, reported as committed, House Bill No. 1753, entitled:

An Act requiring Pennsylvania registration plates on certain vehicles when being operated under a contract for a public improvement; and requiring the operators thereof to have a Pennsylvania operator's license.

Mr. FURMAN, from the Committee on Highways, reported as amended, House Bill No. 1754, entitled:

An Act to amend section four hundred fifteen of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liabilty for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing or refunds," as amended, by providing for the sale of statistics relating to the titling and registration of motor vehicles.

Mr. WILSON, from the Committee on Judiciary General, reported as committed, House Bill No. 1364 (Senate Bill No. 467), entitled:

An Act relating to Trusts for Charitable or Benevolent Purposes and providing for the combining of the same under certain conditions.

Mr. GREENSTEIN, from the Committee on Appropriations, reported as amended House Bill No. 2067 (Senate Bill No. 548), entitled:

A Supplement to act number four-A approved the fourteenth day of April, one thousand nine hundred thirty-one (Appropria Acts of one thousand nine hundred thirty-one page five) entitled "An act providing for the investigation and study of the effect of the diversion of water for water supply purposes upon the lower Delaware River and the industries using water therefrom imposing certain duties upon the Sanitary Water Board and making an appropriation" making an appropriation to the Department of Health for the use of the Sanitary Water Board for the continuation of the investigation and study of the effect of the diversion of water for water supply purposes from the lower Delaware River and the industries using water therefrom and extending the scope of the investigation and study.

Mr. GREENSTEIN, from the Committee on Counties, reported as committed, House Bill No. 1443 (Senate Bill No. 386), entitled:

An Act to amend section one of the act approved the ninth day of July, one thousand nine hundred and nineteen (P. L. 795), entitled "An act to fix the salaries of district attorneys in counties having a population of less than one million inhabitants."

Mr. GREENSTEIN, from the Committee on Counties, reported as committed, House Bill No. 2063 (Senate Bill No. 385), entitled:

An Act providing for the fixing of salaries or compensation of all appointed officers, clerks and other employes paid from the county funds in counties of the third, fourth, fifth, sixth, seventh and eighth classes; and creating salary boards in certain counties.

Mr. RUBY, from the Committee on Judiciary General, reported as amended, House Bill No. 1457 (Senate Bill No. 397), entitled:

An Act amending the act approved the tenth day of July, one thousand nine hundred and one (Pamphlet Laws six hundred and fifty-one) entitled, "An act making it a misdemeanor for any person connected with any line of telegraph or telephone within this State to use or cause to be used, or make known or cause to be made known, or in any manner divulge, the contents of any telegraphic or telephonic dispatch, and prescribing the punishment therefor," by adding thereto Section 3, making it a misdemeanor for any person to remove, injure or destroy any telegraph or telephone line, or property appurtenant thereto, or to cut or tap any telegraph or telephone line, or to take or make use of, or disclose any message passing over such lines, or to prevent or delay the sending or delivery of any message over any telegraph or telephone line, or to use any apparatus so as to do, permit or cause to be done any of the said acts, or to aid or conspire so to do, prescribing the punishment therefor and exempting employees and agents of such companies.

Mr. RUBY, from the Committee on Judiciary General, reported as amended, House Bill No. 1211 (Senate Bill No. 345), entitled:

An Act prohibiting contractors, subcontractors and builders and their agents from paying out, using or appropriating moneys and funds received for the erection, construction, alteration, completion and repair of buildings and for additions thereto before first paying in full or pro rata all claims due to architects, surveyors, engineers, and persons furnishing labor and material.

Mr. McELWEE, from the Committee on Judiciary General, reported as amended, House Bill No. 1692 (Senate Bill No. 535), entitled:

An Act to amend section eight of the act approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances;" as amended, by further providing for the sales of seated lands for delinquent taxes assessed and levied for the year one thousand nine hundred and thirty, or any year prior thereto; where no sales have previously been made for delinquent taxes of that year.

Mr. McELWEE, from the Committee on Judiciary General, reported as committed, House Bill No. 1690 (Senate Bill No. 516), entitled:

An Act to amend section one of the act, approved the twenty-fifth day of May, one thousand eight hundred and ninety-seven (P. L. 89), entitled "An act authorizing and requiring grand and petit juries to dispose of the costs in criminal prosecutions for larceny, where the value of the goods alleged to be stolen is less than ten dollars, and in the prosecutions for assault or assault and battery where felony is charged, and in which the prosecutor had no reasonable ground for making the charge of felony," by giving to juries jurisdiction over the costs in prosecutions for larceny and receiving stolen goods.

Mr. FLINCHBAUGH, from the Committee on Highways, reported as committed, House Bill No. 2100 (Senate Bill No. 640), entitled:

An Act to amend the first "Whereas" clause, the first paragraph of article one, clause (d) of article two, and article ten of section one, and section two as amended, of the act, approved the twenty-fifth day of June, one thousand nine hundred and thirty-one (P. L. 1352), entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration, operation, and maintenance of bridges over the Delaware River, and for the construction of additional bridge facilities across said river; authorizing the Governor, for these purposes, to enter into an agreement with the State of New Jersey; creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof, including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges; transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River; and making an appropriation," by providing for the appointment of an engineer by the commission, and for the repayment to the Commonwealth of appropriation herein made.

Mr. CAPUTO, from the Committee on Judiciary General, reported as committed, House Bill No. 2069 (Senate Bill No. 629), entitled:

An Act to prohibit the employment by the Commonwealth and by counties, cities, boroughs, towns, townships, departments, boards, commissions, and by certain corporations, hospitals, homes and institutions, of aliens who entered the United States unlawfully; and providing penalties.

Mr. CAPUTO, from the Committee on Judiciary General, reported as committed, House Bill No. 1856, entitled:

An Act making it unlawful to use foreign made equipment or material in the construction or repair of public buildings or works; and providing penalties.

Mr. TAHL, from the Committee on Judiciary General, reported as committed, House Bill No. 1581, entitled:

A Supplement to the act approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled "An act defining the liability of an employer to pay damages

for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder"; declaring certain persons to be employes, and providing a method to determine how weekly compensation shall be determined under the act to which this is a supplement.

Mr. GEO. W. WILLIAMS, from the Committee on Highways, reported as committed, House Bill No. 1780, entitled:

An Act to amend the act approved the twenty-second day of June, one thousand nine hundred thirty-one (Pamphlet Laws, five hundred ninety-four), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," by changing certain routes and adding certain new routes.

Mr. STEEDLE, from the Committee on Appropriations, reported as committed House Bill No. 1685 (Senate Bill No. 187), entitled

A Joint Resolution continuing the Senate Committee constituted to investigate charges against members of the Public Service Commission and related matters; defining the powers and duties of said committee, ratifying and confirming the filling of vacancies in the membership thereof; and making an appropriation for the payment of its past and future expenses.

Mr. TURNER, from the Committee on Judiciary General, reported as amended, House Bill No. 372 (Senate Bill No. 58), entitled:

An Act to amend section one of the act, approved the twenty-fourth day of June, one thousand nine hundred and nineteen (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly, and to provide for the furnishing of such postage, stationery, and supplies, as may be necessary for the conduct of their offices, and repealing all acts or parts of acts inconsistent therewith," as amended, by changing the compensation of Members of the General Assembly.

Mr. STEEDLE, from the Committee on Judiciary Special, re-reported as amended, House Bill No. 139, entitled:

An act providing for liens in favor of the Commonwealth and every charitable association, corporation or other institution maintaining a hospital in this Commonwealth supported in whole or in part by public or private charity, and furnishing therein care, treatment and maintenance to persons injured in accidents upon the rights or action, claims or demands of such injured persons against other persons, corporations, partnerships and other unincorporated associations whatsoever for damages on account of negligence, causing the injuries, and upon the proceeds of the settlement of any such claims or demands.

Mr. SHELLENBERGER, from the Committee on Game re-reported as amended, House Bill No. 314, entitled:

An Act to amend section seven hundred five of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred fifty-nine) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as amended permitting cooperation only in the manner known as driving in the killing of more than one legal deer in one season by a member at a camp or body of men hunting together so long as the number of deer killed by such camp does not exceed six

BILLS ON FIRST READING

Mr. CAPUTO asked and obtained unanimous consent to have House Bill No. 2069 (Senate Bill No. 629) read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2069 (Senate Bill No. 629), entitled:

An Act to prohibit the employment by the Commonwealth and by counties, cities, boroughs, towns, townships, departments, boards, commissions and by certain corporations, hospitals, homes and institutions, of aliens who entered the United States unlawfully; and providing penalties.

And said bill having been read at length the first time,

Ordered, To laid aside for second reading.

Mr. CAPUTO asked and obtained unanimous consent to have House Bill No. 1856 read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1856, entitled:

An Act making it unlawful to use foreign made equipment or material in the construction or repair of public buildings or works; and providing penalties.

And said bill having been read at length the first time,

Ordered, To laid aside for second reading.

Mr. GEORGE W. WILLIAMS asked and obtained unanimous consent to have House Bill No. 1780 read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1780, entitled:

An Act to amend the act approved the twenty-second day of June, one thousand nine hundred thirty-one (Pamphlet Laws Five Hundred Ninety-four) entilted, "An act establishing certain township roads as State Highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," by changing certain routes and adding certain new routes.

And said bill having been read at length the first time,

Ordered, To laid aside for second reading.

Mr. WILSON asked and obtained unanimous consent to have House Bill No. 1581 read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1581, entitled:

A Supplement to the act approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder"; declaring certain persons to be employes, and providing a method to determine how weekly compensation shall be determined under the act to which this is a supplement.

And said bill having been read at length the first time,

Ordered, To laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1777, as follows:

An Act to amend section two of the act approved the fourth day of June one thousand nine hundred and fifteen (Pamphlet Laws eight hundred twenty-eight) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations copartnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" by extending the exemptions from the tax imposed by the said act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the fourth day of June one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and twenty-eight) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations copartnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" be and the same is hereby amended to read as follows

Section 2 This act does not impose a tax upon an agreement evidencing the deposit of stock certificates as collateral security for money loaned thereon if such stock certificates are not actually sold nor upon such stock certificates so deposited nor upon mere loans of stock or the return thereof nor shall the provisions of this act apply to transfers of certificates otherwise taxable from a trustee or trustees substituted by court order or in accordance with the terms of the trust agreement or to a surviving trustee or trustees provided in either case the same continue to be held by such transferee or transferees for the same purposes for which they were held prior to such transfer nor to such transfers from a deceased person to his or her executor or administrator nor from a ward to his or her guardian nor from a guardian to the ward where such transfer is made pursuant to the relationship of executor or administrator or guardian and ward

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1779, as follows:

An Act to amend section one of an act approved the eighth day of June one thousand nine hundred twenty-three (Pamphlet Laws six hundred eighty-five) entitled "An act prescribing the fees for the office of Secretary of the Commonwealth" by increasing certain fees to be collected by the Secretary of the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the eighth day of June one thousand nine hundred twenty-three (Pamphlet Laws six hundred eighty-five) entitled "An act prescribing the fees for the office of Secretary of the Commonwealth" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fees of the Secretary of the Commonwealth for the use of the State shall be as follows

For certificates with great seal two dollars

Certificate with secretary's seal one dollar

Taking or filing bond of any public officer two dollars

Taking or filing recognizance of any public officer two dollars

Commission for any State officer who receives salary five dollars

Writ of assistance including great seal five dollars

Commission for any city county or district officer who receives emoluments and pays no taxes on commission five dollars (coroners are by law except from this fee)

Commission to take acknowledgement of deeds or other instruments ten dollars

Each search twenty-five cents

Certified copies for each page twenty-five cents

Each commission for justice of the peace or alderman to be collected and paid over to the recorder of deeds three dollars

Requisition for criminals three dollars

Warrants on requisition for criminal three dollars

Approving plans of prisons including certificate and great seal three dollars

Each commission for railroad mining or other police five dollars

Mailing advance sheets of Pamphlet Laws three dollars

Registering assumed or fictitious names under act of Assembly six dollars

Filing statements of cancellation or withdrawal of assumed or fictitious names under act of Assembly six dollars

Registering trade marks labels et cetera under act of Assembly five dollars

Description of bottles under act of Assembly six dollars

Registering union labels under act of Assembly six dollars

Filing power of attorney and statement by foreign corporations [ten] thirty dollars

Filing statement of revocation of agent by foreign corporations five dollars

Filing certificate of change of corporate title by foreign corporation [five] twenty dollars

Filing statement of change of Pennsylvania office by foreign corporation [five] ten dollars

Receiving service of process on foreign corporations two dollars

Letters patent or instrument incorporating any corporation or association thirty dollars

Filing articles of association for railroad or street railway companies and recording the same fifty dollars

Letters patent or instrument incorporating any insurance company thirty-seven dollars

Filing acceptance of provisions of act of Assembly or Constitution ten dollars

Filing application for change of name and issuance of certificate twenty dollars

Filing articles of association by cooperative associations including copies twenty-six dollars

Filing proceedings in extension of route by street railway companies twenty dollars

Filing election return authorizing increase or decrease of capital stock or indebtedness or sale of franchises and recording same thirty dollars

Filing report of actual increase or decrease of capital stock or indebtedness or sale of franchises five dollars

Filing each waiver of sixty days notice five dollars

Filing certificate of change of location of office or date of annual meeting ten dollars

Filing certificate of change of par value of shares ten dollars

Filing agreement of merger or consolidation fifty-five dollars

Filing each secretary's certificate relating thereto five dollars

Filing proceedings in reorganization [thirty] forty-five dollars

Filing copy of decree of dissolution ten dollars

Filing Treasurer's affidavit of paid up capital stock ten dollars

Filing copy of articles of association limited partnership ten dollars

And equivalent fees for any like services though not herein specified

The Secretary of the Commonwealth shall not be required to receive or file any papers unless the same shall be in accordance with law and accompanied by the proper fee

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON FINAL PASSAGE RECALLED FROM THE GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 948, as follows:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue to meet interest and Sinking Fund requirements on the State debt

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of thirteen million two hundred ten thousand two hundred nineteen dollars and fifty-five cents ($13,210,219.55) is hereby specifically appropriated from the Motor License Fund to the Board of Finance and Revenue for payment into the Sinking Fund to meet interest and sinking fund requirements on the State debt for the two fiscal years commencing June first one thousand nine hundred and thirty-three The amount hereinbefore appropriated shall be transferred by the Auditor General and the State Treasurer upon requisition of the Board of Finance and Revenue from the Motor License Fund to the Sinking Fund on or before the dates and in the amounts set forth in the following schedule

REQUIREMENTS

Month	Sinking Fund	Interest	Total
1933			
July 1	$695,407.69	$513,125.00	$1,208,532.69
August 2	214,736.61	292,200.00	506,936.61
September 1	663,848.29	346,140.00	1,009,988.29
October 1	324,818.29	189,000.00	513,818.29
December 1	216,958.90	586,000.00	802,958.90
1934			
January 1	31,875.00	513,125.00	545,000.00
February 2		292,200.00	292,200.00
March 1	11,560.00	308,440.00	320,000.00
April 1	968,591.66	189,000.00	887,591.66
June 1		586,000.00	586,000.00
July 1	695,407.69	513,125.00	1,208,532.69
August 2	214,736.61	292,200.00	506,936.61
September 1	661,548.29	308,440.00	969,988.29
October 1	324,818.29	189,000.00	513,818.29
December 1	216,958.90	586,000.00	802,958.90
1935			
January 1	24,820.00	477,680.00	502,500.00
February 2		292,200.00	292,200.00
March 1	11,560.00	308,440.00	320,000.00
April 1	687,591.66	186,666.67	874,258.33
June 1		546,000.00	546,000.00
TOTAL	$5,695,237.88	$7,514,981.67	$13,210,219.55

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—196

Andrews,	Greenstein,	McElwee,	Shenkel,
Baker,	Griffith,	McGinnis,	Shettel,
Baldi,	Habbyshaw,	McGrail,	Shortz,
Barnhardt,	Haines,	McGregor,	Shreiner,
Bechtel,	Hamilton,	McHenry,	Shugarts,
Beech,	Harmuth,	McKay,	Simon,
Bennett,	Harris,	McKinney,	Sinwell,
Bernhard,	Hart,	Melchiorre,	Snyder,
Blumberg,	Hartman,	Meredith,	Sowers,
Boyd,	Heffernan,	Merrell,	Spann,
Brancato,	Heffner,	Metzler,	Stank,
Brennan,	Hermansen,	Mohn,	Steedle,
Brown, J. E.,	Hester,	Moore,	Sterling, P.,
Brown, W. L.,	Hewitt,	Mumford,	Sterling, R. B.,
Brownfield,	Himes, L. R.,	Munley,	Stevens,
Cannon,	Hoffman,	Myers,	Stiteler,
Caputo,	Holmes, J. B.,	Negley,	Stone,
Carey,	Holmes, J. L.,	Nothnagle,	Storb,
Carson,	Hoopes,	O'Connor,	Stott,
Chervenak,	Horst,	O'Keefe,	Surface,
Cohen,	Hough,	O'Neill,	Tahl,
Conner,	Howard,	O'Rourke,	Terry,
Cooke,	Hutton,	Patterson,	Turner,
Cordier,	Jaffe,	Peelor,	Wade,
Cramer,	Jones,	Pennock,	Wagner,
Dane,	Kane, J. J.,	Perry, D. R.,	Walker, G. E.,
Davies,	Kane, L. P.,	Perry, J. J.,	Walker, W. A.,
DeFrehn,	King,	Peters,	Wall,
Denning,	Kinney,	Powell,	Wasserman,
Downey, G. E.,	Labar,	Powers,	Way,
Downey, J.,	Lane,	Price,	Weidemann,
Duffy,	Laubach,	Quinn,	Welsh,
Dunmire,	Lenahan,	Raub,	Westrick,
Dwyer,	Lewis,	Rectenwald,	White,
Ederer,	Long,	Reed,	Wike,
Emhardt,	Lord,	Rice,	Williams, G. W.,
Eroe,	Lose,	Roan,	Williams, J. J.,
Evans,	Lovett, J. E.,	Root,	Wilson, L. M.,
Fitzgerald,	Lovett, W. S.,	Royle,	Wilson, T. B.,
Flanagan,	Lynch, J. R.,	Ruby,	Witkin,
Fleisher,	Lynch, M.,	Sautter,	Wood,
Flinchbaugh	Malina,	Schrope,	Woodside,
Flynn,	Maloney,	Schwab,	Wright,
Furman,	Marcks,	Schwartz,	Yeakel,
Gallagher,	Mason,	Scorza,	Yourishin,
Gartner,	McBride,	Scott,	Zimmerman,
Gillette,	McCandless,	Sheffer,	Talbot,
Gorman,	McClure,	Shellenberger,	Speaker.
Green,	McCreary,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1933, entitled:

An Act to amend section two of an act approved the twenty-first day of April one thousand nine hundred twenty-seven (Pamphlet Laws three hundred twenty-seven) entitled "An act relating to the extradition of persons charged with crime and to make uniform the law with reference thereto" by giving the Governor of this State authority to deliver up certain imprisoned persons for the purpose of trial for murder in the demanding state under certain conditions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act approved the twenty-first day of April one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred twenty-seven) entitled "An act relating to the extradition of persons charged with crime and to make uniform the law with reference thereto" is hereby amended to read as follows

Section 2 Criminals to be Delivered Upon Requisition Subject to the qualifications of this act and the provisions of the Constitution of the United States controlling and acts of Congress in pursuance thereof it is the duty of the Governor of this State to have arrested and delivered up to the executive authority of any other state of the United States any person charged in that State with treason felony or other crime who has fled from justice and is found in this State

Provided if the executive authority of any other state or district requests the extradition of any person charged in that state with murder and that person is imprisoned in a penal institution or jail of this State for a term less than imprisonment for life the Governor of this State may deliver him or her up to the executive authority of the demanding state or district for the purpose of trial in said state or district Provided however that prior to the removal of the person from this state the executive authority of the demanding state or district shall have agreed that the person so delivered up is to

be returned immediately to this State at the cost of the demanding state or district to serve the balance of his or her term of imprisonment in the event of his or her acquittal in the demanding state or in the event of his or her conviction in such state of manslaughter or any degree or murder the punishment for which is less than death or imprisonment for life

Section 2 This act shall become effective immediately upon its passage and approval by the Governor

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—196

Andrews,	Greenstein,	McClure,	Schwab,
Baker,	Griffith,	McCreary,	Schwartz,
Baldi,	Habbyshaw,	McElwee,	Scorza,
Barnhardt,	Haines,	McGinnis,	Scott,
Bechtel,	Hamilton,	McGrail,	Sheffer,
Beech,	Harmuth,	McGregor,	Shellenberger,
Bennett,	Harris,	McHenry,	Shenkel,
Bernhard,	Hart,	McKay,	Shettel,
Blumberg,	Hartman,	McKinney,	Shortz,
Boyd,	Heffernan,	Melchiorre,	Shreiner,
Brancato,	Hefferon,	Meredith,	Shugarts,
Brennan,	Heffner,	Merrell,	Simon,
Brown, W. L.,	Hermansen,	Metzler,	Sinwell,
Brownfield,	Hester,	Mohn,	Snyder,
Cannon,	Hewitt,	Moore,	Sowers,
Caputo,	Himes, L. R.,	Mumford,	Spann,
Carey,	Hoffman,	Munley,	Stank,
Carson,	Holmes, J. B.,	Myers,	Steedle,
Chervenak,	Holmes, J. L.,	Negley,	Sterling, P.,
Cohen,	Hoopes,	Nothnagle,	Sterling, R. B.,
Conner,	Horst,	O'Connor,	Stevens,
Cooke,	Hough,	O'Keefe,	Stiteler,
Cordier,	Howard,	O'Neill,	Stone,
Craig,	Hutton,	O'Rourke,	Storb,
Cramer,	Jaffe,	Peelor,	Stott,
Dane,	Jones,	Pennock,	Surface,
Davies,	Kane, J. J.,	Perry, D. R.,	Tahl,
DeFrehn,	Kane, L. P.,	Perry, J. J.,	Terry,
Denning,	King,	Peters,	Turner,
Downey, G. E.,	Kinney,	Powell,	Wagner,
Downey, J.,	Labar,	Powers,	Walker, G. E.,
Duffy,	Lane,	Price,	Walker, W. A.,
Dunmire,	Laubach,	Quinn,	Wall,
Dwyer,	Lenahan,	Raub,	Wasserman,
Emhardt,	Lewis,	Rectenwald,	Way,
Eroe,	Long,	Reed,	Welsh,
Evans,	Lord,	Reilly,	White,
Fitzgerald,	Lose,	Rhodes,	Wike,
Flanagan,	Lovett, J. E.,	Rice,	Williams, G. W.,
Fleisher,	Lovett, W. S.,	Roan,	Williams, J. J.,
Flinchbaugh,	Lynch, J. R.,	Root,	Wilson, L. M.,
Flynn,	Lynch, M.,	Roth,	Wood,
Forrest,	Male,	Royle,	Woodside,
Furman,	Malina,	Ruby,	Wright,
Gallagher,	Maloney,	Ruth,	Yeakel,
Gartner,	Marcks,	Sarig,	Yourishin,
Gillette,	Mason,	Sautter,	Zimmerman,
Gorman,	McBride,	Schrock,	Talbot,
Green,	McCandless,	Schrope,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 703, as follows:

An Act requiring the corporate authorities of any first second and third class cities of the Commonwealth having a paid or part paid fire department fire alarm operators and fire box inspectors to ascertain the will of the electors of such cities as to salary or compensation to be paid to firemen fire alarm operators and fire box inspectors and their hours and working conditions providing an election to ascertain the will of the electors and the manner and method whereby such election may be held providing the form and manner in which the question shall be submitted to the vote of the people of such cities and the effect of such vote

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvnaia in General Assembly met and it is hereby enacted by the authority of the same That hereafter in order that the corporate authorities of first second and third class cities of this Commonwealth having a paid or part paid fire department and fire alarm operators and fire box inspectors may ascertain the will of the electors of such cities as to the salary or compensation to be paid to the various classes divisions and grades of firemen fire alarm operators and fire box inspectors in the bureau of electricity and the hours and working conditions of such firemen and fire alarm operators and fire box inspectors in such cities of this Commonwealth as the necessity for the same shall from time to time arise There shall be submitted to the electors of any such cities by the corporate authorities thereof at any fall primary election or municipal election upon the written petition of equal to at least five (5) per centum of the highest number of votes cast for any office at the last previous general election in any such city the question or questions as to the salary or compensation or the hours and working conditions which it is desired to have voted upon

Section 2 The said petition shall set forth the question in the form it is desired to have the same submitted to the electors at such primary or municipal election and shall be sworn to by at least one of the petitioners

Section 3 If any such petition is sufficiently signed the question or questions wherein set forth shall be certified to the county commissioners by the corporate authorities of such city Such question or questions shall then be printed on a separate ballot prepared by the county commissioners in the form as set forth in the petition requesting such election and in the manner as is now provided by law for the preparation of official ballots Where voting machines are used such question or questions shall appear on the face of the machine the election officers shall make returns of the votes cast on such question to the county commissioners or return board who shall compute such votes for and against said question and make a certificate thereof which certificate shall be forwarded to the president of council The expenses of any such election shall be borne by such cities

Section 4 The vote taken at such election shall be mandatory upon the corporate or other proper authorities of the above classed cities

Section 5 A vote on any question provided for in this act may be had only once in any period of four calendar years

Section 6 Upon the approval of the people the will of the electors shall be included in the compilation of the following yearly budget

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—136

Baker,	Jones,	Reed,	Stevens,
Baldi,	Kane, L. P.,	Reilly,	Stiteler,
Barnhardt,	King,	Rhodes,	Stone,
Bechtel,	Kinney,	Rice,	Storb,
Beech,	Labar,	Roan,	Stott,
Bennett,	Lane,	Root,	Surface,
Bernhard,	Laubach,	Roth,	Tahl,
Blumberg,	Lenahan,	Royle,	Terry,
Boyd,	Long,	Ruby,	Turner,
Brown, J. E.,	Lord,	Ruth,	Wade,
Brown, W. L.,	Lose,	Sarig,	Wagner,
Brownfield,	Lovett, J. E.,	Sautter,	Walker, G. E.,
Cannon,	Lynch, J. R.,	Schrock,	Walker, W. A.,
Caputo,	Male,	Schrope,	Wall,
Denning,	Malina,	Schwab,	Wasserman,
Dwyer,	Maloney,	Schwartz,	Way,
Ederer,	Mason,	Scorza,	Weidemann,
Emhardt,	McClure,	Scott,	Welsh,
Eroe,	McElwee,	Sheffer,	Womrick,
Green,	McKay,	Shellenberger,	White,

Greenstein,	Meredith,	Shenkel,	Wike,
Habbyshaw,	Metzler,	Shettel,	Williams, G. W
Haines,	Mumford,	Shortz,	Williams, J. J.,
Hamilton,	Negley,	Shreiner,	Wilson, L. M.,
Harris,	O'Connor,	Shugarts,	Wilson, T. B.,
Hart,	O'Keefe,	Simon,	Witkin,
Hermansen,	O'Neill,	Sinwell,	Wood,
Hester,	Patterson,	Snyder,	Wright,
Hewitt,	Peelor,	Sowers,	Yeakel,
Hoffman,	Pennock,	Spann,	Yourishin,
Holmes, J. L.,	Perry, D. R.,	Stank,	Zimmerman,
Hoopes,	Peters,	Steedle,	Talbot,
Horst,	Powell,	Sterling, P.,	Speaker.
Hutton,	Powers,	Sterling, R. B.,	
Jaffe,	Price,		

NAYS—7

Andrews,	Craig,	Evans,	Raub,
Chervenak,	Downey, J.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1665, as follows:

An Act to repeal Sections six and eight of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred fifty) entitled "An act relating to fires and fire prevention imposing duties and conferring powers upon the State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said State Police and defining their powers and duties providing for the investigation of the cause origin and circumstance of fires and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the said State Police and the enforcement of its orders and prescribing penalties"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections six and eight of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred fifty) entitled "An act relating to fires and fire prevention imposing duties and conferring powers upon the State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said State Police and defining their powers and duties providing for the investigation of the cause origin and circumstance of fires and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the said State Police and the enforcement of its orders and prescribing penalties" be and the same are hereby repealed

Section 5 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178

Andrews,	Griffith,	McElwee,	Scorza,
Baker,	Habbyshaw,	McGinnis,	Scott,
Baldi,	Haines,	McGrail,	Sheffer,
Barnhardt,	Hamilton,	McGregor,	Shellenberger,
Bechtel,	Harmuth,	McHenry,	Shenkel,
Beech,	Hart,	McKay,	Shettel,
Bennett,	Hartman,	McKinney,	Shortz,
Bernhard,	Heffernan,	Melchiorre,	Shreiner,
Blumberg,	Hefferon,	Meredith,	Shugarts,
Boyd,	Heffner,	Metzler,	Simon,
Brancato,	Hermansen,	Mohn,	Sinwell,
Brennan,	Hester,	Moore,	Snyder,
Brown, W. L.,	Hewitt,	Mumford,	Sowers,
Brownfield,	Hoffman,	Munley,	Spann,
Cannon,	Holmes, J. B.,	Myers,	Stank,
Caputo,	Holmes, J. L.,	Negley,	Steedle,
Carey,	Hoopes,	Nothnagle,	Sterling, P.,
Carson,	Horst,	O'Connor,	Stiteler,
Chervenak,	Hough,	O'Neill,	Stone,
Cohen,	Howard,	O'Rourke,	Stott,
Cooke,	Hutton,	Patterson,	Surface,
Cordier,	Jones,	Peelor,	Terry,
Craig,	Kane, J. J.,	Pennock,	Turner,
Cramer,	Kane, L. P.,	Perry, D. R.,	Wade,
Dane,	King,	Perry, J. J.,	Wagner,
Davies,	Kinney,	Peters,	Walker, G. E.,
DeFrehn,	Labar,	Powell,	Walker, W. A.,
Downey, G. E.,	Lane,	Powers,	Wall,
Downey, J.,	Laubach,	Price,	Wasserman,
Duffy,	Lenahan,	Reed,	Way,
Dunmire,	Lewis,	Reilly,	Weidemann,
Dwyer,	Long,	Rhodes,	Welsh,
Emhardt,	Lord,	Rice,	Westrick,
Eroe,	Lose,	Roan,	White,
Evans,	Lovett, J. E.,	Root,	Williams, G. W.,
Fitzgerald,	Lovett, W. S.,	Roth,	Williams, J. J.,
Fleisher,	Lynch, J. R.,	Royle,	Wilson, L. M.,
Flinchbaugh,	Male,	Ruby,	Witkin,
Flynn,	Malina,	Ruth,	Wood,
Forrest,	Maloney,	Sarig,	Woodside,
Furman,	Marcks,	Sautter,	Wright,
Gallagher,	Mason,	Schrock,	Yourishin,
Gillette,	McBride,	Schrope,	Zimmerman,
Gorman,	McCandless,	Schwab,	Talbot,
Green,	McClure,	Schwartz,	Speaker.
Greenstein,	McCreary,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1787, entitled:

An Act to further amend Section one thousand two hundred one of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred fifty-nine) entitled "An act concerning game and other wild birds and wild aminals and amending revising consolidating and changing the law relating thereto" by making the moneys in the Game Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. EDERER. Mr. Speaker and ladies and gentlemen of the House, the passage of this bill will cost the sportsmen of the Commonwealth of Pennsylvania a sum equal to thirty-four thousand dollars for the next biennium. It has been recognized in the previous administrations that the Game Department has been a very valuable asset to the State of Pennsylvania The Sportsmen annually, it is conservatively estimated, spend in the neighborhood of sixteen million dollars in the State of Pennsylvania. They employ a great many people who otherwise would not receive employment at a time like this. They pay annually in counties that amount to over one hundred and twenty thousand dollars. The fur taken in the State of Pennsylvania is estimated to be worth two million dollars each

year. I know of no department in Harrisburg that has given more employment to the people in the outlying districts than does the Game Department. During the next biennium our license fees and other income will be very materially cut, and therefore I ask you to vote no on this bill and help the Game Department to maintain itself with this additional thirty-four thousand dollars, which this bill tries to take away from us.

Mr. PHILIP STERLING. Mr. Speaker and members of the House, my friend from Montgomery County, Mr. Ederer, said that it would cost the sportsmen of Pennsylvania something slightly in excess of thirty thousand dollars. I submit to you if you don't pass this bill, it will cost the general fund of the Commonwealth of Pennsylvania an equal amount.

There were five bills on this calendar yesterday or today which stood for the proposition that in these instances where funds are maintained which do not benefit the general fund, these funds should bear the expenses of their vary existence. The five bills referred to are as follows: one dealing with the Workmen's Insurance Fund, one dealing with the Motor Vehicle Fund, one dealing with the Banking Department, one dealing with the Fish Commission and the other with the Game Commission.

Now, the House in its wisdom has subscribed to the principle involved in these five bills and singularly has done it by approving the principle in three out of five of the bills. I ask the members of this House, how can you consistently subscribe to the principle involved so far as concerns three bills out of five, and not apply the principle to the two remaining bills. You defeated the principle as it applies to the Fish Commission. I am told that some of the gentlemen who voted against it have now recognized the unfairness of the defeat of that measure. Like true sportsmen they recognize that the maintenance of the Fish Commission's activities ought not to be saddled on the General Fund of the Commonwealth. The Commonwealth has said that the money contributed by the sportsment to the Fish Fund belongs to the fish and the fishermen. It does not follow logically that the Commonwealth should be the benefactor to that fund by making the audits free of cost, by having the State Treasury employing people to make disbursement against the fund, and by providing the Commission with rent, light, heat and power. This bill merely provides that the fund made up by the fishermen and sportsmen of the Commonwealth should bear its own expenses, and I daresay if that principle were understood by the sportsmen of the Commonwealth that they would be true to tradition and say, "Amen," and approve the bill. This is precisely what you should do with it.

Mr. BERNHARDT. Mr. Speaker and members of the House, I merely arise to say in my opinion that it would not be fair to the Game Commission when you defeated a similar bill of the Fish Commission yesterday to pass this bill, so I am going to ask you to go along in the same manner as you did with the other.

Mr. WAY. Mr. Speaker and members of the House, you may be interested to know a little more about what the sportsmen's money has paid in the interest of not only the sportsmen, but in the interest of the people of Pennsylvania generally as compared with what my good friend from Philadelphia has said relative to what this department costs, and what we ought to pay for it. In 1897 this State appropriated to the Game Department eight hundred dollars for that biennium. That was scarcely more than enough to pay the postage of the department. In 1889, the following biennium, they appropriated the same amount, eight hundred dollars. In 1901 they appropriated three thousand dollars. In 1903 they appropriated twelve thousand dollars. In 1905 they appropriated twenty thousand dollars. In 1907 they appropriated forty thousand dollars. In 1909 they appropriated sixty thousand dollars. In 1911 they appropriated fifty-five thousand two hundred dollars. In 1913 they appropriated ninety-seven thousand four hundred dollars from the General Fund to the Game Department, and in 1913 the Resident Hunters License Act was passed, and from that time on, ladies and gentlemen of this House, the sportsmen have been paying their own way, and not one dollar has come from the General Fund.

Now, what has the Commonwealth of Pennsylvania and the poeple of the State received for what it is now costing the sportsmen; let us see. At the present time it is my information that from the hunters license fees, seventy-five cents of each two dollars of license paid goes to the purchase of land. More than that, and as a result of that fund, the State has purchased three hundred and fifty thousand acres of land that is not only used for sportsmen, but is being used by the people generally. There are more people that have the privilege and get the recreational benefit of that land paid for and bought and maintaining and policed by the sportsmen than there are men who are paying the license and paying the bill, and I say it is not fair when the sportsmen of the Commonwealth are paying for that amount of land and the maintenance of it, and which is used by the people generally, children as well as grown-ups, it is not fair to have a bill introduced in this House to take care of the light and the janitor, gasoline, and so on, for its offices down here at the expense of the sportsmen. I say it is not fair to the sportsmen, and if we do that, gentlemen, it is my belief that we will have a great line of protest from all of the sportsmen of this Commonwealth. I call your attention to what the sportsmen have done, not only in the interest of the farmer, but in the interest of developing of the forestry in this State through their policing of these mountain lands, and all that, and ladies and gentlemen, I hope you will vote down this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—26

Andrews,	Fitzgerald,	Merrell,	Wagner,
Brown, J. E.,	Flanagan,	O'Keefe,	Williams, G. W.,
Cannon,	Flynn,	Peelor,	Wilson, L. M.,
Caputo,	McClure,	Ruby,	Wilson, T. B.,
Carey,	McGinnis,	Schwab,	Talbot,
Emhardt,	McGregor,	Steedle,	Speaker
Eroe,	Melchiorre,	Sterling, P.,	

NAYS—136

Baker,	Gillette,	Mason,	Sarig,
Baldi,	Gorman,	McBride,	Sautter,
Barnhardt,	Green,	McCandless,	Schrock,
Bechtel,	Greenstein,	McCreary,	Schrope,
Beech,	Griffith,	McElwee,	Schwartz,
Bennett,	Habbyshaw,	McGrail,	Sheffer,
Bernhard,	Hamilton,	McHenry,	Shellenberger,
Blumberg,	Harmuth,	McKay,	Shortz,
Boyd,	Harris,	McKinney,	Shreiner,
Brancato,	Hart,	Mohn,	Shugarts,
Brennan,	Hartman,	Moore,	Simon,
Brown, W. L.,	Heffernan,	Mumford,	Sinwell,
Brownfield,	Hefferon,	Munley,	Snyder,
Carson,	Hermansen,	Myers,	Spann,
Chervenak,	Hester,	Negley,	Stank,
Cohen,	Hewitt,	Nothnagle,	Sterling, R. B.,
Conner,	Himes, L. R.,	O'Connor,	Stevens,
Cooke,	Hoopes,	O'Neill,	Stiteler,
Cordier,	Horst,	O'Rourke,	Stott,
Craig,	Hough,	Patterson,	Surface,
Cramer,	Howard,	Pennock,	Tahl,
Dane,	Hutton	Perry, D. R.,	Terry,

Davies,	Jones,	Perry, J. J.,	Turner,
DeFrehn,	King,	Peters,	Wade,
Denning,	Kinney,	Powers,	Walker, W. A.,
Downey, G. E.,	Lane,	Price,	Wall,
Downey, J.,	Laubach,	Quinn,	Way,
Duffy,	Lenahan,	Raub,	Welsh,
Dunmire,	Long,	Rectenwald,	Westrick,
Ederer,	Lord,	Reed,	Wike,
Evans,	Lose,	Reilly,	Wood,
Flinchbaugh,	Lovett, J. E.,	Roan,	Woodside,
Forrest,	Lynch, M.,	Root,	Wright,
Gallagher,	Male,	Roth,	Yourishin,
Gartner,	Marcks,	Ruth,	Zimmerman.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1658, entitled:

An Act authorizing the transfer of a certain sum from the Manufacturing Fund to the General Fund and appropriating the moneys in the Manufacturing Fund for this purpose.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeabl to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186

Andrews,	Griffith,	McHenry,	Sheffer,
Baldi,	Habbyshaw,	McKay,	Shellenberger,
Bechtel,	Haines,	McKinney,	Shenkel,
Beech,	Harmuth,	Melchiorre,	Shettel,
Bernhard,	Harris,	Meredith,	Shortz,
Blumberg,	Hart,	Merrell,	Shreiner,
Boyd,	Heffernan,	Metzler,	Shugarts,
Brancato,	Hefferon,	Mohn,	Simon,
Brennan,	Heffner,	Moore,	Sinwell,
Brown, J. E.,	Hermansen,	Mumford,	Snyder,
Brown, W. L.,	Hewitt,	Munley,	Sowers,
Brownfield,	Himes, L. R.,	Myers,	Spann,
Cannon,	Hoffman,	Negley,	Stank,
Caputo,	Holmes, J. B.,	Nothnagle,	Steedle,
Carey,	Holmes, J. L.,	O'Connor,	Sterling, P.,
Carson,	Hoopes,	O'Keefe,	Stevens,
Chervenak,	Horst,	O'Neill,	Stiteler,
Cohen,	Hough,	O'Rourke,	Stone,
Conner,	Hutton,	Patterson,	Storb,
Cooke,	Jaffe,	Peelor,	Stott,
Cordier,	Jones,	Pennock,	Surface,
Craig,	Kane, J. J.,	Perry, D. R.,	Tahl,
Cramer,	Kane, L. P.,	Perry, J. J.,	Terry,
Dane,	King,	Peters,	Turner,
Davies,	Kinney,	Powell,	Wade,
DeFrehn,	Lane,	Powers,	Wagner,
Denning,	Laubach,	Price,	Walker, G. E.,
Downey, G. E.,	Lenahan,	Quinn,	Walker, W. A.,
Downey, J.,	Lewis,	Raub,	Wall,
Duffy,	Long,	Rectenwald,	Wasserman,
Dunmire,	Lord,	Reed,	Way,
Dwyer,	Lose,	Reilly,	Weidemann,
Ederer,	Lovett, J. E.,	Rhodes,	Welsh,
Emhardt,	Lovett, W. S.,	Rice,	Westrick,
Evans,	Lynch, J. R.,	Roan,	White,
Fitzgerald,	Male,	Roth,	Wike,
Flanagan,	Malina,	Royle,	Williams, G. W.,
Fleisher,	Maloney,	Ruby,	Williams, J. J.,
Flinchbaugh,	Marcks,	Ruth,	Wilson, L. M.,
Flynn,	Mason,	Sarig,	Wilson, T. B.,
Furman,	McBride,	Sautter,	Wood,
Gallagher,	McCandless,	Schrock,	Woodside,
Gartner,	McClure,	Schrope,	Wright,
Gillette,	McCreary,	Schwab,	Yeakel,
Gorman,	McElwee,	Schwartz,	Zimmerman,
Green,	McGrail,	Scorza,	Talbot,
Greenstein,	McGregor,	Scott,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1659, entitled:

An Act to further amend Section 17 of the act approved the fourteenth day of June, one thousand nine hundred and twenty-three (Pamphlet Laws seven hundred ten) entitled "An act to amend section seventeen of the act, approved the fourteenth day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, seven hundred ten), entitled 'An act allowing and regulating boxing, sparring, and wrestling matches and exhibitions; establishing a State Athletic Commission; making an appropriation therefor; and appropriating moneys received for monument and memorial purposes; and prescribing penalties,'" by increasing certain license fees.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—187

Andrews,	Green,	McClure,	Schrope,
Baker,	Greenstein,	McCreary,	Schwab,
Baldi,	Griffith,	McElwee,	Schwartz,
Barnhardt,	Habbyshaw,	McGinnis,	Scorza,
Bechtel,	Hamilton,	McGrail,	Scott,
Bennett,	Harmuth,	McGregor,	Sheffer,
Bernhard,	Hart,	McHenry,	Shellenberger,
Blumberg,	Hartman,	McKay,	Shenkel,
Boyd,	Heffernan,	McKinney,	Shettel,
Brancato,	Hefferon,	Meredith,	Shortz,
Brennan,	Heffner,	Merrell,	Shreiner,
Brown, J. E.,	Hermansen,	Metzler,	Shugarts,
Brown, W. L.,	Hewitt,	Mohn,	Simon,
Brownfield,	Himes, L. R.,	Moore,	Sinwell,
Cannon,	Hoffman,	Mumford,	Snyder,
Caputo,	Holmes, J. L.,	Munley,	Sowers,
Carey,	Hoopes,	Myers,	Spann,
Chervenak,	Horst,	Negley,	Stank,
Conner,	Hough,	Nothnagle,	Steedle,
Cooke,	Howard,	O'Connor,	Sterling, P.,
Cordier,	Hutton,	O'Keefe,	Stevens,
Craig,	Jaffe,	O'Neill,	Stiteler,
Cramer,	Jones,	O'Rourke,	Stone,
Davies,	Kane, J. J.,	Patterson,	Storb,
DeFrehn,	Kane, L. P.,	Peelor,	Stott,
Denning,	King,	Pennock,	Surface,
Downey, J.,	Kinney,	Perry, D. R.,	Tahl,
Duffy,	Labar,	Perry, J. J.,	Turner,
Dunmire,	Lane,	Peters,	Wade,
Dwyer,	Laubach,	Powers,	Wagner,
Ederer,	Lenahan,	Rectenwald,	Walker, G. E.,
Emhardt,	Lewis,	Reed,	Walker, W. A.,
Eroe,	Long,	Reilly,	Wall,
Evans,	Lord,	Rhodes,	Wasserman,
Fitzgerald,	Lose,	Rice,	Way,
Flanagan,	Lovett, J. E.,	Roan,	Weidemann,
Fleisher,	Lovett, W. S.,	Root,	Welsh,
Flinchbaugh	Lynch, J. R.,	Roth,	Wike,
Flynn,	Lynch, M.,	Royle,	Williams, J. J.,
Forrest,	Malina,	Ruby,	Witkin,
Furman,	Maloney,	Ruth,	Wood,
Gallagher,	Marcks,	Sarig,	Wright,
Gartner,	Mason,	Sautter,	Yeakel,
Gillette,	McBride,	Schrock,	Talbot,
Gorman,	McCandless,		Speaker.

NAYS—2

Beech, Carson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1657, entitled:

An Act to amend Sections 5 and 6 of the act approved the fourteenth day of April, one thousand nine hundred and twenty-five (Pamphlet Laws, two hundred thirty-four) entitled "An act relating to Boarding Houses for Infants; providing for the licensing thereof and the adoption of rules and regulations for the maintenance, operation, and conduct thereof, by the Department of Welfare; and fixing penalties," by authorizing the Department of Welfare to collect fees for licenses issued under the act.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Andrews,	Gorman,	McClure,	Scorza,
Baker,	Green,	McCreary,	Scott,
Baldi,	Greenstein,	McElwee,	Sheffer,
Barnhardt,	Haines,	McGinnis,	Shellenberger,
Bechtel,	Hamilton,	McGrail,	Shenkel,
Beech,	Harmuth,	McGregor,	Shettel,
Bennett,	Harris,	McKay,	Shortz,
Bernhard,	Hart,	McKinney,	Shugarts,
Blumberg,	Hartman,	Melchiorre,	Simon,
Boyd,	Heffernan,	Meredith,	Sinwell,
Brancato,	Hefferon,	Merrell,	Snyder,
Brennan,	Heffner,	Metzler,	Sowers,
Brown, J. E.,	Hermansen,	Mohn,	Spann,
Brown, W. L.,	Hester,	Moore,	Stank,
Brownfield,	Hewitt,	Mumford,	Steedle,
Cannon,	Himes, L. R.,	Munley,	Sterling, P.,
Caputo,	Holmes, J. L.,	Negley,	Stiteler,
Carey,	Hoopes,	Nothnagle,	Stone,
Carson,	Horst,	O'Connor,	Storb,
Chervenak,	Hough,	O'Keefe,	Stott,
Cohen,	Howard,	O'Neill,	Surface,
Cooke,	Hutton,	O'Rourke,	Tahl,
Cordier,	Jaffe,	Patterson,	Terry,
Craig,	Jones,	Peelor,	Turner,
Cramer,	Kane, J. J.,	Perry, D. R.,	Wade,
Davies,	Kane, L. P.,	Perry, J. J.,	Wagner,
DeFrehn,	King,	Peters,	Walker, G. E.,
Denning,	Kinney,	Powell,	Walker, W. A.,
Downey, G. E.,	Labar,	Powers,	Wall,
Downey, J.,	Lane,	Price,	Wasserman,
Duffy,	Laubach,	Quinn,	Way,
Dunmire,	Lenahan,	Reed,	Weidemann,
Dwyer,	Lewis,	Reilly,	White,
Ederer,	Long,	Rhodes,	Wike,
Emhardt,	Lord,	Rice,	Williams, G. W.,
Eroe,	Lose,	Roan,	Williams, J. J.,
Evans,	Lovett, J. E.,	Root,	Wilson, L. M.,
Fitzgerald,	Lovett, W. S.,	Roth,	Wilson, T. B.,
Flanagan,	Lynch, J. R.,	Royle,	Witkin,
Fleisher,	Lynch, M.,	Ruth,	Wood,
Flinchbaugh,	Malina,	Sarig,	Woodside,
Flynn,	Maloney,	Sautter,	Wright,
Forrest,	Marcks,	Schrock,	Yeakel,
Furman,	Mason,	Schrope,	Yourishin,
Gallagher,	McBride,	Schwab,	Zimmerman,
Gartner,	McCandless,	Schwartz,	Talbot,
Gillette,			Speaker.

NAYS—3

Habbyshaw,	Shreiner,	Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1656, entitled:

An Act to further amend Section 9 of the act approved the sixth day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, seventeen hundred eighty), entitled "An act to fix the salaries and compensations of the judges of Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' court, the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Allegheny County" by reducing the compensation and further defining the traveling expenses of judges presiding in other districts.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Andrews,	Green,	McCreary,	Scorza,
Baker,	Griffith,	McElwee,	Scott,
Baldi,	Habbyshaw,	McGinnis,	Sheffer,
Barnhardt,	Haines,	McGrail,	Shellenberger,
Bechtel,	Hamilton,	McGregor,	Shenkel,
Beech,	Harris,	McHenry,	Shettel,
Bennett,	Hart,	McKay,	Shortz,
Bernhard,	Hartman,	McKinney,	Shreiner,
Boyd,	Heffernan,	Meredith,	Simon,
Brancato,	Hefferon,	Merrell,	Sinwell,
Brennan,	Heffner,	Metzler,	Snyder,
Brown, J. E.,	Hermansen,	Moore,	Spann,
Brown, W. L.,	Hester,	Mumford,	Steedle,
Brownfield,	Himes, L. R.,	Munley,	Sterling, P.,
Cannon,	Hoffman,	Myers,	Stevens,
Caputo,	Holmes, J. L.,	Negley,	Stiteler,
Carey,	Hoopes,	Nothnagle,	Stone,
Carson,	Horst,	O'Connor,	Storb,
Chervenak,	Hough,	O'Keefe,	Stott,
Cohen,	Howard,	O'Neill,	Surface,
Conner,	Hutton,	O'Rourke,	Terry,
Cooke,	Jaffe,	Patterson,	Turner,
Cordier,	Jones,	Peelor,	Wade,
Craig,	Kane, J. J.,	Pennock,	Wagner,
Cramer,	Kane, L. P.,	Perry, D. R.,	Walker, G. E.,
Dane,	King,	Perry, J. J.,	Wall,
Davies,	Kinney,	Powell,	Wasserman,
DeFrehn,	Labar,	Powers,	Way,
Denning,	Lane,	Price,	Weidemann,
Downey, G. E.,	Laubach,	Quinn,	Welsh,
Downey, J.,	Lenahan,	Rectenwald,	Westrick,
Duffy,	Lewis,	Reed,	White,
Dunmire,	Long,	Reilly,	Wike,
Dwyer,	Lord,	Rhodes,	Williams, G. W.,
Ederer,	Lose,	Rice,	Williams, J. J.,
Eroe,	Lovett, J. E.,	Roan,	Wilson, L. M.,
Evans,	Lynch, J. R.,	Root,	Wilson, T. B.,
Fitzgerald,	Lynch, M.,	Roth,	Wood,
Flanagan,	Male,	Ruby,	Woodside,
Fleisher,	Malina,	Ruth,	Wright,
Flinchbaugh,	Maloney,	Sarig,	Yeakel,
Forrest,	Marcks,	Sautter,	Yourishin,
Gallagher,	Mason,	Schrock,	Zimmerman,
Gartner,	McBride,	Schrope,	Talbot,
Gillette,	McCandless,	Schwab,	Speaker.
Gorman,	McClure,		

NAYS—5

Blumberg,	Sowers,	Tahl,	Witkin,
Greenstein,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

Mr. WOODSIDE. Mr. Speaker, I desire to call up at this time House Bill No. 1315 (Senate Bill No. 65), from page 35 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Woodside,

The House resumed the consideration on final passage of House Bill No. 1315 (Senate Bill No. 65), entitled:

An Act concerning townships of the second class; and amending, revising, consolidating and changing the law relating thereto.

On the question recurring,

Shall the bill pass finally?

Mr. WOODSIDE. Mr. Speaker and members of the House. I am not going to take your time to make a speech, but I wish just to call your attention to just what this bill is. In 1929 this Legislature authorized the appointment of a commission to revise the laws relative to townships. This commission made its report to the Session of 1931, and the Township Code for second class townships was enacted by the House. After this was passed by the House and Senate and various amendments had been added to it, the result was that because of these amendments it was vetoed by the Governor. In this Session the bill as originally prepared by this commission, according to their report made to the Session of 1931, was again introduced in the Senate and is this bill. It passed the Senate without amendment, but a few amendments have been added to it in the House. These amendments have been very carefully considered along with the act as a whole by the sub-committee of the Committee on Boroughs and Townships, as well as by the Committee on Boroughs and Townships. The bill has been gone over very carefully by the supervisors and the Supervisors Association and their representatives, and by a number of members of this House, and I think it should be passed.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—182

Andrews,	Harris,	McHenry,	Shettel,
Baker,	Hart,	McKay,	Shortz,
Baldi,	Hartman,	McKinney,	Shreiner,
Barnhardt,	Heffernan,	Melchiorre,	Shugarts,
Bechtel,	Hefferon,	Merrell,	Simon,
Beech,	Heffner,	Metzler,	Sinwell,
Bennett,	Hermansen,	Mohn,	Snyder,
Bernhard,	Hester,	Moore,	Sowers,
Blumberg,	Himes, L. R.,	Mumford,	Spann,
Boyd,	Hoffman,	Munley,	Stank,
Brancato,	Holmes, J. B.,	Myers,	Steedle,
Brennan,	Hoopes,	Negley,	Sterling, P.,
Brown, J.E.,	Horst,	Nothnagle,	Stevens,
Brown, W. L.,	Hough,	O'Keefe,	Stiteler,
Carey,	Howard,	O'Neill,	Stone,
Carson,	Hutton,	Patterson,	Storb,
Chervenak,	Jaffe,	Peelor,	Stott,
Cohen,	Jones,	Pennock,	Surface,
Conner,	Kane, J. J.,	Perry, D. R.,	Tahl,
Cooke,	Kane, L. P.,	Perry, J. J.,	Terry,
Craig,	King,	Peters,	Turner,
Cramer,	Kinney,	Powell,	Wade,
Davies,	Labar,	Powers,	Wagner,
DeFrehn,	Lane,	Quinn,	Walker, G. E.,
Denning,	Laubach,	Raub,	Wall,
Downey, G. E.,	Lenahan,	Rectenwald,	Wasserman,
Downey, J.,	Lewis,	Reed,	Way,
Dunmire,	Long,	Reilly,	Weidemann,
Dwyer,	Lord,	Rhodes,	Welsh,
Emhardt,	Lose,	Rice,	Westrick,
Evans,	Lovett, J. E.,	Roan,	White,
Fitzgerald,	Lovett, W. S.,	Root,	Wike,
Fleisher,	Lynch, J. R.,	Roth,	Williams, G. W.,
Flinchbaugh,	Lynch, M.,	Royle,	Williams, J. J.,
Flynn,	Male,	Ruby,	Wilson, L. M.,
Forrest,	Malina,	Sarig,	Wilson, T. B.,
Furman,	Marcks,	Sautter,	Witkin,
Gallagher,	Mason,	Schrock,	Wood,
Gartner,	McBride,	Schrope,	Woodside,
Green,	McCandless,	Schwab,	Wright,
Greenstein,	McClure,	Schwartz,	Yeakel,
Griffith,	McCreary,	Scorza,	Yourishin,
Habbyshaw,	McElwee,	Scott,	Zimmerman,
Haines,	McGinnis,	Sheffer,	Talbot,
Hamilton,	McGrail,	Shellenberger,	Speaker.
Harmuth,	McGregor,	Shenkel,	

NAYS—2

Caputo, O'Connor,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

RECONSIDERATION OF HOUSE BILL No. 1097

Mr. BECHTEL. Mr. Speaker, I move that the vote by which House Bill No. 1097, Printer's No. 274, entitled

An Act to safeguard human health and life by providing for the licensing and regulation of persons and entities engaged in the disposal of garbage through the construction, keeping, maintenance or conduct of garbage disposal plants; conferring powers and imposing duties on the State Department of Health and the Advisory Health Board, and otherwise providing for the administration of the act and imposing penalties.

was defeated on final passage, Wednesday, March 29, 1933, be reconsidered.

Mr. GALLAGHER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Schuylkill, Mr. Bechtel, vote on the final passage of the bill?

Mr. BECHTEL. I voted "no," Mr. Speaker.

The SPEAKER. How did the gentleman from Allegheny, Mr. Gallagher, vote on the final passage of the bill?

Mr. GALLAGHER. Mr. Speaker, I voted "no."

The motion was agreed to.

Mr. BECHTEL. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. BECHTEL. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Health and Sanitation for the purpose of amendment.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL NO. 490

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 5, 1933.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate, recalling from the Governor, House Bill No. 490, Printer's No. 164, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE

Mr. TURNER. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

The motion was agreed to.

Mr. TURNER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. TURNER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 1, line 1, of the title by inserting after the word "of" and before the word "the" the following: "and to add section one and one-tenth to."

Amend page 1, line 6, of the title by striking out after the word "and" and before the word "for" the word: "[providing]."

Amend section 1, page 2, line 5, by striking out after the word "county" and before the word "of" the following: "[other than county]" and inserting in lieu thereof the following: "taxes in counties other than those."

Amend section 1, page 2, line 6, by inserting after the word "class" and before the word "city" the following: "and on."

Amend section 1, page 2, line 10, by striking out at the end of the line after the word "or]" the word "[in]."

Amend section 1, page 2, line 11, by striking out at the beginning of the line before the word "by" the word: "[part]." and inserting in lieu thereof the following: "to the extent herein provided."

Amend section 1, page 3, line 4, by inserting after the word "and" and before the word "in" the word: "that."

Amend section 1, page 3, line 4, by striking out after the word "in" and before the word "default" the word: "[that]."

Amend page 3, by inserting between lines 20 and 21 the following section: "Section 2 That said act is hereby further amended by adding after section one the following section."

Amend section 1, page 3, line 21 by striking out after the word "Section" and before the word "In" the following "[1 1]" and inserting in lieu thereof the following: "1.1."

Amend page 4, by adding after line 11, the following sections:

"Section 3 All acts or parts of acts inconsistent herewith are hereby repealed.

Section 4 This act shall become effective immediately upon its final passage."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. For tomorrow, Thursday, the calendar will be particularly heavy. The Chair, therefore, requests that the members if possible remain for the session tomorrow in order that we may clean up the calendar as nearly as possible.

ADJOURNMENT

Mr. LAUBACH. Mr. Speaker, I move that this House do now adjourn until tomorrow morning at 10.00 o'clock.

The motion was agreed to, and (at 4.40 P. M.) the House adjourned until tomorrow morning at 10.00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1933 — 130th of the General Assembly

Vol. 15 — HARRISBURG, PA., THURSDAY, APRIL 6, 1933. — No. 44

SENATE

THURSDAY, April 6, 1933

The Senate met at 9.30 o'clock A. M.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

PRAYER

The Chaplain, Rev. George P. Donehoo, offered the following prayer:

Almighty Father, we thank Thee for another day. Help us to do something this day which will help others and help ourselves, and help us to realize more and more as time goes on what has made the greatness, not only of the Anglo-Saxon race, but of this Nation and of this State. It is not legislation, or the mechanical progress we have made. It is the home. We neglect the one thing which has made us. Bless the Senators and all the officers here as they go back to their homes this week, and may they realize that there is an institution greater than all the institutions of government in the world, the institution we are all neglecting, the home. Make us get back to an appreciation of it, and bless our homes. We ask in Thy Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HOWELL, the further reading was dispensed with, and the Journal was approved.

PETITIONS

PROTESTING AGAINST SOWERS-CONNER BILL

The Chair cleared his table and laid before the Senate petition from the Cumberland County Unit of the Society of Allied Citizens of the United States protesting against the Sowers-Conner Bill.

Which was referred to the Committee on Law and Order.

FAVORING STATE TAX ON WINE

The Chair cleared his table and laid before the Senate petition from Hoffman Beverage Company, Philadelphia, favoring a State tax on wine.

Which was referred to the Committee on Finance.

FAVORING HOUSE BILL No. 689

The Chair cleared his table and laid before the Senate petition from the Community Health and Civic Association, of Ardmore, favoring passage of House Bill No. 689.

Which was referred to the Committee on New Counties and County Seats.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency the Governor of the Commonwealth, which were read as follows and referred to the Committee on Executive Nominations:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

George S. Hochendoner, Jr., Pittsburgh.
J. C. Lappe, Pittsburgh.

CAMBRIA COUNTY

Vincent A. Huber, Patton.

CHESTER COUNTY

Miss Catharine Armstrong, Berwyn.

DELAWARE COUNTY

Mrs. Margaret M. Hurley, Upper Darby.

LACKAWANNA COUNTY

Daniel J. Mezick, Olyphant.

LANCASTER COUNTY

Miss Marguerite C. Straub, Lancaster.

LAWRENCE COUNTY

J. E. Van Gorder, Ellwood City.

LUZERNE COUNTY

Sister Mary Loretta McGill, Dallas.

SCHUYLKILL COUNTY

Mrs. Mary D Barrow, Pottsville.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

SCHUYLKILL COUNTY

Frank A. Leinheiser, St. Clair, April 7, 1933.

MERCER COUNTY

John J. Donaldson, Greenville, April 17, 1933.

PHILADELPHIA COUNTY

Joseph L. McDermott, Philadelphia, April 15, 1933.
Thos. V. Hculihan, Philadelphia, April 16, 1933.

GIFFORD PINCHOT.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 1656 (Senate Bill No. 964), entitled:

An Act to further amend Section 9 of the act approved the sixteenth day of May, one thousand nine hundred and twenty-nine (P. L. 1780), entitled "Judges Salary Law," by reducing the compensation and further defining the traveling expenses of judges presiding in other districts

Which was committed to the Committee on Finance.

House Bill No. 1657 (Senate Bill No. 965), entitled:

An Act to amend Sections 5 and 6 of the act approved the fourteenth day of April, one thousand nine hundred and twenty-five (Pamphlet Laws, two hundred thirty-four), entitled "An act relating to Boarding Houses for Infants; providing for the licensing thereof and the adoption of rules and regulations for the maintenance, operation, and conduct thereof, by the Department of Welfare; and fixing penalties" by authorizing the Department of Welfare to collect fees for licenses issued under the act.

Which was committed to the Committee on Finance.

House Bill No. 1658 (Senate Bill No. 966), entitled:

An Act authorizing the transfer of a certain sum from the Manufacturing Fund to the General Fund and appropriating the moneys in the Manufacturing Fund for this purpose.

Which was committed to the Committee on Finance.

House Bill No. 1659 (Senate Bill No. 967), entitled:

An Act to further amend section seventeen of the act approved the fourteenth day of June, one thousand nine hundred and twenty-three (P. L. 710) entitled "Boxing and Wrestling Law," by increasing certain license fees.

Which was committed to the Committee on Finance.

House Bill No. 1649 (Senate Bill No. 968), entitled:

An Act to reenact Section 1 and to amend Section 6 of the act approved the thirteenth day of June, one thousand eight hundred and eighty-three (Pamphlet Laws, one hundred nineteen) entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies" as amended by re-establishing the Anatomical Board of the State of Pennsylvania and making the board self-sustaining.

Which was committed to the Committee on Finance.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 192

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives.

Resolved (if the Senate concur), That House Bill No. 192, entitled:

An Act to amend section two of the act approved the tenth day of April one thousand eight hundred and seventy-nine (Pamphlet Laws sixteen) entitled "An act relating to mutual saving fund building and loan associations regulating the mode of charging premiums bonus or interest in advance of withdrawals of repayment and collection of loans also restricting the power to levy excessive fines and defining the rights and liabilities of married women stockholders and prescribing the non-application to these associations of the bonus tax and registry laws for corporations" by further regulating withdrawals

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON NON-CONCURRENCE IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL No. 445

He also presented communication from the House of Representatives informing the Senate that the House insists upon its non-concurrence in amendments made by the Senate to House Bill No. 445, entitled:

An Act to amend sections 703 1015 1406 1902 2103 2403 Cl 53 2559 2562 2563 2564 2566 2567 2601 2620 2621 2706 2955 2978 3206 3211 3212 3501 3801 and 3803 of and to add sections 1913 and 2990 to the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" providing for vacancies in office and the filling thereof where persons elected fail to qualify for the publication of ordinances for the deposit of funds by the city treasurer for exemption from advertisemnet of contracts with the Commonwealth for a platoon system for paid men ot volunteer fire departments for group insurance for the exoneration of tax collectors and the settlement of their duplicates for penalties and interest on taxes for the collection of delinquent taxes for the licensing of transient merchants and business for the acquisition of unobstructed views for detours for the construction of sewage treatment works and the acquisition of property therefor for the collection of a frontage tax for water mains and certain license taxes that the powers of the Shade Tree Commission may be exercised by council for the advertisement of contracts in trade journals and for the improvement of boundary streets

And has appointed Messrs. Shreiner, Weidemann and Peters a Committee of Conference, to confer with a similar committee on the part of the Senate (if such committee shall be appointed), to consider the differences existing between the two Houses in relation to said bill.

APPOINTMENT OF COMMITTEE OF CONFERENCE

Mr. SCOTT. Mr. President, I move that a Committee of Conference be appointed to confer with a committee of the House of Representatives (already appointed) to consider the differences existing between the two Houses in relation to said bill.

Mr. ELY. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That Messrs. Scott, Bell and Baumer be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

AMENDMENT TO HOUSE BILL No. 948, RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 948, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue to meet interest and Sinking Fund requirements on the State debt.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 1, page 2, line 14, by striking out "11,500" and inserting in lieu thereof "11,560."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Ealy,	Lanius,	Rice,
Aron,	Einstein,	Mansfield,	Roberts,
Batchelor,	Fay,	McClure,	Salus,
Baumer,	Frazier,	Miller,	Scott,
Bell,	Gelder,	Norton,	Snyder,
Bennett,	Graff,	Owlett,	Sordoni,
Boyd,	Harris,	Parkinson,	Staudenmeier,
Brandt,	Harvey,	Pethick,	Thompson,
Buckman,	Homsher,	Prince,	Trainer,
Chapman,	Howell,	Quigley,	Williamson,
Clark,	Krause,	Reed,	Ziesenheim,
Coyne,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEES

Mr. SCOTT from the Committee on Appropriations, reported as committed, Senate Bill No. 674, entitled:

An Act to repeal section three of the act approved the nineteenth day of August, one thousand nine hundred and thirty-two (P. L. 98), entitled, "A supplement to the act, approved the eleventh day of June, one thousand nine hundred and thirty-one (Act No. Fifteen-A), entitled 'An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-one; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-one,' making additional appropriations to the Department of Military Affairs and to the Department of Property and Supplies, and an appropriation to the Senate Committee for the Investigation of the Public Service Commission"; lapsing the appropriation made by said act to the Senate committee for the investigation of the Public Service Commission.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 929, entitled:

An Act making a deficiency appropriation to the Department of the Auditor General.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 958, entitled:

An Act making an appropriation to the Coleman Industrial Home for Colored Boys, of one thousand seven hundred and twenty-one Bedford Avenue, Pittsburgh, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 957, entitled:

An Act making an appropriation to the Grand View Institution for the Care and Treatment of Poor Consumptives, Oil City, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 959, entitled:

An Act making an appropriation to the Children's Hospital of Pittsburgh in the city of Pittsburgh, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 960, entitled:

An Act making an appropriation to the Eye and Ear Hospital of Pittsburgh, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 961, entitled:

An Act making an appropriation to the Pittsburgh Home for Babies, Pittsburgh, Pennsylvania.

CONSIDERATION OF THE CALENDAR

Mr. SCOTT. Mr. President, I move that the Senate do now proceed to the consideration of the Calendar, and that bills on first and second reading only be considered at today's session.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. PARKINSON. Mr. President, I ask unanimous consent that Senate Bill No. 206, on second reading, entitled:

An Act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, division and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds and certain State departments, commissions and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 221, as follows:

An Act to amend sections one two three four and five of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred fifteen) entitled "An act authorizing the filing of notices of liens for taxes payable to the United States of America and certificates discharging such liens and to make uniform the law relating thereto" providing for the filing of notices of liens in the office of the recorder of deeds

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections one two three four and five of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred fifteen) entitled "An act authorizing the filing of notices of liens for taxes payable to the United States of America and certificates discharging such liens and to make uniform the law relating thereto" are hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That notices of liens for taxes payable to the United

States of America and certificates discharging such liens shall be filed by the collector of internal revenue in the office of the [prothonotary] recorder of deeds of the county or counties in this State within which the property subject to such lien is situated

Section 2 When a notice of such tax lien is filed the [prothonotary] recorder of deeds of the county or counties in this State within which the property subject to such lien is situated

Section 2 When a notice of such tax lien is filed the [prothonotary] recorder of deeds shall forthwith enter the same in an alphabetical Federal Tax Lien Index showing on one line the name and the residence of the taxpayer named in such notice the collector's serial number of such notice the date and hour of filing and the amount of tax with the interest penalties and costs He shall file and keep all original notices so filed in numerical order in a file or files and designated Federal tax lien notices

Section 3 When a certificate of discharge of any tax lien issued by the collector of internal revenue or other proper officer is filed in the office of the [prothonotary] recorder of deeds where the original notice of lien is filed said [prothonotary] recorder of deeds shall enter the same with date of filing in said Federal Tax Lien Index on the line where notice of the lien so discharged is entered and permanently attach the original certificate of discharge to the original notice of lien

Section 4 Said Federal Tax Lien Index and file or files for said Federal tax lien notices shall be furnished to the [prothonotary] recorder of deeds of each county in this State in the manner now provided by law for the furnishing of books in which deeds are recorded

Section 5 This act is passed for the purpose of authorizing the filing of notices of liens in accordance with the provisions of [section three thousand one hundred and eighty-six of the Revised] the Statutes of the United States [as amended]

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 262, as follows:

An Act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations

ARTICLE I

General Provisions

Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Business Corporation Law"

Section 2 Definitions The following words or phrases unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

"Articles" includes the original articles of incorporation any or all amendments thereto and articles of merger or consolidation and also includes what have heretofore been designated by law as certificates of incorporation or charters

"Assets" includes all of the property and rights of every kind of the corporation

"Authorized Capital Stock" means the aggregate number of shares of all classes either with or without par value which the corporation is authorized to issue

"Share Certificate" means a written instrument signed by the proper corporate officers as required by this act and evidencing the fact that the person or corporation therein named is the registered owner of the shares therein described and also includes the term "Certificate of Stock" as used in existing laws

"Corporation for Profit" means a corporation organized for the pecuniary profit of its shareholders

"Domestic Business Corporation" or "Business Corporation" means a corporation for profit organized under this act or heretofore organized under or by virtue of any other law of this Commonwealth for any purpose for which a corporation may be organized under this act

"Foreign Business Corporation" means a corporation for profit organized under or by virtue of any laws other than those of this Commonwealth for any purpose or purposes for which a corporation may be formed under this act

"Incorporator" means a signer of the original articles of incorporation

"Paid-in Surplus" means that part of the consideration received by a business corporation for or on account of all shares issued which does not constitute stated capital

"Registered Office" means that office maintained by a domestic or foreign business corporation in this Commonwealth the address of which is filed with the Department of State

"Shareholder" means a registered owner or shares in a business corporation

"Shares" are the units into which the shareholders' rights to participate in the control of a business corporation in its surplus or profits or in the distribution of its assets are divided

"Stated Capital" means at any particular time the sum of the par value of the shares then issued having a par value the consideration received by a business corporation for all shares then issued without par value except such part thereof as may have been allocated otherwise than to stated capital in a manner permitted by this act and such other amounts as may have been transferred to the stated capital account of the corporation whether from the issue of shares as a share dividend or otherwise minus such formal reductions from such sum as may have been effected in a manner permitted by this act

"Subscriber" means one who subscribes for shares in a business corporation whether before of after incorporation

"Written" includes printed typewritten engraved lithographed telegraphed cabled radiogramed photographed photostated telephotographed or other form of recordation

Section headings shall not be taken to govern or limit the scope of the sections of this act

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Applicability and Acceptance of Act A Every corporation of the second class heretofore organized and incorporated under the Corporation Act of 1874 its amendments and supplements and every corporation heretofore created by any special act or formed under any general act which has accepted in any manner whatsoever the Constitution of Pennsylvania and which if not existing would be required to incorporate under this act shall hereafter be subject to the provisions of this act without formal reorganization hereunder and shall be deemed to exist under this act The provisions of this act shall govern all such corporations heretofore incorporated in this Commonwealth

B Any corporation incorporated prior to 1874 by any general or special act which has not accepted the Constitution of Pennsylvania in any manner whatsoever and which if not existing would be required to incorporate under this act shall be deemed to exist under and shall be governed by the provisions of this act upon filing with the Department of State a certificate accepting the provisions of the Constitution of Pennsylvania and of this act The certificate shall be executed under the seal of the corporation shall be signed by two duly authorized officers of the corporation and shall set forth

(1) The name of the corporation

(2) The Act of Assembly by or under which it was created

(3) A statement that the corporation accepts the Constitution of Pennsylvania and the provisions of this act and

(4) A statement that the acceptance of the Constitution of Pennsylvania and of the provisions of this act was duly authorized by a meeting of the shareholders called for that purpose

C Every foreign business corporation heretofore admitted to do business in this Commonwealth which if now seeking admission would be required to comply with the provisions of this act shall within ninety days after the effective date of this act secure a certificate of authority from the Department of State and shall thereafter be subject to the provisions of this act

D This act shall not be construed as attempting to deprive any existing corporation of any corporate power right privilege or franchise which such corporation now enjoys

Section 4 Scope of Act This act does not relate to does not affect and does not apply to

(1) Associations operating on a cooperative plan whether for profit or not for profit

(2) Any corporation which may be organized under the Nonprofit Corporation Law

(3) Any corporation which by the laws of this Commonwealth is subject to the supervision of the Department of Banking the Insurance Department The Public Service Commission or the Water and Power Resources Board

Section 5 Saving Clause A This act shall not impair or affect any act done offense committed or right accruing accrued or acquired or liability penalty judgment or punishment incurred prior to the time this act takes effect but the same may be enjoyed asserted enforced prosecuted or inflicted as fully and to the same extent as if this act had not been passed

B The provisions of all acts or parts of acts which are repealed by this act or are reenacted in this act shall be considered as remaining continuously in force so that all rights enjoyed and liabilities incurred under such provisions before the effective date of this act shall be enjoyed or may be enforced as if this act had not been passed

C The provisions of this act as far as they are the same as those of existing laws shall be construed as a continuation of such laws and not as new enactments The repeal of any acts by this act shall not affect the corporate existence of any corporation heretofore created Any person holding office under any act repealed by this act shall continue to hold such office until the expiration of the term thereof subject to the conditions attached to such office prior to the passage of this act

Section 6 Interpretation of Act A The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

B Whenever in this act reference is made to any act by title such reference shall be construed to apply to and include any codification wherein the provisions of the act referred to are substantially reenacted

C Nothing in this act shall be interpreted to authorize a corporation to do any act in violation of the common law or the statutes of this Commonwealth or the United States with respect to monopolies and illegal restraint of trade

D. No corporation which may be incorporated under this act shall hereafter be incorporated except under the provisions of this act

E This act shall not be deemed to curtail in any manner whatsoever the equity jurisdiction of the courts of this Commonwealth

Section 7 Fees Any prothonotary or recorder of deeds and any State department board commission or officer shall be entitled to receive for services performed as required by this act such fees as are lawfully charged for similar services

Section 8 Waiver of Notice Whenever any notice is required to be given under the provisions of this act or the articles or by-laws of any corporation a waiver thereof in writing signed by the person or persons entitled to such notice whether before or after the time stated therein shall be deemed equivalent to the giving of such notice

Section 9 Effect of Filing or Recording Papers Required to be Filed The filing or recording of the articles or amendments thereto or of any other papers or documents pursuant to the provisions of this act is required for the purpose of affording all persons the opportunity of acquiring knowledge of the contents thereof but no person dealing with the corporation shall be charged with constructive notice of the contents of any such articles or papers by reason of such filing or recording

Section 10 Powers of Department of State The Department of State shall have the power and authority reasonably necessary to enable it to administer this act efficiently and to perform the duties imposed upon it by this act All reports required by this act to be filed with the Department of State shall be made on forms which shall be prescribed and furnished by that department Forms for all other documents to be filed with the department shall be furnished by the department on request therefor but the use thereof unless otherwise specifically prescribed in this act shall not be mandatory

Section 11 Certificates and Certified Copies of Certain Documents to be Received in Evidence—All certificates issued by the Department of State in accordance with the provisions of this act and all copies of documents filed with the Department of State in accordance with the provisions of this act when certified by the Scretary of the Commonwealth shall be taken and received by all courts public offices and official bodies as prima facie evidence of the facts therein stated A certificate by the Department of State under the seal of the Commonwealth as to the existence or nonexistence of the facts relating to corporations which would not appear from a certified copy of any of the oergoing documents or certificates shall be taken and received by all courts public offices and official bodies as prima facie evidence of the existence or nonexistence of the facts theein stated

ARTICLE II

FORMATION OF BUSINESS CORPORATIONS

Section 201 Purpose of Incorporation and Qualifications of Incorporators Three or more natural persons of full age and either sex married or single at least two-thirds of whom are citizens of the United States or of its territories or possessions may form a domestic business corporation under the provisions of this act for any lawful purpose or purposes

Section 202 The Corporate Name A The corporate name may be in any language but shall be expressed in English letters or characters and shall contain the word "corporation" "company" or "incorporated" or shall end with an abbreviation of one of these words except that the word "company" or the abbreviation "Co" may be used only if that word or abbreviation is not immediately preceded by the word "and" or any symbol or substitute therfor The corporate name shall not imply that the corporation is an administrative agency of the Commonwealth or is subject to the supervision of the Department of Banking or of the Insurance Department and shall not contain the word "bank" "banking" "bankers" "savings" "trust" "deposit" "insurance" "mutual" "assurance" "indemnity" "building and loan" "surety" "security" "guaranty" "guarantee" "cooperative" "State" or "Commonwealth"

B The corporate name shall not be the same as or deceptively similar to

(1) The name of any other domestic corporation or any foreign corporation authorized to transact business in this Commonwealth or the name of any unincorporated body whatsoever registered with the Department of State under any Act of Assembly unless such other domestic or foreign corporation or unincorporated body is about to change its name or to cease to do business or is being wound up or such foreign corporation is about to withdraw from doing business in this Commonwealth and the written consent of such other domestic or foreign corporation or unincorporated body to the adoption of its name or a deceptively similar name has been given and is filed with the articles

(2) The name of any administrative department board or commission or other agency of the Commonwealth

(3) A name the exclusive right to which is at the time reserved by any other corporation whatsoever in the manner provided in this act or any other Act of Assembly

C Nothing in this section shall abrogate or limit the law as to unfair competition or unfair practices nor derogate from the common law the principles of equity or the statutes of this Commonwealth with respect to the right to acquire and protect trade names

D The assumption of a name in violation of this section shall not vitiate or otherwise affect the corporate existence but the Court of Common Pleas of Dauphin County may upon the application of the Attorney General acting on his own motion or at the instance of any administrative department board or commission of the Commonwealth and the court of common pleas of any county may upon the application of any person unicorporated body or corporation adversely affected enjoin the corpoation from using or continuing to use a name assumed in violation of this section

Section 203 Reservation of Corporate Name The exclusive right to the use of a corporate name may be reserved by

(1) Any person intending to organize a corporation under this act or

(2) Any domestic business corporation intending to change its name or

(3) Any foreign business corporation intending to make application for a certificate of authority to transact business in this Commonwealth or

(4) Any foreign business corporation authorized to transact business in this Commonwealth and intending to change its name or

(5) Any person intending to organize a foreign business corporation and intending to have such corporation make aplication for a certificate of authority to transact business in this Commonwealth Such reservation shall be made by filing with the Department of State an application to reserve a specified corporate name executed by the applicant If that department finds that such name is available for corporate use it shall reserve the name for the exclusive use of the applicant for a period of sixty days The right to the exclusive use of a specified corporate name so reserved may be transferred to any person by filing with the Department of State a notice of such transfer executed by the person for whom such name was reserved and specifying the name and address of the transferee

Section 204 Articles of Incorporation Articles shall be signed in duplicate originals by each of the incorporators and acknowledged by at least two of them before any officer within this Commonwealth authorized to take acknowledgments and shall set forth in the English language

(1) The name of the corporation

(2) The location and post office address of its initial registered office in this Commonwealth and the name of its initial registered agent at such address

(3) A precise and accurate statement of the purpose or purposes for which the corporation is organized and that it is organized under the provisions of this act

(4) The term for which it is to exist

(5) The aggregate number of shares which the corporation shall have authority to issue and if the shares are to consist of one class only the par value of each of the shares or a statement that all of the shares are without par value or if the shares are to be divided into classes the number of shares of each class if any that are to have a par value and the par value of each share of each class and the number of shares of each class if any that are to be without par value

(6) If the share are to be divided into classes a description of each class and a statement of the preferences qualifications limitations restrictions and the special or relative rights granted to or imposed upon the share of each class

(7) If the corporation is to issue the shares of any preferred or special class in series a description of each series and a statement of the variations in the relative rights and preferences as between different series in so far as the same are to be fixed in the articles and a statement of any authority to be vested in the board of directors to establish series and fix and determine the variations in the relative rights and preferences as between series

(8) The amount of paid-in capital with which the corporation will begin business which shall not be less than Five Hundred Dollars ($500.00) in cash

(9) The names of the first directors their postoffice addresses and their terms of office

(10) The name and postoffice address of each of the incorporators and a statement of the number of shares subscribed by each which shall not be less than one and the class of shares for which each subscribes

(11) Any provisions which the incorporators may choose to insert granting to shareholders the preemptive rights to subscribe to any or all issues of shares or securities of the corporation

(12) Any provisions not inconsistent with law which the incorporators may choose to insert for the regulation of the internal affairs of the corporation and the business of the corporation

Section 205 Advertisement The incorporators shall advertise their intention to apply for a charter one time in two newspapers published in the English language one of which shall be a newspaper of general circulation and the other the legal newspaper if any designated by the rules of the court for the publication of legal notices otherwise in two newspapers of general circulation published in the county in which the initial registered office of the corporation is to be located Where there is but one newspaper of general circulation published in any county advertisement in such newspaper shall be sufficient Advertisement shall appear at least three days prior to the day application for a charter is made to the Department of State and shall set forth briefly

(1) The name of the proposed corporation

(2) A statement that the application is made under the provisions of this act

(3) The character and purpose or purposes of the proposed corporation and

(4) The time when application will be made to the Department of State

Section 206 Filing of Articles Certificate of Incorporation On the day specified in the advertisement the incorporators shall deliver or cause to be delivered to the Department of State the duplicate originals of the articles and proof of the advertisement required by the preceding section If the Department of State finds that the articles conform to law it shall endorse its approval upon each duplicate original and when bonus fees and charges have been paid as required by law shall file and record one of the duplicate originals and shall issue a certificate of incorporation The remaining duplicate original of the articles and the certificate of incorporation shall be returned by the Department of State to the incorporators or their representative and the duplicate original shall be recorded in the office of the recorder of deeds of the county in which the registered office of the corporation is situated The duplicate original of the articles upon being recorded by the recorder of deeds shall be returned to the incorporators or their representative and shall constitute the charter of the corporation

Section 207 Effect of Issuance of Certificte of Incorporation Upon the issuance of the certificate of incorporation by the Department of State the corporate existence shall begin and those persons who subscribed for shares prior to the issuance of the certificate of incorporation or their assignees shall be shareholders in the corporation The certificate of incorporation shall be conclusive evidence of the fact that the corporation has been incorporated but proceedings may be instituted by the Commonwealth to dissolve wind up and terminate a corporation which should not have been formed under this act or which has been formed without a substantial compliance with the conditions prescribed by this act as precedent to incorporation

Section 208 Conditions Precedent to Beginning Business Penalty for Violation of Section A A corporation formed under this act shall not incur any indebtedness or begin the transaction of any business except such as shall be incident to its organization or to the obtaining of subscriptions to or the payment for its shares until

(1) A duplicate original of its articles has been recorded in the office of the recorder of deeds as heretofore provided in this act

(2) The amount of capital with which it will begin business as stated in the articles has been fully paid and

(3) There has been filed in the office of the recorder of deeds of the county in which the corporation has its registered office an affidavit signed by at least a majority of the board of directors stating that the amount of capital with which it will commence business as stated in the articles has been fully paid in

(B) If a corporation shall transact any business in violation of this section the officers who participated therein and the directors except those who dissented therefrom and caused their dissent to be filed at the time in the registered office of the corporation or who being absent filed their dissent upon learning of the action shall be severally liable for the debts and liabilities of the corporation arising therefrom

Section 209 Cemetery and Burial Corporations In the case of the incorporation of a cemetery or burial corporation as a business corporation the articles shall in addition to the information heretofore required by this article contain a provision that a sum equal to at least one-tenth of the gross amount of the funds arising from the sale of lots in the burial ground or cemetery of the corporation shall be set apart for the perpetual care and preservation of the grounds and the repair and renewal of the buildings and property of such corporation that such sum shall be invested by the board of directors in securities which are legal investments for trustees under the laws of this Commonwealth and that the income arising therefrom shall be applied by the board of directors to the foregoing purposes

Section 210 Organization Meetings After the issuance of the certificate of incorporation the first meeting of the shareholders shall be held within or without this Commonwealth at the call of the incorporators or a majority of them for the purpose of adopting by laws unless the articles provide that by-laws shall be adopted by the board of directors and for such other purposes as shall be stated in the notice of the meeting The incorporators calling the meeting shal give by mail to each shareholder at least ten days' notice of the time place and purpose or purposes of the meeting

After the issuance of the certificate of incorporation an organization meeting of the board of directors named in the articles shall be held either within or without this Commonwealth at the call of a majority of the directors for the purposes of adopting by-laws if the articles authorize the directors to adopt by-laws of electing officers and of transacting such other business as may come before the meeting The directors calling the meeting shall give at least five days' notice by mail to each director named in the articles of the time and place of the meeting

Section 211 Legislature Reserves Power to Alter or Revoke Charters The General Assembly may alter revoke or annual the charter of any corporation formed under this act as provided by Article XVI section ten of the Constitution

ARTICLE III

CORPORATE POWERS DUTIES AND SAFEGUARDS

Section 301 Corporate Capacity and Authority A business corporation shall have the capacity of natural persons to act but shall have authority to perform only such acts as are necessary or proper to accomplish its purpose or purposes and which are not repugnant to law

Section 302 General Powers Subject to the limitations and restrictions contained in this act or in its articles every business corporation shall have authority

(1) To continue as a corporation for the time limited in its articles or if a time limit is not specified therein then perpetually subject to the power of the General Assembly under the Constitution of this Commonwealth

(2) To sue and be sued complain and defend in its corporate name

(3) To have a corporate seal which may be altered at pleasure and to use the same by causing it or a facsimile thereof to be impressed or affixed or in any manner reproduced

(4) To purchase take receive lease as lessee take by gift devise or bequest or otherwise acquire and to own hold use and otherwise deal with any real or personal property or any interest therein situated in or out of this Commonwealth which may be appropriate to enable it to accomplish fully and properly its corporate purpose or purposes

(5) To sell and convey mortgage pledge lease as lessor and otherwise dispose of all or any part of its property and assets

(6) Whenever appropriate to enable it to accomplish any or all of its purposes to guarantee purchase take receive or otherwise acquire hold sell assign transfer mortgage loan pledge or otherwise dispose of and otherwise use and deal in and with the shares bonds securities and other evidences of indebtedness of any domestic corporation or any corporation formed under any laws other than those of this Commonwealth and while the owner of the same to exercise all the rights powers or privileges of ownership including the right to vote thereon

(7) To purchase take receive or otherwise acquire hold on pledge transfer or otherwise dispose of its own shares except that no such purchase or acquisition shall be made at a time when the net assets of the corporation are less than its stated capital or which would reduce its net assets below its stated capital

(8) To borrow money for any or all of its corporate purposes to issue its promissory notes bonds or other forms of certificates of indebtedness for the repayment thereof with interest at a rate not exceeding six per centum and to secure any of its obligations by mortgage pledge or deed of trust of or on any of its property franchises and income

(9) To invest its surplus funds from time to time to lend money for any or all of its corporate purposes and to take and hold real and personal property as security for the payment of funds so invested or loaned

(10) To conduct its business carry on its operations and have offices within and outside of this Commonwealth and to exercise in any other state territory district or possession of the United States or in any foreign country and the territories and colonies thereof the powers granted by this act

(11) To make alter amend and repeal by-laws not inconsistent with its articles or with law for the administration and regulation of the affairs of the corporation

(12) To elect or appoint and remove officers and agents of the corporation and to define their duties and fix their compensation

(13) To enter into any obligation necessary for the transaction of its ordinary affairs

(14) To have and exercise all of the powers and means necessary or essential to effect the purpose or purposes for which the corporation is formed

(15) To dissolve and wind up

The powers herein enumerated shall not be construed as limiting or enlarging the grant of authority herein before made by this article or as a limitation on the purpose or purposes for which a corporation may be organized as set forth in its articles It shall not be necessary to set forth any of such enumerated powers in the articles of the corporation Except as otherwise provided in this act or in the by-laws the powers herein enumerated shall be exercised by the board of directors of the corporation

Section 303 Defense of Ultra Vires A No limitation upon the business purpose or purposes or powers of a business corporation expressed or implied in its articles or implied by law shall be asserted in order to defend any action at law or in equity between the corporation and a third person or between a shareholder and a third person involving any contract to which the corporation is a party or any right of property or any alleged liability of whatsoever nature but such limitation may be asserted

(1) In an action by a shareholder against the corporation to enjoin the doing of unauthorized acts or the transaction or continuation of unauthorized business If the unauthorized acts or the business sought to be enjoined are being transacted pursuant to any contract to which the corporation is a party the court may if all of the parties to the contract are parties to the suit and if it deems the same to be equitable set aside and enjoin the performance of such contract and in so doing shall allow to the corporation or the other parties as the case may be compensation for the loss or damage sustained by either of them which may result from the action of the court in setting aside and enjoining the performance of such contract but anticipated profits to be derived from the performance of the contract shall not be awarded by the court as a loss or damage sustained

(2) In an action at law or in equity by the corporation whether acting through a receiver trustee or other legal representative suit against the officers or directors of the corporation for exceeding their authority

(3) In a proceeding by the Commonwealth as authorized by law to dissolve the corporation or in a proceeding by the Commonwealth to enjoin the corporation from the transaction of unauthorized or unlawful business

B No conveyance or transfer by or to a corproation or property real or personal of any kind or description shall be invalid or fail bosause in making such conveyance or transfer or in acquiring the property real or personal the board of directors or any of the officers of the corporation acting within the scope of the actual or apparent authority given to them by the board of directors have exceeded any of the corporation's objects purposes or powers

C The provisions of this section shall extend to contracts and conveyances made by foreign corporations in this Commonwealth and to all conveyances by foreign corporations of real property situated in this Commonwealth

Section 304 Adoption and Contents of By-laws Except as hereinafter provided the shareholders shall have the power to make alter amend and repeal the by-laws of a business

corporation The authority to make by-laws may be expressly vested by the articles in the board of directors subject to the power of the shareholders to change or repeal such by-laws Unless the articles or by-laws otherwise provide the by-laws may be adopted altered amended and repealed by a majority vote of the board of directors or of the shareholders as the case may be at any regular or special meeting duly convened after notice to the shareholders or directors of that purpose The by-laws may contain any provisions for the regulation and management of the affairs of the corporation not inconsistent with law or the articles and may provide penalties for the breach thereof not exceeding twenty dollars

Section 305 Persons Bound by By-laws The by-laws of a business corporation shall operate merely as regulations among the members of the corporation and shall not affect contracts or other dealings with other persons unless such persons have actual knowledge of such by-laws Any form of execution provided in the by-laws to the contrary notwithstanding any note mortgage evidence of indebtedness contract or other instrument of writing or any assignment or endorsement thereof executed or entered into between any corporation and any other person copartnership association or corporation when signed by the president or vice president and secretary or treasurer of such corporation shall be held to have been properly executed for and in behalf of the corporation

Section 306 Registered Office Every business corporation shall have and continuously maintain in this Commonwealth a registered office which may but need not be the same as its place of business The address including street and number if any of the initial registered office shall be stated in the articles of the corporation as heretofore provided in this act

Section 307 Change of Registered Office After incorporation a change of the location of the registered office may be authorized at any time by a two-thirds vote of the board of directors Before the change of location shall become effective the directors shall file with the Department of State and the recorder of deeds of the county in which the registered office is then located a statement signed and verified by two duly authorized officers of the corporation setting forth

(1) The name of the corporation

(2) The address including street and number if any of its then registered office

(3) The address including street and number if any to which the registered office is to be changed

(4) That such change was authorized by resolution duly adopted by at least two-thirds of the members of the board of directors If the registered office of the corporation is changed from one county to another county then the corporation shall also file for record in the office of the recorder of deeds of the county to which such registered office is changed a copy of its articles together with a copy of the statement of change of address of its registered office The change of address of the registered office shall become effective upon the filing of such statement with the Department of State and the recorder of deeds

Section 308 Corporate Records Inspection A Every business corporation shall keep at its registered office records of the proceedings of the shareholders and of the directors and the original or a copy of its by-laws including all amendments or alterations thereto to date certified by the secretary of the corporation and shall keep at its registered office or at the office of a transfer agent or registrar within this Commonwealth an original or a duplicate share register giving the names of the shareholders in alphabetical order and showing their respective addresses the number and classes of shares held by each the number and date of certificates issued for the shares and the number and date of cancellation of every certificate surrendered for cancellation Every such corporation shall also keep appropriate complete and accurate books or records of account which may be kept at its registered office or at its principal place of business

B Every shareholder shall have a right to examine in person or by agent or attorney at any reasonable time or times for any reasonable purpose the share register books or records of account and records of the proceedings of the shareholders and directors and make extracts therefrom

C A business corporation shall be liable to the Commonwealth for a penalty of fifty dollars for each day it neglects to keep or maintain any or all of the books and records required by this section

Section 309 Procedure to Increase Indebtedness of Corporation No business corporation shall increase its indebtedness except in the manner provided in this section The board of directors of the corporation shall adopt a resolution setting forth the desired increase and the purpose thereof and directing that the question of the proposed increase be submitted to a vote at an annual meeting of the shareholders or at a special meeting of the shareholders entitled to vote thereon Written notice stating that the purpose or one of the purposes of such meeting is to consider the question of increasing the indebtedness of the corporation shall be given to each shareholder at least sixty days before the date of the meeting If such meeting be an annual meeting such purpose may be included in a notice of such annual meeting provided the notice is given at least sixty days before the date of the annual meeting The resolution shall be adopted upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote thereon unless any class of shares is entitled to vote thereon as a class in which event the proposed resolution for increase of indebtedness shall require for its adoption the affirmative vote of the holders of at least a majority of the outstanding shares of each class entitled to vote thereon In every such case the holders of shares transferred within sixty days of any such meeting of the shareholders shall not be entitled to vote either in person or by proxy on the question of increase of indebtedness nor shall any proxy be received or entitle the holder to vote on the question of increase of indebtedness unless the proxy shall have been executed at least sixty days before the meeting called to consider such question Nothing herein contained shall be construed to apply to indebtedness contracted in the usual course of corporate business

Section 310 Authority to Acquire Property at Judicial Sale A business corporation may at any judicial sale of any property upon which the corporation holds a mortgage or has a lien of any nature whatsoever bid in such property if necessary for the protection of its interests The corporation shall acquire a good and indefeasible title to any and all property so purchased irrespective of any limitation as to the acquisition of property that may exist in its articles or in this act All property so purchased may be held by the corporation until such time as it shall believe it advisable to dispose of the same except that such property shall be sold within twenty years from the time it was purchased at the judicial sale It shall be lawful to sell the property for cash or for part cash and a mortgage to run from the purchaser to the corporation The corporation may sell such property and convey a marketable title thereto without the authorization or confirmation of any court

Section 311 Voluntary Transfer of Corporate Assets A The sale lease or exchange of all or substantially all the property and assets of a corporation when made in the usual and regular course of the business of a corporation may be made upon such terms and conditions and for such considerations which may consist in whole or in part of money or property real or personal including shares of any other corporation domestic or foreign as shall be authorized by its board of directors In every such case no authorization or consent of the shareholders shall be required

B A sale lease or exchange of all or substantially all the property and assets with or without the good will of a corporation if not made in the usual and regular course of its business may be made upon such terms and conditions and for such considerations which may consist in whole or in part of money or property real or personal including shares of any other corporation domestic or foreign as may be authorized in the manner hereinafter provided in this section The board of directors shall adopt a resolution recommending such sale lease or exchange and directing the submission thereof to a vote of the shareholders entitled to vote in respect thereof at a meeting which may be either an annual meeting of the shareholders or a special meeting of the shareholders entitled to vote in respect of such sale lease or exchange Written notice stating that the purpose or one of the purposes of such meeting is to consider the sale lease or exchange of all or substantially all the property and assets of the corporation shall be given to each shareholder of record whether or not entitled to vote at least twenty days prior to the date of the meeting in the manner provided by this act for the giving of notice of meetings of shareholders If such meeting be an annual meeting such purpose may be included in the notice of the annual meeting At such meeting the shareholders may authorize such sale lease or exchange and fix or may authorize

the board of directors to fix any or all of the terms and conditions thereof and the consideration to be received by the corporation therefor Such authorization shall receive the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote on the question unless any class of shares is entitled to vote as a class on the question in which event such authorization shall receive the affimative vote of the holders of at least a majority of the outstanding shares of each class of shares entitled to vote as a class on the question and at least a majority of all other outstanding shares entitled to vote thereon After such authorization by a vote of the shareholders the board of directors in its discretion may abandon such sale lease or exchange subject to the rights of third parties under any contracts relating thereto without further action or approval by the shareholders

C Any business corporation upon receiving the approval of its shareholders in the manner specified in the preceding subsection of this section may sell assign dispose of and convey to any other business corporation its franchises and all its property and assets and thereafter such corporation shall cease to exist and its property and assets and franchises shall thereafter be vested in the purchasing corporation The vendor corporation shall file with the Secretary of the Commonwealth a statement executed in duplicate originals under the seal of the corporation signed by at least two duly authorized officers of the corporation and setting forth

(1) The name of the vendor corporation and the address of its registered office

(2) The name of the vendee corporation and the address of its registered office

(3) A statement that the vendor corporation has agreed to sell all its franchises property and assets to the vendee corporation Upon the filling of such statement the Department of State if all fees and charges have been paid as required by law shall fine one copy of the duplicate originals and shall send the other to the recorder of deeds of the county in which the registered office of the vendor corporation in this Commonwealth is situated who shall record the same without fee therefor

D Nothing in this section shall be construed to authorize the conversion or exchange of assets in fraud of corporate creditors or of minority shareholders or shareholders without voting rights or in violation of the act approved the twenty-third day of May one thousand nine hundred nineteen (Pamphlet Laws two hundred sixty-two) and its amendments and supplements or the Fiscal Code approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws three hundred forty-three) and its amendments and supplements

Section 312 Reorganization upon Forced Sale of Corporate Property and Franchises A When the franchises property and assets of any domestic or foreign corporation which are located in this Commonwealth shall be sold under and by virtue of any process or decree of any court of this Commonwealth or of the United States or under or by virtue of a power of sale contained in any mortgage or deed of trust duly executed by the corporation the persons for or on whose account such franchises property and assets were purchased shall be and they are hereby constituted a corporation Such corporation shall be vested with and be entitled to exercise and enjoy all the rights privileges and franchises which at the time of such sale belonged to or were vested in the corporation last owning the property sold or its receiver and shall be subject to all the duties imposed by law on business corporations

B At or previous to the sale the purchasers or the persons for whom the purchase is to be made may enter into a plan or agreement for or in anticipation of the readjustment of the respective interests of any creditors mortgagees shareholders or any of them of the corporation owning such franchises property and assets at the time of the sale and of holders of claims against such corporation and for the representation of such interests in the bonds or shares of the new corporation Such plan or agreement may provide for the regulation of the voting powers of any class or classes of shares and may provide for and regulate voting by the holders and owners of any or all of the bonds of the old corporation or of the bonds issued or to be issued by the new corporation In such event the right of voting by bondholders shall be exercised in such manner for such period and upon such conditions as shall be provided in the plan or agreement Such plan or agreement shall be binding upon the new corporation The new corporation may issue its bonds and stock in conformity with the provisions of such plan or agreement and may at any time within six months after its organization compromise settle or assume the payment of any debt claim or liability of the old corporation or any claims against it upon such terms as may be lawfully approved by a majority of the agents of trustees charged with the carrying out of the plan or agreement of reorganization

C The purchasers of the franchises property or assets of a corporation under this section within thirty days after conveyance of such franchises property and assets has been made to them shall meet and organize the new corporation Notice of the time place and purpose of such meeting shall be published once a week for two successive weeks prior to such meeting in at least one newspaper published in the city or county in which the forced sale was held At such meeting and subject to the provisions of this act a board of directors shall be elected the name and seal of the corporation shall be adopted and the amount kinds and classes of the shares of the authorized capital stock of the new corporation shall be determined Articles of reorganiztion shall then be executed in duplicate originals under the seal of the new corporation signed by at least two duly authorized officers thereof and setting forth the information heretofore required in this act to be set forth in original articles of incorporation in so far as such information is applicable and in addition thereto the name of the corporation whose property and franchises were acquired the law under which it was organized the date of the judgment or decree authorizing or directing the sale and a brief description of the property sold Such articles shall be delivered to the Department of State If the Department of State finds that the articles conform to law and all fees and charges have been paid as required by law it shall note its approval on each duplicate original and shall file one copy thereof The remaining duplicate original shall be returned to the new corporation or its representatives and shall be recorded in the office of the recorder of deeds of the county in which the registered office of the new corporation is located

Section 313 Usury Not a Defense No business corporation shall plead or set up usury or the taking of more than six per cent interest as a defense to any action brought against it to recover damages on enforced payment of or other remedy on any mortgage bond note or other obligation executed or effected by the corporation

Section 314 Special Powers in Time of War In time of war every business corporation shall have power to transact any lawful business in aid of the United States in the prosecution of war to make donations to associations and organizations aiding in war activities and to lend money to the Commonwealth or the Federal government for war purposes

Section 315 Payment of Salaries of Employes in Military Service Any business corporation may continue the salaries of such of its employes as may have enlisted or enrolled or may hereafter enlist or enroll in any branch of the military or naval service of the United States or any state thereof or in any other organization established for the protection of the lives and property of citizens of the United States during the term of such enlistment or enrollment or during such part thereof as such employes by reason of such enlistment or enrollment may be unable to perform their duties as employes of the corporation

Section 316 Pensions for Employes Every business corporation may grant allowances or pensions out of the earnings of the corporation to its employes for faithful and long-continued service who have in such service become old infirm or disabled but nothing herein contained shall authorize an allowance or pension to be granted to any director or officer of the corporation

Section 317 Voting Powers of Security Holders Every business corporation by suitable provisions in its articles may confer upon the holders of any bonds or debentures issued or to be issued by the corporation whether secured by mortgage or otherwise the power to vote in respect to the corporate affairs and management of the corporation to the same extent and in the same manner as shareholders of the corporation as may be provided in the articles and in case of a default in the payment of the principal or interest on such bonds or debentures or otherwise or in any other case may likewise confer upon such bondholders or debenture holders the same right of inspection of the corporate books accounts and records of such corporation and also any other rights which the shareholders of the corporation have or may have under its articles or the laws of this Commonwealth

Section 318 Financial Report to Shareholders Unless the by-

laws expressly provide otherwise the directors of every corporation shall cause to be sent to the shareholders within thirty days after the close of the fiscal or calendar year a fiancial report as of the closing date of the succeeding fiscal or calendar year Such report shall give a summary of the assets and liabilities of the corporation the amount of dividends paid or delivered during the past year the condition as to surplus or deficit and how acquired or created the number of shares issued and outstanding together with any such particulars as are necessary to disclose the general nature of the liabilities and assets of the corporation The report shall also set forth a balance sheet as of the closing date of the preceding fiscal or calendar year together with a statement of income and profit and loss for the year ended on that date The statement of income and profit and loss shall be prepared in the form ordinarily used by accountants for the particular kind of business carried on by the corporation All such reports shall be certified by an auditor elected by the shareholders of the corporation

ARTICLE IV

DIRECTORS AND OFFICERS

Section 401 Board of Directors The business and affairs of every business corporation shall be managed by a board of at least three directors who need not be residents of this Commonwealth or shareholders in the corporation unless the articles or by-laws so require Each director shall hold office for the term for which he is elected and until his successor shall have been elected and qualified. The names and terms of office of the first directors shall be stated in the articles Except as hereinafter provided in this article in the case of vacancies directors other than those constituting the first board of directors shall be elected by the shareholders A business corporation may allow compensation to its directors for their services and a director may also be a salaried officer of the corporation

Section 402 Number Qualifications and Election of Directors Subject to the provisions of this act the number qualifications terms of office manner of election time and place of meeting compensation and powers and duties of the directors may be prescribed from time to time by the by-laws Except as otherwise provided in the by-laws

(1) A director shall be elected for a term of one year

(2) The number of directors shall be the same as that stated in the articles

(3) Vacancies in the board of directors shall be filled by the remaining members of the board and each person so elected shall be a director until his sucessor is elected by the shareholders who may make such election at the next annual meeting of the shareholders or at any special meeting duly called for that purpose and held prior thereto

(4) The meetings of the board of directors may be held at such place within this Commonwealth or elsewhere as a majority of the directors may from time to time appoint

(5) A majority of the directors shall be necessary to constitute a quorum for the transaction of business and the acts a majority of the directors present at a meeting at which a quorum is present shall be the acts of the board of directors Provided That if the directors shall severally or collectively consent in writing to any action to be taken by the corporation such action shall be as valid corporate action as though it had been authoriezd at a meeting of the board of directors

(6) The board of directors may by resolution passed by a majority of the whole board delegate two or more of its number to constitute an executive committee which to the extent provided in such resolution shall have and exercise the authority of the board of directors in the management of the business of the corporation

Section 403 Classification of Directors If the articles or by-laws of a business corporation so provide the directors of the corporation may be classified in respect to the time for which they shall severally hold office In such case each class shall be as nearly equal in number as possible the term of office of at least one class shall expire in each year and the members of a class shall not be elected for the shorter period than one year or for a longer period than four years At each ensuing election of directors after such classification only the number of directors equal to the number of the class whose terms expire at the time of the election shall be elected and such directors shall be elected for the longest term for which any class may have been elected as hereinbefore provided in this section

Section 404 Notice of Directors' Meetings Meetings of the board of directors shall be held upon such notice as the by-laws may prescribe Attendance of a director at any meeting shall constitute a waiver of notice of such meeting except where a director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting was not lawfully called or convened Neither the business to be transacted at nor the purpose of any meeting need be specified in the notice or waiver of notice of such meeting

Section 405 Officers and Agents Every business corporation shall have a president a secretary and a treasurer and may have such other officers and assistant officers and agents as the needs of the corporation may require The officers assistant officers and agents shall be elected or appointed either by the board of directors or by the shareholders at such time in such manner and for such terms as the by-laws may prescribe It shall not be necessary for the officers except the president to be directors but a vice president who is not a director shall not succeed to or fill the office of president If the by-laws so provide any two or more offices may be held by the same person except the offices of president and secretary The board of directors may secure the fidelity of any or all of such officers by bond or otherwise Unless otherwise provided in the by-laws the board of directors shall have power to fill any vacancies in any office occurring from whatever reason All officers and agents of the corporation as between themselves and the corporation shall have such authority and perform such duties in the management of the property and affairs of the corporation as may be provided in the by-laws or in the absence of controlling provisions in the by-laws as may be determined by resolution of the board of directors

Section 406 Removal of Officers Any officer or agent elected or appointed by the board of directors may be removed by the board of directors whenever in its judgment the best interests of the corporation will be served thereby but such removal shall be without prejudice to the contract rights if any of the person so removed

Section 407 Relation of Directors and Officers to Corporation Officers and directors shall be deemed to stand in a fiduciary relation to the corporation and shall discharge the duties of their respective positions in good faith and with that diligence care and skill which ordinarily prudent men would exercise under similar circumstances in like positions

Section 408 Women may be Directors or Officers Women married or single may serve as directors and officers of business corporations

ARTICLE V

SHAREHOLDERS' MEETINGS RIGHTS AND LIABILITIES

Section 501 Meetings of Shareholders A Meetings of shareholders may be held at such place within or without this Commonwealth as may be provided in the by laws Unless the by-laws provide otherwise all metings of the shareholders shall be held in this Commonwealth at the registered office of the corporation

B The by-laws may provide for the number and the time of meetings of shareholders but at least one meeting of the shareholders shall be held in each calendar year for the election of directors at such time as shall be provided in the by-laws Failure to hold the annual meeting at the designated time shall not work any forfeiture or dissolution of the corporation If the annual meeting shall not be called and held within six months after the designated time any shareholder may call such meeting.

C Special meetings of the shareholders may be called at any time by the president the board of directors the holders of not less than one-fifth of all the shares outstanding and entitled to vote at the paricular meeting and by such other officers or persons as may be provided in the articles or by-laws At any time upon written request of any person entitled to call a special meeting it shall be the duty of the secretary to call a special meeting of the shareholders to be held at such time as the secretary may fix not less than ten nor more than sixty days after the receipt of the request If the secretary shall neglect or refuse to issue such call the person or persons making the request shall do so

D Adjournment or adjournments of any annual or special meeting may be taken but any meeting at which directors are

to be elected shall be adjourned only from day to day until such directors have been elected

Section 502 Notice of Meetings of Shareholders Written notice of every meeting of the shareholders shall be given by or at the direction of the person authorized to call the meeting to each shareholder of record entitled to vote at the meeting at least five days prior to the day named for the meeting unless a greater period of notice is required elsewhere in this act in a particular case The notice shall specify the place day and hour of the meeting and in the case of a special meeting the general nature of the business to be transacted and may be given to any shareholder either personally or by sending a copy thereof through the mail or by telegram charges prepaid to his address appearing on the books of the corporation or supplied by him to the corporation for the purpose of notice If the notice is sent by mail or by telegraph it shall be deemed to have been given to the shareholder when deposited in the United States mail or with a telegraph office for transmission to the shareholder When a meeting is adjourned it shall not be necessary to give any notice of the adjourned meeting or of the business to be transacted at an adjourned meeting other than by announcement at the meeting at which such adjournment is taken unless otherwise provided in the by-laws

Section 503 Quorum of Shareholders A shareholders' meeting duly called shall not be organized for the transaction of business unless a quorum is pesent Unless otherwise provided in the articles

(1) The presence in person or by proxy of the holders of a majority of the outstanding shares entitled to vote shall constitute a quorum

(2) The shareholders present at a duly organized meeting can continue to do business until adjournment notwithstanding the withdrawal of enough shareholders to leave less than a quorum

(3) If a meeting cannot be organized because a quorum has not attended those present may except as otherwise provided in this act adjourn the meeting to such time and place as they may determine but in the case of any meeting called for the election of directors those who attend the second of such adjourned meetings although less than a quorum as fixed in this section or in the articles shall nevertheless constitute a quorum for the purpose of electing directors

Section 504 Shareholders May Vote in Person or by Proxy Except as otherwise provided in the articles and this act every shareholder of record shall have the right at every shareholders' meeting to one vote for every share standing in his name on the books of the corporation Every shareholder may vote either in person or by proxy executed in writing by the shareholder or by his duly authorized attorney in fact and filed with the secretary of the corporation. A proxy unless coupled with an interest shall be revocable at will notwithstanding any other agreement or any provision in the proxy to the contrary but the revocation of a proxy shall not be effective until notice thereof has been given to the secretary of the corporation No unrevoked proxy shall be valid after eleven months from the date of its execution unless a longer time is expressly provided therein but in no event shall a proxy unless coupled with an interest be voted on after three years from the date of its execution A proxy shall not be revoked by the death or incapacity of the maker unless before the vote is counted or the authority is exercised written notice of such death or incapacity is given to the secretary of the corporation A shareholder shall not sell his vote or execute a proxy to any person for any sum of money or anything of value

Section 505 Elections of Directors Cumulative Voting Unless otherwise provided in the by-laws elections for directors need not be by ballot except upon demand made by a shareholder at the election and before the voting begins In all elections for directors every shareholder shall have the right in person or by proxy to multiply the number of votes to which he may be entitled by the number of directors to be elected and he may cast the whole number of such votes for one candidate or he may distribute them among any two or more candidates The candidates receiving the highest number of votes up to the number of directors shall be elected

Section 506 Voting by Trustees and Pledgees Shares standing in the name of a trustee appointed by deed or by the court of common pleas or shares held by an assignee for the benefit of creditors or by a receiver may be voted either in person or by proxy of the trustee, assignee or receiver. A shareholder whose shares are pledged shall be entitled to vote thereon in person or by proxy until the shares have been transferred on the books of the corporation to the pledgee and thereafter the pledgee shall be entitled to vote the shares in person or by proxy

Section 507 Voting by Joint Holders of Shares Where shares are held jointly by three or more persons the will of the majority of such persons shall control the manner of voting or the giving of a proxy If only one of such persons is present in person or by proxy he shall have the right to vote all such shares and all of the shares standing in the names of such persons shall be deemed to be represented for the purpose of determining a quorum The same shall be true in the case of trustees appointed by deed or by the court of common pleas unless the instrument or decree of court appointing them otherwise directs Where in any case such trustees are equally divided upon the manner of voting the shares jointly held by them it shall be lawful for the court of common pleas upon petition filed by any of the trustees or by any beneficiary to direct the voting of such shares in the manner which in the opinion of the court will be for the best interests of the parties beneficially interested in the shares

Section 508 Voting Shares Held by Corporation A corporation owning shares in another corporation may vote the same by its president or by proxy appointed by him unless some other person by resolution of its board of directors shall be appointed to vote such shares in which case such person shall be entitled to vote the shares upon the production of a certified copy of such resolution Shares of its own capital stock belonging to a corporation shall not be voted directly or indirectly at any meeting and shall not be counted in determining the total number of outstanding shares at any given time but shares of its own capital stock held by it in a fiduciary capacity may be voted and shall be counted in determining the total number of outstanding shares at any given time

Section 509 Determination of Shareholders of Record Unless the by-laws otherwise provide the board of directors may fix a time not less than ten or more than forty days prior to the date of any meeting of shareholders or the date fixed for the payment of any dividend or distribution or the date for the allotment of rights or the date when any change or conversion or exchange of shares will be made or go into effect as a record date for the determination of the shareholders entitled to notice of and to vote at any such meeting or entitled to receive payment of any such dividend or distribution or to receive any such allotment of rights or to exercise the rights in respect to any such change conversion or exchange of shares In such case only the shareholders of record on the date so fixed shall be entitled to notice of and to to vote at such meeting or to receive payment of such dividend or to receive such allotment of rights or to exercise such rights as the case may be notwithstanding any transfer of any shares on the books of the corporation after any record date fixed as aforesaid The board of directors may close the books of the corporation against transfers of shares during the whole or any part of such period and in such case written or printed notice thereof shall be mailed at least ten days before the closing thereof to each shareholder of record at the address appearing on the records of the corporation or supplied by him to the corporation for the purpose of notice While the stock transfer books of the corporation are closed no transfer of shares shall be made theron Unless a record date is fixed by the by-laws or the board of directors for the determination of shareholders entitled to receive notice of or vote at a shareholders' meeting transferees of shares which are transferred on the books of the corporation within ten days next preceding the date of such meeting shall not be entitled to notice of or to vote at such meeting Nothing herein contained shall be deemed to abridge the constitutional requirement of sixty days' notice of a meeting called for the purpose of increasing the authorized capital stock or indebtedness of a corporation or to deprive anyone who was a shareholder of record sixty days prior to the meeting of his right to vote at the meeting

Section 510 Voting Lists The officer or agent having charge of the transfer books for shares of a corporation shall make at least five days before each meeting of shareholders a complete list of the shareholders entitled to vote at the meeting arranged in alphabetical order with the address of and the number of shares held by each which list shall be kept on file at the registered office of the corporation and shall be subject to inspection by any shareholder at any time during usual business hours Such list shall also be produced and

kept open at the time and place of the meeting and shall be subject to the inspection of any shareholder during the whole time of the meeting The original share ledger or transfer book or a duplicate thereof kept in this Commonwealth shall be prima facie evidence as to who are the shareholders entitled to examine such list or share ledger or transfer book or to vote in person or by proxy at any meeting of shareholders An officer or agent having charge of the transfer books who shall fail to prepare the list of shareholders or keep the same on file for a period of five days or produce and keep the same open for inspection at any meeting as provided in this section shall be liable to any shareholder suffering damages on account of such failure to the extent of such damages

Section 511 Voting Trusts A Two or more shareholders of any business corporation may by agreement in writing transfer their shares to any person or persons or to a domestic or foreign corporation or corporations having authrity to act as trustee for the purpose of vesting in the transferee or transferees all voting or other rights pertaining to such shares for a period not exceeding ten years and upon the terms and conditions stated in the agreement An unexecuted copy of the agreement shall be filed in the registered office of the corporation and shall be open daily during business hours to the inspection of any shareholder or any transferor under the agreement or the attorney of any shareholder or transferor

B Upon the filing of the agreement the share certificate of shares so transferred shall be surrendered and cancelled and new certificates therefor shall be issued to the transferee or transferees as voting trustee or trustees in which new certificates it shall appear that they are issued pursuant to the agreement In the registration of the transfer of the shares on the books of the corporation it shall be noted that the transfer is made pursuant to the agreement The trustee or trustees shall execute and deliver to the transferors voting trust certificates which shall be transferable in the same manner and with the same effect as certificates of shares under the provisions of the Uniform Stock Transfer Act approved the fifth day of May one thousand nine hundred eleven (Pamphlet Laws one hundred twenty-six) and its amendments and supplements upon the transfer and registration of the shares The trustee or trustees shall possess all voting and other right pertaining to the shares so transferred and registered subject to the terms and conditions of and for the period specified in the agreement

C Unless otherwise provided in the agreement

(1) The trustees may vote in person or by proxy

(2) If there are two or more trustees the manner of voting shall be determined as heretofore provided in this act for the voting of shares by joint holders

(3) Vacancies among the trustees shall be filled by the remaining trustees

(4) A trustee shall incur no responsibility as trustee except for his own individual neglect or malfeasance

(5) Any other shareholder may transfer his shares to the same trustee or trustees upon the terms and conditions stated in the agreement and thereupon shall be bound by all the provisions of the agreement and in every such case a new voting trust shall be deemed to have been formed

Section 512 Judges of Election A In advance of any meeting of shareholders the board of directors may appoint judges of election to act at such meeting or any adjournment thereof If judges of election be not so appointed the chairman of any such meeting may and on the request of any shareholder or his proxy shall make such appointment at the meeting The number of inspectors shall be one or three If appointed at a meeting on the request of one or more shareholders or proxies the majority of shares present shall determine whether one or three judges are to be appointed No person who is a candidate for office shall act as a judge

B In case any person appointed as judge fails to appear or fails or refuses to act the vacancy may be filled by appointment made by the board of directors in advance of the convening of the meeting or at the meeting by the person or officer acting as chairman

C The judges of election shall determine the number of shares outstanding and the voting power of each the shares represented at the meeting the existence of a quorum the authenticity validity and effect of proxies receive votes or ballots hear and determine all challenges and questions in any way arising in connection with the right to vote count and tabulate all votes determine the result and do such acts as may be proper to conduct the election or vote with fairness to all shareholders The judges of election shall perform their duties impartially in good faith to the best of their ability and as expeditiously as is practical If there be three judges of election the decision act or certificate of a majority shall be effective in all respects as the decision act or certificate of all

D On request of the chairman of the meeting or of any shareholder or his proxy the judges shall make a report in writing of any challenge or question or matter determined by them and execute a certificate of any fact found by them Any report or certificate made by them shall be prima facie evidence of the facts stated therein

Section 513 Informal Action by Shareholders Except for the action required by this act for increasing the stated capital or indebtedness of a corporation any action required by this act to be taken at a meeting of the shareholders of a corporation may be taken without a meeting if a consent in writing setting forth the action so taken shall be signed by all of the shareholders who would be entitled to vote at a meeting for such purpose and shall be filed with the secretary of the corporation

Section 514 Liability of Shareholders A A shareholder of a business corporation shall not be personally liable for any debt or liability of the corporation except salaries and wages due and owing to its laborers and employes for services rendered to the corporation In such event every shareholder shall be personally liable in an amount equal to the amount of shares of the corporation owned by him but no shareholder shall be so liable unless suit for the collection of such salaries and wages shall be brought against him within six months after the same shall become due

B In any action brought to enforce the liability imposed by this section upon shareholders the plaintiff may include as defendants the corporation and any one or more shareholders of such corporation claimed to be liable therefor Service of summons or other process may be made upon the stockholders resident within such county in the same manner as writs of summons are now directed to be served and upon those residing in other counties of this Commonwealth by the sheriff of the county in which they may respectively reside and upon those nonresidents of this Commonwealth in such manner as the court may direct If judgment be given in favor of the plaintiff for his claim or any part thereof the judgment shall be given against the corporation and any shareholders found liable The execution upon such judgment shall be first levied on the property of the corporation within the Commonwealth and in case such property sufficient to satisfy the judgment cannot be found then execution shall be levied on the property of such shareholders for the deficiency or so much thereof as the shareholder defendants in such judgment shall be liable to pay The shareholders who satisfy any judgment or any part thereof shall be entitled to contribution from the corporation in the first instance and if contribution is unobtainable from the corporation then pro rata from the other solvent shareholders originally liable for the claims on which the judgment was obtained

ARTICLE VI
SHARES OF CAPITAL STOCK

Section 601 Classes of Shares Every corporation shall have power to create and issue one or more classes or kinds of shares any or all of which classes or kinds may consist of shares with par value or shares without par value with full limited or no voting rights and with such designations preferences qualifications privileges limitations options conversion rights and other special rights as shall be stated or authorized in the articles Shares of a business corporation shall be deemed personal property Except as otherwise provided by the articles each share shall be in all respects equal to every other share Unless the articles or by-laws otherwise provide the board of directors shall have the power by resolution duly adopted to issue from time to time in whole or in part the kinds or classes of shares authorized in the articles The power to increase or decrease or otherwise adjust the stated capital of a corporation as in this act elsewhere provided shall apply to all or any such classes or kinds of shares authorized by this section Shares of a corporation shall not be issued except pursuant to subscriptions received therefor or pursuant to the declaration of share dividends as elsewhere provided in this act

Section 602 Issuance of Certain Shares in Series A If the articles so provide the shares of any preferred or special class may be divided into and issued in series If the shares of any such class are to be issued in series then each series shall be

so designated as to distinguish the shares thereof from the shares of all other series and classes Any or all of the series of any such class and the variations in the relative rights and preferences as between different series may be fixed and determined by the articles provided that all shares of the same class shall be identical except as to the following relative rights and preferences in respect of any or all of which there may be variations between different series namely the rate of dividend the price at and the terms and conditions on which shares may be redeemed the amounts payable upon shares in event of voluntary or involuntary liquidation sinking fund provisions for the redemption or purchase of shares and the terms and conditions on which shares may be converted in the event the shares of any series are issued with the privilege of conversion

B If the articles shall expressly vest authority in the board of directors then to the extent that the articles shall not have established series and fixed and determined the variations in the relative rights and preferences as between series the board of directors shall have authority by resolution to divide any or all of such classes into series and within the limitations set forth in this section fix and determine the relative rights and preferences of any series so established Such authority of the board of directors shall be subject to such limitations if any as are stated in the articles and shall always be subject to the limitation that the board of directors shall not create a sinking fund in respect of any series unless provision for a sinking fund at least as beneficial to all issued and outstanding shares of the same class shall either then exist or be at the same time created

C Prior to the issue of any shares of a series established by resolution adopted by the board of directors the corporation shall present to the Department of State a statement in duplicate signed and verified by at least two duly authorized officers thereof and setting forth

(1) The name of the corporation

(2) The resolution establishing and designating the series and fixing and determining the relative rights and preferences thereof

(3) The date and the manner of the adoption of such resolution

If the Department of State finds that such statement conforms to law and the articles of the corporation and when all fees have been paid as required by law it shall endorse its approval on each copy thereof shall file one of the copies of the statement and shall forward the other approved copy to the corporation or its representative whereupon such copy shall be recorded in the office of the recorder of deeds of the county in which the registered office of the corporation in this Commonwealth is situated Upon the filing of such statement by the Department of State the resolution establishing and designating the series and fixing and determining the relative rights and preferences thereof shall become effective

Section 603 Consideration for Shares A Subscriptions for shares of a business corporation shall not be made payable in whole or in part with any consideration other than money other property tangible or intangible or with necessary services actually rendered to the corporation Subscriptions for shares having a par value shall be made payable with money to an amount not less than the aggregate par value of the shares subscribed for or with consideration other than money the fair valuation of which to the corporation is not less than the aggregate par value of the shares subscribed for Subscriptions for shares having no par value which are signed before incorporation shall be made payable with consideration of the character and value determined by the incorporators Subscriptions for shares having no par value which are signed after incorporation shall be made payable with consideration of the character and value determined by the shareholders at any annual or special meeting duly called and held for that purpose or determined by the board of directors acting under authority conferred by the shareholders or by the articles of the corporation Shares of a corporation issued and thereafter acquired by it may be disposed of by the corporation for such consideration as may be fixed from time to time by the board of directors For the purpose of determining whether shares have been fully paid for in order to fix the extent of the outstanding obligation of a shareholder to the corporation with respect to such shares the valuation placed by the incorporators the shareholders or the board of directors as the case may be upon the consideration other than cash with which the subscriptions for shares are made payable shall be conclusive

B The consideration for the issuance of shares as a share dividend shall be that part of the surplus of a business corporation which is hereinafter required by this act to be transferred to stated capital upon the issuance of such shares

C In the event of an exchange of issued shares having a par value for a different number of shares having the same aggregate par value whether of the same or a different class or classes or in the event of a conversion of shares or in the event of an exchange of shares with or without part value into the same or a different number of shares without par value whether of the same or a different class or classes the consideration for the shares so issued in exchange shall be deemed to be (1) the consideration originally received for the shares so exchanged or converted and (2) that part of the surplus if any transferred to stated capital upon the issuance of shares for the shares so exchanged or converted and (3) any additional consideration paid to the corporation upon the issuance of shares for the shares so exchanged or converted

Section 604 Payment of Subscriptions for Shares Unless otherwise provided in the subscription agreement subscriptions for shares whether made before or after the organization of a corporation shall be paid in full at such time or in such installments and at such times as shall be determined by the board of directors Any call made by the board of directors for payment of subscriptions shall be uniform as to all shares of the same class or as to all shares of the same series as the case may be The directors shall cause notice of the amount of any call and of the time and place of payment to be given at least thirty days before the date the call is due either personally or by mail addressed to each shareholder at his last address as it appears on the books of the corporation If a shareholder be indebted to a business corporation on account of unpaid subscriptions for shares the corporation shall have a lien upon such shares for such indebtedness Shares for which the agreed consideration has been paid delivered or rendered to the corporation shall be fully paid shares and non-assessable No note or obligation given by a shareholder whether secured by pledge or otherwise shall be considered as payment in whole or in part of any shares of a business corporation

Section 605 Defaults in Payment of Consideration for Shares When any shareholder fails to pay any call upon his shares properly made by the directors at the time when such payment is due the directors may proceed to collect the amount due in the same manner as any debt due the corporation or they may sell at public sale such part of the shares of the delinquent shareholder as will pay all or any part of the installments then due from him with interest and all incidental expenses and transfer the shares so sold to the purchaser who shall be entitled to a certificate therefor Notice of the time and place of such sale and of the sum due on each share shall be given by advertisement once a week for two consecutive weeks next preceding the date fixed for the sale in a newspaper published in the county where the corporation has its registered office or if there be no newspaper in such county then in a newspaper of general circulation in such county and such notice shall be mailed by the treasurer of the corporation to the delinquent shareholder at his last known post office address at least twenty days before the date fixed for such sale If no bidder can be had to pay the amount due on the shares or if the amount is not collected by an action at law brought within the county where such corporation has its registered office the shares shall be forfeited to the corporation and the amount previously paid in by the delinquent shareholder on the shares shall be forfeited to the corporation No share shall be voted at any meeting upon which any installment is due and unpaid

Section 606 Expenses of Organization Reorganization and Financing The reasonable charges and expenses of organization or reorganization of a corporation and reasonable compensation for the sale or underwriting of its shares may be paid or allowed by such corporation out of the consideration recevied by it in payment for its shares without thereby rendering such shares not full paid and non-assessable

Section 607 Share Certificate A The shares of a corporation shall be represented by share certificates which shall state

(1) That the corporation is organized under the laws of this Commonwealth

(2) The name of the registered holder of the shares represented thereby

(3) The number and class of shares and the designation of the series if any which the certificate represents

(4) The par value of each share represented or a statement that the shares are without par value

(5) If the corporation is authorized to issue shares of more than one class the designations preferences voting power qualifications privileges limitations options conversion rights and other special rights of the shares of each class to be issued which shall be stated in full or in the form of a summary either upon the face or back of the certificate

(6) If the corporation is authorized to issue any preferred or special class in series the variations and the relative rights and preferences between the shares of each series so far as they have been fixed and determined and the authority of the board of directors to fix and determine the relative rights and preferences of subsequent series

B Every share certificate shall be signed by the president and secretary or by such officers as the by-laws may provide and sealed with the corporate seal which may be a facsimile engraved or printed but where such certificate is signed by a transfer agent or by a transfer clerk of such corporation and a registrar the signature of any corporate officer upon such certificate may be a facsimile engraved or printed In case any officer who has signed or whose facsimile signature has been placed upon any share certificate shall have ceased to be such officer because of death resignation or otherwise before the certificate is issued it may be issued by the corporation with the same effect as if the officer had not ceased to be such at the date of its issue

C A share certificate representing shares without par value shall not state any par value nor any value thereof in money nor any right of dividend to which such shares shall be entitled in terms of a percentage of any par or other value but preferences rights limitations privileges and restrictions may be stated thereon in dollars and cents per share

D Every shareholder of record shall be entitled to a share certificate representing the shares owned by him but a share certificate shall not be issued by a corporation to any shareholder until the shares represented thereby have been fully paid for

Section 608 Issuance of Fractional Shares or Scrip A corporation may issue a certificate for a fractional share and by action of its board of directors may issue in lieu thereof scrip or other evidence of ownership which shall entitle the holder to receive a certificate for a full share upon the surrender of such scrip or other evidence of ownership aggregating a full share but which shall not unless otherwise provided entitle the holder to exercise any voting right or to receive dividends or to participate in any of the assets of the corporation in the event of liquidation The board of directors may cause such scrip or evidence of ownership to be issued subject to the condition that it shall become void if not exchanged for share certificates before a specified date or subject to the condition that the shares for which such scrip or evidence of ownership is exchangeable may be sold by the corporation and the proceeds thereof distributed to the holders of such scrip or evidence of ownership or subject to any other conditions which the board of directors may deem advisable

Section 609 Liability of Subscribers and Shareholders A subscriber to or holder of shares of a corporation formed under this act shall not be under any liability to the corporation with respect to such shares other than the obligation of complying with the terms of the subscription for such shares Any person becoming an assignee or transferee of shares or of a subscription for shares in good faith and without knowledge or notice that the full consideration therefor has not been paid shall not be personally liable to the corporation or its creditors for any unpaid portion of such consideration Except when he has voluntarily invested the estate or trust funds in such shares no person holding shares as executor administrator guardian trustee receiver or in any representative or fiduciary capacity shall be personally liable as a shareholder by reason of so holding such shares but the estate and funds in the hands of such fiduciary or representative shall be so liable No pledgee or other holder of shares as collateral security shall be personally liable as a shareholder but the person pledging such shares shall be considered the holder thereof and shall be liable as a shareholder

Section 610 Validity of Shares The fact that shares are issued in violation of or without full compliance with the provisions of this act shall not make the shares so issued invalid unless they are issued in violation of Article XVI Section seven of the Constitution of this Commonwealth

Section 611 Preemptive Rights of Shareholders Unless otherwise provided in its articles a corporation for profit may issue shares option rights or securities having conversion or option rights without first offering them to shareholders of any class or classes Shares which have been offered to shareholders having a preemptive right thereto at a price or upon terms duly fixed and which have not been subscribed for by them within the time duly fixed by the articles or the board of directors may be thereafter offered for subscription to any other person or persons at a price and upon terms not more favorable than those at which they were offered to such shareholders

Section 612 Employes' Share Purchase Plan Unless otherwise provided in its articles every business corporation may provide and carry out a plan for the issue and sale of its authorized but unissued shares to its employes or to the employes of any subsdiary corporation or to a trustee on their behalf without first offering such shares to its shareholders for such consideration upon such terms and conditions and in such manner as shall be provided in the by-laws except that shares subject to preemptive rights may be so issued and sold under such plan cnly with the written consent or affirmative vote of the holders of two-thirds of the shares entitled to exercise preemptive rights with respect thereto

Section 613 Transfer of Share Certificates and Shares A The transfer of share certificates and the shares represented thereby may be regulated by the by-laws provided such by-laws are not inconsistent with the provisions of the Uniform Stock Transfer Act approved the fifth day of May one thousand nine hundred eleven (Pamphlet Laws one hundred twenty-six) and its amendments and supplements

B A business corporation may open a share register in any state of the United States and may employ an agent or agents to keep such register and to record therein transfer of shares in this or in other states or both The acts of such agents shall be binding on the corporation and their duties and liabilities shall be such as may be agreed to by the corporation

Section 614 Stated Capital and Paid-in Surplus Every business corporation shall have a stated capital which shall consist of the aggregate par value of all its issued shares having a par value and the aggregate amount of value of the agreed consideration received for all its issued shares without par value unless the board of directors by resolution and subject to the limitations hereinafter contained in this section shall determine (a) before or at the time of issue of any shares of the corporation issued for cash or (b) within sixty days after the issuance of any shares issued for labor or services actually performed for the corporation or issued for property other than cash that only a part of the consideration for shares so issued shall be stated capital and that the remainder of the consideration so received shall be paid-in surplus In the event of any such determination

(1) If the shares to be issued shall consist wholly of shares having a par value then the stated capital represented by such shares shall be the aggregate par value of the shares so to be issued

(2) If the shares to be issued shall consist wholly of shares without par value all of which shares have a preferential right in the assets of the corporation in the event of involuntary liquidation then the stated capital represented by such shares shall be not less than the aggregate preferential amount payable upon such shares in the event of involuntary liquidation

(3) If the shares to be issued consist wholly of shares without par value and none of such shares has a preferential right in the assets of the corporation in the event of its involuntary liquidation then the stated capital represented by such shares shall be the total consideration received therefor less such part thereof as may be allocated to paid-in surplus

(4) If the shares to be issued shall consist of several or all of the classes of shares enumerated above then the stated capital to be represented by such shares shall be not less than the aggregate par value of any shares to be issued having a par value and the aggregate preferential amount payable upon anw shares to be issued without par value having a preferential right in the event of involuntary liquidation

In each such case the resolution of the board of directors shall specify in dollars the part of such consideration which shall be stated capital Every business corporation shall at all times keep its books in such manner as to indicate clearly the allocation of consideration received for shares between stated capital and paid-in surplus The stated capital of the corporation may be increased from time to time by resolution of the board of directors directing that all or a part of the surplus

of the corporation be transferred to stated capital The board of directors may direct that the amount of the surplus so transferred shall be deemed to be stated capital in respect of any designated class of shares

ARTICLE VII

DIVIDENDS REDEMPTION OF SHARES AND REDUCTION OF STATED CAPITAL

Section 701 Directors May Declare Dividends A Subject to any restrictions contained in the articles of the corporation and the provisions of this article any business corporation by its board of directors may declare and pay dividends upon the outstanding shares of the corporation out of its surplus as hereinafter provided from time to time and to such extent as the board of directors may deem advisable Dividends may be paid in cash in property or in shares of the corporation but no corporation shall pay dividends

(1) In cash or property except from the surplus of the aggregate of its assets over the aggregate of its liabilities including in the latter the amount of its stated capital after deducting from such aggregate of its assets the amount by which such aggregate was increased by unrealized appreciation in value or revaluation of fixed assets

(2) In shares of the corporation except from the surplus of the aggregate of its assets over the aggregate of its liabilities including in the latter the amount of its stated capital

B In computing the aggregate of the assets of the corporation the board of directors shall determine and make proper allowance for depreciation and depletion sustained and losses of every character except as otherwise provided in this section Deferred assets and prepaid expenses shall be written off at least annually in proportion to their use as may be determined by the board of directors Amounts of surplus arising from an unrealized appreciation or revaluation of fixed assets shall be shown on the books of the corporation as a separate item apart from surplus profits or paid-in surplus

C A corporation engaged solely or substantially in the exploitation of mines oil wells gas wells patents or other wasting assets or organized solely or substantially to liquidate specific assets need not make any deduction for the depletion of such assets by lapse of time consumption liquidation or exploitation in computing the fund available for dividends and such a corporation may pay dividends from the net profits arising from its business without deduction of such depletion subject however to the rights of shareholders of different classes

Section 702 Additional Limitations on Cash or Property Dividends Cash or property dividends shall not be paid out of surplus due to or arising from

(1) Any profit on treasury shares before resale or

(2) Any unrealized profits due to increase in valuation of inventories before sale or

(3) The accrued portion of unrealized profits on notes bonds or obligations for the payment of money purchased or acquired at a discount unless such notes bonds or obligations are readily marketable in which case they may be taken at their actual market value or

(4) The unaccrued or unearned portion of any unrealized profit in any form whatever whether in the form of notes bonds obligations for the payment of money installments sales credits or otherwise

Section 703 Limitations on Dividends Payable in Shares Dividends in shares of the corporation may be payable in shares with or without par value If a dividend is declared payable in shares having a par value such shares shall be issued at the par value thereof and there shall be transferred to stated capital at the time such dividend is declared an amount of surplus equal to the aggregate par value of the shares to be issued as a dividend If a dividend is declared payable in shares having no par value such shares shall be issued at such value as shall be fixed by the board of directors by resolution at the time such dividend is declared and there shall be transferred to stated capital at the time such dividend is declared an amount of surplus equal to the aggregate value so fixed in respect to such shares For the purpose of determining whether shares have been fully paid for in ordr to fix the extent of the outstanding obligation of a shareholder to the corporation with respect to such shares the valuation placed by the board of directors upon the corporate assets in estimating the surplus to be transferred to stated capital as payment for shares issued as a share dividend shall be conclusive Shares issued as share dividends shall be fully paid shares and non-assessable No dividend payable in shares of any class shall be paid to shareholders of any other class unless the articles so provide or such payment is authorized by the vote of the holders of a majority of the shares of the class in which the payment is to be made A splitup or division of issued shares into a greater number of shares of the same class shall not be construed to be a share dividend within the meaning of this section

Section 704 Dividends Payable Out of Paid-in Surplue Dividends may be paid out of paid-in surplus only upon shares having a preferential right to receive dividends provided that the source of such dividends shall be disclosed to the shareholders entitled thereto prior to or concurrently with the payment of such dividends

Section 705 Redemption and Cancellation of Shares A Whenever any business corporation shall have issued any shares which under its articles are subject to redemption and cancellation it may by resolution of its board of directors redeem and cancel such shares for consideration not in excess of that provided in the articles Such corporation may apply to such redemption an amount out of its stated capital which shall not be greater than that portion of the stated capital represented by such shares at the time of such redemption and the stated capital of the corporation shall be deemed to be reduced to this extent No redemption of shares shall be made which will reduce the remaining assets of the corporation below an amount sufficient to pay all debts and known liabilities of the corporation as they mature except such debts and liabilities as have been otherwise adequately provided for or which will reduce the net assets below the aggregate amount payable to the holders of shares having prior or equal rights to the assets of the corporation upon dissolution

B In every such case a statement of redemption and cancellation shall be executed in duplicate originals under the seal of the corporation signed and verified by at least two duly authorized officers thereof which shall set forth

(1) The name of the corporation and the address of its registered office

(2) The aggregate number of shares which the corporation had authority to issue itemized by classes and series

(3) The number of shares redeemed and cancelled itemized by classes and series

(4) The number of shares which the corporation has authority to issue itemized by classes and series after giving effect to the redemption and cancellation

(5) A statement of the aggregate number of issued shares itemized by classes par value of shares shares without par value and series if any within a class after giving effect to such redemption and cancellation

(6) A statement expressed in dollars of the amount of the stated capital and the amount of paid-in surplus of the corporation after giving effect to such redemption and cancellation

C The duplicate originals of such statement shall be delivered to the Department of State either prior to or within thirty days after the date of such redemption and cancellation If the Department of State finds that the statement conforms to law it shall endorse its approval upon each duplicate original and shall file and record one of the duplicate originals The filing of such statement shall operate as an amendment to the articles of the corporation and shall reduce the number of shares of the class so redeemed which the corporation is authorized to issue by the number of the shares so redeemed and cancelled The remaining duplicate original of the statement shall be returned by the Department of State to the corporation or its representatives and the corporation shall cause the statement to be recorded in the office of the recorder of deeds of the county in which the registered office of the corporation is situated The duplicate original of the statement upon being recorded by the recorder of deeds shall be returned to the corporation or its representative Nothing contained in this section shall be construed to prohibit a reduction of authorized capital stock or a reduction of stated capital in any other manner permitted by this act

Section 706 Reduction of Stated Capital Without Change in Share Structure A A reduction in the stated capital of a corporation which does not involve an exchange re-classification or cancellation of shares or a reduction of the number of authorized shares of any class below the number of issued shares of that class or a redemption and cancellation of shares may be effected in the manner hereinafter provided in this section The board of directors of the corporation shall adopt

a resolution setting forth the amount of the proposed reduction and the manner in which the reduction shall be effected and directing that the question of such reduction be submitted to a vote at an annual meeting of the shareholders or at a special meeting of the shareholders entitled to vote thereon Written notice stating that the purpose or one of the purposes of such meeting is to consider the question of reducing the stated capital of the corporation shall be given to each shareholder of record entitled to vote thereon within the time and in the manner prescribed in this act for the giving of notice of meetings of shareholders If such meeting be an annual meeting such purpose may be included in a notice of such annual meeting The resolution shall be adopted upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote thereon unless any class of shares is entitled to vote thereon as a class in which event the proposed resolution for reduction of stated capital shall require for its adoption the affirmative vote of the holders of at least a majority of the outstanding shares of each class entitled to vote thereon

B Upon the approval of the resolution by the shareholders a statement shall be executed in duplicate, originals under the seal of the corporation signed and verified by at least two duly authorized officers thereof and shall set forth

(1) The name of the corporation and the address of its registered office

(2) The number of shares outstanding the number of shares entitled to vote in respect of such reduction and if the shares of any class are entitled to vote as a class the number of shares of such class and the number of shares of all other classes entitled to vote thereon

(3) The number of shares voted for and against such reduction respectively and if the shares of any class are entitled to vote as a class the number of shares of each such class and the number of shares of all other classes voted for and against such reduction respectively

(4) A statement expressed in dollars of the amount of stated capital and the amount of paid-in surplus of the corporation adjusted to give effect to such resolution

C The duplicate originals of the statement shall be filed with the Department of State If the Department of State finds that such statement conforms to law it shall endorse its approval upon each duplicate original and shall file and record one of the duplicate originals Upon the filing of such statement the reduction shall be effective The remaining duplicate original shall be returned by the Department of State to the corporation or its representative and shall be recorded in the office of the recorder of deeds of the county in which the registered office of the corporation is situated The duplicate original upon being recorded by the recorder of deeds shall be returned to the corporation or its representative

Section 707 Liability for Unlawful Dividends and Distributions A The directors of a business corporation shall not declare or pay dividends or authorize or ratify the withdrawal or distribution of any part of its assets to shareholders except as authorized in this act If any dividend shall be paid or if any withdrawal or distribution of the corporate assets shall be made except as provided in this act the directors under whose administration the same were made except those who shall have caused their dissent therefrom to be entered on the minutes of the meeting at which such action was authorized or who being absent at the time shall have promptly filed their written objection thereto with the secretary of the corporation upon learning of such action shall be jointly and severally liable to the corporation in an amount equal to the amount of the unlawful dividend or the unlawful withdrawal or distribution of assets Any director against whom a claim shall be asserted under or pursuant to this section and who shall be held liable thereon shall be entitled to a contribution from the other directors who are likewise liable thereon pro rata according to the number of directors Any two or more directors may be sued in the same action

B Any shareholder who shall accept or receive any dividend or distribution of the assets of a corporation not authorized by this act to be made shall be individually liable to the corporation in an amount equal to the amount so accepted or received by him Any two or more shareholders may be sued in the same action

ARTICLE VIII

AMENDMENT OF ARTICLES

Section 801 Amendment of Articles Authorized A business corporation in the manner hereinafter provided in this article may from time to time amend its articles

(1) To adopt a new name subject to the restrictions heretofore provided in this act

(2) To modify any provision thereof limiting its term of existence by increasing such term or to remove such provision and provide for perpetual existence

(3) To change add to or diminish its powers or purposes or to set forth different or additional powers or purposes

(4) To increase or diminish its authorized capital stock or to reclassify the same by changing the number par value designations preferences or relative participating optional or other special rights of the shares or the qualifications limitations or restrictions of such rights or by changing shares with par value into shares without par value or shares without par value into shares with par value either with or without increasing or decreasing the number of shares and in any and as many other respects as desired provided that the articles as so amended would be authorized by this act as original artioles of incorporation

Section 802 Proposal of Amendments Every amendment to the articles shall first be proposed by the board of directors by the adoption of a resolution setting forth the proposed amendment and directing that it be submitted to a vote of the shareholders entitled to vote thereon at a designated meeting which may be either an annual meeting of the shareholders or a special meeting of the shareholders entitled to vote on the amendment The resolution shall establish the language of the proposed amendment to the articles by providing that the articles shall be amended so as to read as therein set forth in full or that any provision thereof be amended so as to read as therein set forth in full or that the matter stated in the resolution be added to or stricken from the articles

Section 803 Notice of Shareholders' Meetings Written notice shall not less than ten days before the shareholders' meetings called by the board of directors for the purpose of considering proposed amendments be given to each shareholder of record entitled to vote on the proposed amendment except the written notice of any proposed amendment for increasing the authorized capital stock of the corporation shall be given to each shareholder entitled to vote thereon at least sixty days before such meeting Such notice shall state the place the day and hour of the meeting and shall set for the proposed amendment or a summary of the changes to be effected thereby Notice of such meeting shall also be given by publication in a manner similar to that prescribed in this act in the case of the formation of the corporation

Section 804 Shares Entitled to Vote on Amendments Except as hereinafter provided only the holders of outstanding shares who under the articles are entitled to vote on proposed amendments to the articles of the corporation shall be entitled to vote thereon If a proposed amendment would authorize the board of directors to fix and determine the relative rights and preferences as between series of any preferred or special class or would revoke the authority of the board of directors to do so then the holders of the outstanding shares of any class shall be entitled to vote in respect to such amendment If a proposed amendment would make any change in the preferences qualifications limitations restrictions or special or relative rights of the shares of any class or increase or decrease the par value or the authorized number of shares of any class or limit or deny the existing preemptive rights of the shares of any class or authorize a new class of shares senior or superior in any respect to the shares of any class then authorized or increase the number of authorized shares of any class senior or superior in any respect to the shares of any class then authorized the holders of the outstanding shares of the class or classes affected by the proposed amendment shall be entitled to vote as a class on such amendment regardless of any limitations stated in the articles on the voting rights of such class or classes If a proposed amendment would authorize an increase of the authorized capital stock of the corporation the holders of shares transferred within sixty days of the meeting called for this purpose shall not be entitled to vote either in person or by proxy nor shall any proxy be received or entitle the holder to vote on such amendment unless the proxy shall have been executed at least sixty days before the meeting

Section 805 Adoption of Amendments by Shareholders A vote of the shareholders entitled to vote on a proposed amendment shall be taken at the annual or special meeting called for that purpose Unless the articles require a greater vote the proposed amendment shall be adopted upon receiving the affirma-

tive vote of the holders of at least am majority of the outstanding shares entitled to vote on the amendment unless any class of shares is entitled to vote as a class on the amendment in which event the proposed amendment shall be adopted upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares in each class of shares entitled to vote as a class on such amendment and at least a majority of all other outstanding shares entitled to vote thereon Any number of amendments may be submitted to the shareholders and voted upon by them at one meeting

Section 806 Articles of Amendment A After an amendment has been adopted by the shareholders duplicate originals of articles of amendment shall be executed under the seal of the corporation by two duly authorized officers of the corporation and shall set forth

(1) The name and location of the registered office of the corporation

(2) The Act of Assembly under which the corporation was formed and the date when and the place where the original articles were recorded

(3) The time and place of the meeting of the shareholders of the corporation at which the amendment was adopted and the kind and period of notice given to the shareholders

(4) The number of shares outstanding the number of shares entitled to vote on the amendment and if the shares of any class and entitled to vote as a class then the number of shares of each class and the number of shares of all other classes entitled to vote thereon

(5) The number of shares voted for and against such amendment respectively and if shares of any class are entitled to vote as a class the number of shares of such class and the number of shares of all other classes voted for and against such amendment respectively

(6) The amendment adopted by the shareholders which shall be set forth in full

(7) If the total number of shares is to be increased or decreased the total number of shares including those previously authorized which the corporation will thenceforth be authorized to have the number of shares that have a par value thereof and the number of shares that have no par value and if shares are divided into more than one class a description of the classes and a statement of the number of shares in each class and of the relative rights voting powers preferences and restrictions granted to or imposed upon the shares of each class

B If shares having a par value are to be changed into an equal or different number of shares having no par value the amount of the consideration for which shares having no par value are issued to take the place of outstanding shares having a par value shall be deemed to be the amount of the aggregate par value of such outstanding shares or if the actual value of such shares be less than their par value the consideration may be stated in the articles of amendment to be their actual value If shares having no par value are to be changed into an equal or different number of shares having a par value the shares having a par value which are issued to take the place of outstanding shares having no par value shall be taken to be fully paid for but the aggregate par value of such shares shall not exceed the actual value of the assets of the corporation less its liabilities represented by the shares having no par value so exchanged If shares having no par value are to be changed into a different number of the same class or of any other class or classes of shares having no par value the corporation shall be deemed to have received for such new shares as represent or take the place of such outstanding shares the amount of the capital of the corporation represented by the outstanding shares so changed

Section 807 Filing and Recording of Articles of Amendment The duplicate originals of the articles of amendment and proof of the advertisement heretofore required in this article shall be delivered to the Department of State If the Department of State finds that such articles conform to law it shall endorse its approval upon each duplicate original and when all bonus fees taxes and charges have been paid as required by law shall file and record one of the duplicate originals and shall issue a certificate of amendment The remaining duplicate original of the articles of amendment and the certificate of amendment shall be returned by the Department of State to the corporation or its representative and such certificate and articles shall be recorded in the office of the recorder of deeds in the county in which the registered office of the corporation is situated A duplicate original of the articles of amendment and the certificate upon being recorded by the recorder of deeds shall be returned to the corporation or its representative

Section 808 Effective Date of Amendment Upon the issuance of the certificate of amendment by the Department of State the amendmnets shall become effective and the articles of incorporation shall be deemed to be amended accordingly The certificate of amendment shall be conclusive evidence of the performance of all conditions required in this act in proceedings to amend the articles of incorporation except as against the Commonwealth No amendment shall affect any existing cause of action favor of or against the corporation or any pending suit in which the corporation shall be a party or the existing rights of persons other than shareholders and in the event the corporate name shall be changed by the amendment no suit brought by or against the corporation under its former name shall be abated for that reason

ARTICLE IX

MERGER AND CONSOLIDATION

Section 901 Merger and Consolidation Authorized A Any two or more domestic business corporations or any one or more foreign business corporations may in the manner hereinafter provided in this article be merged into one of such domestic business corporations hereinafter designated as the surviving corporation or consolidation into a new corporation to be formed under this act provided such foreign business corporations are authorized by the law or laws of the jurisdiction under which they were formed to effect such merger or consolidation

B Any one or more domestic business corporations and any one or more foreign business corporations may in the manner hereinafter provided in this act be merged into one of such foreign business corporations hereinafter designated as the surviving corporation or consolidated into a new corporation to be formed under the law or laws of the jurisdiction under which one of the foreign business corporations was formed provided the laws of such jurisdiction authorize such merger or consolidation

Section 902 Approval of Joint Plan of Merger or Consolidation A The board of directors of each of the corporations which desire to merge or consolidate shall by resolution adopted by at least a majority vote of the members of each board approve a joint plan of merger or consolidation as the case may be setting forth the terms and conditions of the merger or consolidation and mode of carrying the same into effect the manner and basis of converting the shares of each corporation into shares or other securities or obligations of the surviving or new corporation as the case may be and such other details and provisions as are deemed necessary

B The board of directors of each corporation upon approving such plan of merger or plan of consolidation shall by resolution direct that the plan be submitted to a vote of the shareholders of such corporation entitled to vote thereon at an annual or special meeting of the shareholders Written notice shall not less than fifteen days before such annual or special meeting be given to each shareholder of record of such corporation whether or not entitled to vote on such plan The notice shall state the place day hour and purpose of the meeting and a copy or a summary of the plan of merger or plan of consolidation as the case may be shall be included in or enclosed with such notice Such notice shall also be published once a week for two consecutive weeks before such meeting in at least one newspaper of general circulation in the county in which the registered office of the corporation is located

C The plan of merger or consolidation shall be approved upon receiving the affrmative vote of the holders of at least the majority of the outstanding shares entitled to vote thereon of each of the merging or consolidating corporations unless any class of shares of any of such corporations is entitled to vote thereon as a class in which event as to such corporation the plan of merger or consolidation shall be approved upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares of each class of shares entitled to vote thereon as a class and at least a majority of all other outstanding shares entitled to vote thereon Different series of the same class of shares shall not be construed to constitute different classes of shares for the purpose of voting by classes under this section

Section 903 Article of Merger or Consolidation Upon the approval of the plan of merger or the plan of consolidation by the shareholders of the corporations desiring to merge or

consolidate duplicate originals of articles of merger or articles of consolidation as the case may be shall be executed under the seal of each corporation by two duly authorized officers of each corporation and shall set forth

(1) The name and the location of the registered office of the surviving or new corporation

(2) The time and place of the meeting of the shareholders of each corporation at which the plan of merger or consolidation as the case may be was adopted the kind and period of notice given to the shareholders and the total vote by which the plan was adopted

(3) Any changes desired to be made in the articles of the surviving corporation in the case of a merger or in the case of a consolidation all of the statements required by this act to be set forth in original articles in the case of the formation of a corporation

(4) The number names and addresses of the persons to be the first directors of the surviving or new corporation

(5) The plan of merger or consolidation

Section 904 Filing and Recording of Articles of Merger or Consolidation The duplicate originals of the articles of merger or articles of consolidation as the case may be shall be delivered to the Department of State If the Department of State finds that such articles conform to law it shall endorse its approval upon each duplicate original and when all bonus fees taxes and charges have been paid as required by law shall file and record one of the duplicate originals and shall issue a certificate of merger or a certificate of consolidation as the case may be The remaining duplicate original of the articles and the certificate of merger or the certificate of consolidation shall be returned by the Department of State to the surviving corporation or the new corporation as the case may be or to its representatives and such certificate and articles shall be recorded in the office of the recorder of deeds of the county in which the registered office of the surviving or new corporation is situated A duplicate original of the articles and the certificate upon being recorded by the recorder of deeds shall be returned to the surviving of new corporation or its representative

Section 905 Effective Date of Merger or Consolidation Upon the issuance of the certificate of merger or the certificate of consolidation by the Department of State the merger or consolidation shall be effective The certificate of merger or the certificate of consolidation shall be conclusive evidence of the performance of all conditions precedent to such consolidation or merger and the creation or existence of a new or surviving corporation except as against the Commonwealth The merger or consolidation of one or more domestic corporations into a foreign corporation shall be effective according to the provisions of law of the jurisdiction in which such foreign corporation was formed but not until articles of merger or articles of consolidation have been adopted and filed as heretofore provided in this act

Section 906 Effect of Merger or Consolidation Upon the merger or consolidation becoming effective the several corporations parties to the plan of merger or consolidation shall be a single corporation which in the case of a merger shall be that corporation designated in the plan of merger as the surviving corporation and in the case of a consolidation shall be the new corporation provided for in the plan of consolidation The separate existence of all corporations parties to the plan of merger or consolidation shall cease except that of the surviving corporation in the case of a merger The surviving or new corporation as the case may be shall have all the rights privileges immunities and franchises of each of the merging or consolidating corporations except that the surviving or new corporation shall not thereby acquire authority to engage in any business or exercise any right which a corporation may not be formed under this act to engage in or exercise All the property real personal and mixed of each of the corporations parties to the plan of merger or consolidation and all debts due on whatever account to any of them including subscriptions to shares and other choses in action belonging to any of them shall be taken and deemed to be transferred to and vested in the surviving or new corporation as the case may be without further act or deed The surviving or new corporation shall thenceforth be responsible and liable for all the liabilities and obligations of each of the corporations so merged or consolidated in the same manner as if the surviving or new corporation had itself incurred such liabilities or obligations but the liabilities of the merging or consolidating corporations or of their shareholders directors or officers shall not be affected nor shall the rights of the creditors thereof or of any persons dealing with such corporations or any liens upon the property of such corporations be impaired by such merger or consolidation and any claim existing or action or proceeding pending by or against any of such corporations may be prosecuted to judgment as if such merger or consolidation had not taken place or the surviving or new corporation may be proceeded against or substituted in its place In the case of a merger the articles of incorporation of the surviving corporation shall be deemed to be amended to the extent if any that changes in its articles are stated in the articles of merger and in the case of a consolidation the statements set forth in the articles of consolidation and which are required or permitted to be set forth in the articles of incorporation of corporations formed under this act shall be deemed to be the articles of incorporation of the new corporation The aggregate amount of the net assets of the merging or consolidating corporations which was available for the payment of dividends immediately prior to such merger or consolidation to the extent that the value thereof is not transferred to stated capital by the issuance of shares or otherwise shall continue to be available for the payment of dividends by such surviving or new corporation

Section 907 Rights of Dissenting Shareholders A If any shareholder of a corporation which becomes a party to a plan of merger or consolidation shall file with such corporation prior to or at the meeting of shareholders at which the plan of merger or consolidation is submitted to a vote a written objection to such plan of merger or consolidation and shall not vote in favor thereof and such shareholder within twenty days after the merger or consolidation was effected shall make written demand on the surviving or new corporation for the payment of the fair value of his shares as of the day prior to the date on which the vote was taken approving the merger or consolidation without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation the surviving or new corporation shall pay to such shareholder the fair value of his shares upon surrender of the share certificate or certificates representing his shares The demand of the shareholder shall state the number and class of the shares owned by him Any shareholder failing to make demand within the twenty-day period shall be conclusively presumed to have consented to the merger or consolidation and shall be bound by the terms thereof If within thirty days after the date on which such merger or consolidation was effected the value of such shares shall be agreed upon between the dissenting shareholder and the surviving or new corporation payment thereof shall be made within ninety days after the date on which such merger or consolidation was effected upon the surrender of the share certificate or certificates representing his shares Upon payment of the agreed value the dissenting shareholder shall cease to have any interest in such shares or in the corporation

(b) If within such period of thirty days the shareholder and the surviving or new corporation do not so agree then the dissenting shareholder may within sixty days after the expiration of the thirty-day period apply by petition to the court of common pleas within the county in which the registered office of the surviving or new corporation is situated for the appointment by the court of three disinterested persons to appraise the fair market value of his shares without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation The award of the appraisers or of a majority of them when confirmed by the court shall be final and conclusive The costs of such appraisal including a reasonable fee to the appraisers shall be fixed by the court and shall be borne by the surviving or new corporation unless in the opinion of the court the action of any shareholder in refusing the offer of the corporation has been arbitrary vexatious or in bad faith in which case the costs shall be assessed in the discretion of the court The award shall be payable only upon and simultaneously with the surrender to the surviving or new corporation of the share certificate or certificates representing the shares of the dissenting shareholder If the award shall not be paid by the surviving or new corporation within thirty days after the award was confirmed by the court the amount of the award shall be a judgment against the surviving or new corporation as the case may be and may be collected as other judgments in such court are by law collectible Upon the payment of the award

or judgment the dissenting shareholder shall cease to have any interest in such shares or in the surviving or new corporation Such shares may be held and disposed of by the surviving or new corporation as it may see fit Unless the dissenting shareholder shall file a petition within the time herein limited such shareholder and all persons claiming under him shall be conclusively presumed to have approved and ratified the merger or consolidation and shall be bound by the terms thereof The right of the dissenting shareholder to be paid the fair value of his shares as herein provided shall cease if and when the corporation shall abandon the merger or consolidation

ARTICLE X

FOREIGN BUSINESS CORPORATIONS

Section 1001 Admission of Foreign Business Corporations A foreign business corporation before doing any business in this Commonwealth shall procure a certificate of authority to do so from the Department of State in the manner hereinafter provided in this article unless the entire business operations of the corporation within this Commonwealth are within the protection of the Commerce Clause of the Federal Constitution in which event the corporation may engage in such business operations without procuring a certificate of authority A foreign business corporation shall not be denied a certificate of authority by reason of the fact that the laws of the state or country governing its organization and internal affairs differ from the laws of this Commonwealth and nothing in this act contained shall be construed to authorize this Commonwealth to regulate the organization or the internal affairs of such corporation

Section 1002 Restriction on Admission of Foreign Business Corporations The Department of State shall not issue a certificate of authority to any foreign business corporation

(1) If the application for the certificate of authority hereinafter required by this article to be filed sets forth any kind of business for the transaction of which a domestic business corporation could not be formed under the laws of the Commonwealth

(2) The name of which is not expressed in English letters or characters or does not contain the word "corporation" "company" or "incorporated" or end with an abbreviation of one of such words as provided in this act in the case of domestic business corporations unless such corporation for use in this Commonwealth expresses its name in English letters or characters and includes in or adds to the end of its name one of such words or an abbreviation thereof in the manner heretofore provided in this act

(3) Which has a name the same as or deceptively similar to the name of any domestic corporation or any other foreign corporation authorized to do business in this Commonwealth or the name of any unincorporated body registered with the Department of State under any Act of Assembly unless such other domestic or foreign corporation or unincorporated body is about to change its name or to cease to do business or is being wound up or such foreign corporation is about to withdraw from doing business in this Commonwealth and the written consent of such other domestic or foreign corporation or unincorporated body to the adoption of its name or a deceptively similar name has been given and is filed with the statement hereinafter required by this act

(4) Which has a name the same as or deceptively similar to a name the exclusive right to which is at the time reserved by an other corporation in the manner provided in this act or any other Act of Assembly

(5) Which has as part of its name any word or phrase not permitted by this act to be a part of the name of a domestic business corporation

Section 1003 Application for a Certificate of Authority A foreign business corporation in order to procure a certificate of authority shall present to the Department of State a copy of its articles and all amendments thereto duly certified by the proper public officer of the state or country of its incorporation or if the corporation is created by a special law and has no articles a duly certified copy of such law a verified translation of any part of such articles amendments or law which is in a foreign language and an application for a certificate of authority executed under the seal of the corporation and signed and verified by at least two duly authorized officers thereof which shall set forth

(1) The name of the corporation

(2) If the name of the corporation does not contain one of the words "corporation" "company" or "incorporated" or does not end with an abbreviation of one of such words then the name of the corporation with the word or abbreviation which it elects to add thereto for use in this Commonwealth

(3) The name of the state or country under the laws of which it is formed

(4) The address including street and number if any of its principal office in the state or country under the laws of which it is formed

(5) The address including street and number if any of its proposed registered office in this Commonwealth

(6) A designation of the Secretary of the Commonwealth and his successor in office as the true and lawful attorney of the corporation upon whom all lawful process in any action or proceeding against it may be served that the service of process upon the Secretary of the Commonwealth shall be of the same legal force and validity as if served on the corporation and that the authority for such service of process shall continue in force as long as any liability remains outstanding against the corporation in this Commonwealth

(7) The character and nature of the business it proposes to do within this Commonwealth

(8) A statement of the aggregate number of shares which it has authority to issue itemized by classes par value of shares shares without par value and series if any within a class

(9) A statement of the aggregate number of its issued shares itemized by classes par value of shares shares without par value and series if any within a class

(10) Such further and additional information as the Department of State may from time to time require

Section 1004 Issuance and Recording of Certificate of Authority If the Department of State finds that the provisions of this article have been complied with and that the applicant corporation is entitled to a certificate of authority to do business in this Commonwealth it shall endorse its approval upon the application for a certificate of authority and when all bonus fees and charges have been paid as required by law shall file the application and the copy of the articles and shall issue to the corporation a certificate of authority to do business in this Commonwealth The certificate of authority shall set forth the name of the corporation the address of its registered office in this Commonwealth and the character and nature of the business it is authorized to transact in this Commonwealth Upon the issuance of the certificate of authority by the Department of State the corporation may do in this Commonwealth any of the business referred to in the certificate of authority and no other subject however to the right of the Commonwealth to cancel or revoke such right to transact business in this Commonwealth as provided in this act The certificate of authority shall be returned to the corporation or its representative and such certificate and a verified copy of its articles shall be recorded in the office of the recorder of deeds of the county in which the registered office of the corporation in this Commonwealth is located The certificate of authority upon being recorded by the recorder of deeds shall be returned to the corporation or its representative

Section 1005 Registered Office of Foreign Business Corporations Every foreign business corporation required by the provisions of this article to obtain a certificate of authority to do business in this Commonwealth shall have and continuously maintain in this Commonwealth a registered office which may but need not be the same as its place of business in this Commonwealth The address including street and number if any of the initial registered office of each foreign corporation shall be stated in its application for a certificate of authority to do business in this Commonwealth A foreign business corporation may from time to time change the address of its registered office upon obtaining from the Department of State before such change is made an amended certificate of authority as hereinafter provided in this article

Section 1006 Amended Certificate of Authority After receiving a certificate of authority a foreign business corporation may subject to the provisions of this act change its name or the address of its registered office in the Commonwealth or be authorized to do in this Commonwealth other or additional business than that authorized by its certificate of authority by filing with the Department of State an application for an amended certificate of authority Such application shall be

executed under the seal of the corporation signed and verified by two duly authorized officers thereof and shall set forth the changes desired by the corporation If the Department of State finds that the provisions of this article have been complied with and that the applicant corporation is entitled to an amended certificate of authority it shall approve and file the application and when all fees and charges have been paid as required by law shall issue to the applicant corporation an amended certificate of authority setting forth the desired changes The amended certificate of authority shall be recorded in the office of the recorder of deeds of the county in which the original certificate of authority was recorded If the address of the registered office of the applicant corporation is changed from one county to another county then the corporation shall have recorded in the office of the recorder of deeds of the county in which its new registered office is situated its original and amended certificates of authority and a verified copy of its articles

Section 1007 Amendments to Articles of Foreign Business Corporations Upon amendment of the articles of any foreign corporation authorized by a certificate of authority to transact business in this Commonwealth such corporation shall forthwith file with the Department of State a copy of such amendment duly authenticated by the proper official of the state or country under the laws of which such corporation is organized and shall also file a verified copy thereof in the office of the recorder of deeds of the county in which its registered office is located in this Commonwealth The filing of any such amendment shall not of itself enlarge or alter the nature or kind of business which such corporation is authorized to transact in this Commonwealth nor authorize such corporation to transact business in this Commonwealth under any other name than the name set forth in its certificate of authority unless such corporation shall apply for and receive an amended certificate of authority as hereinafter provided in this article

Section 1008 Merger of Foreign Business Corporations Whenever a foreign business corporation authorized by a certificate of authority to transact business in this Commonwealth shall be a party to a statutory merger permitted by the laws of the state or country under which it is organized and such corporation shall be the surviving corporation it shall forthwith file with the Department of State a copy of the articles of merger duly authenticated by the proper officer of the state or country under the laws of which such statutory merger was effected It shall not be necessary for such corporation to procure either a new or amended certificate of authority to transact business in this Commonwealth unless the name of such corporation be changed thereby or unless the corporation desires to transact in this Commonwealth other or additional business than that which it is then authorized to transact in this Commonwealth

Section 1009 General Powers of Foreign Business Corporations A foreign business corporation which shall have received a certificate of authority under this act so long as such certificate of authority shall not be revoked or cancelled shall enjoy the same rights and privileges as a domestic business corporation but no more and except as in this act otherwise provided shall be subject to the same liabilities restrictions duties and penalties now in force or hereafter imposed upon domestic business corporations to the same extent as if it had been organized under this act to transact the business set forth in its certificate of authority

Section 1010 Service of Process upon the Secretary of the Commonwealth Service of process against a foreign business corporation upon the Secretary of the Commonwealth shall be made by the Sheriff of Dauphin County by leaving the fee the plaintiff is required by law to pay for this service and two copies of the process at the office of the Secretary of the Commonwealth The sheriff shall make due return of his service of the process to the court magistrate or justice of the peace issuing the same Such process may be issued by any court magistrate or justice of the peace having jurisdiction of the subject matter of the controversy in any county of the Commonwealth in which the corporation shall have its registered office or in the county in which the right of action arose When legal process against any such corporation has been served upon the Secretary of the Commonwealth he shall immediately send by mail postage prepaid one copy of such process directed to the corporation at its registered office The fee paid by the plaintiff to the Secretary of the Commonwealth at the time of the service shall be taxed in the plaintiff's costs if he prevails in the suit necessitating the service of the process The Secretary of the Commonwealth shall keep a record of the day and hour of the service of such process on him and a certified copy of such record shall be sufficient evidence thereof The service of process on the Secretary of the Commonwealth under this section shall be of the same legal force and validity as if the process had been served on the corporation and the authority for such service of process shall continue in force as long as any liability remains outstanding against the corporation in the Commonwealth Nothing herein contained shall limit or affect the right to serve any process notice or demand required or permitted by law to be served upon a foreign corporation in any other manner now or hereafter permitted by law

Section 1011 Acquisition of Real Property Every foreign business corporation authorized to transact business within this Commonwealth may acquire hold mortgage lease and transfer real property in this Commonwealth in the same manner and subject to the same limitations as domestic business corporations Every such corporation may purchase in its corporate name at any sheriff's or other judicial sale any real estate within this Commonwealth upon which such corporation may have or hold a judgment or lien and may at its pleasure sell and convey such real estate but any real estate so purchased shall be sold and conveyed within ten years from the date of such purchase All the rights privileges and duties now by law accorded to and imposed upon lien creditors purchasing at judicial sales are hereby extended to such corporations

Section 1012 Revocation of Certificate of Authority Whenever the Department of State shall find that a foreign business corporation authorized by a certificate of authority to do business in this Commonwealth is engaged in this Commonwealth in any business which it is not authorized to transact by its certificate of authority or by any amended certificate of authority or has changed its name or the location of its registered office without first securing an amended certificate of authority as required by this act or has failed to file a copy of its articles or a copy of any amendments thereto or its certificate of authority or any amended certificate of authority in the office of the recorder of deeds of the county in which its registered office is situated or is violating any of the laws of this Commonwealth the Department of State shall give notice by registered mail to such corporation that such default exists and that its certificate of authority including any amendments thereto will be revoked and cancelled unless such default shall be cured within thirty days after the mailing of such notice If such default shall not be cured within such period of thirty days the Department of State shall revoke and cancel the certificate of authority of such foreign corporation including any amendments thereto Upon revoking and cancelling any such certificate of authority the Department of State shall mail to such corporation at its registered office in this Commonwealth a certificate of revocation and shall mail a copy of such certificate to the recorder of deeds of the county in which the registered office of the corporation is situated who shall record the same without any fee therefor Upon the issuance of such certificate of revocation the authority of the corporation to transact business in this Commonwealth shall cease and such corporation shall not thereafter transact any business in this Commonwealth unless it applies for and receives a new certificate of authority

Section 1013 Penalty for Doing Business Without Certificate of Authority Any person agent officer or employe who shall transact any business within this Commonwealth for any foreign business corporation which is required by the provisions of this article to procure a certificate of authority but has not done so shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment not exceeding thirty days or by a fine not exceeding one thousand dollars ($1,000) or both in the discretion of the court trying the same but the failure of any such corporation to apply for and secure a certificate of authority from the Department of State shall not impair or affect the validity of any contract with such corporation and actions or proceedings at law or in equity may be instituted and maintained on any such contract No such action however shall be instituted or recovery had by any such corporation on any such contract either expressed or implied in any of the courts of this Commonwealth or before any justice of the peace or magistrate thereof until such corporation shall obtain a certificate of authority and shall pay to the Department of State a fine of two hundred fifty dollars ($250.00)

Section 1014 Surrender of Certificate of Authority (a) Any foreign business corporation may withdraw from doing busi-

ness in this Commonwealth and surrender its certificate of authority by filing with the Department of State an application for a certificate of withdrawal executed under the seal of the corporation and signed and verified by two duly authorized officers thereof which shall set forth

(1) The name of the corporation

(2) The state or country of its corporation

(3) The date on which it received a certificate of authority to do business in the Commonwealth

(4) A statement that it revokes its designation of the Secretary of the Commonwealth as the person on whom process against it may be served in this Commonwealth

(5) A statement that it surrenders its certificate of authority to do business in this Commonwealth

(6) A statement that it consents that process against it in an action or proceeding upon any liability or obligation incurred within this Commonwealth before the issuance of the certificate of withdrawal may be served upon the Secretary of the Commonwealth after the filing of such certificate

(7) A post office address to which the Secretary of the Commonwealth may mail a copy of any process against it that may be served upon him

(b) Upon the filing of such application and the return for cancellation of the corporation's certificate of authority or the filing of proof that it has been lost or destroyed the Department of State after all bonus taxes fees and charges have been paid as required by law shall cancel the certificate of authority if any and shall issue in duplicate a certificate of withdrawal The Department of State shall return one of such certificates of withdrawal to the corporation or its representatives and shall send the other to the recorder of deeds of the county in which the registered office of the corporation in this Commonwealth is situated who shall record the same without fee therefor Upon the issuance of the certificate of withdrawal the authority of the corporation to do business within this Commonwealth shall cease and determine and no such corporation doing business in this Commonwealth after the issuance of such certificate shall maintain any action in this Commonwealth upon any contract made by it in this Commonwealth subsequent to the issuance of such certificate of withdrawal The issuance of such certificate shall not however affect any action pending at the time thereof or affect any right of action upon contract made by such corporation in the Commonwealth before the issuance of the certificate Process against the corporation in an action upon any liability or obligation incurred within this Commonwealth before the issuance of such certificate may be served thereafter upon the Secretary of the Commonwealth

ARTICLE XI

DISSOLUTION AND WINDING UP

Section 1101 Voluntary Dissolution by Incorporators The incorporators of a business corporation which has not commenced business and which has not issued any shares may effect the dissolution of the corporation by filing articles of dissolution with the Department of State The articles of dissolution shall be executed in duplicate originals signed and verified by a majority of the incorporators and shall set forth

(1) The name of the corporation

(2) The address including street and number if any of its registered office

(3) The date of its incorporation

(4) That the corporation has not commenced business and that none of its shares has been issued

(5) That the amount if any actually paid in on subscriptions to its shares less any part thereof disbursed for necessary expenses has been returned to those entitled thereto

(6) That no debt of the corporation remain unpaid

(7) That all the incorporators elect that the corporation be dissolved

The duplicate originals of the articles of dissolution shall be delivered to the Department of State If the Department of State finds that the articles conform to law it shall endorse its approval upon each duplicate original and when all bonus taxes fees and charges required by law have been paid shall file for record one of the duplicate originals and shall issue in duplicate a certificate of dissolution Upon the issuance of the certificate of dissolution the existence of the corporation shall cease The Department of State shall send one copy of the certificate of dissolution to the incorporators or their representative and shall send a copy of the articles of dissolution and a copy of the certificate of dissolution to the recorder of deeds of the county in which the registered office of the corporation in this Commonwealth is situated who shall record the articles and certificate without fee therefor

Section 1102 Election of Corporation to Dissolve Voluntarily Any business corporation which has commenced business and which has issued shares may elect to dissolve voluntarily and wind up its affairs by a written agreement signed by all the shareholders of record of the corporation consenting to its dissolution or after the board of directors shall have adopted a resolution recommending that the corporation be dissolved voluntarily and directing that the question of dissolution be submitted to a vote of the shareholders at a meeting which may be either an annual meeting of the shareholders or a special meeting of the shareholders entitled to vote on the question Written notice stating that the purpose or one of the purposes of such meeting is to discuss the advisability of voluntarily dissolving the corporation shall be given to each shareholder of record whether or not entitled to vote within the time and in the manner provided in this act for the giving of notice of meetings of shareholders If such meeting be an annual meeting such purpose may be included in the notice of the annual meeting The resolution shall be declared adopted upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote on the resolution unless any class of shares is entitled to vote on the resolution as a class in which event the resolution must receive for its adoption the affirmative vote of the holders of at least a majority of the outstanding shares of each class of shares entitled to vote on the resolution as a class and at least a majority of all other outstanding shares entitled to vote on the resolution

Section 1103 Certificate of Election to Dissolve Upon the execution by all the shareholders of a written agreement for the voluntary dissolution of a corporation or upon the adoption at a meeting of the shareholders of a resolution for the voluntary dissolution of a corporation or upon the adoption at a meeting of the shareholders of a resolution for the voluntary dissolution of a corporation as the case may be a certificate of election to dissolve shall be executed in duplicate under the seal of the corporation signed and verified by at least two duly authorized officers of the corporation which shall set forth

(1) The name of the corporation

(2) The address including street and number if any of the registered office of the corporation in this Commonwealth

(3) The names and respective addresses including street and number if any of its officers

(4) The names and respective addresses including street and number if any of its directors

(5) If the election to dissolve was by written agreement of all share holders a statement that the agreement was signed by all shareholders of record of the corporation or signed in their names by their duly authorized attorneys

(6) If the election to dissolve was by resolution adopted at a meeting of the shareholders the number of shares outstanding the number of shares entitled to vote in respect of the dissolution of the corporation and the number of shares voted for and against the voluntary dissolution of the corporation respectively and if the shares of any class are entitled to vote as a class the number of shares of such class and the number of shares of all other classes voted for and against the voluntary dissolution of the corporation

The duplicate originals of the certificate of election to dissolve shall be delivered to the Department of State If the Department of State finds that the certificate conforms to law it shall endorse its approval upon each duplicate original and when all bonus taxes fees and charges required by law have been paid shall file for record one of the duplicate originals and shall return the other duplicate original to the corporation or its representative The duplicate original returned by the Department of State shall be promptly recorded by the corporation or its representative in the office of the recorder of deed of the county in which the registered office of the corporation in this Commonwealth is situated Upon the filing by the Department of State of a certificate of election to dissolve the corporation shall cease to carry on its business except in so far as may be necessary for the proper winding up thereof but its corporate existence shall continue until a certificate of dissolution has been issued by the Department of State or until a decree dissolving the corporation has been entered by a court of common please as elsewhere provided in this act

Section 1104 Winding up in Voluntary Dissolution proceed-

ings A The board of directors of a business corporation shall have full power to wind up and settle the affairs of a business corporation in the event of a voluntary dissolution proceeding

B After the filing by the Department of State of a certificate of election to dissolve the board of directors shall immediately cause notice of the winding up proceedings to be mailed to each known creditor and claimant and to be published once a week for two successive weeks in two newspapers published in the English language one of which shall be a newspaper of general circulation and the other the legal newspaper if any desingated by the rules of court for the publication of legal notices otherwise in two newspapers of general circulation published in the county in which the registered office of the corporation is located Where there is but one newspaper of general circulation published in any county advertisement in such newspaper shall be sufficient

C The board of directors shall as speedily as possible proceed to collect all sums due or owing to the corporation to sell and convert ito cash any and all corporate assets to collect the whole or so much as may be necessary or just of any amounts remaining unpaid on subscriptions to shares and out of the sum realized to pay satisfy and discharge all debts and liabilities of the corporation according to their respective priorities Any surplus remaining after paying off all debts and liabilities of the corporation shall be paid by the board of directors to the shareholders according to their respective rights and preferences

D The board of directors at any time during the winding up proceedings may by petition apply to any court of common pleas of the county in which the registered office of the corporation is located to have the proceedings continued under the supervision of the court and thereafter the proceedings shall continue under the supervision of the court as hereinafter provided in this act

Section 1105 Articles of Dissolution When all debts liabilities and obligations of the corporation have been paid and discharged or adequate provision shall have been made therefor and all of the remaining property and assets of the corporation shall have been distributed to its shareholders articles of dissolution shall be xcuted in duplicate originals signed and verified by at least two duly authorized officers of the corporation which shall set forth

(1) The name of the corporation

(2) The address including street and number if any of the registered office of the corporation

(3) A statement that the corporation has theretofore filed with the Department of State and with the recorder of deeds of the county in which the registered office of the corporation is situated a certificate of election to dissolve and the date on which the certificate was filed by the Department of State

(4) A statement that all debts obligations and liabilities of the corporation have been paid and discharged or that adequate provisions has been made therefor

(5) A statement that all the remaining property and assets of the corporation have been distributed among its shareholders in accordance with their respective rights and interests

(6) A statement that there are no suits pending against the corporation in any court

The duplicate originals of the articles of dissolution shall be delivered to the Department of State If the Department of State finds that such articles conform to law it shall endorse its approval on each duplicate original and if all bonus taxes fees and charges required by law have been paid shall file for record one of the duplicate originals and shall issue in duplicate a certificate of dissolution Upon the issuance of the certificate of dissolution the existence of the corporation shall cease The Department of State shall send one copy of the certificate of dissolution to the representative of the dissolved corporation and shall send a copy of the articles of dissolution and a copy of the certificate of dissolution to the recorder of deeds of the county in which the registered office of the corporation in this Commonwealth is situated who shall record the articles and certificate without fee therefor

Section 1106 Winding Up of Corporation upon the Expiration of its Charter Every business corporation which is dissolved by expiration of its charter shall nevertheless continue to exist for the purpose of winding up its affairs prosecuting and defending actions by or against it collecting and discharging obligations disposing of and conveying its property and collecting and dividing its assets but not for the purpose of continuing business except in so far as necessary for the winding up of the corporation The board of directors of such corporation shall continue as a board and shall have full power to wind up the affairs of such corporation

Section 1107 Involuntary Proceedings for Winding Up and Dissolution A The several courts of common pleas of the Commonwealth may upon petition filed by a shareholder of a business corporation entertain proceedings for the involuntary winding up and dissolution of the corporation when it is made to appear

(1) That the objects of the corporation have wholly failed or are entirely abandoned or that their accomplishment is impracticable or

(2) That the facts of the directors or those in control of the corporation are illegal oppressive or fraudulent or

(3) That the corporate assets are being misapplied or wasted and that it is beneficial to the interests of the shareholders that the corporation be wound up and dissolved or

(4) That the directors are deadlocked in the management of the corporate affairs and the shareholders are unable to break the deadlock and that irreparable injury to the corporation is being suffered or is threatened by reason thereof

B The several courts of common pleas of this Commonwealth may upon petition filed by a creditor of a business corporation whose claim has either been reduced to judgment and an execution thereon returned unsatisfied or whose claim is admitted by the corporation entertain proceedings for the involuntary winding up and dissolution of the corporation when in either case it is made to appear that the corporation is unable to pay its debts and obligations in the legal course of business as they mature or to afford reasonable security to those who may deal with it

C Any petition for the involuntary winding up and dissolution of a corporation authorized to be filed under this section shall be filed with a court of common pleas of the county in which the registered office of the corporation is located

Section 1108 Procedure in Liquidation of Corporations by Courts of Common Pleas A Upon the filing of a petition by the board of directors or a shareholder or a creditor as authorized in this article for the voluntary or involuntary winding up and dissolution of a business corporation as the case may be the court of common pleas shall have all the ordinary powers of a court of equity to issue injunctions to appoint a receiver or receivers pendente lite with such powers and duties as the court from time to time may direct and to take such other proceedings as may be requisite to preserve the corporate assets and carry on the business of the corporation until a full hearing can be had

B Upon a hearing and proof of the issues after such notice as the court may direct to be given to all parties to the proceeding and to any other parties in interest designated by the court the court may appoint a liquidating receiver with authority to collect the assets of the corporation including all amounts owing to the corporation by shareholders on account of any unpaid portion of the consideration for the issuance of shares Such liquidating receiver shall have authority subject to the order of the court to sell convey and dispose of all or any part of the assets of the corporation either at public or private sale The assets of the corporation or the proceeds resulting from a sale conveyance or other disposition thereof shall be applied to the expenses of such liquidation and to the payment of the liabilities and obligations of the corporation and any remaining assets or proceeds shall be distributed among its shareholders according to their repsective rights and interests The order appointing such liquidating receiver shall state their powers and duties Such powers and duties may be increased or diminished at any time during the proceedings A receiver of a corporation appointed under the provisions of this section shall have authority to sue and defend in all courts in his own name as receiver of such corporation The court appointing such receiver may issue writs in favor of such receiver to the sheriff of any county in this Commonwealth for service

C A receiver shall in all cases be a resident of this Commonwealth or a corporation authorized to act as receiver which corporation may be a domestic corporation or a foreign corporation authorized to transact business in this Commonwealth and shall give such bond as the court may direct with such sureties as the court may require

D In proceedings to liquidate the assets and business of a corporation the court may require all creditors of the corporation to file with the prothonotary of the court or with

the receiver proofs under oath of their respective claims If the court requires the filing of claims it shall fix a date which shall be not less than four months from the date of the order as the last day for the filing of claims and shall prescribe the notice that shall be given to creditors and claimants of the date so fixed Prior to the date so fixed the court may extend the time for the filing of claims Creditors and claimants failing to file proofs of claim on or before the date so fixed may be barred by order of court from participating in the distribution of the assets of the corporation

Section 1109 Discontinuance of Liquidation Proceedings Reorganization The liquidation of the assets and business of a corporation may be discontinued at any time during the winding up proceedings in the following manner

(1) If the suit shall have been instituted by a shareholder and it is made to appear to the court that the deadlock in the corporate affairs has been broken or the management or control of the corporation has been changed the court in its discretion may dismiss the proceeding and direct the receiver to redeliver to the corporation all its remaining property and assets

(2) If the suit shall have been instituted by a creditor and it is made to appear that the debts of the corporation have been paid or provided for and that there remain or can be obtained sufficient funds to enable the corporation to resume its business the court in its discretion may dismiss the proceeding and direct the receiver to redeliver to the corporation all its remaining property and assets

(3) When a compromise or reorganization of the corporation is proposed whether the suit shall have been instituted by a shareholder or by a creditor the court upon the summary application of any shareholder or creditor or receiver may order a meeting of the creditors or shareholders to be summoned in such manner as the court may direct If a majority in number representing three-fourths in value of the creditors or the holders of three-fourths of the shares entitled to vote thereon or both or if a majority in numbr representing three-fourth in value of any class of creditors or if the holders of three-fourths of the shares of any class as the case may be agree to any compromise or reorganization of the corporation such compromise or reorganization if approved by the court shall be binding on all creditors or on all shareholders or both or on the class of creditors or class of shareholders or both as the case may be and also on the corporation and its receiver if any

Section 1110 Decree of Involuntary Dissolution The court of common pleas in a proceeding to wind up the assets and business of a business corporation shall enter a decree dissolving the corporation when the costs and expenses of such proceedings and all debts liabilities and obligations of the corporation shall have been paid and discharged and all of its remaining property and assets distributed to its shareholders or in case its property and assets are not sufficient to satisfy and discharge such costs expenses debts and obligations when all the property and assets have been applied as far as they will go to their payment. Upon the issuance of the decree by the court the existence of the corporation shall cease After the court shall enter a decree of dissolution it shall be the duty of the prothonotary of the court to cause a certified copy of the decree of dissolution to be field with the Department of State and a certified copy thereof to be recorded in the office of the recorder of deeds of the county in which the registered office of the corporation in this Commonwealth is situated No fee shall be charged by the Department of State for the filing thereof and no fee shall be charged by the recorder of deeds for the recording thereof

Section 1111 Survival of Remedies after Dissolution The dissolution of a business corporation either by the issuance of a certificate of dissolution by the Department of State or by the decree of a court of common pleas when the court has not liquidated the assets and property of the corporation or by expiration of its period of duration or by the sale of all its franchises property and assets to another business corporation shall not take away or impair any remedy given against such corporation its directors or shareholders for any liability incurred prior to such dissolution if suit thereon is brought and service of process had within two years after the date of such dissolution Such suits may be prosecuted against and defended by the corporation in its corporate name

Section 1112 Action to Annul Vacate or Forfeit Corporate Franchises The Attorney General may institute proceedings to annul vacate or forfeit the article of incorporation and the franchises of a business corporation upon such grounds and in such manner as is now provided by law In every such case the court of common pleas in which such action is instituted shall have full power to wind up the affairs of the corporation in the manner hereinbefore provided in this article

ARTICLE XII
EFFECTIVE DATE AND REPEALER

Section 1201 Effective Date This act shall become effective on the ..... day of .....
.....
.....

Section 1202 Acts and Parts of Acts Specifically Repealed The following acts and parts of acts are hereby specifically repealed

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.....
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.....

Section 1203 General Repeal of Acts All other acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 315, as follows:

An Act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise tranacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons prescribing and limiting the powers and duties of certain courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows

ARTICLE I
SHORT TITLE AND PRELIMINARY PROVISIONS

Section 1 Short Title This act shall be known and may be cited as the "Department of Banking Code"

Section 2 Definitions A The following terms shall be construed in this act to have the following meanings except in those instances where the context clearly indicates otherwise

"Department" the Department of Banking of this Commonwealth

"Secretary" the Secretary of Banking of this Commonwealth or his duly authorized deputy or other representative

"Corporation" a corporation or a joint stock association organized under the laws of this Commonwealth of the United States or of any other state territory foreign country or dependency

"Person" and individual or an unincorporated association including a partnership a limited partnership or any other form of unincorporated enterprise owned by two or more individuals

"Institution" a corporation or a person as defined in this section which is subject to the supervision of the Department

"Court" the court of common pleas of the county in which the corporation or person has its principal or only place of business in this Commonwealth or where an institution of which the Secretary is receiver is concerned the particular court in which the certificate of possession as defined later in this act is filed

"Prothonotary" the prothonotary of such court

"Written" this includes printed typewritten engraved lithographed telegraphed cabled radiogramed photographed photostated telephotographed or other form of recorded or transmitted message

B Article and section headings shall not be construed to affect in any manner the scope or meaning of any article or section of this act

C The singular shall be construed to include the plural The masculine shall be construed to include the feminine and the neuter and conversely the neuter shall be construed to include the masculine and the feminine

Section 3 Notices to Corporations and Persons Unless expressly provided otherwise all written notices required by this act to be given to any corporation or person shall be (1) served in the manner now or hereafter established by law for the service of writs of summons except that such service need not be made by the sheriff or (2) mailed or sent by telegram charges prepaid (a) in the case of an individual to his last known residence or place of business (b) in the case of an unincorporated association or a corporation formed under the laws of this Commonwealth to its principal office and (c) in the case of a corporation formed under the laws of some other state to the office of its duly authorized agent in Pennsylvania or if there be no duly authorized agent in Pennsylvania to its home office in the state of incorporation or in any other state

If a notice is sent by mail or by telegeraph such notice shall be deemed to have been given to the corporation or person addressed when it is deposited in the United States mail or with a telegraph office for transmission to such corporation or person

Section 4 Advertisements or Notices in Newspapers A Unless expressly provided otherwise any advertisement or notice in a newspaper required by this act shall be published once a week for three successive weeks (1) in a newspaper of general circulation in the county as defined by the Newspaper Advertising Act approved the sixteenth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred eighty-four) its supplements and amendments published in the city borough or township in which the principal place of business of the institution is located and (2) in first and second class counties also in the legal newspaper if any published within the county as defined by the Newspaper Advertising Act

If there is no newspaper of general circulation in the city borough or township then the advertisement or notice shall be inserted in a newspaper of general circulation in the county published at the county seat If no newspaper of general circulation in the county is published at the county seat then such advertisement or notice shall be inserted in the newspaper of general circulation published nearest to the city borough or township in which the principal place of business of such institution is located and within the county If there is no newspaper of general circulation published within the county then the advertisement or notice shall be inserted in the newspaper of general circulation published nearest to such city borough or township in an adjoining county

B Any proof of publication required by this act shall be in accordance with the requirements set forth in the definition of proof of publication contained in the Newspaper Advertising Act

Section 5 Waiver of Notice Any notice required by this act to be given to any corporation or persons may be waived by such corporation or person either before or after the day prescribed for the giving of such notice Such waiver shall be in writing and signed by such corporation or person

Section 6 Fees Except as otherwise specifically provided in this act any prothonotary or recorder of deeds and any State department board commission or officer other than the Department of Banking or its employes shall be entitled to receive for services performed as required by this act such fees as it lawfully charges for such similar services

Section 7 Certification of Copies and Affixing of Department Seal all certifications by the Department of copies of books accounts reports or other papers filed with it shall bear the official seal of the Department

Section 8 Fees for Copies and Certifications by Department The Department may be general rule or regulation prescribe and charge reasonable fees for any copy of a book account report or other paper filed in its offices and for any certification thereof authorized or required by law

Section 9 Admissibility of Copies into Evidence When duly certified by the Department a copy of any book paper or document on file with it shall be evidence in any court of law or equity in any investigation or proceeding authorized by law or for any other purpose equally and with the same effect as the original but in any proceeding the court having jurisdiction may on cause shown require the production of the original

Section 10 Evidential Value of Results of Exanimations The record of any examination or investigation of an institution by the Department or the report by the examiner or employe of the Department who conducted such examination or investigation or a copy of either when duly certified by the Department shall be prima facie evidence of the facts therein stated in any action at law or in equity in which one of the parties is the Department or any officer or employe thereof either in his official capacity or otherwise where the basis of the action is an act performed by him in the name of the Department

Section 11 Appeals from Court Orders Whenever pursuant to the provisions of this act any judgment decree or other order is entered by any court in this Commonwealth either for or against the Department or any relief requested by or against the Department is refused by such court either the Department or any other party to such proceeding shall have a right of appeal to the Supreme Court in the manner provided by law for appeals to the court regardless of the amount in controversy

Section 12 Construction of References A Any reference in this act to any act by title or otherwise shall be construed to apply to and include any codification wherein the provisions of the act referred to are substantially reenacted

B Any reference in this act to the provisions of law on any subject shall apply to statutes and decisions becoming effective after this act as well as those then in existence

Section 13 Saving Clause A The provisions of this act in so far as they are the same as those of existing acts shall be construed as a continuation of such acts and not as new enactments The repeal by this act of any existing act or any part thereof shall not be construed to revive any act or part of any act heretofore repealed or superseded

B The provisions of this act shall not affect any act done liability incurred or right accrued nor affect any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any act repealed or superseded by this act

C Any person holding office under any act repealed by this act shall continue to hold such office until the expiration of his term subject to the conditions attached to such office prior to the passage of this act

D All resolutions regulations and rules made pursuant to any act repealed by this act shall unless inconsistent with any provision of this act continue with the same force as if such act had not been repealed

Section 14 Constitutional Construction It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

Section 15 Act Not Applicable to Small Loan Companies This act does not apply to and does not affect any act relating to corporations and persons licensed by the Department to make small loans as provided by the act approved the seventeenth day of June one thousand nine hundred fifteen (Pamphlet Laws one thousand twelve) entitled "An act regulating the business of loaning money in sums of three hundred ($300.00) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rates of interest and charges therefor requiring the licensing of lenders and prescribing penalties for the violation of this act" its amendments and supplements

ARTICLE II
JURISDICTION AND MAINTENANCE OF DEPARTMENT

Section 201 Corporations and Persons Subject to Supervision of Department The Department shall have the power to supervise

(1)All corporations and persons which are authorized to receive or which do receive in this Commonwealth money on deposit or for safe-keeping or which are authorized to engage or which do engage in this Commonwealth in a banking business and all corporations which are authorized to act or which do act in this Commonwealth as trustees guardians executors administrators or in other fiduciary capacities including banks bank and trust companies trust companies private banks savings banks mutual savings funds and safe-deposit companies but not including hotels which receive money from guests for temporary safe-keeping express steamship or telegraph companies which receive money for transmission and brokers licensed under the laws of this Commonwealth holding membership in a lawfully constituted brokerage exchange who do and have authority to do only such banking as is incidental to their brokerage business

(2) All building and loan associations authorized to transact or transacting business in this Commonwealth

(3) All national banking associations incorporated under the laws of the United States which are authorized to act or which do act in this Commonwealth as trustees guardians executors administrators or in any other fiduciary capacities to the extent to which supervision by state authorities is or may be permitted under the laws of the United States

However when any corporation subject to the supervision of the Department of Banking shall also engage in a title insurance business a mortgage guarantee business or any other business subject to the supervision of the Insurance Department such branch of its business shall not be subject to the supervision of the Department of Banking

Section 202 General Scope of Supervision Exercise of Discretion A In addition to the powers and duties provided for in this act the Department shall exercise any power and fulfill any duty imposed upon it by any other law of this Commonwealth Except where otherwise specifically provided the Department shall enforce and administer all laws of this Commonwealth which relate to any institution and shall exercise such general supervision over institutions as will afford the greatest possible safety to depositors other creditors and shareholders thereof

B Whenever under this act discretion is vested in the Department as to whether or the manner in which to exercise a power or fulfill a duty the Department shall after such examination or investigation as it shall seem appropriate under the circumstances take such action as it deems to the best interests of the depositors other creditors and shareholders of such institution

Section 203 Appropriation for Expenses of Department Receipts A All moneys collected or received by the Department arising from fees assessments charges and penalties from the sale by the Department of Property and Supplies of unserviceable property originally paid for out of the Banking Department Fund and from similar sources are hereby specifically appropriated to the Department of Banking to be used to pay its expenses including the following

(1) Salaries of the Secretary the deputies the examiners the other employes of the Department and such deputy attorneys general special deputy attorneys general assistant deputy attorneys general and other counsel as may be assigned by the Department of Justice to the Department or to the handling of any legal business pertaining to its work

(2) Rental and other expenses for office rooms garage space and other accommodations outside of the Capitol Buildings either in or outside of the capital city occupied by the Department

(3) Premiums for Workmen's Compensation Insurance covering the officers and employes of the Department

(4) Premiums for surety bonds for such officers or employes of the Department as may be required by law to furnish such bonds

(5) Purchase and operating costs of motor vehicles required by the Department for full-time use including premiums for liability insurance covering such motor vehicles and the Department officers and employes operating them also the amount payable to the Department of Property and Supplies for the use of automobiles supplied by it for temporary use by the Department of Banking

(6) Furniture stationery materials supplies and all other overhead expenses of the Department

All such purchases and leases shall be made and all such contracts of insurance and surety bonds shall be placed through the Department of Property and Supplies as agent

B Estimates of the amounts to be expended under this act by the Department of Banking either itself or through the Department of Property and Supplies as purchasing agent shall be submitted to the Governor from time to time for his approval or disapproval as in the case of other appropriations made to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition for the expenditure of any moneys out of this appropriation by the Department of Banking or by the Department of Property and Supplies as its agent in excess of the estimates approved by the Governor Subject to this provision the Auditor General shall from time to time draw warrants upon the State Treasury for the amounts specified in such requisitions not exceeding however the amount in the Banking Department Fund at the time of the making of any such requisition

Section 204 Assesment of Express of Department upon Institutions A All the expenses of the Department including those enumerated in this act or otherwise authorized by law shall be charged to and paid by all institutions in such equitable amounts at such times and in such manner as the Department shall by general rule or regulation prescribe The expenses incurred by the Department in connection with any examination or investigation whether regular or special including a proportionate part of the salary of any examiner or other employe of the Department engaged in such examination or investigation and all counsel assigned by the Department of Justice at the request of the Department of Banking to an examination or investigation may be assessed by the Department of Banking upon the particular institution examined or investigated

B The Department shall give written notice to each institution of the amount lawfully charged against it under the provisions of this act The institution shall pay the amount of such assessment to the Department within thirty days after such notice If payment is not made by any institution within such thirty-day period the Department through the Department of Justice may institute an appropriate action at law for the amount lawfully assessed against such institution together with any additional costs incurred by the Department of Banking or the Department of Justice by virtue of such failure to pay

ARTICLE III
RESTRICTIONS UPON DEPARTMENT AND EMPLOYES THEREOF

Section 301 Relationship of Employes of Department with Institutions Penalty A Neither the Secretary nor any deputy examiner clerk or other employe of the Department shall be an officer director trustee manager employe or shareholder of or directly or indirectly have any pecuniary interest in any institution nor shall he after becoming Secretary deputy examiner clerk or other employe of the Department directly or indirectly receive from any institution or from any officer director or employe thereof any sum of money or other property whether as a gift credit loan or otherwise However the Secretary or any deputy examiner clerk or other employe of the Department may secure from any institution a mortgage loan upon his own home upon the same terms and in the same manner as are provided by law for mortgage loans by such institutions upon real property and as are customarily imposed and followed by the institution making such loan

This section shall not be construed to prohibit the Secretary deputy examiner clerk or other employe from becoming a depositor in any institution

B A violation by the Secretary deputy examiner clerk or other employe of the prohibitions of this section shall constitute sufficient ground for his removal from office In addition the Secretary deputy examiner clerk or other employe committing such violation shall be deemed guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period not exceeding six months or a fine not exceeding one thousand dollars or both he shall also be subject to a further fine of a sum equal to the amount of the gift credit

loan or other sum of money which he has directly or indirectly received in violation of this section

Section 302 Disclosure of Information Forbidden Penalty Exceptions A Neither the Secretary nor any deputy examiner clerk or other employe of the Department shall publish or divulge to anyone other than the Governor the Department of Justice the Department of Revenue or the Department of the Auditor General any information contained in or ascertained from any examination or investigation made by the Department or any letter report or statement sent to the Department or any other paper or document in the custody of the Department except when the publication or divulgement of such information is made by the Department pursuant to the provisions of this act or of any other law of this Commonwealth or when the production of such information is required by subpoena or other legal process of a court of competent jurisdiction or when it is used in prosecution or other court actions instituted by the Department

B A violation of the provisions of this section by the Secretary or by any deputy examiner clerk or other employe shall be sufficient ground for his removal from office In addition the Secretary deputy examiner or other employe committing such violation shall be deemed guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period not exceeding thirty days or a fine not exceeding one thousand dollars or both

ARTICLE IV
EXAMINATIONS BY AND REPORTS TO THE DEPARTMENT

Section 401 Examinations of Institutions (a) The Department shall examine all institutions thoroughly at least once each year and more frequently if it deems such action necessary or advisable to safeguard the interests of depositors other creditors or shareholders of such institutions This examination shall include a complete review of the property assets and resources of the institution the loans and discounts made by it and the collateral deposited with it as security for such loans the mode of conducting its affairs the investment of its funds the interest taken in its affairs by its officers directors and employes if a corporation or its employes and the partners or individuals owning it if a person its compliance with the law and with the terms of its charter or license if it has either and any other matters bearing any relation to its condition which the Department shall prescribe

The Department may also make special examinations or investigations of any institution at any time the Secretary deems such action necessary or advisable to protect depositors other creditors or shareholders thereof

(b) The Department when requested in writing by a person subject to its supervision or by the board of directors or the holders of a majority of the shares of capital stock of a corporation subject to its supervision shall examine or investigate the affairs and condition of such institution However this provision shall not be construed to mean that such person directors or shareholders shall have any greater right to require the Department to disclose to them the results of any such examination or investigation than they have in the case of any regular examination or investigation

(c) The Department upon the receipt of notice from the Insurance Commissioner that he has become receiver of a corporation or person any branch of the business of which is subject to the supervision of the Department of Banking shall examine or investigate the affairs and condition of such institution in order to determine whether any action should be taken by the Department of Banking pursuant to the provisions of this act

(d) Examinations or investigations shall be made by the Secretary or by qualified examiners or other qualified employes designated for that purpose by the Secretary or by his duly authorized deputy and empowered in writing by the Department to make examinations or investigations of institutions

(e) In connection with any examination or investigation the Department shall have power to issue subpoenas requiring the attendance of or the production of pertinent books and papers by the officers directors agents employes or members respectively of any corporation or person which the Department is authorized under the provisions of this act to examine The Department shall also have the power to question such witnesses under oath or affirmation and to examine such books and papers

Any witness who refuses to obey a subpoena issued under this section or who refuses to be sworn or affirmed or to testify or who is guilty of any contempt after summons to appear may be punished as for contempt of court and for this purpose an application may be made to any court of common pleas within whose territorial jurisdiction the offense was committed for which purpose such court is hereby given jurisdiction

Section 402 Examination of Corporations or Persons Affiliated with Institutions For the purpose of determining the condition of and obtaining full information about an institution the Department may examine and investigate the property assets books papers and affairs of any corporation or person affiliated with such institution A corporation or person shall be deemed to be affiliated with an institution for the purposes of this section if

(1) It is owned directly or indirectly by such institution

(2) It owns directly or indirectly such institution or

(3) It is owned directly or indirectly by the same person or corporation which owns directly or indirectly such institution or

(4) The election of a majority of its board of directors is controlled directly or indirectly by any instrumentality agency or arrangement that controls directly or indirectly the election of a majority of the board of directors of such institution or

(5) A majority of its directors or a majority of the members of the executive committee of its board of directors are also directors of such institution or

(6) Members of its board of directors constitute a majority of the board of directors or a majority of the executive committee of the board of directors of such institution or

(7) Substantially all of its principal executive officers constitute a majority of the board of directors of any such institution or comprise all or substantially all of the executive officers of any such institution or

(8) Its board of directors is composed of executive officers of any such institution or

(9) It dominates or controls in whole or in part the business or policy of such institution either by contract or otherwise or

(10) Its business or policy is dominated or controlled in whole or in part either by contract or otherwise by such institution

Provided however that the Department shall not have power to examine any corporation or person as an affiliated corporation or person under this section unless (1) it either directly or indirectly owns an institution or (2) within the preceding two-year period business transactions or relations existed between such corporation or person and the institution or (3) the institution within the preceding two-year period had outstanding loans secured in whole or in part by shares of stock or securities of such corporation or person or by any property in which such corporation or person was in any way or to any extent interested

For the purposes of this section the ownership of more than fifty per centum of the total number of shares voted upon at the last meeting of the shareholders of a corporation for the election of its directors shall be deemed to be ownership of such corporation

Shares of stock held in the name of a nominee of any corporation for the benefit of such corporation shall be deemed to be shares owned or controlled by the corporation

Section 403 Examination of Corporations or Persons Having Business Relations with an Institution Whenever it shall appear to the Department that the examination of the books papers and affairs of a corporation or person which it has no power by law to examine and which has business transactions or relations with an institution would materially aid the Department in determining the condition of such institution it shall have the power after giving notice to such corporation or person to petition the court to issue an order to such corporation or person to permit its books papers and affairs to be examined by the Department After allowing the corporation or person at least five days in which to show cause why the petition should not be granted and upon satsifactory proof by the Department that the circumstances set forth in this section and justifying such an order are present the court shall have the power to issue the order petitioned for

Section 404 Reports to Department Publication Penalties A Every institution except building and loan associations shall send to the Department at least twice each year and more frequently if the Department shall so order a complete report of its condition exhibitiing in detail under appropriate head-

ings the resources and liabilites of the institution Every building and loan association shall send such a report to the the Department once each year unless the Department orders more frequent reports

The Department may also require special reports on the condition of or any particular facts concerning any institution at any time the Secretary deems it necessary or advisable for the protection of the depositors other creditors or shareholders thereof

B The form of all reports the information to be contained in them and the date on which they shall be due shall be prescribed by the Department The reports shall be verified by the oath or affirmation of the president cashier secretary treasurer or other managing officer of a corporation or by one of the firm in the case of a partnership or other unincorporated association or by the banker if an individual In the case of a corporation the report shall also be attested as correct by the signatures of at least three of its directors or trustees

C Every institution except building and loan associations shall publish during each year in a newspaper or newspapers in the manner provided by this act abstract summaries of any two of its reports designated for this purpose by the Department and shall send proof of such publication to the Department Such publication shall be required only once in a newspaper of general circulation and in first and second class counties once in a legal newspaper Building and loan associations shall not be required to publish any abstract summaries of reports

D The Department shall furnish to anyone requesting it upon payment of a reasonable fee to be fixed by the Department an abstract summary of any report then in its possession of any building and loan association subject to its supervision showing the assets liabilities receipts and disbursements of such building and loan association

E Any institution which fails to make or publish any report or to furnish any proof of publication in accordance with the provisions of this section shall pay to the Department a penalty of one hundred dollars for each day after the time fixed by the Department for filing such report making such publication or furnishing such proof of publication but the Department may in its its discretion relieve any institution from the payment of such penalty in whole or in part if good cause be shown to it for the failure of such institution to file or publish the report or to furnish proof of publication thereof If an institution fails to pay a penalty from which it has not been relieved the Department may through the Department of Justice maintain an action at law to recover it

Section 405 Disclosure of Information A The Department may divulge to an institution or to any officer director or shareholder thereof any information contained in or ascertained from an examination or investigation of such institution made by the Department or a report sent to it by such institution

(b) The Department on the written request or consent of any institution authorized in the case of corporations by resolution of its board of directors may discuss with an advisory committee selected by the Department or selected by such institution and approved by the Department any matters relating to the financial condition of such institution

(c) The Department on the written request or consent of any institution authorized in the case of corporations by resolution of its board of directors may furnish to the Federal Reserve Board or to the Federal Reserve Bank of the district in which the place of business of any institution is located any information in its possession relating to such institution

(d) The Department may from time to time with the approval of the Governor cause to be published a summary of the condition of institutions under its supervision as in his judgment is desirable

(e) This section shall not be construed to require the Department to publish or divulge any such information when in the opinion of the Department such publication or divulgement is undesirable

ARTICLE V
ACTION BY DEPARTMENT AFTER OFFENSES BY OR CHANGES IN CONDITION OF INSTITUTIONS

Section 501 Orders by Department A Whenever it shall appear to the Department that any institution is violating any provision of its charter or of this act or of any other law regarding the business of such institution or that such institution is conducting business in an unsafe or unsound manner the Department may issue a written order under the seal of the Department directing such institution to discontinue within such period as shall be specified in the order such violation of law or such unsafe or unsound practice

B Whenever it shall appear to the Department that the capital of a corporation under its supervision has been impaired or reduced below the minimum required by law or below the amount by its articles of incorporation the Department may issue a written order under the seal of of Department directing such corporation to make good the deficiency within such period as shall be specified in the order but not exceeding sixty days from the date of the issuance of such order

C Whenever it shall appear to the Department that the bond or securities of a person under its supervision which are required by law to be deposited with the Department have depreciated in value so that their present value is below the minimum amount required by law the Department may issue a writen order under the seal of the Department directing such person to make good the deficiency within such period as shall be specified in the order but not exceeding sixty days from the date of issuance of the order

D Whenever it shall appear to the Department that any institution is not keeping its books and accounts in such manner as to enable the Department with reasonable facility to ascertain the true condition of the institution the Department may issue a written order under the seal of the Department requiring such institution within such period as shall be specified in the order to open and keep such books as the Department may in its discretion reasonably determine are essential for the purpose of keeping accurate and convenient records of the transactions and accounts of such institution

E Whenever any institution shall refuse to submit its records and affairs to a legally conducted examination or investigation by the Department the Department may issue a written order under its seal requiring such institution to permit the Secretary or other duly authorized examiner to make such examination or investigation within such period as shall be specified in the order

Section 502 Enforcement of Department's Order by Court Whenever an institution shall not comply with the terms of an order of the Department which has been lawfully issued the Department upon notice to the institution may through the Department of Justice petition the court for an order directing the institution to obey the order of the Department within such period as shall be fixed by the court Upon the filing of such petition the court shall allow a rule to show cause why it should not be granted Whenever after a hearing upon the merits it shall appear that the order of the Department was lawfully issued the court shall grant the petition of the Department

Section 503 Quo Warranto or Injunction Proceedings A When any corporation subject to the supervision of the Department (1) has not paid in the capital and surplus required by law or (2) has not in any manner exercised at least one of the powers conferred upon it by its articles of incorporation within two years after the issuance of its certificate of incorporation by the Department of State or (3) has formerly exercised any of its corporate powers but for a period of two years has not exercised at least one of them the Department shall notify the Department of Justice of these facts and the Department of Justice shall then proceed by quo warranto against such corporation in the manner provided by law to oust it from its corporate powers and privileges

B When any institution violates any provisions of its articles of incorporation and refuses to obey a lawfully issued order of the Department that it cease such violation the Department may notify the Department of Justice of these facts and the Department of Justice may then institute quo warranto proceedings against such corporation in the manner provided by law

C When any person subject to the supervision of the Department has not for a period of two years done any act in pursuance of its banking powers the Department shall notify the Department of Justice of these facts and the Department of Justice shall then proceed against such person by the method provided by law to enjoin it permanently from doing a banking business in this Commonwealth

D Quo warranto or injunction proceedings brought pur-

suant to the provisions of this section may be instituted either in the court of common pleas of the county in which the institution has its place of business or in the Court of Common Pleas of Dauphin County

Section 504 Taking of Possession by Department A The Department may take possession of the business and property of any institution subject to its supervision whenever it shall appear to it that such institution

(1) Is violating its articles of incorporation any lawfully issued order of the Department or any other law of the Commonwealth regulating its business

(2) Is conducting its business in an unauthorized or unsafe manner

(3) Is in an unsafe or unsound condition to transact its business

(4) In the case of a corporation has an impairment of its capital or surplus below the minimum required by law or by its articles of incorporation and in the case of a person has not made good a depreciation in the value of the bonds or securities deposited with the Department below the minimum required by law

(5) Has suspended payment of its obligations and in the case of a building and loan association has not for a period of one year after due demand or notice by a shareholder paid any matured share or any withdrawal

(6) Has refused to submit its records and affairs to or its officers or directors have refused to be examined upon oath or affirmation concerning its affairs by the Secretary or any other duly authorized examiner in connection with any lawful examination or investigation

(7) Requests the Department to take possession for the benefit of depositors and other creditors

B Before taking possession the Department shall conduct a hearing before the Department and the Department of Justice which may be attended only by and notice of which shall be given only to the officers and directors of the corporation or the officers and individual owners of the person After such hearing the Department may if it first procures the consent of the Department of Justice take possession

Provided however that whenever immediate action shall be necessary in order to protect the interests of the depositors other creditors or shareholders of an institution it may take possession without conducting a hearing and without the approval of the Department of Justice

C In addition whenever the Secretary in his official capacity is appointed receiver by any court of equity as provided by law the Department shall take possession of the business and property and the Secretary shall act as receiver of the institution in the same way and with the same rights and limitations as when the Department takes possession in the customary manner provided by this act

Section 505 Suits by Department Jurisdiction of Courts This act shall not be construed to limit the right of the Department in the Course of its supervision of institutions to bring any suit in courts of law or of equity in pursuance of any remedy permitted by the laws of this Commonwealth or by those of any other state in which the Department brings suit

ARTICLE VI
TAKING POSSESSION BY SECRETARY AS RECEIVER AND SURRENDER THEREOF

Section 601 Taking Over Possession by Secretary as Receiver Whenever the Department takes possession of the business and property of an institution the Secretary shall by operation of law simultaneously take over such poossession from the Department and become receiver of such institution subject to the provisions of this act His official title when thus in possession of the business and property of an institution shall be receiver of such institution

Section 602 Posting of Notice of Possession The Secretary upon taking possession of the business and property of an institution as receiver shall post notice of such fact on the front door of the institution

Section 603 Notice to Insurance Commissioner Whenever the Secretary shall become receiver of an institution which engages in the business of insuring titles or guaranteeing bonds secured by mortgages or which transacts any other business which is subject to the supervision of the Insurance Department he shall inform the Insurance Department that has taken possession of the business and property of such institution

Section 604 Certificates of Possession Filing A The Secretary upon taking possession of the business and property of an institution as receiver shall forthwith under the seal of the Department prepare in duplicate a certificate to be known as the certificate of possession setting forth that he has become receiver of the institution It shall state the name of the deputy receiver whom the Secretary pursuant to the provisions of this act appoints to take charge of the affairs of the institution and shall set forth in details the duties which he delegates to such deputy receiver If the Secretary does not appoint a deputy receiver prior to the date of the filing of the certificate of possession or if he appoints a new deputy receiver or an additional one or if he adds to the duties of the deputy receiver he shall prepare in duplicate and file a supplement to the certificate of possession

B The Secretary shall file the original certificate of possession and the original of any supplement thereto in his office in Harrisburg and the duplicate certificate of possession and the duplicate of any supplement thereto in the office of the prothonotary The certificate of possession filed in the prothonotary's office and any supplement thereto shall be listed in the judgment index in the name of the institution as defendant and of the Secretary as plaintiff

C In addition the Secretary shall as soon as possible file a certified copy of the certificate of possession and of any supplement thereto in the office of the recorder of deeds in each county in the Commonwealth or with the proper official in any other state or country in which any real property shall be situated which belongs to the institution or title to which is in its name Such copy shall be recorded in the current deed book and shall be indexed in the grantors' index in the name of the institution and in the grantees' index in the name of the Secretary or it shall be filed indexed or registered by whatever other method is provided by the law of the particular county state or country in which such real property is located

Section 605 Injunction to Restrain Secretary Any institution of whose business or property the Secretary has taken possession as receiver may at any time within ten days after the Secretary has become receiver apply to the court for an order requiring the Secretary to show cause why he should not be enjoined from continuing as receiver Service may be made in such action by serving the Secretary personally or by leaving a copy with the deputy in charge of his office in the Department or by serving the deputy receiver appointed by the Secretary to manage the affairs of such institution The court shall after a hearing upon the merits either dismiss the application or order the Secretary to surrender to the institution possession of its business and property but no such injunction shall issue where the Secretary has been appointed receiver by action of a court of competent jurisdiction or by action of the institution itself in accordance with the provisions of this act

Section 606 Power of Courts to Appoint Receivers No court shall appoint anyone but the Secretary as receiver of an institution Whenever any court at the instance of a depositor shareholder or other person entitled by law to institute such proceedings shall determine that a receiver should be appointed for any reason whatsoever it shall appoint the Secretary as such receiver

When thus appointed receiver by a court the Secretary shall serve in the same manner and with the same limitations and he shall have the same rights powers and duties as when he becomes receiver by operation of law and without appointment by any court No court shall impose upon the Secretary as receiver any duties or restrictions which are in conflict with the provisions of this act

Section 607 Taking of Possession upon Request of Institution No institution shall make a general assignment of its business and property for the benefit of its creditors by the appointment of an assignee or a trustee or otherwise In lieu of the power to make an assignment for the benefit of creditors an institution may request the Department to take possession in the regular manner provided by law In such cases the Department shall take possession and the Secretary shall take over such possession and become receiver in the same manner and subject to the same provisions of this act as when the Department takes possession of the

business and property of an institution without the request of such institution

Section 608 Surrender of Possession Special Liquidations and Reorganizations A The Secretary may upon conditions approved by him surrender possession of an institution of which he has taken possession as receiver at any time prior to final liquidation and distribution under the following circumstances

(1) He may surrender possession to the institution itself when he finds it to be in a safe and sound condition to resume its business

(2) He may surrender possession to the institution itself when he is without funds to liquidate its business and property In such case the Secretary shall first accord to the shareholders and the depositors or other creditors of the institution a period of not less than two weeks in which to advance sufficient funds for the Secretary to liquidate the business Where such funds are advanced they shall be considered an expense of administration and shall be given the same preference in the distribution of assets as any other expenses of administration Where possession has been surrendered to an institution under such circumstances the institution may not conduct any business except the liquidation of the assets In the distribution of any moneys realized by the institution on its assets it shall follow the same order and preference as is established by this act for distribution by the Secretary of the assets of an institution of which he is in possession as receiver Upon the approval of his account by the court and upo nthe filing of the supplement to the certificate of possession pursuant to the provisions of this section the secretary shall be relieved of all duties with reference to such institution However if the Department shall deem i tadvisable to resume possession of the institution at any time it may do so in the same manner as is provided for the taking possession of any institution in which case the Secretary shall again take over possession and become receiver with all tne right powers and duties granted to or imposed upon the Secretary as receiver by this act

(3) He may surrender to the institution itself or to any other corporation or person possession of all or part of the business property moneys credits or other assets of the institution of which he is in possession as receiver to permit to be carried into effect a special plan of liquidation reorganization or rehabilitation which has been approved by the court and by (a) depositors and other creditors of the institution to whom is due ninety per cent. in amount regardless of the number of the claims stated in writing by the Secretary to be due to depositors and other creditors of such institution and (b) the holders of a majority of the shares of stock of such institution if a corporation except that in the case of a building and loan association the approval of the holders of eighty per cent of the shares of stock of such corporation shall be required

However the Secretary shall not authorize any decrease of capital by a corporation affected by the provisions of this section except upon compliance by such corporation with the provisions of law as to such decrease

B Whenever the Secretary shall surrender possession under the provisions of this section he shall forthwith under the seal of the Department prepare in duplicate a supplement to the certificate of possession setting forth in detail all the conditions and purposes of such surrender He shall file the original of such supplement in his office in Harrisburg and the duplicate in the office of the prothonotary where it shall be indexed in a manner which will in so far as necessary satisfy the prior record of the certificate of possession He shall also file a certified copy of such supplement in the office of the recorder of deeds in each county in the Commonwealth or with the proper official in any other state or county in which any real property shall be situated which still belongs to the institution or title to which is in its name or in the name of the Secretary as receiver of such institution

C Whenever the Secretary shall under the provisions of this section surrender possession of the entire business and property of an institution of which he is in possession as receiver he shall file in the court an account which shall correspond to any other final account which he is required by this act to file Such account shall be subject to exceptions by shareholders or depositors or other creditors and to confirmation by the court in the same manner as is provided by this act for any account filed by the Secretary as receiver

ARTICLE VII
RIGHTS POWERS AND DUTIES OF SECRETARY AS RECEIVER

Section 701 Status of Secretary as Receiver The Secretary when he has taken possession of the business and property of an institution shall be an equity receiver and except as otherwise provided in this act shall be responsible to the court in which the certificate of possession is filed His rights powers and duties shall be those of a general receiver appointed by any court of equity in this Commonwealth except as such rights powers and duties are increased or limited by the provisions of this act He shall be vested in his official capacity with all the rights powers and duties of such institution with the title or the right to possession of all property to which the institution has title or the right to possession including debts due and liens and other security therefor and with the institution's rights of action or redemption This shall be so whether such property and debts due such liens or other security therefor or such rights of action or redemption are held in the name of such institution or in the name of some other corporation or person

The Secretary shall be the representative of the creditors of the institution and shall be entitled as such to have vacated and set aside for the benefit of the creditors any judgment execution attachment sequestration payment pledge assignment transfer conveyance or encumbrances which could have been avoided by any of the creditors or by which one creditor is given an unlawful preference over another

Section 702 Appointment of Deputy Receivers Counsel and Other Assistants The Secretary may appoint one or more official agents to be known as deputy receivers to assist him in the management reorganization consolidation liquidation or distribution of the assets and affairs of any institution of which he has taken possession as receiver The Secretary may delegate such deputy receive any duty imposed upon or any right or power granted to him as receiver The Secretary may also employ such other assistants as he deems necessary including such deputy attorneys general special deputy attorneys general assistant deputy attorneys general or other attorneys as may be appointed by the Department of Justice and assigned to the Secretary for the handling of any legal business pertaining to the affairs or property of such institution The Secretary may also retain to assist him in the management reorganization consolidation liquidation or distribution any officer or other employe of the institution of which he has taken possession

Section 703 Exercise of Discretion by Secretary A Whenever under this act discretion as to whether or the manner in which to exercise a power or fulfill a duty is vested in the Secretary in possession of an institution as receiver he shall after such examination or insevtigation as shall seem appropriate under the circumstances take such action as he deems to the best interests of the depositors or other creditors and in the case of building and loan associations also of the shareholders of such institution

B The words "the best interests of the estate" whenever used in this act shall be construed to refer to the best interests of the depositors or other creditors and in the case of building and loan associations also of the shareholders of such institution

Section 704 Suspension or Continuation of Business The Secretary is authorized upon taking possession of the business and property of an institution as receiver to continue or to suspend the business for such period as he may deem necessary to enable him to determine whether to surrender such possession to the institution to authorize a merger or consolidation to liquidate the affairs of such institution or to take such other action as is authorized by law During such period he shall take any action he deems necessary to conserve the assets and business or to protect the best interests of the estate

Section 705 Determination to Liquidate Filing of Supplemental Certificates The Secretary shall within six months after the date on which he takes possession of any institution as receiver determine whether or not to liquidate the business and property and distribute the assets of the institution If he shall determine to liquidate he shall forthwith under the seal of the Department prepare in duplicate a supplement to the certificate of possession setting forth this fact He shall file the original supplement in his office in Harrisburg and the duplicate in the office of the prothonotary He

shall then proceed to liquidate the affairs of the institution with as much dispatch as shall appear to be expedient under the circumstances

Section 706 Powers and Duties before and after Determination to Liquidate Except where otherwise specifically provided all powers and duties granted by this act to the Secretary in possession of the business and property of an institution as receiver may be exercised by him both before and after his formal determination pursuant to the provisions of this act to liquidate the affairs of such institution

Section 707 Inventory and Appraisement A When the Secretary has taken possession of the business and property of an institution as receiver he shall forthwith prepare in duplicate a complete and detailed inventory of the assets of such institution The inventory shall be verified by oath or affirmation of the Secretary or other person making it

B As soon as expedient after taking possession the Secretary shall cause a complete appraisement of the assets of the institution to be made in duplicate under oath or affimation by not less than two nor more than three disinterested appraisers selected by him The value of the assets shall be computed in such appraisement as of the date on which the Secretary took possession

C The original and duplicate of both the inventory and the appraisement shall be filed in the office of the Secretary in Harrisburg However if the Secretary shall determine in accordance with the provisions of this act to liquidate the affairs of the institution he shall immediately after such determination to liquidate file the duplicate inventory and the duplicate appraisement in the office of the prothonotary

Section 708 Issuance of Subpoenas Questioning of Witnesses A In order to enable the Secretary to secure a complete inventory and appraisement or to carry out any other right power or duty granted to or imposed upon him as receiver by this act the Secretary shall have the power to issue subpoenas requiring the attendance of or the production of pertinent books and papers by any officer director agent employe or member respectively of the corporation or person of which he has taken possession or any other individual whom the Secretary believes to have information of importance regarding the affairs of the institution He shall also have the power to question such witnesses under oath or affirmation and to examine such books and papers

The Secretary may delegate to the appraisers appointed by him or to any other duly authorized agent the power granted to him as receiver under this section

Any witness who refuses to obey a subpoena issued under this section or who refuses to be sworn or affirmed or to testify or who is guilty of any contempt after summons to appear may be punished as for contempt of court by the court in which the certificate of possession of the institution concerning the affairs of which the witness was subpoenaed is filed

B Every witness called by the Secretary or his duly authorized agent in connection with the affairs of an institution in possession shall be entitled to the fees and mileage customarily paid to witnesses in the courts of the county in which the institution has its place of business

Section 709 Power of Court to Make and Enforce Orders The court in which the certificate of possession is filed shall sit as a court of equity It shall have the power upon petition of the Secretary to make and enforce any appropriate order to enable him with the utmost dispatch to discharge his duties in connection with the business and property of any institution of which he has taken possession as receiver pursuant to the provisions of this act

The court shall grant to the party against whom the order is sought the right to appear within ten days after notice is given to show cause why the order should not be made The court shall have the power at the end of the ten-day period ex parte if the other party does not appear to show cause or upon the merits if the party does appear to issue the aforementioned order

Section 710 Notice to Holders of Assets Power of Court to Order Transfer A Upon becoming receiver of any institution the Secretary shall forthwith give notice in writing of such fact to all corporations and persons having custody or possession of any assets or other property which the institution of which he is receiver owns or to which it has the right to possession or custody for any purpose whatsoever

B The court shall have the power upon petition of the Secretary to order any corporation or person which has custody or possession of assets or other property which belongs to the institution of which the Secretary is receiver or to which such institution shall have the right of custody or possession for any reason whatsoever to transfer or convey such property to the Secretary and to execute and deliver any instrument necessary to accomplish that purpose

The court shall grant to such corporation or person the right to appear within ten days after notice is given to show cause why the order should not be made The court shall have the power at the end of the ten-day period to issue the aforementioned order ex parte if the corporation or person does not appear to show cause or upon the merits if the corporation or person does appear

Section 711 Sale of Assets Repledged by Institution Repledge after Possession A Where assets belonging to others shall be pledged or given as collateral by an institution of which the Secretary subsequently takes possession as receiver and the pledge has actual knowledge at the time of the pledge that the assets are not assets of the institution such pledgee shall not forfeit or sell any such collateral or pledged assets after the Secretary has taken possession without the written permission of the Secretary any provision in any collateral note or agreement to the contrary notwithstanding but if the Secretary refuses such permission the pledgee may after notice to the Secretary petition the court for leave to sell such assets The court may after giving the pledgee and the Secretary an opportunity to be heard grant such leave or it may make such other order as it deems to the best interests of all parties concerned

However if the assets so pledged by any such institution are accompanied by the obligation of the corporation or person owning them the pledgee shall have the power to exercise all the rights powers and privileges contained in such obligation held by such pledgee including the sale of the assets

B The Secretary shall not repledge any assets held by an institution of which he is in possession in pledge or as collateral but belonging to other corporations or persons unless such repledge is accompanied by the obligation of the original borrower from the institution and is not for an amount exceeding the amount of the original obligation due at the time the collateral is repledged

Section 712 Liens Judgments and Executions Assignments of Claims A The status of all parties shall become fixed on the date the Secretary takes possession of the business and property of the institution as receiver No corporation or persons shall thereafter acquire any lien or charge against any of the assets of the institution of which the Secretary is receiver including mechanics' liens for charges payments advances or clearances thereafter made or thereafter incurred or liens by reason of the entry of any judgment against such institution after the Secretary has taken possession

B Assignments of claims of depositors or other creditors of the institution which are made before the Secretary takes possession but notice of which is not received by the institution before such taking of possession shall be regarded as and shall have all the legal incidents of assignments made after the Secretary takes possession

C No execution or attachment pending or otherwise shall respectively issue or be proceeded with against any property moneys or assets owned by or legally in the custody or possession of an institution of which the Secretary is in possession as receiver except that an execution may be permitted by special leave of the court In lieu of the right to issue an attachment against money or property belonging to others which is legally in the custody or possession of such institution a plaintiff may proceed as follows He may give written notice of his claim to the Secretary or to the deputy receiver of such institution and he shall thereafter present proof in the regular manner provided by this act for the proof of the claim which he is attempting to attach After the filing of the regular account of the Secretary the court shall adjudicate the matter as in the case of other disputed claims Where two or more plaintiffs attempt to attach the same claim in this manner the order in which they shall take as among themselves shall be determined by the order in which written notice of their claims was received by the Secretary

Section 713 Actions and Suits by and against Secretary A For the purpose of executing any of the powers and performing any of the duties respectively conferred or imposed upon him as receiver by this act the Secretary may in his name as receiver of such institution prosecute any action at

law or in equity in any court of this Commonwealth or of any other state whether or not such action is pending on behalf of the institution at the time he takes possession He may likewise similarly defend any action at law or in equity pending against the institution at the time he takes possession

The Secretary may in his name as receiver of a corporation institute and maintain against any officer director trustee manager or other employe of such corporation any action at law or in equity which such corporation or any shareholder or creditor thereof could have instituted or maintained and he may likeswise in the case of a person of which he is receiver maintain any similar action against the individuals owning the business or against any employe thereof which a depositor or other creditor of the person could have instituted or maintained

B All claims against the institution suit upon which has not been commenced prior to the time the Secretary took possession shall be presented in the regular manner provided by this act for the presentation of claims No depositor or other creditor of the institution may maintain any action at law or in equity upon such claim except by regular method provided by this act for exceptions to the accounting of the Secretary as receiver However an action for the return of specific property which could have been recovered from the institution of which he is receiver may be maintained against the Secretary in his name as receiver of the institution

C Any action at law or in equity based upon a cause of action against the institution of which the Secretary is receiver which may be brought against the Secretary as receiver shall be instituted only in the court in which the certificate of possession is filed

Section 714 Power of Secretary to Borrow from Government Agencies The Secretary may without leave of court borrow money from any agency or instrumentality of the United States government except national banks or of the Commonwealth of Pennsylvania for the purpose of expediting the liquidation of the assets of the institution of which he is receiver and the distribution of the proceeds thereof to the depositors the other creditors or the shareholders thereof

Section 715 Surrender or Transfer of Burdensome Assets The Secretary may with leave of court surrender to the institution of which he is receiver any assets including choses in action whether the subject of pending proceedings or not which appear to be burdensome and of no advantage to the estate He may likewise with leave of court convey title to a holder of a mortgage or a lien against property to which the institution has title where it shall appear that to continue to hold such property is burdensome and of no advantage to the estate

The Secretary shall give notice to the depositors or other creditors of the institution and in the case of building and loan associations to the shareholders of the filing of the petition for leave to transfer or convey such property pursuant to the provisions of this section Such notice shall be given at the addresses which appear for such depositors other creditors and shareholders upon the books or other records of the institution or if none appear there then at their last known addresses However the court may if it shall appear to the best interests of the estate order the Secretary to substitute a single advertisement in a newspaper or newspapers for the individual notice to the depositors and other creditors and in the case of a building and loan association the shareholders The court shall grant at least ten days for the filing of objections by the depositors or other creditors of the institution and in the case of a building and loan association the shareholders of such institution

Section 716 Compromise of Claims Extension of Mortgages A The Secretary may with leave of court compound or compromise any debt claim or judgment due to the institution of which he is in possession as receiver and discontinue any action or other proceeding pending therefor

B The Secretary may without leave of court enter into an agreement in writing upon such term as seem reasonable to him with any mortgagor to extend for a period not to exceed three years the time within which the payment of the loan secured by the mortgage on real property is due to the institution of which he is in possession as receiver

Section 717 Payment of Mortgages and Liens Protection of an Equity The Secretary may with leave of court pay off all mortgages contracts of conditional sale pledges and liens of or upon any real or personal property which belongs to the institution He may without leave of court purchase at a judicial sale or at any sale authorized by an order of a court of competent jurisdiction any real or personal property in order to protect any equity which such institution has in such real or personal property

Section 718 Sales of Property Real Property outside the County A The Secretary may with leave of and upon the terms and conditions prescribed by the court sell any real or personal property of the institution of which he is in possession as receiver The order of the court authorizing such sale shall state whether the sale shall be entirely for cash or partly for cash and partly for evidences of indebtedness whether it shall be public or private whether notice shall be given to depositors other creditors and shareholders or to any of these groups and whether advertisement shall be made Unless the court in any case deems advertisement or notice necessary or desirable to protect the interests of the estate such advertisement or notice shall not be required

Where the order of the court provides for advertisement it shall in no case require that there be more than a single insertion in one newspaper of general circulation in the county and in first and second class counties in one legal newspaper Where the real property is situated in a county other than the one in which the institution is located the court may also authorize a single insertion in a newspaper of general circulation in such other county and in first and second class counties in one legal newspaper

Every such sale of real property shall be confirmed by the court if all the terms and conditions of its order authorizing such sale have been complied with

B When any real property of an institution of which the Secretary is in possession as receiver is situated in a county other than the one in which the institution is located the Secretary shall proceed in the same manner as is provided by this section for the sale of real property within the county In addition he shall petition the court of common pleas of the county in which the real property is located and it shall be the duty of such court to issue an order authorizing the sale upon the terms or conditions prescribed by the order of the court having jurisdiction of the receivership The Secretary shall file a return of the sale in the court of common pleas in the county in which the real estate is located which court if all the terms and conditions of the order of the court in which the certificate of possession is filed have been met shall confirm the sale and shall give the Secretary a certified copy of the return of the sale and a certified copy of the confirmation thereof Such certified copies shall be filed with the prothonotary of the court in which the certificate of possession is filed

Section 719 Effect of Sale upon Liens The sale by the Secretary of any real property of an institution of which he is in possession as receiver shall not affect any lien thereon except that in the case of a lien which would under the laws of the Commonwealth ordinarily be discharged by a judicial sale the court in its order authorizing the sale may prescribe that such lien shall be discharged by the sale Whenever such liens are to be discharged by a sale the Secretary shall give notice of the sale to all creditors who appear by the books of the institution or by records of the county or otherwise to have or to claim to have liens upon such property The proceeds of the sale shall then take the place of the property sold and shall be distributed in the order prescribed by and to the parties entitled to take under the laws of the Commonwealth which relate to the discharge of liens by a judicial sale

B If real property is situated in a county other than that in which the institution is located the court in which the certificate of possession is filed shall be the one empowered to issue the original order prescribing the discharge of liens The procedure shall be the same as in the case of any other terms or conditions prescribed in its order for the sale of real property situated in another county

Section 720 Leases for Property The Secretary may without order of court enter into leases for real or personal property belonging to the institution of which he is in possession as receiver for a period not to exceed one year He may with leave of court enter into such leases for a period not to exceed ten years upon the terms and under the conditions prescribed by the order of the court

The court shall not require advertisement or notice of leases entered into upon its order except where special circumstances shall appear to require such action in order to protect the interests of the estate

Section 721 Sale or Exchange of Listed and Unlisted Securities A The Secretary may without leave of court sell on any stock exchange or otherwise at a price not below that prevailing on any of the stock exchanges listed securities which belong to the institution of which he is in possession as receiver or which such institution has the power to sell

B The Secretary may with leave of court sell unlisted securities or sell listed securities at a price below the prevailing prices on any of the stock exchanges upon such terms and under such conditions as the court shall prescribe

C The Secretary may with leave of court exchange listed or unlisted securities for other obligations of the corporation issuing the securities upon such terms and under such conditions as the court shall prescribe

Section 722 Deposit of Moneys by Secretary All moneys received by the Secretary as receiver of an institution shall be deposited by him with one or more corporations or persons authorized by law to receive deposits and subject to the supervision either of Federal or State banking authorities He shall require of such depository security therefor in such amount and of such nature as the Secretary shall deem adequate

Section 723 Enforcement of Shareholders' Liability A If at any time after he takes possession of a corporation as receiver it shall appear to the Secretary that the assets of such corporation will be insufficient to pay in full its debts to depositors and other creditors he shall as soon as expedient estimate the amount which shall be assessed against all shareholders who are under these circumstances personally liable for any part of the debts of such corporation by reason of their ownership of such shares He shall assess against such shareholders the amount which he then deems necessary for the payment of such debts not however exceeding the maximum liability of such shareholders as provided by law The Secretary shall send to every such shareholder by registered mail to the address which appears on the records of the corporation and if none appears there then to his last known address a demand that the amount assessed against him be paid Such demand shall state the total amount assessed by the Secretary against all the shareholders and the specific amount to be paid by the particular shareholder It shall also designate a period within such assessment shall be paid such period to be not less than thirty days after the date of the sending of the notice If any shareholders shall not pay the amount assessed against them the Secretary may institute actions at law or in equity against them either severally or jointly for the amount of such assessment together with interest from the date designated in the notice from the Secretary for the payment of such assessment In such action the written statement of the Secretary signed by him in his official capacity as receiver and bearing the seal of the Department asserting that the assets of the corporation appear insufficient to meet its liabilities to depositors and other creditors that consequently he has made an assessment against the shareholder or shareholders being sued that the period designated for the payment of the assessment has expired and that the value of the assets of the corporation and the liabilities of such corporations are as set forth shall be prima facie evidence of the facts therein stated

B The Secretary may make as many partial assessments as shall appear expedient until the total liability of the shareholders or the total amount necessary to pay in full the depositors and other creditors of the corporation has been assessed

Section 724 Property in Safe Deposit Vault or Held for Safe-Keeping The Secretary may any time after taking possesison of an institution as receiver give written notice to anyone claiming or appearing on the books of such institution to be the owner or to be entitled to the possession of any personal property left with such institution as bailee for safe-keeping or depository for hire and to anyone appearing on the books of the institution to be the lessee of any safe vault deposit box notifying such bailor or lessee respectively to remove all such personal property within the period fixed by the notice provided that such period shall in no case be less than sixty days after the date of the notice

At the expiration of such period if the lessee of a safe vault or safe deposit box has not removed the contents thereof the Secretary may cause such safe vault or safe deposit box to be opened either in his presence or in the presence of the deputy receiver of the institution and in the presence of a notary public not an officer or employe of the institution or of the Department The contents if any of such safe vault or safe deposit box shall then be sealed and marked by such notary with the name and address of the lessee in whose name such safe vault or safe deposit box appeared on the books of the institution and with a list and description of the property therein Such package so sealed and addressed shall either be removed by the Secretary to his office in Harrisburg or it shall be deposited by him in one of the bank safes or safe deposit boxes of the institution to be removed from such safe or safe deposit box when the Secretary surrenders possession of or finally liquidates the institution or when he sells leases or otherwise disposes of the building The Secretary shall retain such property until it is delivered to the owner or is otherwise disposed of in accordance with law

The Secretary shall follow the same procedure and have the same powers with regard to the property left with the institution as bailee for safe-keeping or depository for hire and not called for within the period specified by the notice

The contract of bailment or lease if any shall be considered at an end upon the date designated by the Secretary for the removal of the property therein The amount of unearned rent or charges if any paid by the bailor or lessee shall become a debt of the institution

ARTICLE VIII
SECRETARY IN POSSESSION OF TRUST DEPARTMENT

Section 801 Institution as Fiduciary References in this act to funds property or investments held in a fiduciary capacity by an institution of which the Secretary has taken possession shall have no application to funds property or investments of which such institution became trustee involuntarily and by operation of law

Section 802 Secretary in Possession of Trust Department A The Secretary upon taking possession of an institution as receiver shall keep all the funds property and investments if any which are held by such institution i.. a fiduciary capacity separate from the assets of the institution itself

B The Secretary when in possession of an institution as receiver shall have all the rights powers and duties which such institution had in its fiduciary capacity He shall have title to all the assets including debts due liens and other security therefor and all rights of action or redemption of all estates of which the institution either alone or jointly with someone else was trustee executor administrator guardian assignee or other similar fiduciary and shall have the power to administer such estates In pursuance of this power the Secretary may institute any action at law or in equity or execute and sign any written instruments which the institution itself could have instituted executed or signed

The Secretary shall not however have the power to invest funds or property of any such estate except where it shall appear necessary to purchase any real or personal property or any interest therein in order to protect an equity which such estate has in such property Such purchase by the Secretary shall not however be made without the approval of any corporation or person whose approval would have been necessary to such purchase by the institution prior to the taking of possession by the Secretary and of the court which has exercised jurisdiction over such estate If no court has yet exercised jurisdiction over the estate then the approval either of the court of common pleas or of the orphan's court of the county in which the place of business of the institution is situated shall be procured

Except where otherwise specifically provided references in this act to the court which has exercised jurisdiction over an estate of which an institution in possession of the Secretary was fiduciary shall be construed to refer in cases in which the institution was executor or administrator to the orphans' court of the county of which the register of wills issued the letters testamentary or letters of administration respectively and in all other cases to the court of common pleas or the orphans' court in which an account of the estate has been filed or which has in any manner exercised control or supervision over the administration of such estate by the institution as fiduciary

Section 803 Disputes as to Identity of Trust Funds All disputes as to the identity of the funds property or investments of an estate of which an institution in the possession of the Secretary was fiduciary arising either because such funds property or investments have become or are alleged to have become mingled with other funds property or investments or for any other reason shall be determined by the court in which the certificate of possession is filed Such court shall have exclusive jurisidiction over such disputes

Section 804 Appointment of Substituted Fiduciaries Upon filing a supplement to the certificate of possession setting forth his determination to liquidate the affairs of the institution the Secretary shall forthwith give written notice in so far as the giving of such notice is practicable to all parties of whom he has notice who are interested in any funds property or investments held by such institution in a fiduciary capacity Such notice shall require such parties within thirty days after the giving of notice to apply for the appointment of substituted fiduciaries Such application shall be made as follows In any case in which the institution was executor or administrator application shall be made to the register of wills having jurisdiction to grant new letters in such form as the case shall require in any other case application shall be made to any court which has exercised jurisdiction over the estate or if no court has exercised such jurisdiction then to the court of common pleas or the orphans' court of the county in which the institution has its place of business However if the instrument under which the fiduciary relationship was established provides a particular method for the selection of fiduciaries such method shall be followed

If the parties to whom such notice has been given do not within the thiry-day period designated make such application or pursue whatever method is prescribed by the instrument under which the fiduciary relationship was established for the appointment of a substituted fiduciary or if it is impracticable to give notice to the parties interested in the estate then he Secretary shall make the application for the appointment of a substituted fiduciary to the court or the register of wills whichever the case may be designated above Such court or register of wills shall appoint a substituted fiduciary upon such petition of the Secretary

Section 805 Transfer of Assets to Substituted Fiduciary without Filing Account If a substituted fiduciary has been appointed in accordance with the provisions of this act and if there is no dispute as to the amount or identity of the funds property or investments of the particular estate and as to the fees commissions and expenses due either to the institution before the Secretary took possession or to the Secretary as receiver since the taking of possession and if all the parties in interest being sui juris agree in writing to waive an accounting in court the Secretary in possession of an institution as receiver may transfer to such substituted fiduciary all the funds property and investments of the particular estate without filing an account in any court Upon such transfer he shall procure from all the parties in interest and from the substituted fiduciary a receipt and release in full which shall discharge the Secretary and the institution from any further duty or liability with reference to such estate

Section 806 Filing of Account Transfer of Assets to Substituted Fiduciary A Except in cases in which the Secretary is authorized by the provisions of this act to transfer to a substituted fiduciary without filing an account the funds property or investments of an estate of which the institution was fiduciary he shall file an account for every estate of which such institution was fiduciary The Secretary shall file each such account upon the date fixed by the instrument creating the fiduciary relationship or if there is no such date fixed then as soon as expedient after the filing of a supplement to the certificate of possession setting forth his determination to liquidate the affairs of the institution Such account shall be filed in the court which has exercised jurisdiction over the particular estate or if no court has yet exercised jurisdiction then in the court of common pleas or the orphans' court of the county in which the place of business of the institution is situated The Secretary shall then transfer or pay to the substituted fiduciary appointed pursuant to the provisions of this act any funds property or investments in his possession which belong to such estate Such transfer or payment shall be made in accordance with the order of the court in which the account for such estate is filed The court in directing such transfer or payment may reserve for future determination any question of surcharge

B The court which has exercised jurisdiction over a particular estate of which the institution was fiduciary or if no court has exercised such jurisdiction then the court of common pleas or the orphans' court of the county in which the institution has its place of business may order the Secretary to transfer the funds property or investments of the estate to the substituted fiduciary even prior to the filing of an account The court in such order may reserve for future determination any question of surcharge or any other question which may arise upon the audit of the account

C This section shall not be construed to give any court other than the one in which the certificate of possession is filed jurisdiction over disputes involving the identity of funds property or investments of an estate of which the institution was fiduciary

Section 807 Deficiencies in Assets Held by Institution as Fiduciary Whenever the court in which the Secretry has filed the account of an estate of which an institution in his possession was fiduciary shall in the manner provided by law rule that there is a deficiency in the funds property or investments of such estate or that the institution is liable to surcharge in respect thereto the amount determined by such court to be due shall constitute a claim against the institution and shall be presented in the same manner as other claims except that it may be presented at any time within six months after the appointment of a substituted fiduciary of the estate and the adjudication of the account of such estate by the competent court Such order or decree of such court shall be conclusive as to the amount due except for the right of appeal provided by law Any dispute as to the classification or order of payment of such claim as distinguished from the amount shall be adjudicated by the court in which the certificate of possession is filed

If the existence or amount of any such deficiency or surcharge or the liability of the institution therefor is in litigation but undetermined at the time dividends for claims having no priority in order of payment over such claims are being distributed the Secretary shall upon notice of such fact from the substituted fiduciary withhold and set apart a sufficient amount to pay the proportionate dividend which will be due upon such undetermined claim if it is finally adjudicated in favor of the estate of which the institution was fiduciary

Section 808 Compensation Due Institution and Secretary from Estates The Secretary in possession of an institution as receiver shall be entitled to collect such reasonable fees and commisions as were earned both as to income and as to principal and such reasonable expenses as were incurred by the institution in its capacity as fiduciary prior to the date on which possession was taken by the Secretary He shall also be entitled to reasonable fees and commissions both as to income and as to principal for any services performed and all reasonable expenses incurred by him on behalf of any estate of which the institution was fiduciary The Secretary shall be entitled to such commissions on principal as shall appear reasonable under all the circumstances whether or not the trust has terminated at the time of the filing of the account or of the transfer by the Secretary of the funds property and investments of the estate in accordance with the provisions of the instrument creating the fiduciary relationship All sums received by the Secretary under this section shall become assets of the institution of which he is in possession as receiver

Except in cases where the Secretary pursuant to the provisions of this Code transfers funds property or investments of the estate without filing an account the court in which the Secretary shall file the account for the estate of which the institution was fiduciary shall award to the Secretary the fees commissions and expenses provided for in this section

ARTICLE IX

SECRETARY IN POSSESSION OF A MORTGAGE OR SECURITY POOL OR OF AN ASSET IN WHICH UNDIVIDED INTERESTS ARE HELD

Section 901 Mortgage and Security Pools and Participations Accounts Whenever the Secretary shall have filed a supplement to the certificate of possession setting forth his determination to liquidate the affairs of an institution of which he is in possession as receiver he shall as soon as it may be convenient file in the court in which the certificate of possession shall have been filed an account as to any mortgages securities or other assets comprising any mortgage or securities pool operated by such institution or as to any mortgage security or other asset in which undivided interests shall have been created by the institution regardless of whether certificates of participation in such mortgage or securities pool or in such mortgage security or other asset shall have been actually issued by the institution and regardless of whether the relation of the institution to the owners of the undivided interests in such

mortgage or securities pool or in any such mortgage security or other asset is technically that of a trustee

A mortgage or securities pool shall be regarded as having been operated by the institution regardless of whether any or all of the mortgages securities or other assets in such pool shall be held in the name of the institution or in the name of a nominee of the institution Where undivided interests have been created in any mortgage security or other asset by any corporation or person holding such mortgage security or other asset as nominee of the institution such undivided interests shall be regarded as having been created by the institution

The prothonotary shall not be under any duty to recopy or otherwise record any such account filed by the Secretary He shall make no charge except the regular fee for filing such or similar papers

Section 902 Transfer of Pools and Participations without Filing an Account If all the corporations or persons who are the owners of all the undivided interests in any mortgage or securities pool or in any mortgage security or other asset in which the institution shall have created undivided interests are sui juris and if they shall agree to the amount asserted by the Secretary to be due him as receiver for services rendered by the institution or by him and for expenses incurred by either and if they shall authorize the Secretary to transfer any such mortgage or securities pool or any such mortgage security or other asset to them or to a substituted fiduciary or any other corporation or person agreed upon by them and if they shall execute proper instruments releasing the Secretary and the institution from any further liability to them the Secretary may transfer to such substituted fiduciary or to such corporation or person without filing an account all the mortgages securities or other assets comprising such mortgage or securities pool or the mortgage security or other asset in which undivided interests have been created In any case where the institution as fiduciary of an estate is the owner on behalf of such estate of any undivided interest in any such mortgage or securities pool or in any such mortgage security or other investment and no substituted fiduciary has been appointed for such estate the Secretary shall not transfer such mortgage or securities pool or such mortgage security or other asset in which undivided interests were created by the institution unless he shall also be authorized to make such transfer by all corporations or persons having an interest in the estate of which the institution was fiduciary except that where substituted fiduciaries have not been appointed for unborn beneficiaries of the estate or for other beneficiaries who are not sui juris the Secretary shall not be required to obtain such authority from anyone in behalf of such unborn beneficiaries or other persons who are not sui juris

Section 903 Notice of Filing Account A Upon filing an account as to any mortgages securities or other assets comprising any mortgage or securities pool operated by an institution of which he is in possession as receiver or as to any mortgage security or other asset in which the institution shall have created undivided interests the Secretary shall give notice thereof in so far as it may be practicable to all corporations or persons who are the owners of the undivided interests in any such mortgage or securities pool or in any such mortgage security or other asset and in any case where the institution as fiduciary of an estate is the owner on behalf of such estate of any such undivided interest then to all corporations or persons having an interest in such estate except that no such notice need be given to anyone on behalf of unborn beneficiaries who are not sui juris where no substituted fiduciary has been appointed for such beneficiaries Such notice shall be given to the corporations or persons entitled thereto under this section at their addresses as they appear on the books or other records of the institution or if the address of any such corporation or person does not appear thereon then at the last known address of such corporation or person

B Such notice shall state the time and place of the audit of such account and except where an application for a substituted fiduciary shall have been made by any other method authorized by this act it shall also state the intention of the Secretary to apply for a substituted fiduciary for such mortgage or securities pool or for such mortgage security or other asset in which undivided interests were created by the institution and the time and place of any hearing upon such application which may be fixed by the court

Section 904 Appointment of Substituted Fiduciary Transfer of Pools or Participations upon Order of Court A After the filing by the Secretary of a supplement to the certificate of possession setting forth his determination to liquidate the business and property of an institution but either before or after the filing of an account by him as to any mortgages securities or other assets comprising any mortgage or securities pool operated by such institution or as to any mortgage security or other assets in which the institution shall have created undivided interests the owner of any undivided interest in such mortgage or securities pool or in such mortgage security or other asset may file in the court in which the certificate of possession is filed a petition for the appointment of a substituted fiduciary for such mortgage or securities pool or for such mortgage security or other asset in which undivided interests were created

If such petition shall not have been filed by the owner of any such undivided interest within thirty days after the notice by the Secretary of the filing of an account as to such mortgage or security pool or as to such mortgage security or other asset the Secretary shall file in the court in which the certificate of possession is filed a petition for the appointment of a substituted fiduciary for such mortgage or securities pool or for any such mortgage security or other asset in which undivided interests were created by the institution

Upon the filing of such a petition by the owner of any such undivided interest or by the Secretary for such mortgage or security pool or for such mortgage security or other asset in which undivided interests were created by the institution the court shall upon a day fixed by it conduct a hearing upon such application after which it shall appoint a substituted fiduciary

B The Secretary shall transfer to the substituted fiduciary appointed by the court all such mortgages securities or other assets comprising any such mortgage or securities pool or any such mortgage security or other asset in which undivided interests were created which are in his possession as receiver and as to which he shall have filed an account The substituted fiduciary shall take such mortgages securities or other assets without liability for the nature or value of the mortgages securities or other assets as investments Such transfer shall be made in accordance with the order of the court and in directing such transfer the court may reserve for future determination any question of surcharge against the institution or the Secretary

The court may after petition filed pursuant to the provisions of this section order the Secretary to make such transfer even prior to filing an account in which case it may also reserve for future determination any question which may arise upon the audit of the account

Section 905 Advances by Secretary to Substituted Fiduciary Whenever the Secretary shall have filed an account as to any such mortgage or securities pool or as to any mortgage security or other asset in which the institution shall have created undivided interests and it shall appear to the court that any sum of cash will be needed by the substituted fiduciary for the protection of the owners of undivided interests in such mortgage or securities pools or in any such mortgage security or other asset as to which account shall have been filed and if it shall appear from the account that the Secretary does not have any cash held by him in connection with such mortgages or securities pool or in connection with any such mortgage security or other asset or if the account discloses that the cash in his hands for that purpose is sufficient for the protection of the owners of the undivided interests in such mortgage or securities pool or any such mortgage or security or other asset or where no account is filed if the Secretary shall demonstrate these facts to the satisfaction of the court the court may upon petition of the Secretary and in the exercise of its discretion order the Secretary to advance to the substituted fiduciary out of the general assets of the institution such cash as may be necessary for the protection of the owners of such undivided interest such order shall provide that the amount of cash so advanced by the Secretary shall be repaid by the substituted fiduciary out of the first moneys realized by such substituted fiduciary on the mortgages securities and other assets transferred to him

Section 906 Compensation and Expenses The court in its adjudication of any account filed by the Secretary as to any mortgage or securities pool operated by an institution of which the Secretary is in possession as receiver or as to any mortgage security or other asset in which the institution shall have created undivided interests shall award to the Secretary such

compensation for services rendered and expenses properly incurred by the institution or by the Secretary as the court shall deem reasonable and proper under all the circumstances The order of the court making any such award to the Secretary shall provide for the payment of such compensation or expenses out of any cash included in the account or if there be no cash in the account or if the amount of cash included therein is insufficient to pay the amount awarded to the Secretary the order shall provide for the payment of such compensation or expenses out of the first moneys realized by the substituted fiduciary on the mortgages securities or other assets so transferred to such substituted fiduciary All sums received by the Secretary under this section shall become assets of the institution of which he is in possession as receiver

When the court shall pursuant to the provisions of this act order the Secretary to transfer such mortgages securities or other assets prior to the filing of an account it shall similarly make provision for the payment of the compensation earned or the expenses incurred by the institution or by the Secretary

ARTICLE X

PROOF OF CLAIMS ACCOUNTING AND DISTRIBUTION

Section 1001 Notice to Depositors Shareholders and Other Creditors After filing a supplement to the certificate of possession setting forth his determination to liquidate the affairs of an institution of which he has taken possession as receiver the Secretary shall forthwith give notice of such fact to all corporations or persons who appear upon the books of the institution as or who are otherwise known to the Secretary to be or claim to be depositors or other creditors and in the case of a building and loan association shareholders of such institution He shall likewise give notice to any corporation or person who pursuant to the provisions of this act has given the Secretary notice of his claim to the right of execution or attachment against any assets owned by or legally in the custody or possession of the Secretary as receiver of the institution

The notice to each depositor or in the case of a building and loan association to each shareholder shall state the amount which the books or other records of the institution show to be due to such depositor or shareholder It shall also state that unless such depositor or shareholder shall within a specified time present to the Secretary for settlement his deposit or pass book or other evidence of his account showing a different amount to be due or unless such depositor or shareholder shall within a specified time from the date of such notice prove in the manner provided by this act that a different amount is due the amount shown to be due by the books of the institution will be conclusively presumed to be correct unless the court pursuant to the provisions of this act grants him an extension of time

The notice to each creditor other than a depositor or in the case of a building and loan association other than a shareholder shall inform such creditor that he must present his claim in the manner provided by this act within a specified time from the date of such notice or else be permanently barred from sharing in any distribution of the assets of the institution unless the court pursuant to the provisions of this act grants him an extension of time

The Secretary shall also advertise in a newspaper or newspapers as provided in this act the fact that he has determined to liquidate the affairs of the institution such advertisement shall state that all depositors or in the case of building and loan associations all shareholders must prove their claims within a specified period or be bound by books or records of the institution to be due them and that any corporation or person not appearing upon the books of the institution to be a depositor or in the case of a building and loan association a shareholder and not presenting his pass book or other evidence of the state of his account or otherwise presenting his claim will be permanently barred from sharing in any distribution of the assets of the institution unless the court pursuant to the provisions of this act grants him an extension of time It shall also state that all creditors other than depositors or in the case of building and loan associations other than shareholders not proving their claims in the manner provided by this act and within a specified period will likewise be permanently barred from sharing in any distribution of the assets of the institution except where the court pursuant to the provisions of this act grants to a creditor an extension of time

The Secretary shall forthwith file with the court under oath or affirmation a list of all corporations or persons to whom notice has been sent and the proofs of publication of the advertisements which he has inserted pursuant to the provisions of this act

The Secretary shall specify as the last day upon which depositors creditors and in the case of a building and loan association shareholders can present their claims a date not less than one hundred twenty days after the taking of possession of the institution by him as receiver provided that such date shall be at least thirty days after the date of the sending of such notice However claims based upon deficiencies in or surcharges with respect to funds property or investments which such institution held in a fiduciary capacity may be presented at any time within six months after the appointment of a substituted fiduciary of the estate of which such funds property or investments were a part and the adjudication of the account of such estate by the competent court

Section 1002 Proof of Claims of Depositors or in Building and Loan Associations Shareholders Any depositor or in the case of a building and loan association any shareholder who disagrees with the amount shown by the books or other records of the institution to be due to him shall present his claims to the Secretary by presenting his deposit or pass books or other evidence of indebtednes sto the Secretary within the time and in the manner designated by the Secretary pursuant,to the provisions of this act Any such depositor or shareholder who shall not have received or shall have lost his deposit or pass book or other evidence of indebtedness or who shall believe that the amount shown by such deposit or pass book or other evidence of indebtedness due to him is incorrect shall within the time designated by the Secretary present his claim to the Secretary by whatever method he shall designate

Any depositor or in the case of a building and loan association any shareholder who shall not present his claim within the designated time and in the manner provided by this section shall be bound by the amount appearing to be due to him upon the books or records of the institution or where the name of such depositor or shareholder does not appear at all upon the books or records of the institution or appears on such books or records but with no balance appearing to be due to him by the institution shall be permanently barred from sharing in any distribution of the assets of the institution However the court may upon petition and adequate cause shown permit any depositor or in the case of a building and loan association any shareholder to file his claim upon a later date but no claim shall in any event be allowed to be filed after the last day for the filing of exceptions to the first account of the Secretary

This section shall not however be construed to deprive such depositor or shareholder of any right of action at law or in equity which he may have against an employe or former employe of the institution or upon the bond of such employe or former employe for any act committed by such employe which resulted in such depostor's or shareholder's not appearing upon the books of the institution or appearing upon them but being credited with an amount below that actually due

The Secretary shall prescribe the form for the proof of claim of all depositors or in the case of building and loan associations shareholders and for the affidavit to be included therein Whenever requested by any such depositor or shareholder to prepare such proof of claim or to take the affidavit thereto the Secretary shall do so without any charge to such depositor or shareholder

Section 1003 Proof of Claims of Creditors A Creditors other than depositors or in the case of a building and loan association other than shareholders shall not share in any distribution of the assets of the institution unless the creditor or someone for it shall within the time specified present to him a statement of its claim together with a copy of any book entries pertaining thereto any note or other instrument received as evidence thereof and a list of any collateral or agreement of pledge received in connection therewith

However the court may upon petition and adequate cause shown permit any creditor to file his claim upon a later date but no claim shall in any event be allowed to be filed after the last day for the filing of exceptions to the first account of the Secretary

The statement of a creditor's claim required by this section shall be verified by affidavit in substantially the following form

"I (name of claimant) do solemnly swear (or affirm) that

the above is a true statement of my claim against (name of institution) that there are no credits or allowances against this claim except as therein set forth that there is no collateral security for this indebtedness or any part thereof held by me or by anyone else other than as above set forth and that I am not the owner or the obligee directly or indirectly of any contract of indemnity or insurance covering this claim except as set forth above"

If the creditor shall be a corporation such affidavit shall be made by the treasurer or assistant treasurer thereof and if a partnership by any member thereof In either such case the form of the affidavit shall be modified accordingly

B The provisions of this section shall not apply to the claims of parties interested in the custody possession or control of funds property or investments held by such institution in a fiduciary capacity However except as otherwise provided in this act the provisions of this section shall apply to disputes concerning the identity of such funds property or investments or to claims based upon deficiencies therein or the liability of the institution to surcharge thereon

Section 1004 Allowance of Claims For the purposes of the accounting provided for in this act the Secretary shall allow the claims of depositors or in the case of a building and loan association shareholders for the amounts shown to be due to them upon the books or other records of the institution or for such other amounts as they shall within the time and in the manner provided by this act prove to the satisfaction of the Secretary are due to them He shall likewise allow the claims of all other creditors when presented within the time and in the manner provided by this act if he shall be satisfied that the amounts claimed are rightfully due He shall reject all other claims of depositors other creditors and in the case of building and loan associations shareholders

Section 1005 Advance Payments of Dividends to Depositors After the expiration of the period fixed by the Secretary pursuant to the provisions of this act for the presentation of claims he may petition the court for an order permitting him without filing an account to make an advance payment of a dividend to all depositors the amounts of whose claims as they appear upon the books or other records of the institution are undisputed The dividend shall be calculated as if the claims of all other depositors as they appear upon the books or other records of the institution and the claims of all creditors who assert priority over or parity with depositors in the order of distribution of the assets are valid and uncontested

The petition to the court for an order permitting the Secretary to declare such advance payment shall state in detail the cash available for distribtution the names and addresses of and the amounts due to the depositors to whom the advance payment of a dividend is to be made the amounts claimed by other depositors to be due to them and the amounts due to or claimed by other creditors by law given priority over or parity with depositors in the order of distribution of the assets of the institution

The court if it finds that the provisions of this section have been complied with shall issue the order petitioned for upon such terms and conditions as it shall deem expedient However the court shall not authorize an advance payment of a dividend to any depositors until the Secretary shall have set aside an amount sufficient to pay in full the claims of all creditors asserting or entitled to priority over depositors in the order of distribution and to pay the proportionate dividend on the amounts claimed by the other depositors and by any creditors who are entitled to or who claim parity with depositors in the order of distribution provided for by law

Section 1006 Expenses of Administration Any reasonable expenditure made by the Secretary as receiver of an institution including any expense incurred in the management reorganization consolidation liquidation or distribution of the assets and affairs of the institution and any compensation paid to the deputy receiver or any other employe retained to assist the Secretary in such management reorganization consolidation liquidation or distribution and to any deputy attorney general special deputy attorney general assistant deputy attorney general or other attorney who has been assigned by the Department of Justice to the Secretary to handle for him any legal business pertaining to the affairs or property of such institution shall be paid out of the assets of the institution provided it is included in any partial or final account filed by the Secretary pursuant to the provisions of this act and is approved by the court in which such account is filed

Where such expenses are incurred or such compensation is paid for the benefit of the estate of more than one institution in the possession of the Secretary as receiver an equitable portion of such expenses or compensation shall be paid out of the assets of each institution on whose behalf such expenditures were made

Section 1007 Partial or Final Account Objections A At any time after the expiration of the period fixed by the Secretary pursuant to the provisions of this act for the presentation of claims he shall file a partial or final account of his administration of the business and property of the institution duly verified by him under oath or affirmation

If the Secretary shall not file his first account within one year after he takes possession of an institution any depositor other creditor or shareholder of such institution may petition the court to order the Secretary to file an account The court may in its discretion grant or refuse the petition

The account shall present in detail his administration of the estate including a statement of all receipts or expenditures by the Secretary as receiver a list of all claims which have been allowed and a separate list of claims which have been objected to or are disputed showing as to all depositors other creditors and in the case of a building and loan association shareholders their names and addresses the amounts due or claimed to be due to them and any priorities in the order of distribution granted to or claimed by them

B The Secretary shall forthwith give written or printed notice of such filing of an account to all corporations or persons whom he knows to be or to claim to be depositors other creditors and in the case of building and loan associations shareholders of the institution at the addresses which respectively appear for them upon the books of the institution or if none appear there at their last known respective addresses Such notice shall also state that unless an exception to the account or to any item therein is filed with the court within thirty days from the date of the filing thereof it will be confirmed absolutely

He shall likewise give notice to any corporation or person who pursuant to the provisions of this act has given the Secretary notice of his claim to the right of execution or attachment against any assets owned by or legally in the custody or possession of the Secretary as receiver of the institution

He shall also advertise such notice in a newspaper or newspapers as provided in this act stating the date upon which he has filed his partial or final account and the fact that all exceptions to the account must be filed within thirty days from the date of the filing of such account

The Secretary shall forthwith file with the court under oath or affirmation a list of the names and addresses of all corporations or persons to whom notice has been sent and the proofs of publication of the advertisements which he has inserted pursuant to the provisions of this section

C The prothonotary shall not be under any duty to recopy or otherwise record such account He shall make no charge except the regular fee for filing such or similar papers

Section 1008 Exceptions to Account A Any corporation or person who is or who claims to be a depositor other creditor or shareholder of an institution or who has given to the Secretary notice of his claim to the right of execution or attachment against any assets owned by or legally in the custody of the Secretary as receiver of an institution may within thirty days after the filing of an account by the Secretary file in the court specific exceptions in writing under oath or affirmation to such account or to any item therein

Notice of any exception to an individual item in an account shall forthwith be personally served upon or sent by registered mail to the corporation or person whose claim is thus objected to or his counsel and also the Secretary or the deputy receiver managing the affairs of the particular institution or the counsel of either Affidavit of the serving or sending of such notice shall forthwith be filed with the court

B Whenever an exception is filed to any expenditure made by the Secretary as an expense of administration the Secretary shall keep an accurate record of the salaries and other expenses exclusive of counsel fees properly incurred by him in the contesting of such exception If the exception is overruled and the expenditure is sustained the court may in its discretion assess such expenses and salaries together with the regular costs provided by law upon the depositor other creditor or shareholder filing such exception

Section 1009 Adjudication of Rejected Claims and Exceptions to Account A If any claim has been rejected by the

Secretary or any exception has been filed to the account or to any item thereof the court shall as soon as expedient after the expiration of the period for the filing of exceptions to the account fix a date for hearing in court arguments on all rejected claims and all exceptions to the account or to any item thereof

The Secretary shall give notice of such hearing to all corporations or persons whose claims have been rejected by the Secretary or objected to in the manner provided by this act He shall likewise give notice to all corporations or persons who have filed exceptions to the account or to any item thereof Such notice shall set forth in so far as possible the reasons for the rejection of the claim or the nature of the exception to the item of the account and shall state that all parties whose claims are rejected or objected to must appear in court upon the date fixed by the court to prove their claims or they will be bound by the ex parte decision of the court

B The court in which the account is filed shall itself hear arguments upon any rejected claim or upon any exception to an account or to any exception to an account or to any item thereof upon the date fixed by it for this purpose The court shall itself decide without delay all matters in controversy If any party does not appear in court on the day fixed the court shall conduct the hearing ex parte and shall render its decision upon the merits as they appear after such hearing

Section 1010 Confirmation of Account Distribution of Dividends A If the Secretary has approved all deposits or in the case of building and loan associations all shareholders' claims as presented by them pursuant to the provisions of this act or if not presented as they appear upon the books or other records of the institution and if no exception has been filed to an account or to any item thereof within thirty days after the filing of such account by the Secretary the court shall confirm the amount absolutely The Secretary shall then declare and after approval by the court shall pay a partial or a final dividend according to the priorities established by law

If the Secretary has rejected any such deposit or claim or if any such exception has been filed the court shall confirm the account as to all other matters and claims The Secretary may then declare and after approval by the court pay a dividend according to the priorities established by law The dividend shall be calculate as if all deposits or other claims are valid and approved The Secretary before paying any such dividend shall set apart the proportion of such dividend which would be properly apportionable to any claim which has been rejected by the Secretary or to which an exception has been filed if the amount and the priority claimed were sustained by the court If any such claim shall be determined by the court to be valid the Secretary shall pay to the corporation or person entitled thereto the dividend which has been set apart in the manner provided by this section If any such claim shall be determined by the court to be invalid the dividend which has been set apart in the manner provided by this section shall be distributed in the order of the priorities established by law to those whose claims have been approved by the court

B The confirmation of any account and distribution thereunder after the adjudication of all claims therein which have been rejected by the Secretary or to which exceptions have been filed and of all other exceptions to such account shall be conclusive as to all matters therein Except as otherwise provided in this act no claim of any depositor or other creditor shall be valid if not listed and approved in the first account which has been filed

The confirmation of the final account and distribution thereunder shall discharge the Secretary the deputy receiver any other employe and the legal counsel as well as the surety for any of them from all further civil liability for any act done in his official capacity as receiver deputy receiver employe or legal counsel of the institution

Section 1011 Order of Preference in Distribution A The following shall be the order followed by the Secretary in the distribution pursuant to the provisions of this act of the assets of any institution with the exception of a building and loan association which he as receiver is liquidating

First Any expenditure made by the Secretary as receiver which under the provisions of this act is to be paid out of the assets of the institution any fee or other debt owing to the Department for examinations or other services rendered or penalties incurred prior to the taking of possession by the Secretary as receiver any deposit or other claim of the Commonwealth of Pennsylvania and any other claim which is given a preference by law

Second Any deposit and any interest due thereon which has been or according to the by-laws or rules and regualtions of the institution should have been credited to such deposit prior to the date of the taking of possession of the institution by the Secretary as receiver whether subject to withdrawal by check or by any other method not requiring notice or to withdrawal only after notice or after the expiration of a fixed period whether or not such notice has been given or such period has expired at the date of distribution any holder of a certified check drawn on the institution any holder of a certificate of deposit of the institution which evidences an actual deposit of moneys in such institution and any interest which may be due thereon whether such certificate of deposit is payable upon demand or is payable only after notice or after the expiration of a fixed period whether or not such notice has been given or such period has expired at the date of distribution any holder of a check or draft of the institution which has been given in exchange for or in payment of a check or draft drawn upon such institution by a depositor therein or which has otherwise been charged to the account of a depositor therein provided that the amount of such check or draft does not exceed the balance to the credit of such depositor

Third Any claim for the amount of any deficiency in the funds property or investments of an estate of which the institution was fiduciary or any surcharge with respect to such estate which is found to be done by the court in which the account for such estate is filed and any claim of a creditor of the institution not listed under any other category in this section

Fourth Any part of the amounts paid by shareholders after an assessment upon them by the Secretary pursuant to the provisions of this act which has proved unnecessary to pay in full all depositors or other creditors of the institution such payments are to be made pro rata up to the respective amounts paid by each shareholder This clause shall not be construed to refer to payments made by shareholders on account of unpaid subscriptions to shares

Fifth Any moneys of the institution which still remain in the hands of the Secretary shall be paid to shareholders in proportion to the number of shares held by them respectively minus any amounts still owing by them on the assessment made by the Secretary pursuant to the provisions of this act or on unpaid subscriptions to shares

Sixth Any unliquidated assets to trustees for shareholders appointed pursuant to the provisions of this act

B The following shall be the order and preference followed by the Secretary in the distribution pursuant to the provisions of this act of the assets of any building and loan association the affairs of which he as receiver is liquidating

First Any expenditure made by the Secretary as receiver which under the provisions of this act is to be paid out of the assets of the institution any fee or other debt owing to the Department for examinations or other services rendered or penalties incurred prior to the taking of possession by the Secretary as receiver any other claim of the Commonwealth of Pennsylvania and any other claim which is given a preference by law

Second Any claim of a creditor of the association other than the claim of a shareholder arising from his ownership of shares

Third Any claim of a shareholder arising from his ownership of shares whether such shares be installment full-paid prepaid matured or any other type The amount of the claim arising from each share shall be the amount actually paid in on account of such share less any amount lawfully deductible therefrom by the association except in the case of a lawfully and properly matured share in which case the amount of the claim shall be the actual par value of the share less any payment received on account thereof from the association and less any other amount lawfully deductible therefrom by the association

C Every claim enumerated above shall have the same rank and priority as every other claim in the same numbered paragraph regardless of the order in which such claims are enumerated

D All claims provided for in this section shall be construed to refer only to claims presented to the Secretary and approved by the court in accordance with the provisions of this act

Section 1012 Liquidation of Balance by Trustees Except in the case of a building and loan association the Secretary shall dispose in the following manner of any unliquidated as-

sets of an institution of which he was receiver which are still in his possession after the filing and confirmation of his final account the payment in full of the claims of all depositors and other creditors which have been approved by the court the return of shareholders pro rata of any amounts paid by them pursuant to an assessment made by the Secretary under the provisions of this act which have proved unnecessary to pay in full the duly presented and approved claims of depositors and other creditors and the distribution to shareholders of any cash balance remaining thereafter

The Secretary shall call a meeting of all the shareholders of the institution by giving them written notice at least thirty days before the day fixed for the meeting At such meeting the shareholders shall elect by ballot a trustee who shall complete the liquidation A majority of the shares present in person or by proxy shall be necessary to elect such trustee The Secretary shall file one copy of the proceedings of such shareholders' meeting in his office and one in the office of the prothonotary Both copies shall be prepared by him under oath or affirmation

If no trustee is elected in this manner on the day designated the Secretary shall petition the court in which the certificate of possession is filed for the appointment of a trustee

The trustee who is thus elected by the shareholders or appointed by the court shall give bond to the Commonwealth in such amount with surety and under such conditions as the court may direct The Secretary shall then transfer to such trustee all the assets of the institution which are still in his possession

After such transfer by the Secretary to a trustee for the benefit of the shareholders the institution shall have no corporate powers or privileges whatsoever The trustee shall not succeed to any of its powers or privileges except such as shall be necessary to the liquidation of the remaining assets which have been transferred to such trustee by the Secretary

Section 1013 Unclaimed Dividends Whenever upon the audit or adjudication of the final account of the Secretary in possession of an institution as receiver there shall be and remain in his possession any dividends not awarded to any claimant or and dividends which shall have been awarded to any claimant the whereabouts of whom or that of his legal representatives the Secretary has been unable to ascertain or any dividends which otherwise are by law escheatable to the Commonwealth he shall file in the court the sworn statement required by law and shall thereupon pay the dividends into the State Treasury through the Department of Revenue in accordance with the provisions of law such moneys to be subject to refund to any corporation or person entitled thereto pursuant to the provisions of law

This section shall not be construed to relieve the Secretary of any of the duties with respect to such unclaimed or escheatable dividends imposed by law upon any receiver appointed by any court within this Commonwealth

Section 1014 Destruction of Records The Secretary is authorized to destroy all records of the institution of which he was in possession as receiver and all records of such receivership at the experiation of six years from the date of the absolute confirmation of his final account except where any provision of this act expressly or impliedly provides a different method for the disposition of the records or a longer period for their preservation

ARTICLE XI

SPECIAL CRIMINAL PROVISIONS

Section 1101 Criminal Prosecutions Upon discovery by report or otherwise of any violation of any criminal law of this Commonwealth which relates to an institution the Department shall institute criminal proceedings in the manner provided by law

Section 1102 Perjury Anyone who shall wilfully and corruptly make a false statement under any oath or affirmation provided for in this act or anyone who shall by any means procure or suborn any other person to do so shall be guilty of the crime of perjury and upon conviction thereof shall be subject to the same punishment as is or may be provided by law for perjury

Section 1103 Statute of Limitations for Violations of Act Any prosecution for the commission of any criminal offense under the provisions of this act may be commenced at any time within six years after the date upon which the alleged offense shall have been committed However if the person against whom such prosecution is brought shall not have been an inhabitant of this Commonwealth or a usual resident therein for six years then such indictment may be commenced and prosecuted at any time within six years after he shall have become an inhabitant of or usual resident within this Commonwealth

ARTICLE XII

EFFECTIVE DATE AND REPEALER

Section 1201 Effective Date This act shall become effective on the third day of July one thousand nine hundred and thirty-three and shall apply to all corporations and persons described herein whether in existence on such date or coming into existence at any time thereafter

Section 1202 Acts and Parts of Acts Specifically Repealed The following acts and parts of acts are hereby specifically repealed

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Section 1203 General Repeal of Act All other acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 431, as follows :

An Act suspending the provisions of the laws requiring school districts to pay minimum salaries to district superintendents teachers supervisors and principals and providing for continuing contracts requiring boards of school directors to fix salaries of district superintendents teachers supervisors and principals for the school years beginning the first day of July one thousand nine hundred and thirty-three and the first day of July one thousand nine hundred and thirty-four and providing for State aid to be given to school districts during said years

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the provisions of section one thousand two hundred and ten and the various clauses thereof of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws gneral special or local or any parts thereof that are or may be inconsistent therewith" in so far as the same require the payment of minimum salaries and annual increments for district superintendents supervisors principals and teachers of the public schools of this Commonwealth and the provisions of section one thousand two hundred and five of said act providing for continuing contracts for teachers are hereby suspended for the school years beginning the first day of July one thousand nine hundred and thirty-three and the first day of July one thousand nine hundred and thirty-four

Section 2 For the school years beginning the first day of July one thousand nine hundred and thirty-three and the first day of July one thousand nine hundred and thirty-four the salaries of all district superintendents principals supervisors and teachers in the several school districts of this Commonwealth shall be fixed by the boards of school directors of said districts without regard to the minimum salaries and annual increments fixed by the existing laws suspended by this act each district taking into consideration its resources available from local taxation and assitsance by the Comonwealth

Section 3 Nothing contained in this act shall be construed as suspending any of the provisions of the school laws whereby the Commonwealth has pledged itself to pay a portion of the minimum salary and annual increments for teach-

ers supervisors and principals or to relieve the Commonwealth of its obligations In any case where a board of school directors shall for said school years beginning the first day of July one thousand nine hundred and thirty-three and the first day of July one thousand nine hundred and thirty-four fix the salaries of teachers supervisors and principals at amounts less than those fixed by the laws suspended by this act and the payments cannot be measured by the terms of such laws then and in that event the total payment by the State to such school district shall be the same during each of said two years as was paid to such school district during the school year beginning the first day of July one thousand nine hundred and thirty-two

Where the salaries so fixed and paid by a school district shall be equal to or in excess of the minimum salaries fixed by the laws suspended by this act the amount to be paid by the Commonwealth for said two school years to such school district shall be the same as provided for by the laws suspended by this act

Section 4 Each board of school directors shall for the school years beginning the first day of July one thousand nine hundred and thirty-three and the first day of July one thousand nine hundred and thirty-four file certificates as now required by law showing the number of teachers supervisors and principals and the compensation to be paid to each together with the compensation paid for the previous school year where the salaries are in accord with the minimum provided for by the laws suspended by this act and for the school year beginning the first day of July one thousand nine hundred and thirty-two where such salaries are fixed below those provided for by such suspended laws The superintendent shall from such certificates determine and allot the appropriation of the Commonwealth among the several school districts as now provided by law

Section 5 This act shall become effective on the first day of June one thousand nine hundred and thirty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 434, as follows:

An Act making an appropriation to the trustees of the Pennsylvania Military College Chester Pennsylvania for the training and education of students

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seventy-five thousand dollars ($75,000) is hereby specifically appropriated to the Trustees of the Pennsylvania Military College Chester Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the training and education of such students as may be appointed to such college in accordance with this act Twenty-five thousand dollars ($25,000) of said appropriation shall be paid during the fiscal year one thousand nine hundred and thirty-three one thousand nine hundred an dthitry-four and fifty thousand dollars ($50,000) during the fiscal year one thousand nine hundred and thirty-four one thousand nine hundred and thirty-five For the school year one thousand nine hundred and thirty-three one thousand nine hundred and thirty-four twenty-five students shall be appointed to said college one from each even-numbered senatorial district by the Senate of such district and for the school year one thousand nine hundred and thirty-four one thousand nine hundred and thirty-five twenty-five students shall be appointed one from each odd-numbered senatorial district by the Senator thereof

Payments from said appropriation shall be made by requisition of the Department of Public Instruction from time to time upon bills rendered by the Pennsylvania Military College and approved by the Department of Public Instruction

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 446, as follows:

An Act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of banking corporations with or without fiduciary powers including the conversion of national banks into state banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholder attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows

ARTICLE I

SHORT TITLE AND PRELIMINARY PROVISIONS

Section 1 Short Title This act shall be known and may be cited as the "Banking Code"

Section 2 Definitions The following terms shall be construed in this act to have the following meanings except in those instances where the context clearly indicates otherwise

"Articles" includes the original articles of incorporation any or all amendments thereto articles of merger consolidation or conversion and also what have heretofore been designated by law as certificates of incorporation or charters

"Assets" includes all the property and rights of every kind of an institution as herein defined

"Authorized capital" means the sum of the par value of the shares authorized to be issued in the articles of incorporation or in any amendment thereto

"Bank" includes any bank which does not have the power to act as trustee guardian executor administrator or in other fiduciary capacities incorporated under this act or under the act approved the thirteenth day of May one thousand eight hundred seventy-six (Pamphlet Laws one hundred sixty-one) entitled "An act for the incorporation and regulation of banks of discount and deposit" its amendments and supplements or under any special act of the General Assembly of this Commonwealth

"Bank and trust company" includes any bank and trust company incorporated under this act or any bank incorporated under the act approved the thirteenth day of May one thousand eight hundred seventy-six (Pamphlet Laws one hundred sixty-one) entitled "An act for the incorporation and regulation of banks of discount and deposit" its amendments and supplements which has acquired the power to act as fiduciary under the act approved the seventeenth day of July one thousand nine hundred nineteen (Pamphlet Laws one thousand thirty-two) entitled "An act authorizing banking companies incorporated and organized under the laws of the Commonwealth and having capital stock at least equal to the capital stock which trust companies are required by law to have to act in any fiduciary capacity in which trust companies organized under the laws of the Commonwealth are empowered to act and prescribing the method of acquiring such rights" or any corporation organized "for insurance of owners of real estate mortgagees and others interested in real estate from loss by reason of defective titles liens and incumbrances" under the act approved the twenty-ninth day of April one thousand eight hundred seventy-four (Pamphlet Laws seventy-three) its amendments and supplements and which has acquired the power to engage in the business of banking and of acting as fiduciary under the supplement to

that act approved the ninth day of May one thousand eight hundred eighty-nine (Pamphlet Laws one hundred fifty-nine) or a corporation organized under any special act of the General Assembly of this Commonwealth which has the power to engage in a banking business and of acting as fiduciary

"Banking" means discounting and negotiating promissory notes drafts bills of exchange and other evidences of debt receiving money and commercial paper on deposit or for transmission lending money on real or personal security buying and selling gold and silver bullion foreign exchange coin or bills of exchange

"Capital" means the sum of the par value of the shares issued and outstanding

"Corporation" means a corporation or a joint stock association organized under the laws of this Commonwealth of the United States or of any other state territory foreign country or dependency

"Department" means the Department of Banking of this Commonwealth

"Incorporator" means a signer of the original articles of incorporation

"Incorporated Institution" means any bank bank and trust company or savings bank

"Institution" includes any bank bank and trust company savings bank or private bank

"Net worth" means the total of all the assets of every kind employed in the business of a private bank less the total of all the liabilities of every kind of such business

"Person" means an individual or an unincorporated association including a partnership a limited partnership or any other form of unincorporated enterprise owned by two or more individuals

"Private Bank" means a banking business owned and operated in this Commonwealth by an individual a partnership or any other unincorporated association but this shall not include hotels which receive money from guests for temporary safe-keeping express steamship or telegraph companies which receive money for transmission and brokers licensed under the laws of this Commonwealth holding membership in a lawfully constituted brokerage exchange who do and have authority to do only such banking as is incidental to their brokerage business

"Private Banker" means an individual who by himself or as a member of a partnership or other unincorporated association owns or operates a private bank

"Savings Bank" includes any savings bank incorporated under this act or under the act approved the twentieth day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred forty-six) entitled "An act to provide for the incorporation and regulation of savings banks and institutions without capital stock established for the encouragement of saving money" or under any special act of the General Assembly of this Commonwealth

"Shares" means the units into which the shareholders' rights to participate in the control of an incorporated institution in its undivided profits or in the distribution of its assets are divided

"Shareholder" means a registered owner of shares in an incorporated institution

"Share Certificate" means a written instrument signed by the proper corporate officers as required by this act and evidencing the fact that the corporation or person therein named is the registered owner of the shares therein described it also includes the term "certificate of stock" as used in existing laws

"Trustee" includes any individual who is a member of the board of managers or board of trustees of a savings bank

"Written" includes printed typewritten engraved lithographed telegraphed cabled radiogramed photographed photostated telephotographed or other form of recordation

Section 3 Applicability of Act Automatic Acceptance A Except as herein otherwise specifically provided this act shall apply to all incorporated institutions whether incorporated before or after the effective date of this act and whether by general or special law It shall likewise apply to all private banks regardless of when they commenced business

B If the application of the provisions of this act to any incorporated institution organized under a special act of the General Assembly shall be declared unconstitutional an acceptance or exercise by such institution of any benefit right or power conferred or granted by this act including a change of its name or of its place of business an extension of its term of existence an increase or decrease of its capital any other amendment to its articles or a merger or consolidation with another institution or with a national banking association shall constitute an acceptance by such institution of all the provisions of this act which by their terms are made applicable to it

Section 4 Saving Clause A The provisions of this act in so far as they are the same as those of existing acts shall be construed as a continuation of such acts and not as new enactments The repeal by this act of any existing act or of any part thereof shall not be construed to revive any act or part of any act heretofore repealed or superseded

B The provisions of this act shall not affect any act done liability incurred or right accrued nor affect any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any act repealed or superseded by this act

C The repeal of any act by this act shall not affect the corporate existence of any bank bank and trust company or savings bank heretofore created under any law of this Commonwealth or the existence of any private banker heretofore authorized to do a banking business in this Commonwealth

D Any person holding office under any act repealed by this act shall continue to hold such office until the expiration of his term subject to the conditions attached to such office prior to the passage of this act

E All resolutions regulations and rules made pursuant to any act repealed by this act shall unless inconsistent with any provision of this act continue with the same force as if such act had not been repealed

Section 5 Constitutional Construction It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

Section 6 Construction of References (a) Any reference in this act to any act by title or otherwise shall be construed to apply to and include any codification wherein the provisions of the act referred to are substantially re-enacted

B Any reference in this act to the provisions of law on any subject shall apply to statutes and decisions becoming effective after the effective date of this act as well as those then in existence

Section 7 Jurisdiction of Courts Except where otherwise specifically provided the provisions of this act shall not be deemed to curtail in any manner whatsoever the equity jurisdiction and powers of the courts of this Commonwealth

Section 8 Notices to Corporations and Persons Unless expressly provided otherwise all written notices required by this act to be given to any corporation or person shall be (1) served in the manner now or hereafter established by law for the service of writs of summons except that such service need not be made by the sheriff or (2) mailed or sent by telegram charges prepaid (a) in the case of an individual to his last known residence or place of business (b) in the case of an unincorporated association or a corporation organized under the laws of this Commonwealth to its principal office and (c) in the case of a corporation incorporated under the laws of some other state to its registered office in Pennsylvania or if it has no registered office in Pennsylvania to its home office in the state of incorporation or in any other state

If a notice is sent by mail or by telegraph such notice shall be deemed to have been given to the corporation or person addressed when it is deposited in the United States mail or with a telegraph office for transmission to such corporation or person

Section 9 Advertisement or Notice in Newspapers (a) Unless expressly provided otherwise any advertisement or notice in a newspaper of general circulation required by this act shall be published in a newspaper of general circulation in the county as defined by the Newspaper Advertising Act approved the sixteenth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred eighty-four) its supplements and amendments in which the principal place of business of the institution is or in the case of a proposed institution will be located and which is published in the city borough or township in which such place of business is or will be located

If there is no newspaper of general circulation published in the city borough or township then the advertisement or notice shall be inserted in a newspaper of general circulation in the county published at the county seat If no newspaper of general circulation in the county is published at the county seat then such advertisement or notice shall be inserted in the newspaper of general circulation published nearest to the city borough or township in which the principal place of business of such institution is located and within the county If there is no newspaper of general circulation published within the county then the advertisement or notice shall be inserted in the newspaper of general circulation published nearest to such city borough or township in an adjoining county

B Unless expressly provided otherwise any advertisement or notice in a legal newspaper required by this act shall be published in the legal newspaper published within the county as defined by the Newspaper Advertising Act in which the principal place of business of the institution is or in the case of a proposed institution will be located

C Unless expressly provided otherwise if this act requires advertisement or notice to be made both in a newspaper of general circulation and in a legal newspaper and if there is no legal newspaper published within the county in which the principal place of business of the institution is or in the case of a proposed institution will be located the advertisement shall be made in two newspapers of general circulation in the county except that if two newspaper of general circulation are not published in the county then such advertisement or notice shall be made in only one newspaper of general circulation published in the county or if none is published there then in one newspaper published in an adjoining county as provided by this section in any case in which a newspaper of general circulation is not published in the county

D Any proof of publication required by this act shall be in accordance with the requirements set forth in the definition of proof of publication contained in the Newspaper Advertising Act

E Any notice or advertisement in a newspaper required by this act shall be construed to refer to a newspaper published in the English language

Section 10 Waiver of Notice Any notice required by this act or by the articles or by-laws of any corporation governed by the provisions of this act to be given to any corporation or person may be waived by such corporation or person either before or after the day prescribed for the giving of such notice Such waiver shall be in writing and signed by such corporation or person

Section 11 Effect of Filing or Recording Papers Required to be Filed by Incorporated Institutions The filing or recording of the articles or amendments thereto or of any other papers or documents by an incorporated institution pursuant to the provisions of this act is required for the purpose of affording the public the opportunity of acquiring knowledge of the contents thereof but no corporation or person dealing with the incorporated institution shall be charged with constructive notice of the contents of any such articles or papers by reason of such filing or recording

Section 12 Fees Except as otherwise specifically provided any prothonotary or recorder of deeds and any State department board commission or officer shall be entitled to receive for services performed as required by this act such fees as it lawfully charges for such or similar services

Section 13 Certificates and Certified Copies of Certain Documents to be Received in Evidence A All certificates issued by the Department of State in accordance with the provisions of this act and all copies of documents filed with the Department of State in accordance with the provisions of this act when certified by the Secretary of the Commonwealth shall be taken and received by all courts public offices and official bodies as prima facie evidence of the facts therein stated A certificate by the Department of State under the seal of the Commonwealth as to the existence or non-existence of the facts relating to corporations which would not appear from a certified copy of any of the foregoing documents or certificates shall be taken and received by all courts public offices and official bodies as prima facie evidence of the existence or non-existence of the facts therein stated

ARTICLE II

NAMES AND PLACES OF BUSINESS OF INSTITUTIONS

Section 201 Institution Name Change of Name A The name of an institution may be in any language but it shall be expressed in English letters or characters In the case of a bank it shall contain in English the word "bank" in the case of a bank and trust company the words "bank and trust company" in the case of a savings bank the words "mutual savings bank" and in the case of a private bank the words "private bank" or "unincorporated bank" The name of a bank or private bank shall not contain the words "trust" or "savings" and the name of a savings bank shall not contain the word "trust" The name of an institution shall not contain any word which may deceptively lead to the conclusion that it is authorized to perform any act or conduct any business which is forbidden to it by law by its charter or otherwise The name of an institution shall not contain the words "Pennsylvania" "Commonwealth" "State" "Government" "Official" "Federal" "National" "United States"

The name of an institution shall not be deceptively similar to that of any other corporation authorized to transact business in this Commonwealth or the name of any unincorporated body whatsoever registered with the Department of State under any act unless such other corporation or unincorporated body is about to change its name or to cease doing busines or is being wound up or in the case of a foreign corporation is about to withdraw from doing business in this Commonwealth and the written consent of such other corporation or unincorporated body to the adoption of its name or a deceptively similar name has been given and is filed with the Department of State and with the Department of Banking

B The provisions of this section shall not apply to any name which is in existence upon the effective date of this act However if the institution bearing such name shall desire to change it in any manner whatsoever pursuant to the provisions of this act the new name shall comply in every detail with the requirements of this section A change in name shall be effected in the case of an incorporated institution in the regular manner provided by this act for amending its articles and in the case of a private bank in the manner provided by law for a change in the registered name of an individual trading alone or of an unincorporated association except that the assent of the Department Banking shall be required

C This section shall not be construed to abrogate or limit the law as to unfair competition or unfair practices nor derogate from the common law the principles of equity or the statutes of this Commonwealth with respect to the right to acquire and protect trade names

D The assumption of a name in violation of this section shall not vitiate or otherwise affect the corporate existence but the Court of Common Pleas of Dauphin County may upon the application of the Attorney General acting on his own motion or at the instance of any administrative department board or commission of the Commonwealth and the court of common pleas of any county may upon the application of any corporation or person adversely affected enjoin the corporation from using or continuing to use a name assumed in violation of this section

Section 202 Reservation of Institution Name The exclusive right to the use of a name may be reserved (1) by any person intending to organize an institution or (2) any institution intending to change its name Such reservation shall be made by filing with the Department of State duplicate originals of an application to reserve a specified name executed by the applicant If the Department of State shall find that such name is available it shall send one duplicate original of such application to the Department of Banking If the Department of Banking advises that such name is satisfactory to it it shall forthwith give its written assent to the Department of State The Department of State shall then reserve the name for the exclusive use of such applicant for a period of sixty days The right to the exclusive use of a specified name so reserved may be transferred to any corporation or person who except for such prior reservation would be entitled under the provisions of this act to reserve such name Such transfer may be made by filing with the Department of State duplicate originals of a notice of such transfer which notice shall be executed by the applicant for whom such name was reserved and shall specify the name and address of the transferee The Department of State shall send one such duplicate original to the Department of Banking

Section 203 Place of Business Change of Place of Business A An institution shall not transact any banking or trust business except in the case of an incorporated institution at the place or places designated in its articles and in the case

of a private bank at the place or places the address or addresses of which are filed with the Department of Banking

B An institution shall not do business or be located in the same room or rooms as are occupied by any other institution or any national banking association Rooms so connected and arranged as to be to all intents and purposes the same room shall for the purposes of this section be considered the same room However any institution which prior to the effective date of this act occupies a room or rooms in the manner prohibited by this section may continue such occupancy until required by the Department to discontinue it The Department shall have the absolute discretion to determine whether or not and when to require such institution to cease such occupancy

C An incorporated institution may change its place of business within the limitations imposed by this act in the regular manner provided by this act for an amendment to its articles except that the approval of two-thirds of all the directors or trustees as the case may be and in the case of a bank and trust company the approval of two-thirds of all the shareholders shall be required Any private bank may likewise remove its place of business within the limitations of this act if it shall first obtain the written approval of the Department Such removal by an institution shall not in any case be to a place outside the city borough or township in which it has its place of business at the time it applies for authority to make such change and shall not violate the provisions of this act relating to the establishment of branches agencies sub-offices or sub-agencies

Section 204 Branch Offices and Sub-agencies (a) An institution shall not establish maintain or operate either directly or indirectly any branch bank branch office agency sub-office sub-agency or branch place of business within this Commonwealth for the transaction of any part of its business but all of the business of such institution shall be carried on solely and exclusively at its principal place of business

B This section shall not apply to branches sub-offices and sub-agencies established or those for which locations had been purchased or leased by deed recorded or leases actually delivered prior to the first day of March one thousand nine hundred twenty-seven or to branches sub-offices and sub-agencies which resulted from mergers or consolidations of institutions effective prior to the first day of April one thousand nine hundred twenty-seven and such institutions shall have the right to relocate the same within the corporate limits of the city borough or township in which the principal place of business is located at the time of such relocation provided that such relocation is made with the approval of the Department in the manner provided by this act for any removal of the place of business of an institution

C This section shall not apply to any institution which has its principal place of business in a city borough or township within this Commonwealth in which one or more national banking associations incorporated under the laws of the United States was on the first day of March one thousand nine hundred twenty-seven operating one or more branch banks branch offices agencies sub-offices sub-agencies or branch places of business for the transaction of any part of its business and any such institution may hereafter establish subject to the approval of the Department and thereafter maintain and operate branch banks branch offices agencies sub-offices sub-agencies and branch places of business for the transaction of any part of its business but only within the corporate limits of the city borough or township in which its principal office is located and in which such national banking association was on the first day of March one thousand nine hundred twenty-seven operating one or more branch banks branch offices agencies sub-offices sub-agencies or branch places of business The right to establish and maintain branch banks branch offices agencies sub-offices sub-agencies or branch places of business under the provisions of this subsection shall be limited to the territory included within the corporate limits on the first day of March one thousand nine hundred twenty-seven of the respective cities boroughs or townships in which such national banking associations were on that date operating one or more branch banks branch offices agencies sub-offices sub-agencies or branch places of business and such right shall not extend to additional territory which may after the first day of March one thousand nine hundred twenty-seven be added to such cities boroughs or townships by annexation consolidation with one or more municipal corporations or otherwise nor shall it extend to other portions or divisions of municipal corporations to which such cities boroughs or townships may be annexed or with which they may be consolidated after that date the intention being to limit to the respective corporate limits such cities boroughs or townships as they existed on the first day of March one thousand nine hundred twenty-seven the right to establish and maintain the branch banks branch offices agencies sub-offices sub-agencies and branch places of business authorized in this section

ARTICLE III

FORMATION ORGANIZATION AND GENERAL CORPORATE POWERS OF INCORPORATED INSTITUTIONS

Section 301 Incorporators A A bank or a bank and trust company may be formed pursuant to the provisions of this act by three or more incorporators and a savings bank by fifteen or more incorporators

B Such incorporators shall be natural persons of full age and of either sex married or single At least two-thirds of them shall be citizens of the United States or of its territories or possessions at least two-thirds shall be residents of this Commonwealth and at least one-third in the case of a bank or a bank and trust company and at least two-thirds in the case of a savings bank shall be residents of the county in which the proposed bank bank and trust company or savings bank respectively is to be situated

C In the case of a bank or a bank and trust company each incoroprator shall subscribe to shares of par value of at least one thousand dollars

Section 302 Prohibition upon Payment of or Contract for Promoters' Fees It shall be unlawful (1) for any fee commission or compensation to be paid to any corporation or person for the promotion or organization of an incorporated institution or (2) for any part of the money collected or to be collected from subscribers or shareholders to be applied to the payment of promoters' fees for obtaining subscriptions or selling shares or for services in starting such incorporated institution whether such fee commission or compensation is provided for by the contract with the proposed incorporated institution with the promoters with the subscribers or otherwise

In any case in which there has been a violation of this section the Department shall have the power to disapprove the articles upon this ground alone

Section 303 Articles of Incorporation Articles shall be signed in triplicate originals by each of the incorporators and acknowledged by at least two of them before any officer within this Commonwealth authorized to take acknowledgments except in the case of a savings bank in which case they shall be signed and acknowledged by at least five of the incorporators

The articles shall set forth in the English language

(1) The name of the proposed incorporated institution

(2) The exact location of its place or places of business

(3) A precise and accurate statement of the purpose or purposes for which it is organized as well as a statement that it is organized under the provisions of this act

(4) The term for which it is to exist

(5) In the case of a bank or a bank and trust company the aggregate number of shares which it shall have authority to issue the par value of each of the shares and the amount of the capital as well as the amount of the surplus and expense fund with which the bank or bank and trust company will commence business

(6) In the case of a savings bank the amount of the expense fund which will be paid-in accordance with this act

(7) A statement of all expenses connected with the organization of the corporation and the procuring of subscriptions including a declaration that no fee commission or compensation of any kind has been or is to be paid to any corporation or person for the promotion or organization of the incorporated institution or for the procuring of subscriptions or for the sale of its shares

(8) The name occupation citizenship place of business and post office address of each incorporator and except in the case of savings bank the number of shares to which he has subscribed

(9) The name occupation citizenship place of residence post office address and term of office of each of the first directors and in the case of a savings bank each of the first trustees In the case of each director the articles shall state the number of shares to which he has subscribed

(10) In the case of a bank or a bank and trust company any provision which the incorporators may choose to insert granting to shareholders the preemptive rights to subscribe to any or all issues of shares of the corporation

(11) Any provision not inconsistent with law which the incorporators may choose to insert for the regulation of the business and the internal affairs of the incorporated institution and which the Department shall approve

Section 304 Advertisement of Articles The incorporators shall advertise their intention to file articles one time in a newspaper of general circulation and one time in a legal newspaper Advertisements shall appear at least three days prior to the day the articles are filed with the Department of State and shall set forth briefly

(1) The name of the proposed incorporated institution

(2) A statement that the application is made under the provisions of this act

(3) The character and purpose or purposes of the proposed incorporated institution and

(4) The time when application will be made to the Department of State

Section 305 Filing of Articles Payment of Bonus and Fees or Charges A On the day specified by the incorporators in the advertisement of their intention to file articles of incorporation they shall deliver or cause to be delivered to the Department of State a proof of publication of such advertisement and the triplicate originals of the articles required by this act

B The Department of State shall examine the proof of publication and the articles to determine whether they contain all the information and are in the form required by this act and whether the name of the proposed incorporated institution is the same as one already adopted or reserved by any other corporation or person or is so similar thereto that it is likely to mislead the public

C After all the bonus fees and charges established by law have been paid the Department of State shall if the proof of publication and the articles contain the information and are in the form required by this act and if the name of the proposed institution does not violate any provision of this act forthwith indorse its approval upon each of the triplicate originals of the articles and transmit them to the Department of Banking

D If the Department of State shall disapprove the articles pursuant to the provisions of this act it shall forthwith give notice thereof to the proposed incorporators stating in detail its reasons for doing so and indicating how the incorporators can remedy their nonconformance with the provisions of this act Upon remedying the defect the incorporators may in the same manner file the same or amended articles whichever the particular case may require

Section 306 Approval of Articles by Department of Banking A The Department of Banking shall immediately upon the receipt of the articles from the Department of State conduct such investigation as it may deem necessary to ascertain from the best sources of information at its command

(1) Whether the name of the proposed incorporated institution is likely to mislead the pubic as to its character or purpose

(2) Whether the convenience and advantage of the public will be served by the proposed incorporation and whether the density of the population in the neighborhood designated for the place of business of such proposed incorporated institution and in the surrounding country affords reasonable promise of adequate support for the enterprise

(3) Whether the responsibility character and general fitness for the business of the incorporators and directors named in the articles are such as to command the confidence of the community and to warrant the belief that the business of the proposed incorporated institution will be honestly and efficiently conducted in accordance with the intent and purpose of this act

(4) Whether any fee commission or compensation has been paid to any corporation or person for the promotion or organization of such incorporated institution or whether any part of the money collected or to be collected from subscribers or shareholders has been or is to be applied to the payment of promoters' fees for obtaining subscriptions or selling shares or for services in starting such incorporated institution whether such fee commission or compensation is provided for by contract with the proposed incorporated institution or by contract with the subscribers to the shares

B Within thirty days after the receipt of the articles from the Department of State the Department of Banking shall upon the basis of the facts disclosed by the investigation provided for by this section either approve or disapprove the articles It shall immediately notify the Department of State in writing of its action If it shall approve the articles it shall sign its approval upon the triplicate originals It shall retain one of the triplicate originals and return the other two to the Department of State

C If the Department of Banking disapproves the articles it shall return them to the Department of State stating in detail its reasons for doing so The Department of State shall immediately give notice to the proposed incorporators of the action of the Department of Banking and of the reasons therefor as stated to it by that Department The proposed incorporators may within thirty days after the Department of State gives them notice of he disapproval of their articles appeal from such disapproval to the Governor who shall hear such appeal promptly and within thirty days thereafter decide the matter and certify his decision to the Department of Banking The decision of the Governor shall be conclusive and not subject to any review The Department of Banking shall act in accordance therewith

Section 307 Issuance of Certificate of Incorporation Immediately upon receipt of the two signed triplicate originals of the articles of a proposed institution from the Department of Banking the Department of State shall file and record one of the triplicate originals and shall issue a certificate of incorporation The remaining triplicate original of the articles and the certificate of incorporation shall be sent by the Department of State to the incorporators or their representative who shall then have them recorded in the office of the recorder of deeds of the county in which the principal place of business of the proposed incorporated institution is or will be situated The triplicate original of the articles upon being recorded by the recorder of deeds shall be returned to the incorporators or their representative and shall constitute the charter of the corporation

Section 308 Effect of Issuance of Certificate of Incorporation Upon the issuance of the certificate of incorporation of any institution by the Department of State the corporate existence shall begin The certificate of incorporation shall be conclusive evidence of the fact that the institution has been incorporated but proceedings may be instituted by the Commonwealth to dissolve wipe out and terminate an institution which should not have been formed under this act or which has been formed without a substantial compliance with the conditions prescribed by this act as precedent to the provisions of this act

Section 309 Fees for Investigation by Department of Banking In addititon to any bonus fee and charge provided by law in the case of any corporation the incorporators of an incorporated institution shall pay to the Department of State at the time they file their articles such reasonable fees as shall be established by rule and regulation by the Department of Banking for the investigation made by the Department of Banking pursuant to the provisions of this act to determine whether the articles should be approved Such fees shall be paid by the Department of State through the Department of Revenue into the Banking Department Fund

Section 310 Conditions Precedent to Beginning Business Certificate of Authorization Penalty for Violation A An incorporated institution formed under this act shall not accept any deposits incur any indebtedness or begin the transaction of any business except such as shall be incident to its organization or to the obtaining of subscriptions to or payment for its shares until it shall receive from the Department of Banking and file in the manner required by this section a certifictate of authorization which shall not however be issued until

(1) A duplictate original of its articles has been recorded in the office of the recorder of deeds pursuant to the provisions of this act

(2) In the case of a bank or a bank and trust company its capital its surplus and its expense fund to the amount stated in the articles have been fully paid in such capital surplus and expense fund being equal at least to the minimum required by this act for such an institution

(3) In the case of a savings bank the amount of the expense fund as stated in the articles has been fully paid in provided that such amount equals at least the minimum expense fund required by this act

(4) Every director or trustee has taken the oath or affirmation required of directors or trustees by this act

(5) The incorporated institution is organized and ready to begin business

(6) The by-laws of the incorporated institution have been filed with the Department of Banking and have not been disapproved by it

When all the acts set forth in this section have been completed an affidavit signed by either the cashier or the treasurer of the incorporated institution and by at least a majority of the board of directors in the case of a bank or a bank and trust company or a majority of the trustees in the case of a savings bank shall be prepared in triplicate originals and filed with the Department of Banking If it shall appear to the Department that the provisions of this section have been complied with it shall retain and file one of the triplicate originals and shall issue a certificate of authorization It shall then send one of the triplicate originals to the Department of State and it shall return the others together with the certificate of authorization to the incorporated institution The incorporated institution shall file the certificate of authorization with the recorder of deeds of the county in which it has its principal place of business and upon doing so shall be authorized to commence and transact its business

B If an incorporated institution shall transact any business in violation of this section the officers who participated therein and the directors or in the case of a savings bank the trustees except those directors or trustees who dissented therefrom and caused their dissent to be filed at the time in the Department of Banking or who being absent so filed with their dissent upon learning of the action shall be severally liable for the debts and liabilities of the incorporated institution arising therefrom

Section 311 Organization Meetings (a) After the issuance of the certificate of incorporation of a bank or a bank and trust company the first meeting of the shareholders shall be held within this Commonwealth at the call of the incorporators or a majority of them for the purpose of adopting by-laws if the articles of incorporation provide for the adoption thereof by the shareholders and for such other purposes as shall be stated in the notice of the meeting The incorporators so calling the meeting shall give at least ten days' notice thereof by mail to each shareholder which notice shall state the time place and purpose or purposes of the meeting

B After the issuance of the certificate of incorporation of an incorporated institution an organization meeting of the board of directors or the board of trustees named in the articles shall be held within this Commonwealth at the call of a majority of the directors or trustees for the purpose of adopting by-laws if the articles authorize the directors or trustees to adopt by-laws for the purpose of electing officers and for the transaction of such other business as may come before the meeting The directors or trustees calling the meeting shall give at least five days' notice by mail of the time and place of the meeting to each director named in the articles

Section 312 Power of Legislature to Alter or Revoke Charters The General Assembly may alter revoke or annul the charter of any incorporated institution formed under this act as provided by Articles XVI Section 10 of the Constitution

Section 313 Corporate Capacity and Authority An incorporated institution formed under this act shall have the capacity to act possessed by natural persons but shall have authority to perform only such acts as are necessary or proper to accomplish its purpose or purposes and which are not repugnant to law

Section 314 General Powers Subject to the limitations and restrictions contained in this act or in its articles every incorporated institution shall have authority

(1) To continue as an incorporated institution for the time limited in its articles or if a time limit is not specified therein then perpetually subject to the power of the General Assembly under the Constitution of this Commonwealth

(2) To sue and be sued complain and defend in its corporate name

(3) To have a corporate seal which may be altered at pleasure and to use the same by causing it or a facsimile of it to be impressed or affixed or in any manner reproduced

(4) To make alter amend and repeal by-laws not inconsistent with its articles or with law for the administration and regulation of the affairs of the incorporated institution

(5) To elect or appoint and remove officers and agents of the incorporated institution and to define their duties and fix their compensation

(6) To have and exercise all of the powers and means necessary to effect the purpose or purposes for which the incorporated institution is formed

The powers herein enumerated shall not be construed as limiting or enlarging any grant of authority specifically granted elsewhere in this act or as limiting the purpose or purposes for which an incorporated institution may be organized as set forth in its articles It shall not be necessary to set forth in the articles of an incorporated institution any of the powers enumerated in its articles Except as otherwise provided in this act or in the by-laws of a particular incorporated institution the powers herein enumerated shall be exercised by the board of directors or the board of trustees of the incorporated institution as the case may be

Section 315 Defense of Ultra Vires (a) No limitation upon the business purpose or purposes or powers of an incorporated institution expressed or implied in its articles or implied by law shall be asserted in order to defend any action at law or in equity between the incorporated institution and a third person or between a shareholder and a third person involving any contract to which the incorporated institution is a party or any right of property or any alleged liability of whatsoever nature but such limitation may be asserted

(1) In an action by a shareholder against the incorporated institution to enjoin the doing of unauthorized acts or the transaction or continuation of unauthorized business If the unauthorized acts or the business sought to be enjoined are being transacted pursuant to any contract to which the incorporated institution is a party the court may if all of the parties to the contract are parties to the suit and if it deems the same to be equitable set aside and enjoin the performance of such contract and in so doing shall allow to the incorporated institution or the other parties as the case may be compensation for the loss or damage sustained by either of them which may result from the action of the court in setting aside and enjoining the performance of such contract but anticipated profits to be derived from the performance of the contract shall not be awarded by the court as a loss or damage sustained

(2) In an action at law or in equity by the incorporated institution whether acting through a receiver trustee or other legal representative or through shareholders in a representative suit against the officers directors or trustees of the incorporated institution for exceeding their authority

(3) In any proceeding in which the Department is defending any action taken by it against the incorporated institution or is seeking to enforce an order against such institution or to enjoin it from the transaction of unauthorized or unlawful business

B No conveyance or transfer by or to an institution of property real or personal of any kind or description shall be invalid or fail because in making such conveyance or transfer or in acquiring the property real or personal the board of directors or in the case of a savings bank the board of trustees or any of the officers of the institution acting within the scope of the actual or apparent authority given to them by the board of directors or in the case of a savings bank the board of trustees have in so doing exceeded any of its objects purposes or powers

"Section 316 By-Laws Adoption Amendment or Repeal Approval by Department (a) Except as herein otherwise provided the shareholders shall have the power to make alter amend and repeal the by-laws of a bank or a bank and trust company The authority to make by-laws may be expressly vested by the articles in the board of directors subject to the power of the shareholders to change or repeal such by-laws but the board of directors shall not make or alter any by-laws fixing their qualifications classification term of office or compensation Unless the articles or by-laws otherwise provide the by-laws may be adopted altered amended and repealed by a majority vote of the board of directors or of the shareholders as the case may be at any regular or special meeting duly convened after notice to the shareholders or directors of that purpose

B Except as otherwise provided in this act or in the articles or by-laws of a savings bank the trustees shall have the power to make alter amend and repeal the by-laws of a

savings bank Unless the articles or by-laws otherwise provide the by-laws may be adopted altered amended and repealed by a majority vote of the trustees at any regular or special meeting of the trustees duly convened after notice of that purpose has been given to them

This provision shall not affect any other plan for the making of by-laws contained in any special act of the General Assembly creating a savings bank its amendments and supplements

C The by-laws of an incorporated institution may contain any provision for the regulation and management of the affairs of such incorporated institution not inconsistent with law or the articles and may povide penalties for the breach thereof not exceeding twenty dollars

D Immediately upon the adoption of the by-laws or of any additions thereto or any alteration amendment or repeal thereof notice of such fact and a copy of such by-law or such alteration amendment or repeal shall forthwith be sent to the Department of Banking The Department of Banking shall have the power to disapprove any such by-law or any such alteration amendment or repeal thereof but such by-law alteration amendment or repeal shall be effective until the Department actually disapproves it and gives notice thereof to the incorporated institution

Section 317 Parties Bound by By-laws Execution of Instrument The by-laws of an incorporated institution shall operate merely as regulations among the members of the incorporated institution and shall not affect contracts or other dealings with other corporations or persons unless such corporations or persons have actual knowledge of such by-laws or unless the incorporated institution has given to such corporations or persons a copy of such by-laws

Any form of execution provided in the by-laws to the contrary notwithstanding any note mortgage evidence of indebtedness contract or other instrument of writing or any assignment or endorsement thereof executed or entered into between an incorporated institution and any other corporation or person when signed by the president or vice-president and by the cashier or treasurer of such incorporated institution shall be held to have been properly executed for and in behalf of the incorporated institution

ARTICLE IV

CAPITAL SURPLUS AND EXPENSE FUND OF BANKS OR BANK AND TRUST COMPANIES

Section 401 Minimum Capital of Banks and Bank and Trust Companies Incorporated Under This Act A A bank shall not be incorporated under this act unless it has a minimum capital as follows

(1) Fifty thousand dollars if its place of business is to be a borough or a township the population of which does not exceed six thousand

(2) One hundred thousand dollars if its place of business is to be in a city borough or township the population of which exceeds six thousand but does not exceed fifty thousand

(3) Two hundred thousand dollars if its place of business is to be in a city borough or township the population of which exceeds fifty thousand

B A bank and trust company shall not be incorporated under this act and a bank shall not become a bank and trust company under this act unless it has a minimum capital as follows

(1) One hundred fifty thousand dollars if its place of business is or is to be in a borough or township the population of which does not exceed six thousand

(2) Two hundred thousand dollars if its place of business is or is to be in a city borough or township the population of which exceeds six thousand but does not exceed fifty thousand

(3) Three hundred thousand dollars if its place of business is or is to be in a city borough or township the population of which exceeds fifty thousand

C For the purposes of this section the population of a city borough or township shall be taken to be that stated in the United States census last preceding the date of the filing of the articles of incorporation or in the case of a bank which is about to become a bank and trust company when its articles of amendment are filed

Section 402 Requisite Capital for Existing Banks or Bank and Trust Companies Required Method of Increase A The capital of a bank or a bank and trust company incorporated prior to the effective date of this act shall not be less than the minimum capital required in the case of any bank or bank and trust company as the case may be incorporated under this act except that no bank or bank and trust company incorporated prior to the effective date of this act shall be required to maintain a capital of or to increase its capital to more than one hundred per centum above the minimum which was required by law for such bank or bank and trust company prior to the effective date of this act

A bank or a bank and trust company which upon the effective date of this act has a capital below that required by this section but not below that required by law prior to the effective date of this act may continue to do business with such capital as it has but it shall forthwith proceed to increase such capital by one of the following methods

(1) It may increase its capital out of surplus or otherwise provided that after such increase out of surplus the bank or bank and trust company has a capital equal at least to the minimum required by this act and a surplus equal to at least twenty-five per centum of such capital

(2) It may increase its capital by the sale of additional shares at a price equal at least to the par value of such shares plus twenty-five per centum thereof provided that the assent of the directors and of the shareholders to such increase is procured in the manner prescribed by this act for any increase in capital

(3) If such increase is not made by either of these methods within six months after the effective date of this act the bank or bank and trust company shall increase its capital to the minimum required by this act in the following manner It shall at the close of each dividend period or at least annually if no dividend is paid credit to its surplus an amount equal to not less than one-half of its net earnings for such period until the capital and the surplus together equal an amount not less than twenty-five per centum above the minimum capital required by this act at which time a sufficient portion of the surplus shall be credited to capital to make the capital at least equal to the minimum required by this act and to leave a surplus of at least twenty-five per centum thereof

B Unless such increase is made by an actual sale of shares a bank or a bank and trust company may increase its capital to the minimum required by this act without action of its shareholders The cashier or treasurer as the case may be or any other officer to whom such duties are delegated by the by-laws shall at the time such increase has actually been made pursuant to the provisions of this section file articles of amendment with the Department of State procure a certificate of amendment and file such articles and certificate with the recorder of deeds in the manner provided by this act except that such articles need not unless the increase is made by an actual sale of shares state that advertisement has been made or notice given or action taken by the shareholders

Section 403 Consideration for Shares A Subscriptions for shares of a bank or a bank and trust company shall not be made payable in whole or in part with any other consideration than cash nor to an amount less than the par value of such shares plus twenty-five per centum thereof A share shall not be created nor a share certificate issued until paid for in cash in full Shares of a bank or bank and trust company issued and thereafter acquired by it in the manner authorized by law may be disposed of by such bank or bank and trust company for such consideration as may be fixed from time to time by its board of directors

B The consideration for the issuance of shares by a bank or a bank and trust company as a share dividend shall be that part of the surplus or undivided profits of such bank or bank and trust company which is by this act required to be transferred to capital upon the issuance of such shares

Section 404 Payment of Subscriptions A Unless otherwisse provided in the subscription agreement subscriptions for shares whether made before or after the organization of a bank or a bank and trust company shall be paid in full at such time or in such installments and at such times as shall be determined by the board of directors Any call made by the board of directors for the payment of subscriptions shall be uniform as to all subscribers The board of directors shall cause notice of the amount of any call and of the time and place of payment to be given at least thirty days before the call is due

B A share of a bank or a bank and trust company shall not be created nor a share certificate issued until paid for in full in cash Until such time a subscriber shall not by virtue of his subscription or of a partial payment thereon become

shareholder exercise any voting or other rights of a shareholder or participate in any dividend of the incorporated institution

C In the case of shares issued prier to the effective date of this act any installments which are due shall be collected in the manner and the incidents of such subscription or shares shall be as provided by law prior to the effective date of this act

D This section shall not be construed to affect in any way whatsoever the requirement of this act that the authorized capital of a bank or a bank and trust company shall be paid in full before it can commence business

Section 405 Defaults in Payment of Subscriptions When any subscriber shall fail to pay any call upon his subscription properly made by the directors at the time when such payment is due the directors may proceed to collect the amount due in the same manner as any debt to the bank or the bank and trust company or they may sell at public sale the right of such subscriber to have a share or shares created and issued in his favor upon the payment of the balance due but such right shall not be sold below the balance due plus the expenses of the sale or if such right of more than one subscriber shall be put up at such sale the proportionate expense thereof The purchase of such right shall upon payment in full in cash of the amount bid if in accordance with the provisions of this section be entitled to the creation of a share and the issuance thereof to him according to the terms of the contract between the original subscriber and the bank or bank and trust company Notice of the time and place of such sale and of the sum due on each subscription shall be given by a single advertisement in a newspaper not more than one week prior to the day fixed for the sale Notice shall also be given by the secretary of the bank or bank and trust company as the case may be to the delinquent subscriber at least twenty days prior to the day fixed for such sale If no one shall bid at least the amount due plus the expense of the proportionate expenses of the sale as the case may be or if the amount due together with costs is not collected from the subscriber by an action at law the amount previously paid in by the delinquent subscriber shall be forfeited to the bank or the bank and trust company and shall be credited to undivided profits If an amount in excess of the balance due and of the expense or proportionate expense as the case may be is obtained such excess amount up to the amount he has paid on his subscription shall be paid to the subscriber

Section 406 Share Certificate A The shares of a bank or bank and trust company shall be represented by share certificates which shall state

(1) That the bank or bank and trust company is incorporated under the laws of this Commonwealth

(2) The name of the registered holder of the shares represented thereby

(3) The number of shares which the certificate represents

(4) The par value of each share represented

(5) The total capital of the bank or bank and trust company

B Every share certificate shall be signed by the president and secretary or by such officers as the by-laws may provide and sealed with the corporate seal which may be a facsimile engraved or printed In case any officer who has signed any share certificate shall have ceased to be such officer because of death resignation or otherwise before the certificate is issued it may be issued by the bank or bank and trust company with the same effect as if the officer had not ceased to be such at the date of its issue

C Every shareholder of record shall be entitled to a share certificate representing the shares owned by him

Section 407 Issuance of Shares Shares to be Identical Shares as Personal Property A Except in the case of its original capital which as provided in this act shall be created issued and paid in full before a bank or a bank and trust company shall commence business and except as otherwise provided in its articles or by-laws the board of directors of a bank or a bank and trust company shall have the power by resolution duly adopted to create and to issue from time to time in whole or in part the shares authorized in the articles provided that no share shall be created or issued until paid for in full

B Every share shall in all respects be equal to every other share

C Shares of a bank or a bank and trust company shall be deemed personal property

Section 408 Par Value of Shares Change of Par Value (a) The capital of a bank or a bank and trust company shall be divided into shares of a par value of not less than ten dollars each nor more than one hundred dollars each but every share shall have the same par value as every other share Any bank or bank and trust company may by amending its articles in the manner prescribed by this act change the par value of its shares but such change shall not be to an amount less than ten dollars nor more than one hundred dollars each Such change of the par value of the shares shall not increase or diminish the total par value of the entire capital of such bank or bank and trust company but shall change only the number of shares into which such capital shall be divided

B Whenever such change in par value is made such bank or bank and trust company shall upon the surrender and cancellation of its outstanding shares issue to each shareholder the proper number of shares of capital at the new par value The bank or the bank and trust company shall withhold any cash or share dividends due on a share certificate which has not been exchanged within six months after the date upon which the change in par value was effected but upon the shareholder's thereafter exchanging such certificate the bank or the bank and trust company shall pay to him any dividends which were thus withheld

Section 409 Issuance of Fractional Shares or Scrip A bank or a bank and trust company may in paying a dividend or in pursuance of a plan of merger or consolidation issue a certificate for a fractional share and by action of its board of directors may issue in lieu thereof scrip or other evidence of ownership which shall entitle the holder to receive a certificate for a full share upon the surrender of such scrip or other evidence of ownership aggregating a full share but which shall not entitle the holder to exercise any voting right However such holder shall be entitled to receive a proportionate amount of any dividends or to participate proportionately in any of the assets of the bank or bank and trust company in the event of liquidation The holder of such scrip or other evidence of ownership shall be subject to the same liability as is provided by this act in the case of a holder of a full share except that his liability shall bear the same ratio to that of the holder of a full share as his scrip or other evidence of ownership bears to a full share The board of directors may cause such scrip or evidence of ownership to be issued subject to the condition that it shall become void if not exchanged for share certificates before a specified date or subject to the condition that the shares for which such scrip or evidence of ownership is exchangeable may be sold by the bank or bank and trust company and the proceeds thereof distributed to the holders of such scrip or evidence of ownership or subject to any other conditions not prohibited by this act which the board of directors may deem advisable

Section 410 Transfer of Share Certificates and Shares The transfer of share certificates and the shares represented thereby may be regulated by the by-laws provided such by-laws are not inconsistent with the provisions of the Uniform Stock Transfer Act approved the fifth day of May one thousand nine hundred eleven (Pamphlet Laws one hundred twenty-six) its amendments and supplements

Section 411 Increase of Authorized Capital and Increase of Capital Pursuant Thereto (a) A bank or a bank and trust company may amend its articles to increase its authorized capital in the same manner and with the same approval as is required by this act for any amendment to the articles of a bank or a bank and trust company except that written notice of a proposed amendment for increasing the authorized capital of the institution shall be given to each shareholder entitled to vote thereon at least sixty days prior to such meeting

Such increase of authorized capital shall however become invalid and inoperative unless the actual increase of capital which is authorized shall be made within one year from the date of the issuance of the certificate of amendment If any portion of such authorized capital shall be created and issued within such one-year period only such portion as remains uncreated and unissued within such period shall become invalid and inoperative In the case of a bank or a bank and trust company which upon the effective date of this act has an authorized capital which exceeds its actual capital such one-year period shall date from the effective date of this act Such actual increase of capital may be made from time to time within such period of one year but no such increase shall be made until paid for in full pursuant to the provisions of this

act as to the creation or issuance of any share Such increase may however be made by the declaration of a share dividend in accordance with the provisions of this act concerning share dividends

B A share shall not be created or issued pursuant to such increase of capital for a cash consideration of less than the par value of such share plus twenty-five per centum thereof unless a share can be created and issued for a consideration less than such amount without reducing the surplus of the bank or bank and trust company below fifty per centum of the capital as increased but in no case shall such share be created or issued for a consideration which is less than the par value thereof

C Upon effecting an actual increase in its capital a bank or a bank and trust company shall issue to its shareholders new share certificates setting forth the changed capital of the institution in exchange for the outstanding shares of such shareholders which shall then be cancelled The bank or bank and trust company shall withhold any cash or share dividend due on a share certificate which has not been exchanged within six months after the date upon which the increase in capital was created and issued but upon the shareholder's thereafter exchanging such certificate the bank or bank and trust company shall pay to him any dividends which were thus withheld

Section 412 Decrease of Capital A A bank or a bank and trust company may amend its articles to decrease its capital either by reducing the number of its shares or by reducing the par value of each share or by both such methods in the same manner and with the same approval as is required by this act for any amendment to the articles of a bank or a bank and trust company but the capital of a bank or a bank and trust company shall not be decreased to an amount below the minimum prescribed by this act for such bank or bank and trust company

B The responsibility for the contracts debts or engagements of the bank or bank and trust company to which its shareholders are subject upon the date when the certificate of amendment is issued shall continue for one year thereafter

C Any excess of capital created by such decrease of the capital of a bank or a bank and trust company shall forthwith be transferred to the surplus of such bank or bank and trust company or it may with the approval of the Department be returned to the shareholders in the form of a cash dividend provided that the surplus of the institution after the payment of such cash dividend equals at least fifty per centum of the capital as reduced

D Upon effecting a decrease in its capital a bank or a bank and trust company shall issue to its shareholders new share certificates setting forth the changed par value of each share or the changed capital of the institution in exchange for the outstanding shares of such shareholders which shall then be cancelled The bank or bank and trust company shall withhold any cash or share dividend due on a share certificate which has not been exchanged within six months after the date upon which the certificate of amendment authorizing the decrease in capital was issued but upon the shareholder's thereafter exchanging such certificate the bank or bank and trust company shall pay to him any dividends which were thus withheld

Section 413 Surplus for Banks or Bank and Trust Companies Incorporated Under This Act Impairments Thereof A bank or bank and trust company incorporated under this act shall maintain a surplus of at least fifty per centum of its capital Before it shall be granted a certificate of authorization to commence business such bank or bank and trust company shall have a surplus equal to at least twenty-five per centum of its capital such surplus to be created out of payments for shares in excess of the par value thereof If the surplus of such a bank or a bank and trust company is not equal to at least fifty per centum of its capital upon the date upon which it commences business or if at any subsequent time its surplus becomes impaired below such fifty per centum minimum it shall at the close of each dividend period or at least annually if no dividend is paid credit to its surplus an amount which shall not be less than one-half of its net earnings for such period until its surplus shall equal at least fifty per centum of its capital

Section 414 Surplus for Existing Banks or Bank and Trust Companies A bank or a bank and trust company incorporated prior to the effective date of this act shall maintain a surplus of at least fifty per centum of its capital If upon the effective date of this act the capital of such bank or bank and trust company is equal to the minimum requirement established by this act for such bank or bank and trust company or if its capital upon such date does not meet such minimum requirement then when it has accumulated such capital in the manner provided by this act such bank or trust company shall if its surplus is not equal to at least fifty per centum of its capital increase its surplus as follows it shall at the close of each dividend period or at least annually if no dividend is paid credit to its surplus an amount which shall not be less than one-half of its net earnings for such period until its surplus shall equal at least fifty per centum of its capital If at any subsequent time the surplus of such bank or bank and trust company shall become impaired to less than fifty per centum of its capital it shall forthwith proceed to accumulate surplus in the same manner

Section 415 Expense Fund A bank or a bank and trust company incorporated under this act shall not be granted a certificate of authorization to commence business until it shall have as a reserve for expenses a fund of at least five per centum of its capital Such expense fund shall be created out of payments for shares in excess of their par value plus twenty-five per centum thereof

Such expense fund may be charged for the expenses incurred by a bank or bank and trust company in its organization and operation Any balance remaining in such expense fund may at the expiration of not less than one year from the date of the issuance of such certificate of authorization be credited to undivided profits

ARTICLE V

OFFICERS AND EMPLOYES OF INSTITUTIONS DIRECTORS AND TRUSTEES OF INCORPORATED INSTITUTIONS

Section 501 Number and Election of Directors and Trustees Executive Committee Subject to the provisions of this act the number qualifications terms of office manner of election time and place of meeting compensation and powers and duties of the directors of a bank or a bank and trust company may be prescribed from time to time by the by-laws

Subject to the provisions of this act the number qualification manner of election time and place of meeting compensation and powers and duties of the trustees of a savings bank may be prescribed from time to time by the by-laws

Except as otherwise provided in the by-laws or in the case of a savings bank in the special act creating such savings bank its amendments and supplements

(1) A director shall be elected for a term of one year a trustee until he becomes disqualified or resigns

(2) The number of directors or trustees shall be the same as that stated in the articles

(3) Vacancies in the board of directors or in the board of trustees caused by death resignation disqualification or otherwise shall be filled by the remaining members of the board and each person so elected shall in the case of a bank or a bank and trust company be a director until his successor is elected by the shareholders who may make such election at the next annual meeting of the shareholders or at any special meeting duly called for that purpose and held prior thereto and in the case of a savings bank created by special act by the persons specified in such act In the case of any other savings bank he shall serve until he shall become disqualified or shall resign

(4) The meetings of the board of directors or of the board of trustees shall be held at such place within this Commonwealth as a majority of the directors or of the trustees may from time to time designate

(5) A majority of all the directors or trustees shall be necessary to constitute a quorum for the transaction of business and except as otherwise provided in this act or in the articles or by-laws of a particular incorporated institution the acts of a majority of the directors or trustees who are present at a meeting at which a quorum is present shall be the acts of the board of directors or the board of trustees but if the directors or trustees shall severally or collectively consent in writing to any action to be taken by the incorporated institution such action shall be as valid corporate action as though it had been authorized at a meeting of the board of directors or the board of trustees

(6) The board of directors or the board of trustees may by resolution passed by a majority of the whole board delegate three or more of its number in the case of a bank or a bank and trust company and five or more of its number in the case of a savings bank to constitute an executive committee which to the extent provided in such resolution shall have and exercise the authority of the board over the ordinary operations of the business of the incorporated institution between the dates of the monthly meetings of the board Every such committee shall keep full minutes of all business transacted by it and shall present detailed reports of all such transactions at each monthly meeting of the board

Section 502 Term of Office and Qualification of Directors and Trustees A The business and affairs of every incorporated institution shall be managed in the case of a bank or a bank and trust company by a board of at least five directors and in the case of a savings bank by a board of at least fifteen trustees Except as otherwise provided by this act or by the articles or by laws of the incorporated institution such board of directors or board of trustees shall exercise all the powers and fulfill all the duties granted to or imposed upon the incorporated institution by this act

B Each director shall hold office for the term for which he is elected and until his successor shall have been duly elected and qualified The names and terms of office of the first directors shall be stated in the articles Except as otherwise provided in this act for the filling of vacancies directors other than those constituting the first board of directors shall be elected by the shareholders

C Except as otherwise specifically provided in any special act of the General Assembly creating a savings bank or in any amendment or supplement thereto each trustee shall hold office until he resigns or becomes disqualified The names of the first trustees shall be stated in the articles

D Every director or trustee shall during his term of office be a citizen of the United States at least two-thirds of the directors or trustees shall during their terms of service be bona fide residents in this Commonwealth and at least one-third of the directors and two-thirds of the trustees shall during their terms of office be bona-fide residents in the county in which the incorporated institution has its place of business

E Every director shall own in his own right and free of any lien or encumbrance shares of the bank or bank and trust company to the aggregate par value of at least one thousand dollars but the number or par value of the shares required to be owned by any person who is a director of a bank or a bank and trust company upon the effective date of this act shall be the same as was required prior to the effective date of this act so long as such director shall serve continuously The share certificates for the minimum number or par value of shares which each director must own shall be filed unendorsed unpledged and unassigned by him with the cashier or treasurer of the bank or bank and trust company Such shares shall remain in the custody of the cashier or treasurer during the term of service of such director

Any director who during his term of service pledges assigns or in any other manner ceases to be the owner in his own right of the shares required by this section shall forthwith cease to be a director of the bank or the bank and trust company and his office shall be vacant He shall not be eligible for reelection as a director of such bank or such bank and trust company for the remainder of the term for which he was elected and for a further period of one year from the expiration of his term Any vacancy thus occurring shall be filled in the regular maner for filling vacancies in the board

F The following shall not be eligible to be directors or trustees in any incorporated institution

(1) A judge of any court of record in this Commonwealth

(2) Any person holding office under this Commonwealth in the Department of Banking the Treasury Department the Auditor General's Department or the Department of Revenue

(3) Any person authorized to receive and account for the public moneys of this Commonwealth

(4) The treasurer of any county city township borough or other political subdivision of this Commonwealth

G A trustee of a savings bank shall not at the same time be a trustee officer attorney or employe of any other savings bank

Section 503 Classification of Directors If the articles or by-laws of a bank or a bank and trust company so provide the directors may be classified in respect to the time for which they shall severally hold office In such case each class shall be as nearly equal in number as possible the term of office of at least one class shall expire in each year and the members of a class shall not be elected for a shorter period than one year or for a longer period than four years At each ensuing election of directors after such classification only the number of directors equal to the number of the class whose terms expire at the time of the election shall be elected and such directors shall be elected for the longest trm for which any class may have been elected as provided in this section

Section 504 Oaths of Directors A Each director of a bank or a bank and trust company and each trustee of a savings bank shall within thirty days after his election and before assuming the duties of his office take an oath or affirmation that he will so far as the duty devolves upon him diligently and honestly administer the affairs of the incorporated institution and will not knowingly or willingly permit to be violated any of the provisions of law applicable to the incorporated institution of which he is a director or a trustee that he meets the requirements of this act and of the articles and by-laws of the incorporated institution for directors or trustees and in the case of a director of a bank or a bank and trust company that he has met the requirements of this act and of the articles and by-laws with respect to his ownership of shares and filing them with the cashier or treasurer of the institution

B Such oath or affirmation shall be signed by the director or trustee making it and shall be immediately transmitted to the Department where it shall be filed

Section 505 Meetings of Board of Directors or of Trustees Notice Thereof A The board of directors or the board of trustees of every incorporated institution shall hold a regular meeting at least once in each month Meetings of the board of directors or the board of trustees shall be held upon such notice as the by-laws may prescribe Attendance of a director or a trustee at any meeting shall constitute a waiver of notice of such meeting except where a director or a trustee attends a meeting for the express purpose of objecting to the transaction of any business because the meeting was not lawfully called or convened Neither the business to be transacted at nor the purpose of any meeting need be specified in the notice or waiver of notice of such meeting

B The board of directors or the board of trustees shall keep complete records of their proceedings in a minute book kept for that purpose alone When a director or a trustee shall request it the vote of each director or trustee upon a particular question shall be recorded in the minutes

Section 506 Compensation of Directors or Trustees A The directors of a bank or a bank and trust company shall be entitled to such compensation for their services as directors as is provided in its articles or by-laws Trustees of a savings bank shall not receive any compensation for their services as trustees but shall be entitled to such compensation for their services upon the executive committee of the savings bank as is provided in its articles or by-laws

B Except as otherwise specifically provided in this act a director or a trustee may also be a salaried officer of the incorporated institution

Section 507 Examination and Report by Board of Directors or Trustees A The board of directors or the board of trustees of every incorporated institution shall at least once in each year make or cause to be made by at least three of its members or by accountants employed for the purpose a detailed examination of the books papers and affairs of the incorporated institution and the loans and discounts thereof with the special duty of ascertaining the safety and present value of the loans discounts and investments of the incorporated institution and the value of the collateral security if any held in connection with any loans or discounts and into such other matters as the Department may require The board of directors or the board of trustees shall have the power to employ such assistants as they may deem necessary to make such examinations

B As soon as any such examination is completed a detailed written report thereof signed under oath or affirmation by the directors or trustees or by the other persons making such

examination shall be sent to the Department A copy thereof shall be placed on file in the incorporated institution and properly noted on the minutes

Section 508 Communications from Department of Banking Every official communication directed by the Department to an incorporated insttution or to any officer thereof shall be transmitted by the officer receiving it to the board of directors or the board of trustees at the next meeting of such board and shall be duly recorded in the minutes of such meeting

Section 509 Disqualification of Directors or Trustees A If a director or trustee shall for six successive months fail to attend any of the regular meetings of an incorporated institution without having been during such period excused by the board for such failure to attend his office shall forthwith become vacant but he shall be eligible for re-election

B If a trustee of a savings bank shall become trustee officer clerk or employe in any other savings bank or if he shall accept directly or indirectly either as a loan or otherwise any of the funds of the savings bank of which he is trustee or if he shall become surety or guarantor for any money borrowed from such savings bank his office shall forthwith become vacant

Section 510 Officers of Institutions Removal Compensation A Every institution shall have a president a vice-president a secretary and a cashier or treasurer and may have such other officers as the institution may require but in the case of an incorporated intsitution such additional officers shall not be elected unless provided for in the by-laws Any two or more offices may be held by the same person except the offices of president and cashier or treasurer but in the case of an incorporated institution two offices shall not be held by one person unless specfically authorized by the by-laws

B The officers of an institution shall be selected at least annually In the case of an incorporated institution they shall be elected by the board of directors or the board of trustees unless the by-laws provide a different method The president and at least one vice-president shall be required to be members of th board of directors or the board of trustees of the incorporated institution Unless the by-laws specifically provide otherwise the cashier or treasurer or any other officer may however be a member of the board of directors or of the board of trustees

C Unless specifically provided otherwise in the by-laws the board of directors or the board of trustees shall fix the compensation of all officers

D An officer elected or appointed by the board of directors or the board of trustees may be removed by such board whenever in its judgment the best interests of the incorporated institution will be served thereby but such removal shall be without prejudice to the contract rights if any of the person so removed

E Unless specifically provided otherwise in the by-laws the board of directors or the board of trustees shall have the power to fill any vacancies created by the death removal resignation or otherwise of any officer

F The officers as between themselves and the institution shall have such authority and perform such duties as shall in the case of a private bank be given to them by the private banker or private bankers and in the case of an incorporated institution be specified by the by-laws

Section 511 Eligibility for Cashier Treasurer or Assistants Restrictions upon Office A The following persons shall not be eligible to be cashiers or treasurers or assistant cashiers or assistant treasurers of any institution

(1) A judge of any court of record in this Commonwealth

(2) Any person holding office under this Commonwealth in the Department of Banking the Treasury Department the Auditor General's Department or the Department of Revenue

(3) Any person authorized to receive and account for the public moneys of this Commonwealth

(4) The treasurer of any county city township borough or other political subdivision of this Commonwealth

B A cashier treasurer assistant cashier or assistant treasurer of an institution shall not engage in any other profession business occupation or calling either directly or indirectly but this shall not be construed to affect the right to be at the same time a member of the board of directors or the board of trustees of the incorporated institution in which he is cashier treasurer assistant cashier or assistant treasurer

Section 512 Bonds of Officers and Employes A The officers and employes of every institution shall before entering upon the performance of their duties furnish to it bonds in such amount as is specified with such corporate surety as is approved in the case of an incorporated institution by the directors or trustees and in the case of a private bank by the private banker or bankers Such bond shall be conditioned upon the faithful performance of the duties of such officers or employes The cost of such bonds may be paid by the institution

B The Department shall have the power to require any such officer or employe at any time during his term of office or employment to furnish a bond in an amount greater than that required by the board of directors or trustees of the incorporated institution or by the private banker or bankers as the case may be or it may require new or additional corporate surety

Section 513 Women May Be Directors or Officers Women married or single may serve as officers of an institution or as directors or trustees of an incorporated institution

Section 514 Relation of Directors Trustees and Officers to Incorporated Institution Officers directors and trustees shall be deemed to stand in a fiduciary relation to an incorporated institution and shall discharge the duties of their respective positions in good faith and with that diligence care and skill which ordinarily prudent men would exercise under similar circumstances in like positions

Section 515 Power of Attorney to Make Entries of Record A Every institution shall by power of attorney filed of record in the office of the recorder of deeds in any county in which it may have occasion or which it may be required to enter acknowledgment of payments assignment extension postponement release or satisfaction of or to take any other action affecting the lien of any mortgage which appears upon the records in such office designate a person or persons who shall be authorized in the name of such institution to make such entries

B Such recorder of deeds shall not permit any person other than the person or persons so designated to act in any such manner for such institution

C Any entry on any record in an office of a recorder of deeds if made in violation of this act shall be of no effect

Section 516 Acceptance of Fee or Commission by Director Trustee Officer Attorney or Employe A Neither an officer attorney or employe of an institution or in the case of an incorporated institution a director or trustee nor any officer attorney or employe of an affiliated institution or an affiliated national banking association or in the case of an affiliated incorporated institution or national banking association a director or trustee shall stipulate for or agree or assent to receive or receive any fee commission gift or other property of value from any corporation or person for procuring or for endeavoring to procure for such corporation or person or for any other corporation or person any loan from or any investment by or any purchase or discount of any paper note draft check bill of exchange or other commercial paper by such institution

B Any officer attorney or employe of an institution and in the case of an incorporated institution any director or trustee thereof or any officer attorney or employe of an affiliated institution or an affiliated national banking association and in the case of an affiliated incorporated institution or national banking association any director or trustee thereof who knowingly violates the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be subject to an imprisonment for a period not exceeding one year or a fine not exceeding one thousand dollars or both he shall also be subject to a further fine of a sum equal to the amount or the value of the property which he receives as such fee commission or gift

Section 517 Preferential Rate of Interest to Directors Trustees Officers Attorneys or Employes An institution shall not pay to any of its officers attorneys or employes or in the case of an incorporated institution any of its directors or trustees nor shall it pay to the officers attorneys or employes of an affiliated institution or an affiliated national banking association or in the case of an affiliated incorporated institution or national banking association to any of the directors or trustees thereof a greater rate of interest on the deposits of such director trustee officer attorney or employe

than that paid to any other depositor on similar deposits with such institution nor shall a lower rate of interest be charged to any such director trustee officer agent or employe on any loan or discount granted than that charged other borrowers under similar circumstances on the same types of loans or discounts

Section 518 Overdrafts by Directors Trustees Officers Attorneys or Employes A An institution shall not permit any of its officers attorneys employes and in the case of an incorporated institution any of its directors or trustees nor any of the officers attorneys or employes of an affiliated institution or affiliated national banking association or in the case of an affiliated incorporated institution or national banking association any of the directors or trustees to overdraw his account

B Any officer attorney or employe of an institution and in the case of an incorporated institution any director or trustee thereof who knowingly overdraws his account with such institution or any officer attorney or employe of an affiliated institution or an affiliated national banking association and in the case of an affiliated incorporated institution or national banking association any director or trustee thereof who knowingly overdraws his account with such institution shall be guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period not exceeding one year or a fine not exceeding one thousand dollars or both he shall also be subject to a further fine of a sum equal to the amount to which his account is overdrawn

Section 519 Purchases from and Sales to Directors Trustees Officers Attorneys or Employes (a) An institution shall not contract for or purchase from any of its officers attorneys or employes and in the case of an incorporated institution from any of its directors or trustees nor from any of the officers attorneys or employes of an affiliated institution or affiliated national banking association and in the case of an affiliated incorporated institution or national banking association from any of the directors or trustees any securities or other property unless such purchase is made in the regular course of business upon terms not less favorable to the institution than those offered to any other corporation or person unless such purchase could not be made from another reliable source at a more favorable price or upon more favorable terms and in the case of an incorporated institution unless such purchase is authorized by the vote of a majority of all the members of the board of directors or of the board of trustees of such incorporated institution who are not interested in such transaction except in their capacity as directors or trustees of the incorporated institution

B An institution shall not sell securities or other property owned or held by it to any of its officers attorneys or employes and in the case of incorporated institutions to any of its directors or trustees nor to any of the officers attorneys or employes of an affiliated institution or affiliated national banking association and in the case of an affiliated incorporated institution or national banking association to any of the directors or trustees unless such sale is made in the regular course of business upon terms not less favorable to the institution than those offered to any other corporation or person unless such sale could not be made elsewhere at a more favorable price or upon more favorable terms and unless in the case of an incorporated institution such sale is authorized by the vote of a majority of all the members of the board of directors or the board of trustees of such incorporated institution who are not interested in such transaction except in their capacities as directors or trustees of the incorporated institution

C For the purposes of this section a purchase from or a sale to a corporation of which any director trustee officer attorney or employe described in this section owns ten per centum or more of the outstanding shares or a purchase from or a sale to an unincorporated association of which any such director trustee officer attorney or employe is a member shall be considered a purchase from or a sale to such director trustee officer attorney or employe

D Any officer attorney or employe of an institution any director or trustee thereof or any officer attorney or employe of an affiliated institution or an affiliated national banking association and in the case of an affiliated incorporated institution or national banking association any director or trustee thereof who knowingly violates the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be subject to an imprisonment not exceeding one year or a fine not exceeding one thousand dollars or both he shall also be subject to a further fine equal to any profit which he shall have made upon the transaction

Section 520 Purchases of Evidence of Debt Below Face Value by Directors Trustees Officers Attorneys or Employes A Neither an officer attorney or employe of an institution or in the case of an incorporated institution a director or trustee nor an officer attorney or employe of an affiliated institution or an affiliated national banking association or in the case of an affiliated incorporated institution or national banking association a director or trustee shall purchase or directly or indirectly be interested in the purchase from such institution of any promissory note or other evidence of indebtedness issued by such institution for less than its face value

B Any such director trustee officer attorney or employe who knowingly purchases such evidence of debt below its face value in violation of this section shall be guilty of a misdemeanor and shall upon conviction thereof be subject to a fine not exceeding one thousand dollars or to an imprisonment not exceeding one year or both he shall also be subject to a further fine equal to the face value of the evidence of debt

ARTICLE VI

MEETINGS RIGHTS AND LIABILITIES OF SHAREHOLDERS OF BANKS AND BANKS AND TRUST COMPANIES

Section 601 Meetings of Shareholders A Meetings of the shareholders of a bank or a bank and trust company shall be held within this Commonwealth at such place as may be provided in the by-laws of the bank or the bank and trust company Unless the by-laws provide otherwise all meetings of the shareholders shall be held at the principal place of business of the bank or the bank and trust company

B The by-laws may provide for the number and the time of meetings of shareholders but at least one meeting of the shareholders shall be held in each calendar year for the election of directors at such time as shall be provided in the by-laws If the annual meeting shall not be called and held within one month after the designated time any shareholder shall have the power to call upon the Department to issue an order in the manner provided by law to compel the calling and holding of such meeting

C Special meetings of shareholders may be called at any time by the president the board of directors the holders of not less than one-fifth of all the shares outstanding and entitled to vote at the particular meeting and by such other officers or persons as may be provided in the articles or by-laws At any time upon written request of any person entitled to call a special meeting it shall be the duty of the secretary of the bank or the bank and trust company to call a special meeting of the shareholders to be held at such time as the secretary of the bank or bank and trust company may fix not less than ten nor more than sixty days after the receipt of the request If the secretary shall neglect or refuse to issue such call the person or persons making the request shall have the power to call upon the Department to issue an order in the manner provided by law to compel the calling and holding of such meeting

D Any annual or special meeting may be adjourned for any period of time but any meeting at which directors are to be elected shall be adjourned only from day to day until such directors have been elected

Section 602 Notice of Meetings of Shareholders Written notice of every meeting of the shareholders of a bank or a bank and trust company shall be given by or at the direction of the person authorized to call the meeting to each shareholder of record entitled to vote at the meeting at least five days prior to the day named for the meeting unless a greater period of notice is required elsewhere in this act The notice shall specify the place day and hour of the meeting and in the case of a special meeting the general nature of the business to be transacted When a meeting is adjourned it shall not be necessary to give any notice of the adjourned meeting or of the business to be transacted at an adjourned meeting other than by announcement at the meeting to which such adjournment is taken unless otherwise provided in the by-laws

Section 603 Quorum of Shareholders A shareholders' meeting duly called shall not be organized for the transaction of business unless a quorum is present Unless otherwise provided in the articles

(1) The presence in person or by proxy of the holders of a majority of the outstanding shares entitled to vote shall constitute a quorum

(2) The shareholders present at a dully organized meeting can continue to do business until adjournment notwithstanding the withdrawal of enough shareholders to leave less than quorum

(3) If a meeting cannot be organized because a quorum has not attended those present may except as otherwise provided in this act adjourn the meeting to such time and place as they may determine but in the case of any meeting called for the election of directors those who attend the second of such adjourned meetings although less than a quorum as fixed in this section or in the articles shall nevertheless constitute a quorum for the purpose of electing directors

Section 604 Shareholders May Vote in Person or by Proxy Every shareholder of record of a bank or a bank and trust company shall have the right at every shareholders' meeting to one vote for every share standing in his name on the books of the bank or the bank and trust company Every shareholder may vote either in person or by proxy executed in writing by the shareholder or by his duly authorized attorney in fact and filed with the secretary of the bank or the bank and trust company A proxy unless coupled with an interest shall be revocable at will notwithstanding any other agreement or any provision in the proxy to the contrary but the revocation of a proxy shall not be effective until notice thereof has been given to the secretary of the bank or the bank and trust company No unrevoked proxy shall be valid after eleven months from the date of its execution unless a longer time is expressly provided therein but in no event shall a proxy unless coupled with an interest be voted on after three years from the date of its execution A proxy shall not be revoked by the death or incapacity of the maker unless before the vote is counted or the authority is exercised written notice if such death or incapacity is given to the secretary of the bank or bank and trust company A shareholder shall not sell his vote or execute a proxy to any person for any sum of money or anything of value

Section 605 Election of Directors Cumulative Voting Unless otherwise provided in the by-laws elections for directors need not be by ballot except upon demand made by a shareholder at the election and before the voting begins In all elections for directors every shareholder shall have the right in person or by proxy to multiply the number of votes to which he may be entitled by the number of directors to be elected and he may cast his whole number of such votes for one candidate or he may distribute them among any two or more candidates The candidates receiving the highest number of votes up to the number of directors to be chosen shall be elected

Section 606 Voting by Trustees and Pledge Shares of a bank or a bank and trust company held in a fiduciary capacity by a fiduciary appointed by last will and testament or by decree of the orphan's court shall be voted by such fiduciary either in person or by proxy in the manner and under the circumstances provided by law shares standing in the name of a fiduciary other than one appointed by last will and testament or by decree of the orphans' court or shares held by an assignee for the benefit of creditors or by a receiver may be voted by such fiduciary assignee or receiver either in person or by proxy A shareholder whose shares are pledged shall be entitled to vote thereon in person or by proxy until the shares have been transferred on the books of the bank or bank and trust company to the pledgee and thereafter the pledgee shall be entitled to vote the shares in person or by proxy

Section 607 Voting by Joint Holders of Shares Where shares of a bank or a bank and trust company are held jointly by more than one corporation or person the will of the majority of such joint holders shall control the manner of voting or the giving of a proxy If the shares are held jointly by two corporations or persons and they disagree the shares shall not be voted If only one of the joint holders is present in person or by proxy he shall have the right to vote all such shares and all of the shares standing in the names of such corporations or persons shall be deemed to be represented for the purpose of determining a quorum The same shall be true in the case of fiduciaries other than those appointed by last will and testament or by decree of the orphans' court unless such fiduciaries have been appointed under an instrument or a decree of court which directs otherwise Where in any case such fiduciaries are equally divided upon the manner of voting the shares jointly held by them it shall be lawful for the court of common pleas upon petition filed by any of the fiduciaries or by any beneficiary to direct the voting of such shares in the manner which in the opinion of the court will be for the best interests of the parties beneficially interested in the shares

Where shares of a bank or a bank and trust company are held jointly in a fiduciary capacity by two or more fiduciaries appointed by last will and testament or by decree of the orphans' court they shall be voted in the manner and under the circumstances provided by law

Section 608 Voting Shares Held by an Incorporated Institution An incorporated institution or any other corporation owning shares in a bank or bank and trust company or an incorporated institution owning shares in any other corporation may vote them by its president or by proxy appointed by them unless some other person by resolution of its board of directors or board of trustees shall be appointed to vote such shares in which case such person shall be entitled to vote the shares upon the production of a certified copy of such resolution Shares of its own capital belonging to a bank or a bank and trust company shall not be voted directly or indirectly at any meeting and shall not be counted in determining the total number of outstanding shares at any given time but shares of its own capital held by a bank and trust company in a fiduciary capacity may be voted and shall be counted in determining the total number of outstanding shares at any given time

Section 609 Determination of Shareholders of Record Unless the by-laws otherwise provide the board of directors of a bank or a bank and trust company may fix a time not less than ten or more than forty days prior to the date of any meeting of shareholders or the date fixed for the payment of any dividend or distribution or the date for the allotment of rights or the date when any change or conversion or exchange of shares will be made or will go into effect as a record date for the determination of the shareholders entitled to notice of and to vote at any such meeting or entitled to receive payment of any such dividend or distribution or to receive any such allotment of rights or to exercise the rights in respect to any such change conversion or exchange of shares In such case only the shareholders of record on the date so fixed shall be entitled to notice of and to vote at such meeting or to receive payment of such dividend or to receive such allotment of rights or to exercise such rights as the case may be nothwithstanding any transfer of any shares on the books of the corporation after any record date fixed as aforesaid The board of directors may close the books of the bank or the bank and trust company against transfers of shares during the whole or any part of such period and in such case written or printed notice thereof shall be given at least ten days before the closing thereof to each shareholder of record at the address appearing on the records of the bank or bank and trust company or supplied by him to such bank or such bank and trust company for the purpose of notice While the stock transfer books of such corporation are closed no transfer of shares shall be made thereon Unless a record date is fixed by the by-laws or the board of directors for the determination of shareholders entitled to receive notice of or to vote at a shareholders' meeting transferees of shares which are transferred on the books of the bank or the bank and trust company within ten days next preceding the date of such meeting shall not be entitled to notice of or to vote at such meeting Nothing herein contained shall be deemed to abridge the constitutional requirement of six days' notice of a meeting called for the purpose of increasing the authorized capital stock or indebtedness of a corporation or to deprive anyone who was a shareholder of record sixty days prior to the meeting of his right to vote at the meeting

Section 610 Voting Lists A The officer or agent having charge of the transfer books for shares of a bank or a bank and trust company shall make at least five days before each meeting of shareholders a complete list of the shareholders entitled to vote at the meeting arranged in alphabetical order with the address of and the number of shares held by each which list shall be kept on file at the principal place of business of such bank or such bank and trust company and shall be subject to inspection by any shareholder at any time

during usual business hours Such list shall also be produced and kept open at the time and place of the meeting and shall be subject to the inspection of any shareholder during the whole time of the meeting The original share ledger or transfer book or a duplicate thereof kept in this Commonwealth shall be prima facie evidence as to who are the shareholders entitled to examine such list or share ledger or transfer book or to vote in person or by proxy at any meeting of shareholders An officer or agent having charge of the transfer books who shall fail to prepare the list of shareholders or keep the same on file for a period of five days or produce and keep the same open for inspection at any meeting as provided in this section shall be liable to any shareholder suffering damages on account of such failure to the extent of such damages

B A complete list of the shareholders arranged in alphabetical order with the address and number of shares held by each shall be sent to the Department at least once in each year upon a date to be designated by the Department

Section 611 Voting Trusts A Two or more shareholders of a bank or a bank and trust company may by agreement in writing transfer their shares to any person or persons or to any bank and trust company or bank and trust companies but in no case to the bank and trust company in which such shares are held for the purpose of vesting in the transferee or transferees all voting or other rights pertaining to such shares for a period not exceeding ten years and upon the terms and conditions stated in the agreement An unexecuted copy of the agreement shall be filed in the principal place of business of the bank or bank and trust company and shall be open daily during business hours to the inspection of any shareholder or any transferor under the agreement or the attorney of any shareholder or transferor Such appointment of a voting trustee shall not relieve any shareholder of any liability for the payment of the debts of the bank or bank and trust company which attach to such shares notwithstanding any provision to the contrary in the agreement

B Upon the filing of the agreement the share certificates of shares so transferred shall be surrendered and cancelled and new certificates therefor shall be issued to the transferee or transferees as voting trustee or trustees in which new certificates it shall appear that they are issued pursuant to the agreement In the registration of the transfer of the shares on the books of the bank or bank and trust company it shall be noted that the transfer is made pursuant to the agreement The trustee or trustees shall execute and deliver to the transferors voting trust certificates which shall be transferable in the same manner and with the same effect as share certificates under the provisions of the Uniform Stock Transfer Act approved the fifth day of May one thousand nine hundred eleven (Pamphlet Laws one hundred twenty-six) and its amendments and supplements upon the transfer and registration of the shares The trustee or trustees shall possess all voting and other rights pertaining to the shares so transferred and registered subject to the terms and conditions of and for the period specified in the agreement but the shareholders transferring such shares under such conditions shall be subject to any liability in the payment of the debts of the bank or bank and trust company which attach to such shares under this act

C Unless otherwise provided in the agreement

(1) The trustees may vote in person or by proxy

(2) If there are two ore more trustees the manner of voting shall be determined as heretofore provided in this act for the voting of shares by joint holders

(3) Vacancies among the trustees shall be filled by the remaining trustees

(4) A trustee shall incur no responsibility as trustee except for his own individual neglect or malfeasance

(5) Any other shareholder may transfer his shares to the same trustee or trustees upon the terms and conditions stated in the agreement and thereupon shall be bound by all the provisions of the agreement and in every such case a new voting trust shall be deemed to have been formed

Section 612 Judges of Election A In advance of any meeting of shareholders of a bank or a bank and trust company the board of directors may appoint judges of election to act at such meeting or any adjournment thereof If judges of election be not so appointed the chairman of any such meeting may and on the request of any shareholder or his prozy shall make such appointment at the meeting The number of judges shall be one or three If appointed at a meeting on the request of one or more shareholders or proxies the majority of shares present shall determine whether one or three judges are to be appoined No person who is a candidate for office shall act as a judge

B In case any person appointed as judge fails to appear or fails or refuses to act the vacancy may be filled by appointment made by the board of directors in advance of the convening of the meeting or at the meeting by the person or officer acting as chairman

C The judges of election shall determine the number of shares outstanding and the voting power of each the shares represented at the meeting the existence of a quorum the authenticity validity and effect of proxies receive votes or ballots hear and determine all challenges and questions in any way arising in connection with the right to vote count and tabulate all votes determine the result and do such acts as may be proper to conduct the election or vote with fairness to all shareholders The judges of election shall perform their duties impartially in good faith to the best of their ability and as expeditiously as is practical If there be three judges of election the decision act or certificate of a majority shall be effective in all respects as the decision act or certificate of all

D On request of the chairman of the meeting or of any shareholder or his proxy the judges shall make a report in writing of any challenge or question or matter determined by them and execute a certificate of any fact found by them Any report or certificate made by them shall be prima facie evidence of the facts stated therein

Section 613 Informal Action by Shareholders Except for the action required by this act for increasing or decreasing the capital of a bank or a bank and trust company any action required by this act to be taken at a meeting of the shareholders may be taken without a meeting if a consent in writing setting forth the action so taken shall be signed by all of the shareholders who would be entitled to vote at a meeting for such purpose and shall be filed with the secretary of the bank or the bank and trust company

Section 614 Liability of Shareholders A Every shareholder of a bank or a bank and trust company incorporated under this act and every shareholder of a bank incorporated under the act approved the thirteenth day of May one thousand eight hundred seventy-six (Pamphlet Laws one hundred sixty-one) entitled "An act for the incorporation and regulation of banks of discount and deposit" its amendments and supplements and every share holder of any other bank or bank and trust company the shareholders of which were prior to the effective date of this act subject to a liability similar or substantially similar to that imposed by this section shall be individually liable equally and ratably and not one for another for all contracts debts and engagements of such bank or bank and trust company to the amount of the par value of their shares therein in addition to the par value of such shares If a bank or a bank and trust company the shareholders of which are not subject to the liability imposed by this section or a substaintially similar liability shall merge or consolidate with a bank or a bank and trust company the shareholders of which are so liable every shareholder of the new or surviving bank or bank and trust company as the case may be shall be subject to the liability imposed by this section

If any shareholder shall within sixty days prior to the date of the taking of possession of such a bank or bank and trust company by the Department and of the taking over of possession by the Secretary of Banking as receiver have made a valid bona fide transfer of his shares to another corporation or person or if any shareholder of such a bank or bank and trust company shall upon the date of such taking of possession by the Department and taking over of possession by the Secretary as receiver be registered upon the books or other records of the bank or bank and trust company as the owner of the shares despite the fact that he has made a valid bona fide transfer thereof to another corporation or person more than sixty days prior thereto he shall be responsible to the same extent as if he had not made such transfer to the extent that the subsequent transferee shall fail to pay an assessment made by the Secretry of Banking as receiver within ninety days after the making of such assessment The Department shall at the end of such ninety-day period have the option of proceeding either against such transferor and such transferee severally or of proceeding against both of them jointly and an

action against one shall not be a bar to an action against the other for any balance which may remain unrecovered and uncollected This section shall not be construed to affect in any way whatsoever any recourse which such transferor might otherwise have against the transferee of the shares

However any corporation or person holding shares as trustee guardian executor administrator receiver or in any similar fiduciary capacity and any corporation or person holding shares in pledge or as collateral security shall not be individually responsible as shareholders but the assets or funds in the possession or custody of any such corporation or person constituting the estate of which it is fiduciary shall be available to the extent to which the testator intestate ward cestui que trust or other person interested in such assets or funds would be liable if living or competent to act as the case may be

B An action to enforce the liability imposed by this section shall be brought within six years after the cause of action has accrued If such liability is assessed by the Secretary of Banking as receiver the cause of action shall be considered to have accrued upon the day upon which he shall have taken possession of the institution as receiver

Section 615 Preemptive Rights of Shareholders Unless otherwise provided in its articles a bank or a bank and trust company may issue shares without first offering them to its shareholders The right to shares to be issued which has been offered to shareholders having a preemptive right thereto at a price or upon terms duly fixed and which has not been subscribed for by them within the time duly fixed by the articles or the board of directors may be thereafter offered for subscription to any other corporation or persons at a price and upon terms not more favorable than that which it was offered to shareholders

ARTICLE VII

DIVIDENDS BY BANKS AND BANK TRUST COMPANIES

Section 701 Declaration and Payment of Cash and Share Dividends A Except as otherwise provided in this act and subject to any restrictions contained in the articles of incorporation any bank or bank and trust company by its board of directors may declare and pay dividends upon its outstanding shares out of its undivided profits as hereinafter provided from time to time but not more frequently than once in every three months and to such extent as the board of directors may deem advisable A dividend shall not be declared or paid unless both upon the day such dividend is declared and upon the day it is to be paid the capital the surplus and the reserve fund required by this act would despite such dividend be unimpaired

B Such dividends may be paid to the shareholders in cash or if such increase of capital has been authorized in the manner provided by this act it may be paid in shares of the bank or bank and trust company If the dividend is in the form of shares of the bank or the bank and trust company it may if properly authorized be paid out of unimpaired surplus provided that such surplus is not thereby reduced to an amount less than fifty per centum of its capital as increased by virtue of such share dividend but this provision shall not be construed to affect the power conferred by this act upon a bank or a bank and trust company incorporated prior to the effective date of this act to credit to capital a sufficient portion of surplus to make the capital equal to the minimum required by this act and to leave a surplus of at least twenty-five per centum thereof

C Such dividend shall be paid to the shareholders entitled thereto not less than twenty and not more than thirty days after the declaration thereof

Section 702 Determination of Undivided Profits Definitions of Gross and Net Earnings A Such portion of the net earnings of a bank or a bank and trust company as is not required by this act to be credited to surplus may be credited by it to its profit and loss account or if its expenses and losses for such dividend period exceed its gross earnings such excess shall be charged to its profit and loss account The credit balance of such account shall constitute the undivided profits at the close of such dividend period and shall be available for dividends

B To determine the amount of gross earnings of a bank or a bank and trust company for any dividend period the following items shall be included

(1) Earnings actually received during such period

(2) Profits actually received during such period from the sale of its securities its other personal property and its real property

(3) Sums recovered on items previously charged off

C To determine the amount of net earnings of a bank or a bank and trust company for any dividend period the following items shall be deducted from the gross earnings as herein defined

(1) Expenses paid or incurred both ordinary and extraordinary in the transaction of its business in the collection of debts owning to it and in the management of its affairs

(2) Interest paid or accrued and unpaid upon deposits and debts owing by it

(3) Losses sustained by it In the computation of such losses assests which have been disallowed by the Department or by the board of directors of the bank or bank and trust company shall be included Debts due such bank or such bank and trust company upon which principal or interest is due and unpaid for six months shall likewise be included in the computation of losses unless such debt is adequately secured and is in the proces of collection

(4) Unrealized appreciation in the valuation or revaluation of its assets

(5) Deferred assets in proportion to their use and prepaid expenses in proportion to the use of the service represented thereby

The balance thus obtained shall constitute the net earnings of such bank or such bank and trust company for such period

Section 703 Statement to Directors by Cashier or Treasurer Prior to Declaration of Dividend Prior to the declaration of a dividend by a bank or a bank and trust company the cashier or treasurer thereof shall furnish to the board of directors a detailed written statement under oath or affirmation of the condition of the bank or the bank and trust company as of the last date of the period for which the dividend is to be declared Such statement shall set forth in detail all the items required by this act to be considered by the board of directors in determining whether to declare a dividend and if so to what amount

Section 704 Lien on Dividends A shareholder who is liable to the bank or the bank and trust company either as principal debtor surety or otherwise for any obligation which is overdue and unpaid shall not be entitled to receive any dividend on such shares so long as such obligation to the bank or the bank and trust company remains overdue and unpaid but all such dividends shall be retained by the bank or the bank and trust company and applied to discharge such obligation.

This section shall not be construed to affect the right of a shareholder who is indebted to the bank or the bank and trust company to transfer his share or shares

Section 705 Report to Department After Declaration of Dividend Penalty A Every bank and every bank and trust company shall within ten days after the declaration of any dividend make a written report to the Department of the amount of the dividend declared and the amount of its gross and net earnings determined in the manner provided by this act The report shall be made in the form prescribed by the Department and shall be attested by oath or affirmation of the president or the cashier or treasurer of the bank or the bank and trust company

B Any bank or bank and trust company which fails to make the report required by this section shall pay to the Department a penalty of one hundred dollars for each day that it delays making such report but the Department may in its discretion relieve any bank or bank and trust company from the payment of such penalty in whole or in part if good cause be shown to it for the failure of such institution to make such report If a bank or a bank and trust company fails to pay a penalty from which it has not been relieved by the Department the Department may through the Department of Justice maintain an action at law to recover it

Section 706 Liability for Unlawful Dividends and Distribution A The directors of a bank or a bank and trust company shall not declare or pay dividends or authorize or ratify the withdrawal or distribution of any part of its assets to shareholders except as authorized by this act If any dividend shall be paid of if any withdrawal or distribution of the assets shall be made except as provided in this act the directors under whose administration the same were made except those who shall have caused their dissent therefrom to be entered on the minutes of the meeting at which such action was authorized

or who being absent at the time shall have promptly filed their written objection thereto with the secretary of the bank or the bank and trust company upon learning of such action shall be jointly and severally liable to the bank or the bank and trust company in an amount equal to the amount of the unlawful dividend or the unlawful withdrawal or distribution of assets Any director against whom a claim shal be asserted under or pursuant to this section and who shall be held liable thereon shall be entitled to a contribution from the other directors who are likewise liable thereon pro rata according to the number of directors may be sued in the same action

B Any shareholder who shall accept or receive any dividend or distribution of the assets of a bank or a bank and trust company not authorized by this act to be made shall be individually liable to the bank or the bank and trust company in an amount equal to the amount so accepted or received by him Any two or more shareholders may be sued in the same action

ARTICLE VIII

AMENDMENT OF ARTICLES OF INCORPORATED INSTITUTIONS

Section 801 Amendment of Articles Authorized Except as otherwise specifically provided in this act an incorporated institution may by the method hereinafter established adopt any amendment whatsoever to its articles of incorporation provided that the articles as so amended would be authorized by this act as original articles of incorporation

Section 802 Proposal of Amendments to Articles of Incorporated Institutions A Except as otherwise specifically provided in this act every amendment to the articles of a bank or a bank and trust company shall first be proposed by the board of directors by the adoption of a resolution setting forth the proposed amendment and directing that it be submitted to a vote of the shareholders entitled to vote thereon at a designated meeting which may be either an annual or a special meeting of the shareholders entitled to vote on the amendment

B Except as otherwise specifically provided in this act every amendment to the articles of a savings bank shall first be proposed by a vote of two-thirds of the trustees present at any meeting of the board if a quorum is present directing that it be submitted to a vote of the board at a designated regular or special meeting at least ten days thereafter

C The resolution of the board of directors or of the board of trustees respectively shall establish the language of the proposed amendment to the articles by providing that the articles shall be amended so as to read as therein set forth in full or that any provision thereof be amended so as to read as therein set forth in full or that the matter stated in the resolution be added to or stricken from the articles

Section 803 Adoption of Amendments A Except as otherwise specifically provided in this act every proposal of an amendment to the articles of a bank or a bank and trust company made by its board of directors shall be adopted at the shareholders' meeting designated for that purpose pursuant to the provisions of this act by the holders of at least a majority of the outstanding shares entitled to vote at such meeting unless the articles require a greater number

B Except as otherwise specifically provided in this act every proposal of an amendment to the articles of a savings bank made by a two-thirds vote of its board of trustees shall be adopted at the meeting of the board of trustees designated for that purpose pursuant to the provisions of this act by at least two-thirds of all the trustees of the savings bank unless the articles require a greater number

C Any number of amendments may be voted upon by the shareholders or the trustees respectively at one meeting

Section 804 Notice of Meetings to Adopt Amendments to Articles of Incorporated Institutions A Except as otherwise specifically provided in this act written notice shall not less than ten days before the shareholders' meetings called by the board of directors for the purpose of considering any proposed amendment to the articles of a bank or a bank and trust company be given to each shareholder of record entitled to vote on the proposed amendment

B Except as otherwise specifically provided in this act written notice shall not less than ten days before the meeting of the board of trustees scheduled by such board for the purpose of considering any proposed amendment to the articles of a savings banks be given to each trustee who was not present at the meeting at which the amendment was proposed and the meeting scheduled

C Such notice to the shareholders or the trustees respectively shall state the place the day and the hour of the meeting and shall set forth the proposed amendment or a summary of the changes to be effected thereby Notice of such meeting shall also be given by publication in a manner similar to that prescribed in this act in the case of the formation of the particular type of incorporated institution

Section 805 Articles of Amendment A After an amendment to the articles of an incorporated institution has been adopted in the manner provided by this act triplicate originals of the articles of amendment shall be executed under oath or affirmation and under the seal of the institution by two duly authorized officers of the institution and shall set forth

(1) The name and location of the principal place of business of the institution

(2) The Act of Assembly under which the institution was formed and the date when and the place where the original articles were recorded

(3) The time and place of the meeting of the shareholders or of the trustees of the bank or bank and trust company and of the savings bank respectively at which the amendment was adopted and the kind and period of notice given to such shareholders or trustees

(4) In the case of a bank or a bank and trust company the number of shares outstanding and the number of shares entitled to vote on the amendment

(5) In the case of a bank or a bank and trust company the number of shares voted for and against such amendment respectively and in the case of a savings bank the number of trustees voting for or against adoption of the amendment

(6) The amendment adopted which shall be set forth in full

Section 806 Filing of Articles of Amendment Payment of Fees Approval by Department of State A The triplicate originals of the articles of amendment and the proof of publication of the advertisement required by this act shall be delivered to the Department of State

B The Department of State shall examine such articles of amendment and such proof of publication to determine whether they contain all the information and are in the form required by this act After all the bonus fees taxes and other charges have been paid as required by law except for the costs of any examination made by the Department of Banking pursuant to the provisions of this act to determine whether to approve the amendment or any other charges made by the Department of Banking the Department of State shall if the articles of amendment and the proof of publication contain the information and are in the form required by this act endorse its approval upon each of the triplicate originals of the articles of amendment and shall forthwith transmit them to the Department of Banking

C If the Department of State shall disapprove the articles of amendment pursuant to the provisions of this act it shall forthwith give notice thereof to the incorporated institution stating in detail its reasons for doing so and stating how such incorporated institution can remedy the nonconformance with the provisions of this act Upon remedying the defect such incorporated institution may in the same manner file the same or amended articles whichever the particular case may require

Section 807 Approval of Articles of Amendment by Department of Banking A The Department of Banking shall immediately upon the receipt of the articles of amendment from the Department of State conduct such examination as it may deem necessary to ascertain from the best sources of information at its command whether such amendment or amendments will be lawful not injurious to the community and in accordance with the purposes of the articles of incorporation The costs of such examination and any other charges of the Department of Banking bearing upon the filing of articles of amendment shall be assessed upon the incorporated institution in the manner provided by law for assessments by the Department of Banking of costs of examination or other charges

B Within thirty days after the receipt of the articles of amendment from the Department of State the Department of Banking shall upon the basis of the facts disclosed by the investigation provided for by this section either approve or disapprove such articles It shall immediately notify the Department of State in writing of its action If it shall approve the articles of amendment it shall sign its approval upon the three triplicate originals and shall retain one of them

C If the Department of Banking disapproves the articles of amendment it shall return them to the Department of State stating in detail its reasons for doing so The Department of State shall immediately give notice to the incorporated institution of the action of the Department of Banking and of the reasons therefor as stated to it by that Department The incorporated institution may within thirty days after the Department of State sends it notice of the disapproval of is articles of amendments appeal from such disapproval to the Governor who shall hear such appeal promptly and within thirty days thereafter decide the matter and certify a decision to the Department of Banking The decision of the Governor shall be conclusive and not subject to any review The Department of Banking shall act in accordance therewith

Section 808 Issuance of Certificate of Amendment Immediately upon receipt of the two signed triplicate originals of the articles of amendment of an incorporated institution from the Department of Banking the Department of State shall file and record one of the triplicate originals and shall issue a certificate of amendment The remaining triplicate original of the articles of amendment and the certificate of amendment shall be sent by the Department of State to the incorporated institution The incorporated institution shall then have the articles of amendment recorded in the office of the recorder of deeds of the county in which the principal place of business of the incorporated institution is situated The triplicate original of the articles of amendment upon being recorded by the recorder of deeds shall be returned to the incorporated institution

Section 809 Effective Date of Amendment Upon the issuance of the certificate of amendment by the Department of State the amendments shall become effective and the articles of incorporation shall be deemed to be amended accordingly The certificate of amendment shall be conclusive evidence of the performance of all conditions required in this act in proceedings to amend the articles of incorporation except as against the Commonwealth No amendment shall affect any existing cause of action in favor of or against the incorporated institution or any pending suit in which such incorporated institution shall be a party or the existing rights of persons other than shareholders in the case of a bank or a bank and trust company and in the event the corporate name shall be changed by the amendment no suit brought by or against the incorporated institution under its former name shall be abated for that reason

ARTICLE IX

DEPOSITS IN INSTITUTIONS AND RESERVES THEREFOR MONEYS DELIVERED TO INSTITUTIONS FOR TRANSMISSION

Section 901 Records of Deposits Receipts Therefor Inclusion of Rules Therein A Every institution shall keep complete records of all deposits made in it Such deposits shall constitute liabilities of the institution and shall be so carried upon its books or other records

B Every institution shall furnish to each depositor a receipt in full by pass book or otherwise for all deposits made by him Such pass book or other receipt shall also state clearly the rules and regulations and in the case of an incorporated institution the by-laws which relate to such deposit Such depositor shall then be bound by all the provisions of such rules regulations and by-laws

The requirement of this section that the receipt by pass book or otherwise shall contain the rules and regulations and in the case of an incorporated institution the by-laws which relate to the particular type of deposit shall not be construed to require all institutions to call in all receipts or pass books outstanding upon the effective date of this act which do not meet the requirements of this act in order to issue therefor new ones which do It shall apply only in the case of accounts opened or deposits made after the effective date of this act

Section 902 Deposits in the Name of Minors Any institution may receive deposits by or in the name of a minor and shall pay such deposits and any interest or dividends thereon to such minor upon his proper check order or receipt as the case may be without the assent of his parent or guardian The parent or guardian of such minor shall not in his capacity as parent or guardian have the power to attach or in any manner interefere with such deposit

Section 903 Joint Deposits Death of One of the Parties A Whenever a deposit shall be made in an institution in the names of two or more persons the institution shall not pay out such deposit any part thereof or interest or dividends thereon except upon the proper check order or receipt as the case may be of both or all of such persons unless at the time of making the deposit a different arrangement shall have been specifically provided for or unless at a subsequent time all the parties agree to a different arrangement

B Whenever a deposit shall be made in an institution in the names of two or more persons and such deposit shall have been made under an arrangement with the institution whereby such deposit and any interest or dividends thereon may be paid upon the check order or receipt of either or any of such persons the institution may pay such deposit any part thereof or any interest or dividends thereon upon such check order or receipt of either or any of such persons pursuant to the arrangement provided for in this section notwithstanding the fact that one or more of the other persons may be dead and the institution has notice thereof

C This section shall not be construed to affect deposits made in the names of a husband and his wife

Section 904 Death of One Making Deposit as Trustee Whenever a deposit shall be made in an institution by any person describing himself in making such deposit as trustee for another and no other notice of the existence and terms of a valid trust than such description shall have been given in writing to the institution such deposit or any part thereof together with interest or dividends thereon may upon satisfactory proof of the death of the person so described as trustee be paid to the person for whose benefit the deposit was thus stated to be made upon his proper check order or receipt as the case may be

Section 905 Adverse Claims to Deposits A Notice to an institution of an adverse claim to a deposit standing on its books to the credit of any corporation or person shall not be effectual to cause such institution to recognize such adverse claimant unless he shall also either procure other appropriate process against the institution from a court of competent jurisdiction in a cause of action therein instituted by him wherein the corporation or person to whose credit the deposit stands or his executor or administrator is made a party in the manner provided by law or unless he shall execute to the institution in form and with sureties acceptable to it a bond indemnifying the institution from any liability loss damage costs and expenses on account of the payment of such adverse claim or the dishonor of the check or other order of the corporation or person to whose credit the deposit stands on the books of the institution

B This section shall not apply in any instance where the person to whose credit the deposit stands is a fiduciary for such adverse claimant and the facts constituting such relationship as well as the facts showing reasonable cause of belief on the part of the claimant that such fiduciary is about to misappropriate the deposit are made to appear by the affidavit of such claimant

Section 906 Deposits with Other Corporations or Persons Authorized to Receive Deposits Reserve Agents A Except as otherwise specifically provided in this act any institution may deposit any of its funds in any other institution national banking association or any corporation or person doing business in another state authorized by the laws of such other state to receive deposits and subject to the supervision of the banking authorities of such other state but an incorporated institution shall not deposit any of its funds in such other institution national banking association or corporation or person unless it has been designated as a depository by a majority of all the members of the board of directors or of the board of trustees as the case may be of the depositing incorporated institution

B An institution shall not have on deposit at any one time with any other institution national banking association or other corporation or person doing business in another state authorized by the laws of such other state to receive deposits and subject to the supervision of the banking authorities of such other state an amount in excess of ten per centum of the unimpaired capital plus ten per centum of the unimpaired surplus of the depositing institution if a bank and trust company or an amount in excess of ten per centum

of its unimpaired surplus if a savings bank or an amount in excess of ten per centum of its net worth if a private bank unless such other institution national banking association or other corporation or person has been duly approved by the Department pursuant to the provisions of this act as a reserve agent as herein defined

C A director of a bank or a bank and trust company or a trustee of a savings bank shall not have a vote in designating as a depository any institution national banking association or other corporation or person of which he is an officer or director or if the proposed depository is a private bank of which he is one of the owners or if it is an incorporated institution a national banking association or any other corporation of which he owns five per centum or more of the shares of its capital

D A reserve agent of an institution for the purposes of this act shall be any institution national banking association or corporation or person designated as a depository of such institution in the manner provided by this act and approved by the Department as a depository for any moneys of such institution which are part of the reserve fund against deposits and demand liabilities as defined herein which is required by this act to be established and maintained by such institution

Section 907 Money Delivered for Transmission Receipt and Time Limit Burden of Proof of Delivery A Every institution shall give to every corporation or person delivering to it money for transmission a receipt stating the date when such money is received the amount thereof in terms of dollars and cents the date not later than which such money is to be transmitted by such institution and if the money is to be transmitted to a foreign country the amount thereof in terms of the money standard of the country to which such money is to be transmitted All moneys received by an institution for transmission shall be forwarded to the corporation or person designated to receive it within five days after the receipt thereof unless a later date is fixed in such receipt in which case it shall be transmitted by such later date

B In any action by a corporation or person against an institution to recover money delivered by such corporation or person to such institution for transmission the burden of proving the transmission to and the receipt of the money by the corporation or person to whom such money was directed to be paid shall be upon the institution but a statement under oath or affirmation of the duly authorized agent or correspondent of the institution that such agent or correspondent has paid the money to the corporation or person to whom payment was directed to be made and a receipt for such money signed by such corporation or person shall be prima facie evidence of the delivery of such money to the corporation or person to whom payment was directed to be made

Section 908 Reserve Fund against Deposits and Demand Liabilities A Every institution shall establish and maintain a reserve fund in an amount equal to at least fifteen per centum of the total of its demand deposits and demand liabilities as herein defined plus seven and one-half per centum of its total time deposits as herein defined

B The term "demand deposits" shall be construed to refer to all deposits payment of which can legally be required on demand or within any period less than thirty days after demand

The term "demand liabilities" shall be construed to refer to all obligations of the institution other than deposits payment of which can legally be required on demand

The term "time deposits" shall be construed to refer to all deposits payment of which cannot legally be required within thirty days

C The total of such reserve fund may and at least one-third thereof shall consist of gold bullion gold coin United States gold or silver certificates notes or bills issued by any national banking association or Federal reserve bank or any other form of currency of the United States and be kept on hand at the place of business of the institution unpledged unassigned and unhypothecated

One-third of such reserve fund may consist of bonds which under this act constitute lawful investments for savings banks Such bonds while being carried in the reserve fund shall be computed at their current market value They shall be the absolute property of the institution and shall not be pledged assigned or hypothecated in any manner whatsoever

The balance of such reserve fund or any part thereof but not exceeding two-thirds of the total reserve fund may consist of moneys on deposit subject to call without notice in any reserve agent as hereinbefore defined

Section 909 Deficiency in Reserve Fund Notice to Department Penalty A Except as otherwise specifically provided in this act if the reserve fund of an institution shall be less than the amount required by this article such institution shall not grant any new loan or declare or pay any dividends until the reserve fund required by this act shall have been restored in full

B Every institution shall give immediate written notice to the Department in the manner prescribed by the Department for such notice whenever its total reserve fund has been deficient for five consecutive business days or for a total of ten business days during any thirty-day period

C Any institution which fails to give notice required by this section shall pay to the Department a penalty of one hundred dollars for each day that it does not do so after the time fixed by this section for the giving of such notice but the Department may in its discretion relieve any institution from the payment of such penalty in whole or in part if good cause be shown to it for the failure of such institution to give such notice If an institution fails to pay a penalty from which it has not been thus relieved the Department may through the Department of Justice maintain an action at law to recover it

Section 910 Maintenance of Reserve Fund by Federal Reserve Members An institution which upon the effective date of this act is a member of a Federal Reserve Bank or an institution which after the effective date of this act shall become a member of a Federal Reserve Bank in the manner provided by this act shall comply with the requirements of the Federal Reserve Act its amendments and supplements for the establishment and maintenance of a reserve fund Compliance therewith by such institution shall relieve such institution from compliance with the requirements established by this act for the creation and maintenance of a reserve fund but it shall in accordance with the provisions of this act concerning notice after a deficiency in reserves give written notice to the Department whenever its total reserve fund has for a period of five consecutive business days or for a total of ten business days during any thirty-day period been below the minimum required by the Federal Reserve Act its amendments and supplements and shall be subject to the penalty for failure to give such notice provided by this act

ARTICLE X

POWERS AND LIMITATION UPON POWERS OF BANKS AND BANK AND TRUST COMPANIES

Section 1001 Powers of Banks or Bank and Trust Companies In addition to the general corporate powers granted by this act and in addition to any powers specifically granted to a bank or bank and trust company elsewhere in this act a bank or a bank and trust company shall have the following powers subject to the limitations and restrictions imposed by this act

(1) To receive money on deposit and to pay interest thereon

(2) To receive money for transmission either to a foreign country or otherwise

(3) To rediscount and borrow money bonds or other securities and to pledge collateral therefor

(4) To lend money either upon the security of real or personal property or otherwise to charge or to receive in advance interest therefor

(5) To discount buy sell negotiate or assign promissory notes drafts bills of exchange trade and bank acceptances bonds or other evidences of debt but the business of buying and selling investment securities shall hereafter be limited to buying and selling without recourse marketable obligations which evidence indebtedness of any corporation or person in the form of bonds notes or debentures commonly known as "investment securities" under such further definition of the term "investment securities" as may by regulation be prescribed by the Department

(6) To buy and sell exchange coin and bullion

(7) To purchase hold or convey real estate

(8) To improve or to lease real property for its accommodation

(9) To accept for payment at a future date drafts or bills of exchange drawn upon it

(10) To issue letters of credit authorizing the holders thereof to draw drafts or bills of exchange upon it or its correspondents

(11) To become a member of a Federal Reserve Bank

(12) To receive for safe-keeping jewelry plate coin and other similar personal property or bonds mortgages shares of stock securities and other valuable papers and to rent out receptacles or safe deposit boxes for the deposit of such papers or of such personal property

(13) To invest in the shares of an institution engaged in a foreign banking business

Section 1002 Power to Receive Deposits Conditions and Notice of Withdrawal A bank or a bank and trust company shall have the power to receive money on deposit It shall repay such deposits upon due demand in such manner upon such notice and under such other regulations as shall be prescribed in its articles or by-laws if no mention is made in its articles or by-laws of the requirement of notice or of any special conditions or if the notice of such articles or by-laws required by this act to be given to the depositors is not given such deposits shall be repaid upon demand without notice

Section 1003 Interest of Deposits A A bank or a bank and trust company shall have the power to credit and pay on all deposits such interest as is provided in its articles or by-laws Such interest shall be paid to the respective depositors or credited to their accounts at least annually except that in the case of certificates of deposit interest shall be paid at least annually or shall be set aside annually in a special fund which shall not be available for any purpose other than to pay upon due demand and notice the interest due upon such certificates of deposit

B A bank or a bank and thrust company shall not credit or pay any interest on any deposit for a longer period than it has been deposited with the bank except that deposits made not later than the tenth business day of the month commencing any annual semi-annual or quarterly interest period or not later than the fifth business day of any month or deposits withdrawn upon one of the last three business days of the month ending any annual semi-annual or quarterly interest period may if the articles or by-laws so provide have interest declared upon them for the whole of the period or month in which they were so deposited or withdrawn It shall also be lawful for the articles or by-laws to provide that deposit accounts closed between interest periods may be credited with interest computed from the last interest period to the date when closed

Section 1004 Pledge of Assets for Deposits A bank or a bank and trust company shall not have the power to pledge or hypothecate any of its assets as security for deposits made with it except for the following

(1) Federal State municipal school district or other public funds

(2) Funds deposited by the Secretary of Banking as receiver of an institution of which he has pursuant to the provisions of law taken possession

(3) Funds deposited by a bank and trust company or by a national banking association which is authorized to act as a fiduciary within this Commonwealth which funds are being held by such bank and trust company or national banking association in a fiduciary capacity and are being deposited by it pending investment or distribution

Section 1005 Borrowing Money and Pledging Assets Therefor Limitations on Total Indebtedness A A bank or a bank and trust company may borrow money and may pledge or hypothecate any of its assets as security therefor but whenever it shall appear to the Department that a bank or a bank and trust company is borrowing habitually for the purpose of relending it may require such bank or bank and trust company to cease such practice

B A bank or a bank and trust company shall not at any time be indebted or in any way obligated whether upon such borrowings or otherwise to a total amount exceeding the amount of its unimpaired capital but the following debts or obligations shall not be included in this limitation

(1) Moneys deposited with the bank or bank and trust company or collected by it for its customers

(2) Bills of exchange or drafts against money actually on deposit to its credit or due it

(3) Liabilities created by the endorsement by the bank or bank and trust company of accepted bills of exchange actually owned and discounted by it

(4) Liabilities to the shareholders of the bank or bank and trust company for dividends which have been declared

(5) Liabilities to the holders of undivided interests in any pool of bonds secured by mortgages or any pool of other securities created by the bank or bank and trust company or to the holders of undivided interests created by the bank or bank and trust company in any particular bond secured by a mortgage or in any other security or asset regardless of whether certificates of participation in such mortgage or securities pool or in such mortgage security or other asset have been actually issued

(6) The amount of the surplus expense fund or other reserves and the undivided profits of the bank or bank and trust company

(7) If the bank or bank and trust company is a member of a Federal Reserve Bank liabilities incurred by it to or rediscounts of commercial paper made by it with the Federal Reserve Bank as a member thereof

(8) Rediscounts of commercial paper or borrowing of money by such bank or bank and trust company during any continuous period not exceeding three months unless a longer period is approved by the Department

Section 1006 Limitations upon Loans to and Investments in Securities of One Corporation or Person A A bank or a bank and trust company shall not directlyl or indirectly lend to or invest in the obligations of any corporation or person an amount which including any extension of credit to such corporation or person by means of letters of credit or by acceptance of drafts for or the discount or purchase of the notes bills of exchange or other obligations of such corporation or person shall exceed ten per centum of the unimpaired capital and ten pertum of the uninpaired surplus of the bank or bank and trust company However this restriction shall have no application whatsoever to the following

(1) Loans to the United States or investments in the bonds or other interest-bearing obligations of the United States or in those for the payment of the principal and interest on which the faith and credit of the United States is pledged

(2) Loans to the Commonwealth of Pennsylvania or investments in the bonds or other interest-bearing obligations of the Commonwealth or in those for the payment of the principal and interest on which its faith and credit is pledged

(3) Loans to any county city borough township or school district of the Commonwealth of Pennsylvania or investments in the interest-bearing obligations of such county city borough township or school district or those for the payment of the principal and interest on which the faith and credit of such political subdivision is pledged

(4) The discount of drafts or bills of exchange drawn in good faith against actual existing values

(5) The discount of trade acceptances or other commercial paper actually owned by the corporation or person negotiating it to the bank and endorsed without restriction by such corporation or person

(6) The discount of notes secured by shipping document warehouse receipts or other similar documents conveying or securing title to readily marketable non-perishable staple goods including live-stock when the actual market value of the property securing the obligations is not at any time less than one hundred fifteen per centum of the face amount of the notes notes secured by such documents and when such property is fully covered by insurance

B However a bank or a bank and trust company may in addition to the ten per centum authorized by this section lend to or invest in the obligations of any corporation or person an additional fifteen per centum of the unimpaired capital and fifteen per centum of the unimpaired surplus of the bank or the bank and trust company if such additional fifteen per centum is secured by bonds or other interest-bearing obligations of the United States of the Commonwealth of Pennsylvania or of any county city borough township or school district of this Commonwealth or by bonds or interest-bearing obligations for the payment of the principal and interest on which the faith and credit of the United States of the Commonwealth of Pennsylvania or of any county city borough township or school district of this Commonwealth is pledged provided that

such collateral shall have an ascertained market value of at least fifteen per centum more than the amount of the obligations for which it is pledged

C In computing the total loans made by a bank or a bank and trust company to and the total investment in the obligations of an individual there shall be included all loans made by the bank or bank and trust company to or investments in the obligations of a partnership or other unincorporated association of which he is a member all loans made either for his benefit or for the benefit of such partnership or other association and all loans to or for the benefit of and all investments in the obligations of a corporation of which he owns fifty per centum or more of the capital

In computing the total loans made by a bank or a bank and trust company to and the total investments in the obligations of a partnership or other unincorporated association there shall be included all loans to or investments in the obligations of its individual members all loans made for the benefit of such partnership or other association or of any member thereof and all loans to or for the benefit of and all investments in the obligations of any corporation of which the partnership or other unincorporated association or any member thereof owns fifty per centum or more of the capital

In computing the total loans made by a bank or a bank and trust company to and the total investments in the obligations of a corporation there shall be included all loans made for the benefit of the corporation and all loans to or for the benefit of and all investments in the obligations of any individual who owns fifty per centum or more of the capital of such corporation

A loan shall be deemed to be made for the benefit of a corporation or a person to the extent that the proceeds of such loan are credited or transferred to such corporation or person

Section 1007 Loans to Directors Officers or Employes of a Bank or Bank and Trust Company or of Institutions Affiliated with It Definition of Affiliated Institutions Penalty A A bank or a bank and trust company shall not grant any loan to a director officer or employe thereof or to a director officer or employe of a bank bank and trust company or a national banking association with which such bank or bank and trust company is affiliated without (1) the prior affirmative vote or the prior written assent filed in the place of business of the institution of a majority of all the directors of the bank or bank and trust company granting the loan except that if it is a director who is directly or indirectly interested in obtaining the loan he shall not have a vote or (2) the prior unanimous vote of the executive committee of the board of directors subsequently ratified by an affirmative vote of a majority of all the members of the board of directors

B A bank or a bank and trust company shall not grant a loan in excess of one thousand dollars to a salaried officer or employe thereof or to a salaried officer or employe of a bank bank and trust company or a national banking association with which such bank or bank and trust company is affiliated unless the amount of the loan in excess of one thousand dollars be secured by readily marketable collateral the market value of which shall at no time be less than one hundred per centum of the amount of the loan in excess of one thousand dollars

C For the purposes of this section a loan to or for the benefit of a corporation of which a director officer or employe owns fifty per centum or more of the capital or a loan to or for the benefit of a partnership or other unincorporated association of which the director officer or employe is a member shall be considered a loan to such director officer or employe A loan shall be deemed to be made for the benefit of a corporation or of a partnership or other unincorporated association to the extent that the proceeds of such loan are credited or transferred to such corporation or such partnership or other unincorporated association

D A bank bank and trust company or national banking association shall be deemed to be affiliated with a bank or bank and trust company for the purposes of this act if

(1) It is owned directly or indirectly by such bank or bank and trust company or

(2) It owns directly or indirectly such bank or bank and trust company or

(3) It is owned directly or indirectly by the same corporation or person which owns directly or indirectly such bank or bank and trust company or

(4) The election of a majority of its board of directors is controlled directly or indirectly by any instrumentality agency or arrangement that controls directly or indirectly the election of a majority of the board of directors of such bank or bank and trust company or

(5) A majority of its directors or a majority of the members of the executive committee of its board of directors are also directors of such bank or bank and trust company or

(6) Members of its board of directors constitute a majority of the board of directors or a majority of the executive committee of the board of directors of such bank or bank and trust company or

(7) Substantially all of its principal executive officers constitute a majority of the board of directors of any such bank or bank and trust company or comprise all or substantially all of the executive officers of any such bank or bank and trust company or

(8) Its board of directors is composed of executive officers of any such bank or bank and trust company or

(9) It dominates or controls in whole or in part the business or policy of such bank or bank and trust company either by contract or otherwise or

(10) Its business or policy is dominated or controlled in whole or in part either by contract or otherwise by such bank or bank and trust company

For the purposes of this section the ownership of fifty per centum or more of the total number of shares voted upon at the last meeting of the shareholders of a bank bank and trust company or national banking association for the determination of its directors shall be deemed to be ownership of such corporation

Shares of stock held in the name of a nominee of any bank bank and trust company or national banking association for the benefit of such corporation shall be deemed to be shares owned or controlled by the corporation

E Any director officer or employe of a bank or a bank and trust company who on behalf of such bank or bank and trust company knowingly grants a loan in violation of this section or grants a loan under such circumstances that he should have known that he was committing a violation of this section and any director officer or employe of such bank bank and trust company or national banking association affiliated with such bank or bank and trust company who wilfully accepts such a loan with knowledge that it was granted in violation of this section or who under all the circumstances surrounding the loan should have known that it was granted in violation of this section shall be guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period not exceeding one year or a fine not exceeding one thousand dolars or both he shall also be subject to a further fine of a sum equal to the amount of the loan he shall furthermore be forever disqualified from acting as a director officer or employe of any institution in this Commonwealth

Section 1008 Limitation on Loans or Discounts Secured by Shares or Obligations of a Corporation A A bank or a bank and trust company shall not take or hold as collateral security for loans or discounts the shares or other obligations of any national banking association or of any bank bank and trust company or other corporation whether such bank bank and trust company or other corporation was incorporated under the laws of this Commonwealth or of any other state which together with the amount of loans to and investments in the obligations of such national banking association bank bank and trust company or other corporation will in the aggregate at any one time exceed twenty-five per centum of the unimpaired capital plus twenty-five per centum of the unimpaired surplus of the bank or bank and trust company granting the loan or discount

B A bank or a bank and trust company shall not take or hold at any one time as collateral security for loans or discounts more than ten per centum of the capital of a national banking association or of another bank or bank and trust company whether incorporated under the laws of this Commonwealth or of any other state

Section 1009 Prohibition upon Investing in Shares Except as otherwise specifically authorized by this act a bank or a bank and trust company shall not purchase or invest in the shares of capital of any corporation whatsoever but this section shall not be construed to affect the power of a bank or a bank and trust company to take or hold shares of capital of a corporation in accordance with the provisions of this act as security for loans granted by such bank or bank and trust company

Section 1010 Power to Invest in Shares of Banks Engaged in Foreign Business A bank or a bank and trust company the unimpaired capital and the unimpaired surplus of which total at least one million dollars may invest not more than ten per centum of its unimpaired capital plus ten per centum of its unimpaired surplus in the shares of capital of one or more corporations or associations chartered or organized under the laws of the United States or of any state thereof and principally engaged in international or foreign banking or in banking in a dependency or insular possession of the United States either directly or through the agency ownership or control of local institutions in foreign countries or in such dependencies or insular possessoins but a bank or a bank and trust company may make such investment only with the previous written approval of and under such terms and conditions as shall be prescribed by the Department

Section 1011 Limitation as to Dealings by Bank or Bank and Trust Company in Own Shares A bank or a bank and trust company shall not grant any loan or discount on the security of shares of its own capital nor be the purchaser or holder of any such shares unless such security or purchase shall be necessary to prevent loss upon a debt previously contracted in good faith Shares so purchased or acquired shall be disposed of within six months from the time of their purchase or acquisition but the Department may upon application of a bank or a bank and trust company grant to it in writing the power to hold such shares for a longer period

Section 1012 Loans on and Investments in Bonds and Mortgages and Judgments of Record A A bank or a bank and trust company shall have the power to lend on the security of or invest in bonds secured by mortgages upon real property but it shall lend upon or invest in only such bonds and mortgages as (1) are first liens on unencumbered improved real property including improved farm land situated within the Commonwealth and (2) not exceed fifty per centum of the actual value of such real property and (3) becomes due within five years after the making of such loan or investment Any building which is upon and is included in the valuation of such real property shall be insured to the benefit of such bank or bank and trust company by the borrower or mortgagor for the term of the bond in a company which is authorized to do business in Pennsylvania and is approved by the board of directors of the bank or bank and trust company making the investment It shall be lawful for a bank or bank and trust company to renew such policy at the expense of the borrower or mortgagor from year to year or for a longer or a shorter period not however exceeding the term of the obligation in case he shall fail to do so All necessary charges and expenses paid by such bank or bank and trust company for such renewals shall be paid by such borrower or mortgagor In case such borrower or mortgagor shall refuse upon demand to pay such charges and expenses they shall be added to the amount secured by the mortgage and shall together with interest from the date of the payment of such charges and expenses constitute a lien upon the property so mortgaged All expenses of searches examinations certificates of title or appraisal of actual value and all expenses of drawing and recording of papers shall be paid by such mortgagor or borrower The actual value of the real property shall be determined by two reputable persons especially familiar with real property values in the vicinity of the particular property to be appraised selected from or approved by the board of directors They shall inspect the property and shall under oath or affirmation state in writing that the actual value of the real property inspected to the best of their judgment is as stated Such report shall be filed and preserved among the records of the bank or bank and trust company

B A bank or bank and trust company shall have the power to lend on the security of or invest in judgments of record which are first liens on unencumbered real property situated within the Commonwealth to the amount of fifty per centum of the actual value of such property under the same circumstances and subject to the same conditions as are established by this section in the case of loans on the security of or investments in bonds secured by mortgages upon real property

C The aggregate amount of all loans and investments made by virtue of this section shall not at any time exceed twenty-five per centum of the unimpaired capital and twenty-five per centum of its unimpaired surplus or fifty per centum of the total time deposits of such bank or bank and trust company at the option of the bank or bank and trust company

Section 1013 Power to Create Mortgage Pools for Public Participations Limitations A A bank or a bank and trust company shall have the power to establish a pool or fund of any bonds secured by mortgages or of any securities which it holds in its own name and which it has lawfully acquired and to sell to any particular corporations or persons or to the general public fractional undivided interests therein

Every holder of such fractional undivided interest shall be given a certificate of participation which shall state on its face that it is issued without guarantee of the payment of either principal or interest that it will be paid only when funds become available out of the bonds secured by the mortgages or out of the securities comprising the pool or fund It shall also state any other important conditions governing such participation A bank or a bank and trust company shall not in any case guarantee the payment of the principal or interest upon the bonds and mortgages securing them or upon the securities in any pool or fund created by it or pay any moneys to the holders of any interest therein except out of funds which have become available therefrom

B Such bank or bank and trust company shall designate clearly upon its records the bonds and the mortgages securing them or the securities comprising such pool or fund the names of the holders of certificates of participation therein and the extent of the interest of such holders A holder shall not be deemed to have individual ownership of any bond and the mortgage securing it or of any security in such pool or fund but he shall be deemed to have an undivided interest in the entire pool or fund

C Th bank or bank and trust company shall have the right at any time to repurchase at market value but in no case less than face value any bond and mortgage or any security in such pool or fund and to substitute therefor another bond and mortgage or another security of a value at least equal to that of the bond and mortgage or of the security for which it was substituted

D A bank or a bank and trust company shall likewise have the power to sell to any particular corporations or persons or to the general public fractional undivided interests in any single bond secured by a mortgage or in any security which it holds in its own name and which it has lawfully acquired It shall create and sell such interests and shall issue participation certificates therefor in the same manner under the same conditions and subject to the same limitations as are authorized or imposed by this section in the case of a pool of more than one bond secured by more than one mortgage or of more than one security

E This section shall not be construed to affect a pool or fund of bonds secured by mortgages or of securities or undivided interests in a particular bond secured by a mortgage or a particular security created by a bank or a bank and trust company prior to the effective date of this act

Section 1014 Restriction on Ownership or Holding of Real Property by a Bank or Bank and Trust Company A Except as otherwise provided in this act a bank or a bank and trust company shall not purchase own or hold any real property except as follows

(1) Such real property as it occupies pursuant to the provisions of this act for its accommodation in the transaction of its business or such real property which it partly so occupies and partly leases pursuant to the provisions of this act

(2) Such as it shall purchase at sales under judgments decrees or mortgages held by it or as it shall otherwise acquire in good faith and satisfaction of debts previously contracted to it or in order to protect an interest it may otherwise have lawfully acquired in such property

B A bank or a bank and trust company shall not own or hold any real property other than such real property as it occupies for its accommodation in the transaction of its business or such real property as it partly so occupies and partly leases to other pursuant to the provisions of this act for a period longer than five years after the acquisition of such real property but the Department may upon application of a bank or a bank and trust company grant to it in writing the power to hold such real property for a longer period

C A bank or a bank and trust company shall not permit title to any real property of which it is in fact the owner to be carried in the name of any other corporation or person

Section 1015 Limitation on Bank Buildings Owned or Leased and Furniture and Fixtures Therein A The cost of the real property including the building or buildings thereon which a bank or a bank and trust company occupies for the transaction of its business or partly so occupies and partly leases to

others together with the cost of furniture and fixtures therein which are owned by such institution shall not at any time exceed in the aggregate twenty-five per centum of its unimpaired capital plus twenty-five per centum of its unimpaired surplus except with the written approval of the Department Before the purchase of such property is made or the erection of a building or buildings is commenced the estimate of the costs thereof shall be submitted to the Department for its approval

B A bank or a bank and trust company shall not expend for the alteration repair or improvement of premises occupied but not owned by it an amount which together with the cost of any real property building or buildings and furniture and fixtures which it owns exceeds twenty-five per centum of its unimpaired capital plus twenty-five per centum of its unimpaired surplus except with the written approval of the Department The cost of such alterations repairs or improvements shall be amortized during the term of such lease or occupancy and before such alterations repairs or improvements are made an estimate of the cost thereof shall be submitted to the Department for its approval

C The foregoing provisions of this section shall not affect any real property and building or buildings occupied or the furniture and fixtures owned and used by a bank or a bank and trust company upon the effective date of this act for the transaction of its business but such bank or bank and trust company shall not except with the approval of the Department add to such real property building or buildings furniture and fixtures and shall not alter repair or improve such premises if the cost of such additions alterations repairs or improvements shall together with any other real property and building or buildings occupied or furniture and fixtures owned and used by the incorporated institution aggregate twenty-five per centum of its unimpaired capital plus twenty-five per centum of its unimpaired surplus

D Except as otherwise provided in this act a bank or a bank and trust company may lease to any other corporation or person for offices or for any other legitimate purposes premises which it owns or occupies for the transaction of its business

Section 1016 Power to Accept Drafts and Bills of Exchange Limitations A A bank or a bank and trust company shall have the power to accept for payment drafts or bills of exchange having not more than six months' sight to run which grow out of transactions involving the importation or exportation of goods or which grow out of transactions involving the domestic shipment of goods in which case the shipping documents conveying or securing title shall be attached at the time of acceptance or which are secured at the time of acceptance by a warehouse receipt or othr such document conveying or seuring title to readily marketable staples

B A bank or a bank and trust company shall not accept drafts or bills of exchange for any one corporation or person to an amount totalling at any one time more than ten per centum of the unimpaired capital plus ten per centum of the unimpaired surplus of such bank or bank and trust company unless the bank or bank and trust company is secured for such amount above such ten per centum of unimpaired capital plus ten per centum of unimpaired surplus either by attached documents or by some other actual security growing out of the same transaction as the acceptance

C A bank or a bank and trust company shall not accept drafts or bills of exchange to an amount totalling at any one time more than fifty per centum of its unimpaired capital plus fifty per centum of its unimpaired surplus but the Department may at any time by general rule applicable to all banks or bank and trust companies and under such limitations as it shall impose authorize all banks and all bank and trust companies to accept drats or bills of exchange to an amount totalling at one time one hundred per centum of their unimpaired capital plus one hundred per centum of their unimpaired surplus However a bank or a bank and trust company shall not under any circumstances accept drafts or bills of exchange growing out of domestic transactions totalling at one time more than fifty per centum of its unimpaired capital plus fifty per centum of its unimpaired surplus

Section 1017 Protection against Loss on Previous Loan or Investment The restrictions imposed by this act shall not be construed to prevent a bank or a bank and trust company in order to protect itself from loss upon a loan or investment previously made lawfully and in good faith from acquiring ownership of or otherwise taking and holding any kind of property or security whether real or personal Except as otherwise provided by this act any property so acquired unless of the character and nature by this act authorized to be purchased or held by such bank shall be sold by it within five years but the Department may upon application of a bank or bank and trust company grant to it in writing the power to hold such property for a longer period

Section 1018 Property as Acquired Prior to Effective Date of Act This act shall not be construed to render unlawful the continued ownership or holding by a bank or a bank and trust company of any loans investments or other real or personal property lawfully acquired prior to the effective date of this act However such loans and investments or such other or personal property shall be computed in determining the power under this act of a bank or a bank and trust company to grant any additional loans or make any additional investments of the same or different kinds

Section 1019 Power of Bank to Become Member of Federal Reserve Bank A bank or a bank and trust company may purchase and hold for the purpose of becoming a member of a Federal Reserve Bank so much of the capital of such Federal Reserve Bank as will qualify it for membership therein It may require and exercise all powers not in conflict with the laws of this Commonwealth which are conferred upon any such member bank by the Federal Reserve Act its amendments and supplements Such bank or bank and trust company may be examined by Federal authorities in accordance with the provisions of the Federal Reserve Act but unless the Department shall in its discretion accept the examinations or reports made under the Federal Reserve Act in lieu of those required by the laws of this Commonwealth it shall be examined by and make reports to the Department in the manner provided by law for all banks or bank and trust companies Except as otherwise specifically provided in this act such bank or bank and trust company and its officers directors employes and shareholders shall continue to be subject to all the liabilities and duties imposed upon them by this act or by any other law of this Commonwealth

Section 1020 Power to Engage in Safe Deposit Business A A bank or a bank and trust company may receive for safekeeping jewelry plate coin and other similar personal property or bonds mortgages shares of stock securities and other valuable papers It may also rent out receptacles or safe deposit boxes for the deposit of papers or of such personal property

B The bank or bank and trust company shall receive such papers or other personal property and rent out such receptacles or safe deposit boxes upon the terms or conditions prescribed by it in accordance with its articles or by-laws but such terms and conditions shall not be binding upon the corporations or persons availing themselves of such services unless they receive notice thereof

Section 1021 Prohibition upon Guaranteeing Mortgages A bank or a bank and trust company shall not in any manner whatsoever guarantee the payment of the principal or the interest of bonds or other obligations secured by mortgages upon real property

This section shall not however be construed to affect contracts and policies guaranteeing the payment of the principal or the interest of bonds or other obligations secured by mortgages upon real property when such contracts and policies have been lawfully executed by a bank or a bank and trust company and are valid and outstanding upon the effective date of this act

Section 1022 Limitation upon Power to Act as Surety A A bank or a bank and trust company shall not act as surety for the faithful performance of any trust office duty action or engagement or upon any writ of error or appeal or upon any other type of bond in any manner whatsoever but a bank or a bank and trust company shall still have the power in the manner and under the circumstances provided by law to give its own bond upon any writ of error or appeal or in any proceeding instituted in any court of this Commonwealth if such bank or bank and trust company is one of the parties to such proceeding or such writ of error or appeal and a bank and trust company shall still have the power whenever necessary to give its own bond for the faithful performance by its trust department of its duties as trustee guardian executor administrator or other fiduciary

B This section shall not be construed to affect in any manner a bond given as surety or an obligation to act as surety lawfully entered into by a bank or a bank and trust company prior to the effective date of this act

ARTICLE XI

POWER OF BANKS TO BECOME BANK AND TRUST COMPANIES ADDITIONAL POWERS AND LIMITATIONS UPON POWERS OF BANK AND TRUST COMPANIES

Section 1101 Power of Bank to become Bank and Trust Company Acquisition of Fiduciary Powers A bank which has an unimpaired capital and an unimpaired surplus at least equal to the capital and surplus required by this act for the incorporation of a bank and trust company may by amending its articles of incorporation in the manner provided by this act acquire the additional power of and thereby become a bank and trust company Such bank upon becoming a bank and trust company shall include in or add to its corporate name the words "and trust company" in accordance with the provisions of this act but the amendment to the articles of incorporation of a bank by virtue of which such bank is to become a bank and trust company shall be approved by two-thirds of all the shareholders of such bank

Section 1102 Powers of Bank and Trust Companies in addition to the general corporate powers granted by this act and in addition to any powers specifically granted to a bank and trust company elsewhere in this act a bank and trust company shall have the following powers subject to the limitations and restrictions imposed by this act

(1) To act as fiduciary and pursuant thereto to receive and dispose of real or personal property

(2) To act as agent or attorney in fact

(3) To act as transfer or fiscal agent and registrar of shares bonds or other obligations

(4) Pool mortgages or securities for the investment of funds held by it as fiduciary

(5) In the case of certain existent bank and trust companies to insure owners mortgagees and others interested in real property from loss by reason of defective titles liens and encumbrances

Section 1103 Power to Act as Fiduciary A bank and trust company may act as trustee guardian receiver assignee committee executor administrator or in any other fiduciary capacity not inconsistent with the laws of this Commonwealth or of the United States It may in pursuance of such fiduciary relationship receive any real or personal property including securities of every kind government or otherwise belonging to or otherwise a part of the estate of which such bank and trust company is fiduciary It may pursuant to any instrument producing such fiduciary relationship or any agreement controlling such relationship or any rule of law governing such relationship hold or invest sell or otherwise dispose of such real or personal property It may pursuant to and in accordance with the same authority recover any property which the estate owns or of which it has the right to possession or in any other way protect the interests of such estate

Any agreement of such bank and trust company as fiduciary shall be in the manner provided by law for the agreement of such fiduciaries and any acts performed by the bank and trust company as such fiduciary shall be in accordance with any provisions of law which govern such relationships Except as specifically otherwise provided in this act or by the instrument creating the fiduciary relationship or by any other agreement by the partners such bank and trust company shall have the same powers and shall be subject to the same duties as are granted to or imposed upon any such fiduciaries by the laws of this Commonwealth

Section 104 Power to Act as Agent or Attorney in Fact A bank and trust company may act as agent or attorney in fact in the purchase and sale of real estate in the collection of rents and the management thereof and in the making of investments in shares bonds or other securities and the custody thereof the collection and disbursement of the principal thereof and the income therefrom and the sale transfer or other disposal thereof

Section 1105 Power to Act as Registrar of Shares and Bonds Fiscal Agent A bank and trust company may act as the fiscal agent or transfer agent of the United States of any state of the United States of any county city borough township school district or other political subdivision of any state or of any corporation In such capacity it may receive and disburse money manage any sinking fund and transfer register and countersign share certificates bonds or other evidences of indebtedness in accordance with the terms of the instrument creating the relationship or of any other agreement express or implied between the parties

Section 1106 Capital of Bank and Trust Company in Lieu of Bond A bank and trust company acting as a fiduciary shall not be required to execute the bond or put up the security required by law of fiduciaries but its capital shall be considered as the security required by law for the faithful performance of its duties The capital of such bank and trust company shall be absolutely liable in case of any default whatsoever

Section 1107 Any Officer Authorized to Take Oath In any case in which the laws of this Commonwealth require that a fiduciary shall take an oath or affirmation or execute an affidavit any officer of a bank and trust company which is acting in such fiduciary capacity shall be authorized to take such oath or affirmation or execute such affidavit on behalf of such bank and trust company

Section 1108 Segregation and Designation of Trust Funds Deposit of Uninvested Funds A bank and trust company shall keep all funds property or investments held by it in a fiduciary capacity separate and apart from the assests of such bank and trust company All investments made by a bank and trust company as fiduciary shall be so designated that the estate to which such investments belong shall be apparent at all times but such bank and trust company may clear receipts and payment of such funds in the regular course of business in the same manner as other funds held by it Funds held by a bank and trust company as fiduciary awaiting invesment or distribution may be used by such bank and trust company in the conduct of its business or may be deposited in any other institution in any national banking association or with any corporation or person in any other state which is authorized to receive deposits and is subject to the full supervision of the banking authorities of such other state if there are pledged or hypothecated by such bank and trust company by such other institution by such national banking association or by such corporation or person as the case may be with the trust department of the bank and trust company acting as fiduciary interest-bearing bonds or other obligations of the United States or of the Commonwealth of Pennsylvania or such other securities as may be approved by the Department The par value of the bonds other obligations or securities so pledged or hypothecated to secure such funds or the market value if such market value is less than the par value shall at all times be equal to an amount not less than the funds so used or deposited If the bank and trust company other institution national banking association corporation or person as the case may be in which such funds have been deposited and which has put up such collateral should fail or be taken in possession by the banking authorities of the state in which it is situated the estate from which the funds were taken shall have a lien for the amount of such funds on the bonds other obligations or other securities so pledged or hypothecated in addition to their claim against the estate of such bank and trust company other institution national banking association corporation or person

Section 1109 Mortgage or Securities Pools for Investment of Fiduciary Funds A A bank and trust company may establish in its trust department a pool or fund of bonds secured by mortgages or of other securities purchased solely with funds of estates held by it as fiduciary All the bonds secured by mortgages and all the securties which comprise such pool or fund shall be legal investments for funds held by fiduciaries and except for such securities as are permitted by this act to be sold by the commercial department of a bank and trust company to its trust department on behalf of an estate held by it as fiduciary shall never have been owned by or carried as an asset in the commercial department of the bank or bank and trust company creating the pool or fund or of any institution or national banking association affiliated with it The bank and trust company shall apportion fractional undivided interests in such pool or fund to estates of which it is fiduciary in the proportions in which their funds were used to purchase the bonds secured by mortgages or the securities which comprise such pool or fund Interests in such pool or fund shall not be sold to any corporation or person but shall be held solely by the bank and trust company as fiduciary and

the equitable interest owned solely by the estates of which such bank and trust company is fiduciary

A certificate of participation shall be issued for every estate on behalf of which the bank and trust company as fiduciary owns a fractional undivided interest in such pool or fund Such certificate shall state on its face that it is issued without guarantee of the payment of either principal or interest that it will be paid only when funds become available out of the bonds secured by mortgages or out of the securities comprising the pool or fund It shall also state any other important conditions covering such situation A bank and trust company shall not in any case guarantee the payment of the principal or interest on the bonds secured by mortgages or upon any other securities in any pool or fund created by its trust department nor shall it pay any moneys to the holders of any certificate of participation therein except out of funds which have become available therefrom

B Such bank and trust company shall designate clearly upon its records the bonds secured by mortgages and securities comprising such pool or fund the names of the estates to which certificates of participation have been assigned and the extent of the interest of such estates Any estate to which such a certificate of participation has been issued shall not be deemed to have equitable ownership of any bond or other obligation secured by mortgage or of any security in such pool or fund but shall be deemed to have an undivided interest in the entire pool or fund

C The bank and trust company shall have the right at any time to substitute for any bond or other obligation secured by mortgage or for any securities in a pool or fund other bonds or obligations secured by mortgages or securities which meet all the requirements of this section and which have a value at least equal to the bond and mortgage or other security for which they were substituted

D A bank and trust company shall likewise have the power to create undivided interests in any single bond secured by a mortgage or in any single security to be apportioned among estates of which it is fiduciary in the proportion to which their funds were used to purchase such asset The bank and trust company shall create and assign such interest and shall issue participation certificates therefor in the same manner under the same conditions and subject to the same limitations as are authorized or imposed by this section in the case of a pool of more than one bond secured by mortgages or of more than one security

E This section shall not be construed to affect a pool or fund of bonds secured by mortgages or of securities created by a bank and trust company prior to the effective date of this act

Section 1110 Prohibition upon Lending Fiduciary Funds to Officers Directors or Employes A bank and trust company shall not lend either directly or indirectly to any director officer or employe of such bank and trust company or to any director or employe of any institution or national banking association with which such bank and trust company is affiliated any funds which it holds as fidusiary

Fore the purpose of this section a loan shall be considered to be granted to a director officer or employe when such loan is made for the benefit of such director officer or employe or to or for the benefit of a corporation of which such director officer or employe owns fifty per centum or more of the capital or to or for the benefit of a partnership or other unincorporated association of which such director officer or employe is a partner or a member A loan shall be deemed to be granted for the benefit of a person partnership or other unincorporated association or corporation to the extent that the proceeds of such loan are credited to or transferred to such person partnership other unincorporated association or corporation Every director officer or employe granting such loan on behalf of the bank and trust company and every director officer or employe wilfully accepting such loan with knowledge that it was granted in violation of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period not exceeding one year or a fine not exceeding one thousand dollars or both he shall also be subject to a further fine of a sum equal to the amount of loan so granted or received and shall forever thereafter be disqualified from acting as a director officer or employe of any institution in this Commonwealth

Section 1111 Prohibition upon Investment of Fiduciary Funds in Assets of Commercial Department A bank and trust company shall not invest any funds held by it as fiduciary in any real or personal property which was ever owned by such bank and trust company in its own right or was ever carried as an asset of its commercial departments or which was ever owned or carried as an asset by any institution or national banking association with which such bank and trust company is affiliated but this prohibition shall not apply in the case of bonds or other interest-bearing obligations of the United States of this Commonwealth or of any county city borough twonship school district or poor district of this Commonwealth

Section 1112 Power to Insure Titles Prohibition A Every bank and trust company which upon the effective date of this act lawfully possesses and which has within one year prior to such date exercised the power to insure owners of real property mortgagees and others interested in real property from loss by reason of defective titles liens and encumbrances shall continue to possess such power but no other bank and trust company shall hereafter have or exercise such power

B Any bank and trust company which after the effective date of this act has the power to insure owners of real property mortgagees and others interested in real property from loss by reason of defective titles liens and encumbrances but which does not exercise such power for any consecutive period of one year shall be forever barred from the exercise of such power

ARTICLE XII

EXPENSE FUND SURPLUS POWERS AND LIMITATIONS UPON POWERS OF SAVINGS BANKS

Section 1201 Expense Fund Repayment of Fund A The expense fund required by this act to be established by the incorporators of a savings bank before such savings bank shall be authorized to commence business shall be to the amount of ten thousand dollars or such larger amount as the Department shall require It shall be used solely to pay any organization and operating expenses which the income of such savings bank is not sufficient to meet

B As soon as the income shall become sufficient to meet current expenses reimbursement shall be made to the original expense fund out of earnings When the expense fund has been reimbursed in full for any charges made against it pursuant to the provisions of this section and when in addition the surplus of the savings bank is equal to at least the amount of the expense fund which was required by this act to be created the contributions to such expense fund shall be returned to the persons who contributed it but the amounts originally contributed to the expense fund shall not constiture a liability of the savings bank until such time as the expense fund has been reimbursed in full and the unimpaired surplus of the savings bank equals the amount of such expense fund

Section 1202 Powers of Savings Banks In addition to the general corporate powers granted by this act in addition to any powers specifically granted to a savings bank elsewhere in this act a savings bank shall have the following powers subject to the limitations and restrictions imposed by this act

(1) To receive money on deposit and pay interest thereon

(2) To receive money for transmission to a foreign country or otherwise and to forward such money through any bank bank and trust company or private bank organized under the laws of this Commonwealth or national banking association having its place of business in this Commonwealth

(3) To borrow money to repay the demands of depositors and to pledge its assets therefor

(4) To make investments

(5) To lend money upon the security of real or personal property and to charge or to receive in advance interest therefor

(6) To purchase hold or convey real property

(7) To improve or to lease real property for its accommodation

(8) To rent out receptacles or safe deposit boxes for the deposit of papers or other personal property

Section 1203 Power to Receive Conditions and Deposits Notice of Withdrawal Power to Limit Amount A A savings bank shall have the power to receive money on deposit It shall repay such deposits upon due demand in such manner upon such notice not less than thirty days and under such other

regulations as shall be prescribed in its articles or by-laws but if no mention is made in its articles or by-laws of notice or of any special conditions or if the notice of such articles or by-laws required by this act to be given to the depositors is not given such deposits shall be repaid upon demand after thirty days' notice

B A savings bank may in its articles or by-laws limit the aggregate amount which any one corporation or person may deposit with it It may by action of its board of trustees refuse any deposit or return all or part of any deposit when it deems such action to be to the best interests of such savings bank

Section 1204 Interest on Deposits A A savings bank shall have the power to credit and pay on all deposits such interest as is provided in its articles or by-laws not however exceeding five per centum per year upon any deposit Such interest shall be paid to the respective depositors or credited to their accounts at least annually except that in the case of certificates of deposit interest shall be paid at least annually or shall be set aside at least annually in a special fund which shall not be availabe for any purpose other than to pay upon due demand and notice the interest due upon such certificates of deposit

B The trustees of a savings bank may classify its depositors according to the character amount and duration of their dealings with the savings bank and may regulate the interest or other amounts paid depositors within the limits of this section in such manner that each depositor shall receive the same ratable proportion as all others of the same class The trustees shall not declare or allow interest on any deposit for a longer period than it has been deposited with the savings bank except that deposit made not later than the tenth business day of the month commencing any annual semi-annual or quarterly interest period or not later than the fifth business day of any month or deposits withdrawn upon one of the last three business days of the month ending any annual semi-annual or quarterly interest period may if the articles or by-laws so provide have interest declared upon them for the whole of the period or month in which they were so deposited or withdrawn It shall also be lawful for the articles or by-laws to provide that deposit accounts closed between interest periods may be credited with interest computed from the last interest period to the date when closed

Section 1205 Requisite Surplus Dividends to Depositors Special Charter Corporations A Every savings bank whether incorporated prior to the effective date of this act or incorporated hereunder shall create a surplus equal to at least five per centum of its total deposits before declaring or paying any dividends Such surplus shall be created out of net earnings If such surplus has been established at least fifty per centum of the net earnings of the savings banks shall be credited to surplus at the close of each dividend period or at least annually if no dividend is declared o paid until such surplus equals at least ten per centum of the total deposits of the savings bank

B Except as otherwise specifically provided in its articles or by-laws any savings bank which has an unimpaired surplus equal to at least five per centum of its total deposits may by its board of trustees from time to time but not more frequently than once in every three months declare and pay from undivided profits to its depositors in addition to interest dividends to an amount not exceeding fifty per centum of its net earnings in any dividend period or in any year but when such unimpaired surplus has been created in an amount equal to at least ten per centum of its total deposits the board of trustees shall declare and pay from undivided profits at least once in each year a dividend to an amount equal to at least fifty per centum of its net earnings for that year When the unimpaired surplus shall amount to twenty per centum of its total deposits it shall be the duty of the board of trustees at least once in each year to declare and pay an extra dividend to its depositors from undivided profits in excess of such surplus in such manner that depositors shall receive as nearly as may be all the profits of the savings bank

C The trustees of a savings bank may classify its depositors according to the character amount and duration of their dealings with the savings bank and may regulate the dividends paid to them pursuant to the provisions of this act according to such classification

D Whenever any special act of the General Assembly under which a savings bank has been created shall prescribe that dividends shall bepaid to any corporations or persons other than the depositors or only to certain depositors such dividends shall be paid only to such corporations or persons but only under the same conditions and subject to the same limitations as those imposed by this section

Section 1206 Determination of Undivided Profits Definitions of Gross and Net Earnings A Such portion of the net earnings of a savings bank as is not required by this act to be credited to surplus may be credited by it to its profit and loss account or if its expenses and losses for such dividend period exceed its gross earnings such loss shall be charged to its profit and loss account The credit balance of such account shall constitute the undivided profits at the close of such dividend period and shall be available for dividends

B To determine the mount of gross earnings of a savings bank for any dividend period the following items shall be included

(1) Earnings actually received during such period

(2) Profits actually received during such period from the sale of its securities its other personal property and its real property

(3) Sums recovered on items previously charged off

C To determine the amount of net earnings of a savings bank for any dividend period the following items shall be deducted from the gross earnings as herein defined

(1) Expenses paid or incurred both ordinary and extraordinary in the transaction of its business in the collection of debts owing to it and in the management of its affairs

(2) Interest paid or accrued and unpaid upon deposits and debts owing by it

(3) Losses sustained by it In the computation of such losses assets which have been disallowed by the Department or by the board of trustees shall be included Debts due such savings bank upon which principal or interest is due and unpaid for six months shall likewise be included in the computation of losses unless such debt is in the process of collection

(4) All amounts to be credited to the expense fund in reimbursement for charges previously made to it

(5) Unrealized appreciation in the valuation or revaluation of its assets

(6) Deferred assets in proportion to their use and prepaid expenses in proportion to the use of the service represented thereby

The balance thus obtained shall constitute the net earnings of such savings bank for such period

Section 1207 Statement to Trustees by Cashier or Treasurer Prior to Declaration of Dividends Prior to the declaration of a dividend by a savings bank the cashier or treasurer thereof shall furnish to the board of trustees a detailed written statement under oath or affirmation of the condition of the savings bank as of the last date of the period for which the dividend is to be declared Such statement shall set forth in detail all the items required by this act to be considered by the board of trustees in determining whether to declare a dividend and if so to what amount

Section 1208 Reports to Department After Declaration of Dividend A Every savings bank shall within ten days after the declaration of any dividend make a written report to the Department of the amount of the dividend declared and the amount of its gross and net earnings determined in the manner provided by this act The report shall be made in the form prescribed by the Department and shall be attested by oath or affirmation of the president or the cashier or treasurer of the savings bank

B Any savings bank which fails to make the report required by this section shall pay to the Department a penalty of one hundred dollars for each day that it delays making such report but the Department may at its discretion relieve any savings bank from the payment of such penalty in whole or in part if good cause be shown to it for the failure of such savings bank to make such report If a savings bank fails to pay a penalty from which it has not been relieved by the Department the Department may through the Department of Justice maintain an action at law to recover it

Section 1209 Liability for Unlawful Dividends and Distributions A The trustees of a savings bank shall not declare or pay dividends or interest or authorize or ratify the withdrawal

or distribution of any part of its assets to depositors or any other corporation or person except as authorized by this act If any dividend or interest shall be paid or if any withdrawal or distribution of the assets shall be made except as provided in this act the trustees under whose administration the same were made except those who shall have caused their dissent therefrom to be entered on the minutes of the meeting at which such action was authorized or who being absent at the time shall have promptly filed their written objection thereto with the secretary of the savings bank upon learning of such action shall be jointly and severally liable to the savings bank in an amount equal to the amount of the unlawful dividend or interest or the unlawful withdrawal or distribution of assets Any trustee against whom a claim shall be asserted under or pursuant to this section and who shall be held liable thereon shall be entitled to a contribution from the other trustees who are likewise liable thereon pro rata according to the number of trustees Any two or more trustees may be sued in the same action

B Any depositor or other corporation or persons who shall accept or receive any dividend or interest or distribution of the assets of a savings bank not authorized by this act to be made shall be individually liable to the savings bank in an amount equal to the amount so accepted or received Any two or more of such depositors or other corporations or persons may be sued in the same action

Section 1210 Borrowing Money and Pledging Assets Therefor A savings bank may borrow money and may pledge or hypothecate any of its assets as security therefor solely for the purpose of repaying deposits Such borrowings shall not be made except after the specific approval of a majority of all the members of the board of trustees

Section 1211 Authorized Investments Except as otherwise specifically provided in this act a savings bank shall not make any investments except as follows

(1) Bonds or other interest-bearing obligations of the United States or those for the payment of the principal and interest on which the faith and credit of the United States is pledged including the bonds or other interest-bearing obligations of the District of Columbia

(2) Farm loan bonds issued by Federal land banks operating under the provisions of the Federal Farm Loan Act approved the seventeenth day of July one thousand nine hundred sixteen its amendments and supplements

(3) Bonds or other interest-bearing obligations of the Commonwealth of Pennsylvania or of any state of the United States or those for the payment of the principal and interest on which the faith and credit of this Commonwealth or of such state is pledged provided that it has not at any time within the ten years immediately preceding the date of the purchase of such bonds or other obligations by the savings bank defaulted in the payment of any part of any principal or interest due by it

(4) Bonds or other interest-bearing obligations of any county city borough township school district or other political subdivision of the Commonwealth of Pennsylvania or of any city borough township school district or other political subdivision of any State of the United States which has not within the ten years immediately preceding the date of the purchase of such bonds or other obligations by the savings bank defaulted in the payment of any part of any principal or interest due by it or those for the payment of the principal and interest on which the faith and credit of such political subdivision is pledged

(5) Obligations issued assumed or guaranteed as to principal and interest by or equipment bonds of any railroad corporation whether incorporated under the laws of this Commonwealth of any other state or of the Dominion of Canada provided that such railroad corporation has not at any time within the five years immediately preceding the date of the investment in such obligations or bonds by the savings bank failed punctually to pay the matured principal and interest on all of its indebtedness and in addition thereto regularly to have earned or to have paid in dividends to its shareholders during each of such five years an amount at least equal to four per centum upon all of its outstanding capital stock

(6) The bonds of any corporation whether incorporated under the laws of the United States of any other state or of the District of Columbia which transacts the business of supplying electrical energy artificial gas or natural gas purchased from another corporation and supplied in substitution for or in mixture with artificial gas for light heat power and other purposes or which transacts any two or all of such businesses but at least seventy-five per centum of the gross operating revenues of such corporation shall be derived from such business and not more than fifteen per centum of the gross operating revenues shall be derived from any one kind of business other than supplying electricity and gas and such corporation shall be subject to regulation by a public service commission a public utility commission or any other similar regulatory body duly established by the laws of the United States or of any state in which such corporation operates subject to the following conditions

(a) Such corporation shall have all the franchises necessary to operate in territory in which at least seventy-five per centum of its gross income is earned which franchises shall either be indeterminate permits of or agreements with or subject to the jurisdiction of a public service commission or other duly constituted regulatory body or shall extend at least five years beyond the maturity of such bonds and such corporation shall file with the Department and make public in each year a statement and a report giving the income account covering the previous fiscal year and a balance sheet showing in reasonable detail the assets and liabilities at the end of the year

(b) The outstanding full-paid capital stock of such corporation shall at the time of such investment be equal to at least two-thirds of the total debt secured by mortgage liens on any part or all of its property but in the case of a corporation having non-par value shares the amount of capital which such shares represent shall be the capital as shown by the books of the corporation

(c) Such corporation shall have been in existence for a period of not less than eight fiscal years and at no time within such period of eight fiscal years immediately preceding the date of such investment shall such corporation have failed to pay promptly and regularly the matured principal and interest of all its indebtedness direct assumed or guaranteed but the period of life of the corporation together with the period of life of any predecessor corporation or corporations from which a major portion of its property was acquired by consolidation merger or purchase shall be considered together in determining such required period

(d) For a period of five fiscal years immediately preceeding such investment the net earnings of such corporation shall have averaged per year not less than twice the average annual interest charges on its total funded debt applicable to that period and for the last fiscal year preceding such investment such net earnings shall have been not less than twice the interest charges for a full year on its total funded debt outstanding at the time of such investment and for such period the gross operating revenues of any such corporation shall have averaged per year not less than one million dollars and such corporation shall have for each such year either earned an amount available for dividends or paid an amount in dividends equal to four per centum upon a sum equivalent to two-thirds of its funded debt

(e) In determining the qualifications of any bond under this clause where a corporation shall have acquired its property or any substantial part thereof within the five years immediately preceding the date of such investment by consolidation or by merger or by the purchase of all or a substantial portion of the property of any other corporation or corporations the gross operating revenues net earnings and interest charges of the several predecessor or constituent corporations shall be consolidated and adjusted so as to ascertain whether the requirements of the paragraph immediately preceding this one as to net and gross earnings and as to dividends have been complied with

(f) The gross operating revenues and expenses of a corporation for the purpose of this clause shall be respectively the total amount earned from the operation of and the total expense of maintaining and operating all property owned and operated by or leased and operated by such corporation as determined by the system of accounts prescribed by the public service commission or public utility commission or other similar regulatory body having jurisdiction in the matter The gross operating revenues and expenses as defined above of subsidiary companies may be included provided that all the mortgage bonds and a controlling interest in shares of such subsidiary companies are pledged as part of the security for the mortgage debt of the principal company

The net earnings of any corporation for the purpose of this clause shall be the balance obtained by deducting from its gross operating revenues its operating and maintenance expenses taxes other than Federal and State income taxes rentals and provisions for renewals and retirements of the physical assets of the corporation and by adding to such balance its income from securities and miscellaneous sources but not however exceeding fifteen per centum of such balance

(g) Such bonds must be part of an issue of not less than one million dollars and must be mortgage bonds secured by a first or refunding mortgage secured by property owned and operated by the corporation issuing or assuming them or must be underlying mortgage bonds secured by property owned and operated by the corporations issuing or assuming them but such bonds shall be refunded by a junior mortgage providing for their retirement the bonds under such junior mortgage shall comply with the requirements of this section and such underlying mortgage shall be either a closed mortgage or shall remain open solely for the issue of additional bonds which are to be pledged under such junior mortgage The aggregate principal amount of bonds secured by such first or refunding mortgage plus the principal amount of all the underlying outstanding bonds shall not exceed sixty per centum of the value of the physical property owned as shown by the books of the corporation and subject to the lien of such mortgage or mortgages securing the total mortgage debt However if such mortgage is a refunding mortgage it must provide for the retirement on or before the date of their maturity of all bonds secured by prior liens on the property

(h) The term funded debt shall be construed to mean all interest-bearing debts maturing more than one year from date of issue

(i) Not more than ten per centum of the deposits in and other funds available for investment by savings Banks shall be loaned on and invested in bonds of such electric and gas corporations and more than two per centum of such deposits and other funds shall be invested in the bonds of any one such corporation No savings bank having less than fifty per centum of its deposits or other funds available for investment invested in bonds and mortgages upon real estate shall have the power to invest in the obligations of electric and gas corporations covered by this clause until such time as such savings bank shall have fifty per centum of its deposits and other funds available for investment so invested

(7) The bonds of any corporation whether incorporated under the laws of the United States of any other state or of the District of Columbia which engages and is authorized to engage in the business of furnishing telephone service in the United States provided that such corporation is subject to regulation by the interstate commerce commission a public service commission a public utility commission or any other similar Federal or State regulatory body duly established by the laws of the United States or by the laws of any state in which such corporation operates subject to the following conditions

(a) Such corporation shall have been in existence for a period of not less than eight fiscal years and at no time within such period of eight fiscal years immediately preceding the date of such investment shall such corporation have failed to pay promptly and regularly the matured principal and interest of all its indebtedness direct assumed or guaranteed but the period of life of the corporation together with the period of life of any predecessor corporation or corporations from which a major portion of its property was acquired by consolidation merger or purchase shall be considered together in determining the required period and such corporation shall file with the Department and make public in each year a statement and a report giving the income account covering the previous fiscal year and a balance sheet showing in reasonable detail the assets and liabilities at the end of the year

(b) The outstanding full-paid capital stock of such corporation shall at the time of such investment be equal to at least two-thirds of the total debt secured by mortgage liens on any part or all of its property

(c) For a period of five fiscal years immediately preceding such investment the net earning of such corporation shall have averaged per year not less than twice the average annual interest charges on its total funded debt applicable to that period and for the last fiscal year preceding such investment such net earnings shall have been not less than twice the interest charges for a full year on its total funded debt outstanding at the time of such investment and for such period the gross operating revenues of any such corporation shall have averaged per year not less than five million dollars and such corporation shall have for each such year either earned an amount available for dividends or paid an amount in dividends equal to four per centum upon all its outstanding capital stock

(d) Such bonds must be part of an issue of not less than five million dollars and must be secured by a first or refunding mortgage and the aggregate principal amount of bonds secured thereby plus the principal amount of all underlying outstanding bonds shall not exceed sixty per centum of the value of the property real and personal owned absolutely and subject to the lien of such mortgage However if such mortgage is a refunding mortgage it must provide for the retirement of all bonds secured by prior liens on the property Not more than thirty-three and one-third per centum of the property constituting the specific security for such bonds may consist of shares or unsecured obligations of affiliated or other telephone companies or both

(e) In determining the qualifications of any bond under this clause where a corporation shall have acquired its property or any substantial part thereof within five years immediately preceding the date of such investment by consolidation by merger or by the purchase of all or a substantial portion of the property of any other corporation or corporations the gross operating revenues net earnings and interest charges of the several predecessor or constituent corporations shall be consolidated and adjusted so as to ascertain whether the requirements of this clause as to earnings and dividends have been complied with

(f) The gross operating revenues and expenses of a corporation for the purpose of this clause shall be respectively the total amount earned from the operation of and the total expense of maintaining and operating all property owned and operated by or leased and operated by such corporation as determined by the system of accounts prescribed by the interstate commerce commission or the public service commission or the public utility commission or any other similar Federal or State regulatory body having jurisdiction in the matter

(g) The net earnings of any corporation for the purpose of this clause shall be the balance obtained by deducting from its gross operating revenues its operating and maintenance expenses provision for depreciation of the physical assets of the corporation taxes other than Federal and State income taxes rentals and miscellaneous charges and by adding to such balance its income from securities and miscellaneous sources but not however to exceed fifteen per centum of such balance

(h) The term funded debt shall be construed to mean all interest-bearing debts maturing more than one year from date of issue

(i) Not more than ten per centum of the deposits in and other funds available for investment by savings banks shall be loaned on and invested in bonds of such telephone corporations and not more than two per centum of such deposits and other funds shall be invested in the bonds of any one telephone corporation No savings bank having less than fifty per centum of its deposits or other funds available for investment invested in bonds and mortgages upon real estate shall have the power to invest in the obligations of telephone corporations covered by this clause until such time as such savings bank shall have fifty per centum of its deposits and other funds available for investment so invested

(8) Bonds secured by mortgages which are first liens upon unencumbered improved real property including improved farm land situated within the Commonwealth to the extent of not more than fifty per centum of the actual value of such real property and for a term not exceeding five years Any building which is upon and is included in the valuation of such real property shall be insured to the benefit of the savings bank by the mortgagor for the term of the bond in a company which is authorized to do business in Pennsylvania and is approved by the board of trustees of the savings bank making the investment It shall be lawful for a savings bank to renew such policy at the expense of such mortgagor from year to year or for a longer or shorter perior not however exceeding the term of the bond in case the mortgagor shall fail to do so All necessary charges and expenses paid by such savings bank

for such renewals shall be paid by such mortgagor In the event that the mortgagor shall refuse upon demand to pay such charges and expenses they shall be added to the amount secured by the mortgage and shall together with interest from the date of payment of such charges and expenses by such savings bank constitute a lien upon the property so mortgaged All expenses of searches examinations certificates of title or appraisal of actual value and all expenses of drawing and recording of papers shall be paid by such mortgagor The actual value of the real property shall be determined by two reputable persons especially familiar with real property values in the vicinity of the particular property to be appraised selected from or approved by the board of trustees They shall inspect the property and shall under oath or affirmation state in writing that the actual value of the real property inspected to the best of their judgment is as stated Such report shall be filed and preserved among the records of the savings bank

Section 1212 Limitation upon Loans and Discounts Maximum Interest A A savings bank shall not grant any loan except for a period not exceeding ninety days and except on the collateral of such securities as are by this act authorized as investments for savings banks The amount of such loan shall not exceed ninety per centum of the cash market value of such collateral If any of the securities so held as collateral depreciate in value before the repayment of such loan the savings bank shall forthwith require the immediate repayment of such loan or of part thereof or the immediate furnishing of additional security so that the amount of the loan shall at no time exceed ninety per centum of the cash market value of the securities held as collateral for it

B A savings bank shall not discount any note bill of exchange draft or other commercial paper except in the case of any note payable within ninety days and secured in accordance with the provisions of this section provided that the maker of such note is the borrower and the payee is the savings bank

Section 1213 Deposit of Excess Funds A A savings bank may deposit temporarily in any depository selected pursuant to the provisions of this act the excess of current daily receipts over investments loans or other lawful expenditures until such time as such moneys can be judiciously invested in the investments authorized for savings banks by this act

B Whenever it shall appear to the Department that such savings bank is violating the spirit and intent of this section by keeping permanently uninvested all or an undue proportion of the money received by it the Department may proceed in the manner authorized by law to compel such savings bank to cease such practice

Section 1214 Restriction on Ownership or Holding of Real Property by a Savings Bank A Except otherwise provided in this act a savings bank shall not purchase own or hold any real property except as follows

(1) Such real property as it occupies pursuant to the provisions of this act for its accommodation in the transaction of its business or such real property which is partly so occupies and partly leases pursuant to the provisions of this act

(2) Such as it shall purchase at sales under judgments decrees or mortgages held by it or as it shall otherwise acquire in good faith and satisfaction of debts previously contracted to it or in order to protect an interest it may othewise have lawfully acquired in such property

B A savings bank shall not own or hold any real property other than such real property as it occupies for its accommodation in the transaction of its business or such real property as it partly so occupies and partly leases to others pursuant to the provisions of this act for a period longer than five years after the acquisition of such real property but the Department may upon application of a savings bank grant to it in writing the power to hold such real property for a longer period

C A savings bank shall not permit title to any real property of which it is in fact the owner to be carried in the name of any other corporation or person

Section 1215 Limitation on Bank Buildings Owned or Leased and Furniture and Fixtures Therein A The cost of the real property including the building or buildings thereon which a savings bank occupies for the transaction of its business or partly so occupies and partly leases to others together with the cost of furniture and fixtures therein which belong to the savings bank shall not at any time exceed in the aggregate twenty-five per centum of its unimpaired surplus except with the written approval of the Department Before the purchase of such property is made or the erection of a building or buildings is commenced the estimate of the costs thereof shall be submitted to the Department for its approval

B A savings bank shall not expend for the alteration repair or improvement of premises occupied but not owned by it an amount which together with the cost of any real property building or buildings and furniture and fixtures which it owns exceeds twenty-five per centum of its unimpaired surplus except with the written approval of the Department The cost of such alterations repairs or improvements shall be amortized during the term of such lease or occupancy and before such alterations or improvements are made an estimate of the cost thereof shall be submitted to the Department for its approval

C The foregoing provisions of this section shall not affect any real property and building or buildings occupied or the furniture and fixtures owned and used by a savings bank upon the effective date of this act for the transaction of its business but such savings bank shall not except with the approval of the Department add to such real property building or buildings furniture and fixtures and shall not alter repair or improve such premises if the cost of such additions alterations repairs or improvements shall together with any other real property and building or buildings occupied or furniture and fixtures owned and used by the savings bank aggregate more than twenty-five per centum of its unimpaired surplus

D In the case of a savings bank to be incorporated under this act the costs of the real property building or buildings furniture and fixtures to be owned and the costs of additions alterations repairs or improvements of premises to be leased by such savings bank to be occupied or used by it in the transaction of its business shall be used as shall be approved by the Department

E Except as otherwise provided in this act a savings bank may lease to any other corporation or person for offices or for any other legitimate purposes premises which it owns or occupies for the transaction of its business

Section 1216 Protection against Loss on Previous Loan or Investment The restrictions imposed by this act shall not be construed to prevent a savings bank in order to protect itself from loss upon a loan or investment previously made lawfully and in good faith from acquiring ownership of or otherwise taking and holding any kind of property or security whether real or personal Except as otherwise provided by this act any property so acquired unless of the character and nature by this act authorized to be purchased or held by such savings bank shall be sold by it within five years but the Department may upon application of a savings bank grant to it in writing the power to hold such property for a longer period

Section 1217 Property Acquired Before Effective Date of Act This act shall not be construed to render unlawful the continued ownership or holding by a savings bank of any loans investments or other real or personal property lawfully acquired prior to the effective date of this act However such loans and investments or such other real or personal property shall be computed in determining the power under this act of a savings bank to grant any additional loans or make any additional investments of the same or different kinds

ARTICLE XIII

LICENSING OF PRIVATE BANKS POWERS AND LIMITATIONS UPON POWERS OF PRIVATE BANKS VOLUNTARY DISSOLUTIONS

Section 1301 Existent Private Banks Continued Future Private Banks Prohibited Death of Private Banker Change in Partnerships A Any individual partnership or unincorporated association lawfully engaged upon the effective date of this act in conducting the business of a private bank may continue to do so at the place of business which it occupies upon such date under the circumstances prescribed and subject to the conditions imposed by this act but except as otherwise specifically provided in this section no new private bank shall be established after the effective date of this act

B An individual private banker may in the manner provided by law and with the prior written approval of the Department form a partnership or other unincorporated association for conducting the private bank with one or more other individuals regardless of whether such individuals are prior to the date of the formation of such association authorized to engage

in the business of private banking but such partnership or other unincorporated association shall procure a new certificate of authorization from the Department in the manner provided by this act

C In case of the death of a private banker who individually and not in partnership or association with another private banker or other private bankers conducts a private bank his executor or administrator shall forthwith proceed to liquidate the business of the private bank following the order of distribution established by this act unless the Department shall take possession of the business and property of the private bank and the Secretary of Banking shall take over possession as receiver and liquidate such private bank pursuant to the provisions of law If the executor or administrator shall not begin or continue such liquidation with promptness and in a reasonable manner the Secretary of Banking may in the manner provided by law take over possession from the executor or administrator and liquidate the business and property

D A partnership or any other unincorporated association which owns and operates a private bank may in the manner provided by law and with the prior written approval of the Department admit a new partner or member into such business but such changed partnership or other unincorporated association shall procure a new certificate of authorization from the Department in the manner provided by this act

Neither the death nor withdrawal of a partner or a member of a partnership or other unincorporated association which owns and operates a private bank nor the admission of a new partner or member shall change the status of an existing private bank as a partnership or other unincorporated association or work a dissolution thereof if two or more of the remaining members elect to continue the same and assume all its obligations nor shall the private bank be forced to dissolve if a single remaining partner or member elects to continue but in either event the changed partnership or other unincorporated association or the remaining private banker shall procure a new certificate of authorization from the Department in the manner provided by this act

Section 1302 Application to be Filed with Department Contents On or before the thirtieth day of December one thousand nine hundred thirty-three every private bank which plans to continue in business shall file with the Department a written application for a certificate of authorization Such application shall be signed in duplicate originals and verified in the case of a private bank owned and operated by an individual by the oath or affirmation of such individual and in the case of a private bank owned and operated by a partnership or any other unincorporated association by the oath or affirmation of all the partners or members of the unincorporated association the application shall be in such form as is prescribed by the Department and shall be filed upon blanks supplied by the Department It shall set forth

(1) The full name residence post office adress and citizenship of such individual or of each member of such partnership or other unincorporated association as well as the names and post office addresses of the officers or agents in active charge of the business of the private bank

(2) The statement that in the case of a private bank owned by an individual such individual is a resident of Pennsylvania and in the case of a private bank owned by a partnership or other unincorporated association a majority of the partners or members are residents of Pennsylvania

(3) The name of the private bank

(4) The exact location of the place or places of business of the private bank

(5) In the case of a partnership or other unincorporated association the partnership or other agreement under which the business of the bank is being conducted

(6) A detailed statement of the resources liabilities and net worth of the private bank as well as any other information bearing upon its financial condition which the Department shall prescribe

Section 1303 Issuance or Rejection of Application by Department Certificate of Authorization A The Department shall immediately upon receipt of the application of a private bank conduct such investigation as it may deem necessary to ascertain the financial condition and responsibility of the private bank If it shall find that the provisions of this act have been complied with and that the financial condition and responsibility of the private bank is such as to warrant a continuance of the business it shall retain and file one of the duplicate originals of the application and shall issue a certificate of authorization empowering such private bank to continue in business The remaining duplicate original and the certificate of authorization shall be sent by the Department to the private bank which shall then have the certificate of authorization recorded in the office of the recorder of deeds of the county in which the place of business of the private bank is situated The certificate of authorization upon being recorded by the recorder of deeds shall be returned to the private bank which shall at all times be conspicuously posted in the place of business of the private bank in view of its customers Upon proper cause shown or upon any important change in the ownership of such private bank or in any other fact which is contained in the certificate of authorization the Department shall issue a new one

B If the Department shall reject the application it shall forthwith return it to the private bank stating in detail its reasons for doing so The privae bank may within thirty days after the Department gives it notice of the rejection of its application appeal from such rejection to the Governor who shall hear such appeal promptly and within thirty days thereafter decide the matter and certify his decision to the Department The decision of the Governor shall be conclusive and not subject to review The Department shall act in accordance therewith

C A private bank lawfully in existence and operation upon the effective date of this act shall if it files the application for a certificate of authorization within the time and in the manner prescribed by this act be permitted to remain in existence even if such application has been rejected until it has had full opportunity to appeal to the Governor and if it does so appeal until the Governor renders a decision against such private bank

D If a private bank does not file an application for a certificate of authorization in accordance with the provisions of this act or if it does so and its application is rejected by the Department and if upon appeal to the Governor such rejection is affirmed such private bank shall forthwith cease transacting any banking business and shall proceed at once to liquidate its assets following the order of distribution established by this act If such private bank does not begin or continue such liquidation with promptness and in a reasonable manner the Department shall take possession and the Secretary of Banking shall take over possession and liquidate as receiver in the manner provided by law

Section 1304 Bonds or Securities Furnished by Private Banks Depreciations or Substitutions A Except as otherwise specifically provided in this act every private bank shall furnish to the Department a bond to the Commonwealth executed in the case of a private bank owned by an individual by such individual owner and in the case of a private bank owned by a partnership or other unincorporated association by all the partners or members thereof and by a surety or sureties authorized to give surety bonds in this Commonwealth and approved by the Department Such bond shall be conditioned upon the faithful holding and repayment by the private bank in accordance with the provisions of this act of all moneys deposited with it or the payment of all claims by this act given a priority over or placed on a parity with deposits in the order of distribution in the event of liquidation of the business and property of such private bank and in the event of the bankruptcy of the private bank or of a formal determination by the Secretary of Banking after taking possession of such private bank as receiver to liquidate its business and property upon the payment of the full amount of the bond to the assignee receiver or trustee in bankruptcy of the private bank or the Secretary of Banking as receiver thereof as the case may be to be used to pay in full in the manner provided by law all depositors and all claimants by this act given priority over or placed on a parity with depositors in the order of distribution in the event of liquidation

B In lieu of the bond of a surety or sureties required by this section the Department may accept a collateral bond of the private bank secured by an actual deposit with the Department of money to the full amount of the bond or of securities to such amount which shall consist of interest-bearing obligations of the United States government of this Commonwealth or of any political subdivision of this Commonwealth or which shall consist of any other securities approved by the Department Such collateral bond shall be conditioned upon the same terms and in the same manner as is provided by this section in the case of a bond given by a surety or sureties

and the securities deposited therewith shall constitute a trust fund for the depositors and for all claimants by law given a priority over or placed on a parity with depositors in the order of distribution in the event of liquidation of the business and property of such private bank

Any moneys or securities deposited with the Department by a private bank in accordance with the provisions of this article shall constitute a trust fund for the benefit of the depositors and of the claimants by this act given a priority over or placed on a parity with depositors in the order of distribution upon liquidation Other creditors shall not have any rights whatsoever against such moneys and securities However if the business and property of the private bank is being liquidated by the Secretary as receiver or by the private banker or private bankers owning such private bank such other creditors may be paid out of such moneys and securities after the claimants on whose behalf such moneys and securities constitute a trust fund have been paid in full

C Whenever it shall appear to the Department that the bond or the securities of a private bank given to the Department under the provisions of this section have depreciated in value so that their present value is below the amount required by this section to be filed with it by such private bank the Department may in the manner provided by law require such private bank to make good the deficiency

D All surety bonds and all collateral bonds together with the moneys or securities given as collateral therefor received by the Department from private banks shall be transmitted by the Department to the State Treasurer for safe-keeping subject to withdrawal in whole or in part at any time by the Department

E The amount of the bond or of the securities required by this section shall be equal to seventy-five per centum of the total deposits of the private bank plus seventy-five per centum of the total claims by law given priority over or placed on a parity with deposits in the order of distribution in the event of liquidation but the amount of such bond or securities shall not in any case be less than ten thousand dollars nor more than fifty thousand dollars A private bank which maintains more than one place of business in accordance with the provisions of this act shall furnish an additional bond or additional security to an amount of ten thousand dollars for each such additional place of business which it operates

F The Department may accept in lieu of the bonds or securities required by this act any bond or collateral bond secured by money or other securities which a private bank has filed with the Department of Banking or with any other State department in accordance with the provisions of an act approved the nineteenth day of June one thousand nine hundred eleven (Pamphlet Laws one thousand sixty) entitled "An act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for violation thereof" its amendments and supplements provided that such bond or securities are to an amount equal to that required by this act or will in addition to any other bond or securities filed by the private bank equal such amount

G The Department may likewise grant to any private bank the authority to substitute for any bond or any collateral deposited with it another bond or other collateral provided that such other bond or collateral meets all the requirements of this act

H The Department may grant a reduction of the bond or collateral of any private bank deposited with it if after an examination it shall appear to the Department that as a result of withdrawals or of partial or total liquidation or otherwise a decrease in the deposits of such private bank or in the claims by law given priority over or placed on a parity with such deposits in the order of distribution in the event of liquidation warrants such reduction but a bond or collateral shall not be reduced to less than ten thousand dollars in any case until it shall appear to the Department after careful examination that all depositors and all claimants who by law are given priority over or are placed on a parity with depositors in the order of distribution upon liquidation have been paid in full and that private bank has ceased to engage in a banking business

Section 1305 Exemption from Publishing of Reports Additional Bond or Securities A private bank may be exempted from the requirement of law that it publish in a newspaper or newspapers in the manner provided by law abstract summaries of two of its reports designated for that purpose by the Department if it shall furnish to the Department in addition to any other bond required by this act a surety bond or a collateral bond secured by money or securities Such surety bond or collateral bond secured by money or securities shall meet all the requirements established by this act for the original bond to be furnished by private banks

Section 1306 Interest upon Securities Deposited with Department The private bank shall be entitled upon making request to all moneys received by the State Treasurer as interest or dividends upon any securities deposited by such private bank with the Department and by it transmitted to the State Treasurer for safe-keeping in accordance with the provisions of this article

Section 1307 Exemption from Filing of Bond or Securities A A private bank which shall appear upon careful examination by the Department to have an unimpaired net worth of at least one hundred thousand dollars shall so long as such net worth of one hundred thousand dollars shall remain unimpaired be exempted from the duty of furnishing to the Department the surety bond or the collateral bond secured by money or securities required by this article but this shall not be construed to exempt such private bank from furnishing the surety bond or the collateral bond secured by money or securities to the amount of twenty-five thousand dollars required by this article to be furnished by any private bank desiring to be exempted from the requirement of law that it publish during each year in a newspaper or newspapers in the manner provided by law abstract summaries of any two of its reports designated for this purpose by the Department

B Whenever it shall appear to the Department that such net worth of such private banker has become impaired below one hundred thousand dollars and has remained so impaired for a period of fourteen days or such longer period as the Department shall allow but not exceeding ninety days it shall forthwith require such private bank to furnish the surety bond or the collateral bond secured by moneys or securities required by this article

Section 1308 Accumulation of Reserve against Deposits The certificate of authorization provided for in this article shall not be granted to any private bank until it shall have a reserve fund for deposits and other demand liabilities to an amount equal to fifty per centum of that required by this act for all institutions Within sixty days after the date of the issuance of the certificate of authorization such private bank shall have added at least twenty-five per centum to such reserve fund and by the first day of June one thousand nine hundred thirty-four it shall have the full reserve fund required by this act Thereafter the entire amount of such reserve fund shall be at all times maintained and kept on hand in the manner provided by this act for all institutions

Section 1309 Segregation of Assets Ttitle to be Carried in Name of Private Bank Loans to Owners or Members of Private Bank A All real or personal property and all evidence of title thereto which constitute the assets of a private bank shall be segregated and kept apart from the property and assets belonging to the owner or owners thereof in their individual capacities All such real or personal property owned by a private bank shall be carried in the name of such private bank If such name is the same as that of the individual owner or in the case of a partnership or other unincorporated association any of the owners thereof all property of the private bank shall be carried in such name with the addition of the descriptive words "private bank" In such case all deeds mortgages assignments contracts and agreements received taken or entered into by any such private bank shall be received taken or entered into in the name of such private bank with the addition of the descriptive words "private bank"

B A private banker shall not appropriate to his own use any part of the deposits or moneys received for transmission by a private bank or in the case of a private bank which maintains a net worth of an established amount in lieu of furnishing a bond or securities to the Department any moneys or assets which would reduce such net worth below the minimum required by this act Loans which have prior to the effective date of this act been granted by a private bank directly or indirectly to the owner or owners thereof shall not be included as assets upon the books or other records or in any statement of the financial condition of such private bank

For the purposes of this section a loan to a partnership or other unincorporated association of which the owner or owners of a private bank is a member or to a corporation of which such owner or owners individually or together own twenty-five per centum of the capital shall be construed to be a loan to such owner or owners

C A private bank shall not lend to any person with whom the owner or any of the owners of such private bank are associated as copartners or as co-members of any other unincorporated association nor make any investment in any business conducted by a partnership or other unincorporated assocaition of which the owner or any of the owners of such private bank are partners or members nor grant any loan directly or indirectly to any corporation of which the owner or all the owners combined of such private bank are the legal or equitable owners to the amount of twenty-five per centum or more of the capital of such corporation

Section 1310 Powers of Private Banks Loans and Investments Restrictions A Except as otherwise specifically provided in this article and except for the general corporate powers which are given by this act to a bank a private bank shall have all the powers which are by this act granted to a bank subject to the same restrictions and limitations as are imposed upon a bank by this act in so far as such restrictions and limitations are applicable A private bank shall have the power to make the same types of loans discounts and investments as are permitted to banks by this act subject to the same limitations and it shall not have power to make any loans discounts and investments Where any restrictions or limitation is imposed upon the aggregate loans or investments which may be made by a bank or upon the amount of such loans or investments which may be made to or in the obligations of a single corporation or person or upon the cost of the real property and buildings occupied and the furniture and fixtures used for the transaction of business or where any other restriction or limitation is made based upon a percentage of the capital and surplus of a bank such percentage shall be computed in the case of a private bank upon its net worth

B This section shall not be construed to render unlawful the continued ownership or holding by a private bank of any investments loans or other real or personal property lawfully acquired prior to the effective date of this act However such loans and investments or such other real or personal property shall be computed in determining the power under this act of a private bank to grant any additional loans or make any additional investments of the same or different kinds

Section 1311 Conversion of Private Bank into Incorporated Bank or Bank and Trust Company Rights of Depositors and Other Creditors Release of Bond or Securities A A private bank lawfully doing business in this Commonwealth may with the consent of the Department be converted into a bank or bank and trust company by complying with all the provisions of this act including advertisement in a newspaper which govern the incorporation of banks and of bank and trust companies However such assets of the private bank shall be approved for the purpose by the Department may be accepted in payment of the capital or of any portion thereof of the bank or bank and trust company to be formed Assets which the Department shall thus approve for transfer shall be carried at their true value such value to be determined by an appraisement made under the supervision of the Department by any person or persons selected by the Department

B Upon the incorporation of a private bank pursuant to the provisions of this section its assets of every kind including its real and personal property and its choses in action shall be deemed to be transferred to and vested in such incorporated bank or bank and trust company without the execution of any deed transfer or assignment and the bank or the bank and trust company shall hold them in the same manner and to the same extent as did the private bank

C The rights of the depositors and other creditors of such private bank shall not be impaired in any manner by such incorporation nor shall any liabilities or obligations of any kind due or to become due or any claim or demand existing against such private bank be in any manner released or impaired thereby The bank or the bank and trust company into which such private bank has been incorporated shall succeed to and be responsible to pay and discharge all obligations and liabilities in the same manner as though such bank or bank and trust company had itself incurred the obligation or liability Law suits or other proceedings pending upon the date of such conversion before any court in which such private bank is a party shall not be deemed to have abated or to be discontinued by reason of such incorporation but they may be prosecuted to final judgment in the same manner as if such private bank had not been so converted and the bank or the bank and trust company may be substituted in place of the private bank by order of the court in which such proceedings may be pending Such bank or bank and trust company shall likewise be subject to suit in any court having jurisdiction upon any cause of action against such converted private bank in the same manner as if such cause of action had originated against such bank or bank and trust company

D The surety bond or the collateral bond and the money or securities securing it if any shall have been filed by such private bank in accordance with the provisions of this act may be released by the Department upon receipt of a certified copy of a resolution of the board of directors of the bank or the bank and trust company assuming on behalf of the bank or the bank and trust company all liabilities of the private bank

Section 1312 Voluntary Dissolution Distribution of Assets A In the case of a private bank owned by an individual such individual or in the case of a private bank owned by a partnership or other unincorporated association all the partners or other members of such association or as many of such partners or members as may under the partnership or other agreement make such decision may elect voluntarily to liquidate its business and property in the following manner

Such private banker or bankers as the case may be shall notify the Department of their intention to dissolve and liquidate If it shall appear to the Department that the bond or securities if any of the private bank which are deposited with the Department together with the other assets of such private bank will probably be insufficient to pay in full its depositors and other creditors the Department may take possession of the business and property of the private bank and the Secretary may take over possession and liquidate as receiver in the manner provided by law

If the Department shall authorize the private banker or private bankers to liquidate the business and property of the private bank such private banker or bankers shall publish a notice of such liquidation in one newspaper of general circulation and one legal newspaper once a week for three successive weeks

B The following shall be the order followed by a private banker or private bankers in distributing the assets of a private bank in pursuance of a voluntary plan of liquidation

First Any reasonable expenditure actually made by such private banker or bankers as a necessary incident to the liquidation of the business or property of the private bank any fee or other debt owing to the Department for examinations or other services rendered or penalties incurred prior to the taking of possession by the Secretary as receiver any deposit or other claim of the Commonwealth of Pennsylvania and any other claim which is given a preference by law

Second Any deposit and any interest due thereon which has been or should have been credited to such deposit prior to the date of the authorization to liquidate by the Department whether subject to withdrawal by check or by any other method not requiring notice or to withdrawal only after notice or after the expiration of a fixed period whether or not such notice has been given or such period has expired at the date of distribution any holder of a certified check drawn on the private bank any holder of a certificate of deposit of the private bank which evidences an actual deposit of moneys in such private bank and any interest which may be due thereon whether such certificate of deposit is payable upon demand or is payable only after notice or after the expiration of a fixed period whether or not such notice has been given on such period has expired at the date of distribution any holder of a check or draft of the private bank which has been given in exchange for or in payment of a check or draft drawn on the private bank by a depositor therein or which has otherwise been charged to the account of a depositor therein provided that the amount of such check or draft does not exceed the balance to the credit of such depositor any amount of money delivered to the private bank for transmission which has not yet been delivered to the payee

Third Any claim of a creditor of the private bank not listed in any other category under this section

Fourth Any money or other assets of the private bank still remaining in the hands of the private banker or private bankers which belong to him or to them as the case may be

Every claim enumerated in this subsection shall have the same rank and priority as every other claim in the same numbered paragraph regardless of the order in which such claims are enumerated

C After the assets have been completely liquidated or the depositors and other creditors have been paid in full the certificate of authorization shall be forever forfeited and such private bank shall not be authorized under any circumstances ever to commence business again in this Commonwealth Notice of such completion of liquidation or of such payment in full of the depositors and other creditors of a private bank shall be filed in duplicate originals by the private banker or private bankers as the case may be with the Department The Department shall send one of the duplicate originals to the recorder of deeds in the county in which the place of business of the private bank had been located who shall record such notice without fee therefor

D Besides any other criminal or civil penalty or liability which may be provided by law any private banker or private bankers as the case may be who shall not comply with the provisions of this section shall be deemed guilty of a misdemeanor and shall upon conviction thereof each be subject to a fine not exceeding five thousand dollars they shall also be subject to a further fine of a sum equal to any amount of money to the extent of which they have directly or indirectly benefitted by such violation

ARTICLE XIV

MERGER CONSOLIDATION OR CONVERSION INCORPORATED INSTITUTIONS NATIONAL BANKING ASSOCIATIONS

Section 1401 Merger or Consolidation Incorporated Institutions National Banking Associations A Any two or more incorporated institutions the places of business of which are located within the same city borough or township other than savings banks may in the manner hereinafter provided in this act be merged into one of such incorporated institutions hereinafter designated as the surviving incorporated institution or consolidated into a new incorporated institution to be formed under this act

B Any two or more savings banks the places of business of which are located in the same city borough or township may in the manner hereinafter provided in this act be merged into one of such savings banks hereinafter designated as the surviving savings bank or consolidated into a new savings banks to be formed under this act

C One or more banks or bank and trust companies and one or more national banking associations incorporated under the laws of the United States all of which are located in the same city borough or township may in the manner hereinafter provided in thic act be merged into one of such banks or bank and trust companies or consolidated into a new bank or bank and trust company to be formed under this act No such merger or consolidation shall become effective until the national banking association shall have complied with the laws of the United States relating to such merger or consolidation of national banking associations with banks or bank and trust companies and the comptroller shall have given his approval

Section 1402 Approval of Joint Plan of Merger or Consolidation A In the case of a proposed merger or consolidation of two or more incorporated institutions or of one or more banks or bank and trust companies and one or more national banking associations the board of directors or trustees whichever the case may be of each of the incorporated institutions and national banking associations shall by resolution adopted by vote of at least a majority of all the members of each board of directors by a two-thirds vote of those present at a meeting of each board of trustees approve a joint plan of merger or consolidation as the case may be setting forth the terms and conditions of the merger or consolidation and the mode of carrying the same into effect and such other details and provisions as are deemed necessary In the case of banks and bank and trust companies or national banking association it shall also set forth the manner and basis of converting the shares of each institution into shares of the surviving or new institution as the case may be

B The board of directors of each bank bank and trust company or national banking association approving such plan of merger or plan of consolidation in accordance with the provisions of this act shall be by resolution direct that the plan be submitted to a vote of the shareholders of such banks bank and trust company or national banking association entitled to vote thereon at an annual or special meeting of the shareholders

The board of trustees of each savings bank upon approving such plan of merger or plan of consolidation in accordance with the provisions of this act shall by resolution direct that the plan be submitted to a vote of the board at a designated regular or special meeting at least fifteen days thereafter

Written notice shall not less than fifteen days before such meeting be given respectively to each shareholder of record or to each trustee who was not present at the meeting at which the resolution providing for the meeting was adopted The notice shall state the place day hour and purpose of the meeting and a copy or a summary of the plan of merger or plan of consolidation as the case may be shall be included in or enclosed with such notice Such notice shall also be published once a week for two consecutive weeks before such meeting in at least one newspaper of general circulation

C In the case of banks bank and trust companies or national banking associations the plan of merger or consolidation shall be ratified upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote thereon of each of the merging or consolidating corporations and in the case of savings banks by the affirmative vote of two-thirds of all the trustees in each savings bank

Section 1403 Articles of Merger or Consolidation Upon the approval pursuant to the provisions of this act of the plan of merger or the plan of consolidation by the shareholders of each of the banks bank and trust companies or national banking association or by the trustees of each of the savings banks desiring to merge or consolidate triplicate originals of articles of merger or articles of consolidation as the case may be shall be executed under the seal of each corporation by two duly authorized officers of each corporation and shall set forth

(1) The name of the surviving or new incorporated institution

(2) The exact location of the place or places of business of the surviving or new incorporated institution

(3) The time and place of the meeting of the directors or trustees at which the plan of merger or consolidation was proposed and the time and place of the meeting of the shareholders or of the trustees of each corporation at which the plan of merger or consolidation as the case may be was ratified the kind and period of notice given to the shareholders or to the trustees who had not attended the meeting at which the merger or consolidation plan was by resolution proposed and the total vote by which the plan was adopted

(4) In the case of a merger any changes desired to be made in the articles of the surviving incorporated institution or in the case of a consolidation all of the statements required by this act to be set forth in the original articles in the case of the formation of such an incorporated institution

(5) The number names and adresses of the persons to be the first directors or trustees of the surviving or new incorporated institution

(6) The plan of merger or consolidation

Section 1404 Filing of Articles of Merger or Consolidation Payment of Fees Approval by Department of State A The triplicate originals of the articles of merger or articles of consolidation as the case may be and the proof of publication of the advertisement required by this act shall be delivered to the Department of State

B In addition to any bonus fees taxes and charges provided by law in the case of any corporation an incorporated institution shall pay to the Department of State such reasonable fees as shall be established by rule and regulation by the Department of Banking for the investigation made by the Department of Banking pursuant to the provisions of this act to determine whether the articles of merger or articles of consolidation as the case may be should be approved Such fee for the investigation by the Department of Banking shall be paid to the Department of State at the time of the filing

with it of the articles of merger or articles of consolidation and shall be paid by the Department of State through the Department of Revenue into the Banking Department Fund

C The Department of State shall examine such articles of merger or articles of consolidation and such proof of publication to determine whether they contain all the information and are in the form required by this act and also whether the name of the surviving or new incorporated institution as the case may be conforms with the requirements of law for the name of such an incorporated institution or if the name is not the same as either or any of the merging or consolidating institutions whether it is the same as one already adopted or reserved by another corporation or person or is so similar thereto that it is likely to mislead the public

After all the bonus fees taxes and other charges have been paid as required by law if the articles of merger or articles of consolidation and the proof of publication contain the information and are in the form required by this act the Department of State shall endorse its approval upon each of the triplicate originals of the articles of merger or articles of consolidation and shall forthwith transmit them to the Department of Banking

D If the Department of State shall disapprove the articles of merger or the articles of consolidation pursuant to this act it shall forthwith give notice thereof to the incorporated institution stating in detail its reasons for doing so and stating how such institution can remedy the nonconformance with the provisions of this act Upon remedying the defect such incorporated institution may in the same manner file the same or amended articles whichever the particular case may require

Section 1405 Approval of Articles of Merger or Consolidation by Department of Banking A The Department of Banking shall immediately upon the receipt from the Department of State of the articles of merger or articles of consolidation conduct such examination as it may deem necessary to ascertain from the best sources of information at its command

(1) Whether the name of the surviving or new incorporated institution is likely to mislead the public as to its character or purpose

(2) Whether the consolidation or merger is made for legitimate purposes

(3) Whether the interests of the depositors or other creditors and in the case of a bank or a bank and trust company the shareholders are adequately protected

(4) Whether the surviving or new incorporated institution meets all the requirements of this act and violates none of its prohibitions applicable to a bank bank and trust company or a savings bank as the case may be incorporated under this act

(5) Whether where a national banking association is one of the parties of the merger or consolidation it has complied with the requirements of the laws of the United States and the merger or consolidation has been approved by the comptroller

B Within thirty days after the receipt of the articles of merger or articles of consolidation from the Department of State the Department of Banking shall upon the basis of the facts disclosed by the investigation provided for by this section either approve or disapprove such articles It shall immediately notify the Department of State in writing of its action If it shall approve the articles of merger or articles of consolidation it shall sign its approval upon the triplicate originals It shall retain one of the triplicate originals and return the other two to the Department of State

C If the Department of Banking disapproves the articles of merger or the articles of consolidation it shall return them to the Department of State stating in detail its reasons for doing so The Department of State shall immediately give notice to the corporations desiring to merge or consolidate of the action of the Department of Banking and of the reasons therefor as stated to it by the Department Such corporations may within thirty days after the Department of State sends them notice of the disapproval of their articles of merger or articles of consolidation appeal from such disapproval to the Governor who shall hear such appeal promptly and shall within thirty days thereafter decide the matter and certify his decision to the Department of Banking The decision of the Governor shall be conclusive and not subject to review The Department of Banking shall act in accordance therewith

Section 1406 Issuance of Certificate of Merger or Certificate of Consolidation Immediately upon receipt of the two signed triplicate originals of the articles of merger or the articles of consolidation of an incorporated institution from the Department of Banking the Department of State shall file and record one of them and shall issue a certificate of merger or a certificate of consolidation The remaining triplicate of the articles of merger or articles of consolidation and the certificate of merger or consolidation shall be sent by the Department of State to the surviving or new incorporated institution as the case may be which shall then have the articles of merger or the articles of consolidation recorded in the office of the recorder of deeds in the county in which the principal place of business of the incorporated institution is situated The triplicate original of the articles of merger or articles of consolidation upon being recorded by the recorder of deeds shall be returnerd to the incorporated institution

Section 1407 Effect of Merger or Consolidation Upon the merger or consolidation becoming effective the several corporations parties to the plan of merger or consolidation shall be a single incorporated institution which in the case of a merger shall be that incorporated institution designated in the plan of merger as the surviving incorporated institution and in the case of a consolidation shall be the new incorporated institution provided for in the plan of consolidation The separate existence of all corporations parties to the plan of merger or consolidation shall cease except in the case of a merger that of the surviving incorporated institution and their articles and certificates of incorporation shall be considered forfeited Such corporations shall be continued bodies corporate for a period of three years after the time of such forfeiture for the purpose of actions at law or in equity authorized by this section to be continued against them or for the purpose of winding up their affairs but they shall not continue the business for which they were incorporated in any manner whatsoever The surviving or new institution as the case may be shall have all the rights privileges immunities and franchises of each of the merging or consolidating corporations except that the surviving or new incorporated institution shall not thereby acquire authority to engage in any business or exercise any right which cannot be acquired by or which is forbidden to a bank a bank and trust company or a savings bank as the case may be when originally incorporated under this act The surviving or new incorporated institution shall be subject to all the restrictions limitations or duties imposed upon such incorporated institutions when originally incorporated upnder this act All the property real personal and mixed of each of the corporations parties to the plan of merger or consolidation and all debts or obligations due to any of them including subscriptions to share and other choses in action belonging to either or any of them shall be taken and deemed to be transferred to and vested in the surviving or new incorporated institution as the case may be without further act or deed The surviving or new incorporated institution shall thenceforth be responsible for all the liabilities and obligations of each of the corporations so merged or consolidated in the same manner as if the surviving or new incorporated institution had itself incurred such liabilities or obligations but the liabilities of the merging or consolidating corporations or of their shareholders directors trustees or officers shall not be affected nor shall the rights of the creditors thereof or of any persons dealing with such corporations or any liens upon the property of such corporations be impaired by such merger or consolidation and any claim existing or action or proceeding pending by or against any of such corporations may be prosecuted to judgment as if such merger or consolidation had not taken place or the surviving or new incorporated institution may be proceeded against or substituted in its place In the case of a merger the articles of incorporation of the surviving incorporated institution shall be deemed to be amended to the extent if any that changes in its articles are stated in the articles of merger and in the case of a consolidation the statements set forth in the articles of consolidation and which are required or permitted to be set forth in the articles of incorporation of unincorporated institutions formed under this act shall be deemed to be the articles of incorporation of the new incorporated institution The aggregate amount of the net assets of merging or consolidating banks banks and trust companies or national banking associations which was available for the payment of dividends immediately prior to such merger or consolidation shall continue to be available for the payment of dividends by such surviving or new incorporated institution except for any portion thereof which has

been ..... to capital by the issuance of shares or otherwise or to surplus or reserve

The aggregate amount of the net assets of merging or consolidating savings banks which was available for the payment of interest or dividends immediately prior to such merger or consolidation shall continue to be available for the payment of interest or dividends by the surviving or new savings bank except for any portion thereof which has been transferred to surplus reserve or the expense fund

Section 1408 Rights of Dissenting Shareholders A If any shareholder of a bank bank and trust company or national banking association which becomes a party to a plan of merger or consolidation shall file with such corporation prior to or at the meeting of shareholders at which the plan of merger or consolidation is submitted to a vote a written objection to such plan of merger or consolidation and shall not vote in favor thereof and such shareholders within twenty days after the merger or consolidation was effected shall make written demand on the surviving or new incorporated institution for the payment of the fair value of his shares as of the day prior to the date on which the vote was taken approving the merger or consolidation without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation the surviving or new incorporated institution shall pay to such shareholder the fair value of his shares upon surrender of the share certificate or certificates representing his shares The demand of the shareholder shall state the number of the shares owned by him Any shareholder failing to make demand within the twenty-day period shall be conclusively presumed to have consented to the merger or consolidation and shall be bound by the terms thereof If within thirty days after the date on which such merger or consolidation was effected the value of such shares shall be agreed upon by the dissenting shareholder and the surviving or new incorporated institution payment thereof shall be made within ninety days after the date on which such merger or consolidation was effected upon the surrender of the share certificate or certificates representing his shares Upon payment of the agreed value the dissenting shareholder shall cease to have any interest in such shares or in the incorporated institution

B If within such period of thirty days the shareholder and the surviving or new incorporated institution do not so agree then the dissenting shareholder may within sixty days after the expiration of the thirty-day period apply by petition to the court of common pleas within the county in which the principal office of the surviving or new incorporated institution is situated for the appointment by the court of three disinterested persons to appraise the fair market value of his shares without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation The award of the appraisers or of a majority of them when confirmed by the court shall be final and conclusive The costs of such appraisal including a reasonable fee to the appraisers shall be fixed by the court and shall be borne by the surviving or new incorporated institution unless in the opinion of the court the action of any shareholder in refusing the offer of the incorporated institution has been arbitrary vexationus or in bad faith in which case the costs shall be assessed in the discretion of the court The award shall be payable only upon and simultaneously with the surrender to the surviving or new incorporated institution of the share certificate or certificates representing the shares of the dissenting shareholders If the award shall not be paid by the surviving or new incorporated institution within thirty days after the award was made by the appraisers the amount of the award shall be a judgment against the surviving or new incorporated institution as the case may be and may be collected as other judgments in such court are by law collectible Upon the payment of the award or judgment the dissenting shareholder shall cease to have any interest in such shares or in the surviving or new incorporated institution Such shares may be held and disposed of by the surviving or new incorporated institution as it may see fit Unless the dissenting shareholder shall file a petition within the time herein limited such shareholder and all persons claiming under him shall be conclusively presumed to have approved and ratified the merger or consolidation and shall be bound by the terms thereof The right of the dissenting shareholder to be paid the fair value of his shares as herein provided shall cease if and when the incorporated institution shall abandon the merger or consolidation

Section 1409 Effect of Merger or Consolidation on Estates Held or to Be Held in Fiduciary Capacity A Whenever one or more of the bank and trust companies or national banking associations which have participated in a merger or a consolidation were authorized under the laws of this Commonwealth or of the United States to act in a fiduciary capacity all the funds property or investments held by such corporation or corporations as trustee guardian executor administrator or other fiduciary shall be taken and deemed to be transferred to and vested in the surviving or new incorporated institution without any further act or deed or any order or decree of any court or other tribunal whether or not the original fiduciary was appointed by parol by deed by order of court or by the issuance of letters testamentary or letters of administration The surviving or new incorporated institution shall become fiduciary to the same extent and with the same rights powers duties and liabilities in its capacity as fiduciary as the corporation which was originally fiduciary and from which by operation of the provisions of this section the surviving or new incorporated institution has taken over the relationship of fiduciary

However as soon as its articles of merger or articles of consolidation as the case may be is filed with the recorder of deeds the surviving or new incorporated institution shall forthwith give written notice in so far as the giving of such notice is practicable to all corporations or persons who appear upon the available books or other records as or who are otherwise known to be parties interested in any funds property or investments held by such incorporated institution in a fiduciary capacity under the provisions of this act Such corporations or persons may within thirty days after the giving of such notice apply for the appointment of a substituted fiduciary Such application shall be made to the appropriate court register of wills or other tribunal as the case may be or if the instrument under which the fiduciary relation was established prescribes a different authority or method then to such authority or by such method If such application is made notice thereof shall forthwith be given to the surviving or new incorporated institution Except in cases where the instrument creating the fiduciary relationship designates a different method the court register of wills or other tribunal to whom such application is made pursuant to the provisions of this section shall have the power to appoint a substituted fiduciary and to order the surviving or new incorporated institution to file an account of such estate and to transfer and pay over to the substituted fiduciary the funds property or investments of the estate

If the parties to whom the notice required by this section has been given do not within the thirty-day period make such application or pursue whatever method is prescribed by the instrument under which the fiduciary relationship was established for the appointment of a substituted fiduciary and give the surviving or new incorporated institution notice thereof or if it is impracticable to give notice as where there are unborn beneficiaries the surviving or new incorporated institution shall continue to be fiduciary subject to removal only at such time under such circumstances and by such authority as could have effected the removal of the original corporation as fiduciary if the merger or consolidation had never come into existence

B Whenever a bank and trust company or a national banking association authorized to act as a fiduciary in this Commonwealth has heretofore been or shall hereafter be named or appointed trustee guardian executor administrator or other fiduciary such nomination or appointment shall not be deemed to have lapsed by reason of the merger or consolidation of such bank and trust company or national banking association with one or more corporations pursuant to the provisions of this act but such surviving or new incorporated institution shall be entitled to act in the same fiduciary capacity under such nomination or appointment as the original bank and trust company or national banking association could have acted if such merger or consolidation had not been effected

Section 1410 Effective Date of Merger or Consolidation Upon the issuance of the certificate of merger or the certificate of consolidation by the Department of State the merger or consolidation shall be effective The certificate of merger or the certificate of consolidation shall be conclusive evidence

of the performance of all conditions precedent to such consolidation or merger and the creation or existence of a new or surviving incorporated institution except as against the Commonwealth

Section 1411 Merger Consolidation or Conversion of Banks or Bank and Trust Companies into National Banks One or more banks or bank and trust companies and one or more national banking associations operating under the laws of the United States all of which banks or bank and trust companies or national banking associations are located in the same city borough or township may pursuant to the laws of the United States be merged into one of such national banking associations or consolidated into a new national banking association operating under the laws of the United States and a bank or bank and trust company may pursuant to the laws of the United States be converted into a national banking association provided that the banks or bank and trust companies participating in such a merger or consolidation and the bank or bank and trust company being converted into a national banking association shall comply with the following requirements established by this section

(1) The plan of merger or consolidation or of conversion has been approved in the manner and after the advertising and notice required by this act in the case of mergers or consolidations of incorporated institutions by at least a majority of all the directors of any bank or bank and trust company participating in such plan and by the holders of two-thirds of its outstanding shares entitled to vote thereon

(2) Any shareholder of a bank or bank and trust company who objects to the plan of merger or the plan of consolidation or the plan of conversion shall upon compliance with the provisions of this act which relate to the rights of dissenting shareholders in a merger or consolidation of incorporated institutions have all the rights accorded by such provisions to such dissenting shareholders

(3) In the case of any bank and trust company participating in such plan of merger or plan of consolidation or plan of conversion all corporations or persons who appear upon the available books or other records as or who are otherwise known to be parties interested in any funds property or investments held by such bank and trust company as trustee guardian executor administrator or other fiduciary under the provisions of this act shall be entitled to the same notice and shall thereupon have the same rights and duties as are provided by this act for corporations or persons in a similar position in the case of a merger or consolidation of incorporated institutions

(4) All taxes or fees due the Commonwealth or any of the departments or officials of the State government of this Commonwealth shall be paid in full For the purposes of this clause the taxes imposed by the laws of this Commonwealth on such bank or bank and trust company which have not yet become due that is the amount properly apportionable to the part of the tax period which has already elapsed shall be construed to become due upon the date of such merger consolidation or conversion

(5) Triplicate originals of the articles of merger or articles of consolidation or article of conversion corresponding to the articles of merger or articles of consolidation required by this act in the case of the merger or consolidation of incorporated institutions shall be prepared by any bank or bank and trust company participating in the plan of merger consolidation or conversion and filed one with the Department of State one with the Department of Banking and one with the recorder of deeds of the county in which the bank or bank and trust company had its principal place of business The bank or bank and trust company shall also file with the Department of State the certificate of approval of the merger consolidation or conversion as the case may be by the comptroller certified by him and shall file with the Department of Banking a certified copy thereof

Section 1412 Authority for Conversion of National Bank into Bank or Bank and Trust Company Any national banking association operating under the laws of the United States may when authorized by the laws of the United States and upon full compliance therewith become converted in the manner provided by this act into a bank or a bank and trust company

Section 1413 Approval of Plan of Conversion of National Bank into Bank or Bank and Trust Company In the case of a proposed plan for the conversion of a national banking association into a bank or a bank and trust company the board of directors shall by resolution approved by at least a majority of all the members of the board of directors adopt such plan It shall then be ratified by the affirmative vote of the holders of at least two-thirds of the outstanding shares entitled to vote thereon in the manner and after the advertising required by his act in the case of any merger or consolidation

Section 1414 Articles of Conversion of National Bank into Bank or Bank and Trust Company Upon the approval pursuant to the provsions of this act and in accordance with the requirements of Federal law of the plan of conversion by the directors and the shareholders of the national banking association which proposes to become converted into a bank or a bank and trust company triplicate originals of articles of conversion shall be executed under the seal of such corporation by two of its duly authorized officers and shell set forth

(1) The proposed name of the bank or bank and trust company

(2) The exact location of the place or places of business of the bank or bank and trust company into which the national banking association plans to become converted

(3) The time and place of the meeting of the directors at which the plan of conversion was proposed and the time and place of the meeting of the shareholders at which the plan was ratified the kind and period of notice given to the shareholders and the vote of the directors and the vote of the shareholders by which the plan was adopted

(4) All of the statements required by ths act to be set forth in original articles of incorporation in the case of the formation of a bank or a bank and trust company as the case may be in so far as such information is applicable to the case of a national banknig association proposing to become converted into a bank or a bank and trust company respectively

(5) The number names and addresses of the persons to be the first directors of the bank or bank and trust company

(6) A statement of the approval of the comptroller to the plan of conversion

(7) The plan of conversion

Section 1415 Filing of Articles of Conversion of National Bank into Bank or Bank and Trust Company Payment of Fees Approval by Department of State A The triplicate originals of the articles of conversion of the national banking association into a bank or a bank and trust company and the proof of publication of the advertisement required by this act shall be delivered to the Department of State

B In addition to any bonus fees taxes and charges provided by law in the case of any corporation the national banking association shall pay to the Department such reasonable fees as shall be established by rule or regulation by the Department of Banking for the investigation made by the Department of Banking pursuant to the provisions of this act to determine whether the articles of conversion should be approved Such fee for the investigation by the Department of Banking shall be paid to the Department of State at the time of the filing with it of the articles of conversion and shall be paid by the Department of State through the Department of Revenue to the Banking Department Fund

C The Department of State shall examine such articles of conversion and such proof of publication to determine whether they contain all the information and are in the form required by this act and also whether the name of the proposed bank or bank and trust company as the case may be conforms with the requirments of law for the name of such an incorporated institution or whether it is the same as one already adopted or reserved by another corporation or person or is so similar thereto that it is likely to mislead the public

After all the bonus fees taxes and other charges have been paid as required by law if the articles of conversion and the proof of publication contain the information and are in the form required by this act the Department of State shall endorse its approval upon each of the triplicate originals of the articles of conversion and shall forthwith transmit them to the Department of Banking

D If the Department of State shall disapprove the articles of conversion pursuant to this act it shall forthwith give notice thereof to the national banking association stating in detail its reasons for doing so and stating how such national banking association can remedy the nonconformance with the provisions of this act Upon remedying the defect such na-

tional banking association may in the same manner file the same or amended articles whichever the particular case may be

Section 1416 Approval by Department of Banking of Articles of Conversion of National Bank into Bank or Bank and Trust Company A The Department of Banking shall immediately upon the receipt from the Department of State of the articles of conversion of a national banking association into a bank or a bank and trust company conduct such examination as it may deem necessary to ascertain from the best sources of information at its command

(1) Whether the name of the proposed bank or bank and trust company is likely to mislead the public as to its character or purpose

(2) Whether the conversion is made for legitimate purposes

(3) Whether the interests of the depositors other creditors and shareholders are adequately protected

(4) Whether the proposed bank or bank and trust company meets all the requirements of this act and violates none of its prohibitions applicable to a bank or a bank and trust company as the case may be incorporated under this act

(5) Whether the national banking association has complied with the requirements of the laws of the United States and has been approved by the comptroller

B Within thirty days after the receipt of the articles of conversion from the Department of State the Department of Banking shall upon the basis of the facts disclosed by the investigation provided for by this section either approve or disapprove such articles It shall immediately notify the Department of State in writing of its action If it shall approve the articles of conversion it shall sign its approval upon the triplicate originals It shall then retain one and send the remaining two of them to the Department of State

C If the Department of Banking disapproves the articles of conversion it shall return them to the Department of State stating in detail its reasons for doing so The Department of State shall immediately give notice to the national banking association desiring to become converted into a bank or a bank and trust company of the action of the Department of Banking and of the reasons therefor as stated to it by that Department Such national banking association may within thirty days after the Department of State sends it notice of the disapproval of its articles of conversion appeal from such disapproval to the Governor who shall hear such appeal promptly and shall within thirty days thereafter decide the matter and certify his decision to the Department of Banking The decision of the Governor shall be conclusive and not subject to review The Department of Banking shall act in accordance therewith

Section 1417 Issuance of Certificate of Conversion of National Bank into Bank or Bank and Trust Company Immediately upon receipt of the two signed triplicate originals of the articles of conversion of a national banking association into a bank or bank and trust company from the Department of Banking the Department of State shall file and record one of them and shall issue a certificate of conversion The remaining triplicate of the articles of conversion shall be sent by the Department of State to the bank or bank and trust company as the case may be which shall then have them recorded in the office of the recorder of deeds in the county in which the principal place of business of such bank or bank and trust company is situated The triplicate original of the articles of conversion upon being recorded by the recorder of deeds shall be returned to the bank or bank and trust company

Section 1418 Effect of Conversion of National Bank into Bank or Bank and Trust Company Upon the conversion becoming effective the bank or bank and trust company as the case may be shall have all the rights privileges immunities and franchises of the national banking association except that it shall not thereby acquire authority to engage in any business or exercise any right which cannot be acquired by or is forbidden to a bank or bank and trust company as the case may be when originally incorporated under this act The bank or bank and trust company shall be subject to all the restrictions limitations or duties imposed upon such institutions when incorporated under this act All the property real personal and mixed of the national banking association and all debts or obligations due to it including subscriptions to shares or other choses in action belonging to it shall be taken and deemed to be transferred to and vested in the bank or bank and trust company as the case may be without further act or deed The bank or bank and trust company shall thenceforth be responsible for all the liabilities and obligations of the national banking association in the same manner as if the bank or bank and trust company had itself incurred such liabilities or obligations but the liabilities of the national banking assoication or of its shareholders directors or officers shall not be affected nor shall the rights of the creditors thereof or any persons dealing with such national banking association or any liens upon the property of such association be impaired by such conversion and any claim existing or action or proceeding pending by or against such national banking association may be prosecuted to judgment as if such conversion had not taken place or the bank or bank and trust company into which it is converted may be proceeded against or substituted in its place

The net assets of the national banking association which were available for the payment of dividends immediately prior to such conversion shall in so far as they would have been available for such payment under the laws of this Commonwealth continue to be available for the payment of dividends by the bank or bank and trust company into which the national banking association is converted except for any portion thereof which has been transferred to capital by the issuance of shares or otherwise or to surplus or reserve

Section 1419 Rights of Dissenting Shareholders of National Bank Converted into Bank or Bank and Trust Company The bank or bank and trust company into which the national banking association has been converted shall be liable to any shareholder of the national banking assocation who has objected to the plan of conversion according to the method provided by the laws of the United States or if no method is there provided then according to the method provided by this act in the case of a merger or a consolidation for any amount due him as a dissenting shareholder under the laws of the United States or if no provisions is there made under the provisions of this act which relate to the dissenting shareholders of a bank or a bank and trust company which merges or consolidates

Section 1420 Effect of Conversion of National Bank into Bank and Trust Company upon Assets Held or to Be held in Fiduciary Capacity A If the national banking association has been converted into a bank and trust company and if it was authorized under the laws of the United States to act in a fiduciary capacity all the funds property or investments held by such national banking association as trustee guardian executor administration or other fiduciary shall be taken and deemed to be transferred to and vested in the bank and trust company into which it has been converted without any further act or deed or any order or decree of court or other tribunal whether or not the national banking association was appointed fiduciary by parol by deed by order of court of by the issuance of leters testamentary or letters of administration The bank and trust company shall become fiduciary to the same extent and with the same rights powers duties and liabilities in its capacity as fiduciary as the national banking association

However all corporations or persons who appear upon the available books or other records as or who are otherwise known to be parties interested in any funds property or investments held by such national banking association as trustee guardian executor administrator or other fiduciary shall be entitled to the notice required by the laws of the United States and shall thereupon have the rights and duties provided by the laws of the United States or if the laws of the United States make no provisions on these subjects then such corporations or persons shall be entitled to the same notice and shall thereupon have the same rights and duties as are provided by this act for corporations or persons in a similar position in the case of a merger or consolidation

B Whenever a national banking association authorized to act as a fiduciary in this Commonwealth has heretofore been or shall hereafter be named or appointed trustee gurdian executor administrator or other fiduciary such nomination or appointment shall not be deemed to have lapsed by reason of the conversion of such national banking association into a bank and trust company pursuant to the provisions of the laws of the United States and of this act but such bank and trust company shall be entitled to act in the same fiduciary capacity under such nomination or appointment as the national banking association could have acted if such conversion had not been effected

Section 1421 Effective Date of Conversion of National Bank into Bank or Bank and Trust Company Upon the issuance of the certificate of conversion by the Department of State pursuant to the provisions of this act the conversion of the national bank into a bank or bank and trust company shall be effective The certificate of conversion shall be conclusive evidence of the performance of all conditions precedent to such conversion and the creation or existence of a bank or bank and trust company except as against the United States or this Commonwealth

ARTICLE XV

FORFEITURE OF CHARTER OR CERTIFICATE OF AUTHORIZATION GENERAL CRIMINAL PROVISIONS

Section 1501 Books Records and Accounts of Institutions Reports Prohibitions Penalties A The total liabilities of each institution to depositors shall be set out in full upon the books or other records of the institution and in all reports required by law It shall be unlawful for any institution to reduce such liabilities for the purpose of concealing unadjusted losses overdrafts expense charges or loans All such losses overdrafts expense charges or loans shall be set up in separate accounts on the books or other records of the institution until adjusted or charged off They shall not be charged in any manner whatsoever against deposits or other credits for which the institution may be liable

B Whenever an institution shall rediscount or borrow money bonds or other securities the amount of such borrowings or such rediscounts together with any assets pledged or assigned therefor shall be set out in full on the books or other records of the institution and in all reports required by law

C An institution shall not conceal any of its assets in any manner whatsoever upon its books or other records or in any report required by law but an accurate and complete record shall be kept of the same An institution shall not by any system of accounting or any device of bookkeeping directly or indidrectly enter any of its assets upon its books in the name of any other corporation or person or under any title or designation that is not truly descriptive thereof

D An institution shall not except with the written approval of the Department enter or at any time carry on its books any real or personal property owned by it at a valuation exceeding its actual cost to such institution

E Any officer or employe of an institution and in the case of an incorporated institution any director or trustee who knowingly violates any provision of this section shall be guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment not exceeding one year or a fine not exceeding one thousand dollars or both

Section 1502 Repledging of Collateral A An institution shall not repledge any property held by it in pledge or as collateral which belongs to any other corporation or person unless such property is accompanied by the obligation of the original borrower from the institution and unless the obligation for which such property is repledged is not for an amount exceeding the amount of the original obligation due at the time of such repledging

B Any officer or employe of an institution and in the case of an incorporated institution any director or trustee who knowingly violates the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period not exceeding one year or a fine not exceeding one thousand dollars or both

Section 1503 Relationship of Institution with Employes of Department A An institution shall not grant or give any sum of money or other property whether as a gift credit loan or otherwise either directly or indirectly to the Secretary of Banking or to any deputy examiner clerk or other employe of the Department However any institution may grant a loan to the Secretary of Banking or any deputy examiner clerk or other employe of the Department if such loan is secured by a mortgage upon his own home which meets all the terms and conditions provided by this act for loans secured by mortgages and which in addition meets any additional conditions imposed and followed by such institution in making such loan

This section shall not be construed to prohibit the Secretary of Banking or any deputy examiner clerk or other employe of the Department from becoming a depositor in any institution

B Any officer or employe of an institution and in the case of an incorporated institution any director or trustee who knowingly violates the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period not exceeding one year or a fine not exceeding one thousand dollars or both he shall also be subject to a further fine of a sum equal to the amount of the gift credit loan or other sum of money or the value of any other property given in violation of this section

Section 1504 Forfeiture of Articles of Incorporation or Certificate of Authorization A The articles of incorporation in the case of an incorporated institution and the certificate of authorization in the case of a private bank shall be automatically forfeited by operation of law when

(1) In the case of a bank or a bank and trust company the capital surplus and expense fund required by law and in the case of a savings bank the expense fund required by law have not been paid in within two years after the issuance of its certificate of incorporation

(2) In the case of an incorporated institution it has not in any manner exercised at least one of the powers conferred upon it by its articles of incorporation and in the case of a private bank by its certificate of authorization within two years after the issuance thereof

(3) In the case of an incorporated institution it has formerly exercised any of the powers conferred upon it by its articles of incorporation or in the case of a private bank by its certificate of authorization but for a period of two years it has not xercised at least one of such powers

(4) The Secretary after having taken possession of the business and property of an institution as receiver has completely liquidated its assets

(5) In the case of a bank or a bank and trust company the Secretary after having taken possession of the business and property of the bank or bank and trust company as receiver has paid the depositors and other creditors in full and has surrendered the assets remaining to liquidating trustees for the benefit of the shareholders

(6) The Secretary after having taken possession of the business and property of an institution as receiver has surrendered possession to the institution itself because he was without funds to liquidate the business and property

(7) The Secretary after having taken possession of the business and property of an institution as receiver has surrendered to the institution itself or to any other corporation or person the assets of the institution in order to permit the carrying out of a special plan of liquidation

B Whenever it shall appear to the Department that any of the conditions which under the provisions of this section shall effect the forfeiture of the articles of an incorporated institution or the certificate of authorization of a private bank it shall issue a certificate of forfeiture of the articles of incorporation or of the certificate of authorization in quadruplicate originals One such quadruplicate original shall be filed with the Department one sent to the last known address of the institution one to the Department of State and one to the recorder of deeds of the county in which the place of business of the institution is or was located to be recorded without charge by such recorder of deeds

C If the articles of incorporation of an incorporated institution have been forfeited in the manner provided by this section the corporate powers may whenever necessary to effect the liquidation and winding up of the business and property of such institution continue for a period of three years but they shall not be considered in existence for any other purposes whatsoever

Section 1505 Prohibition upon Unauthorized Banking Business A The only corporations or persons who shall be authorized to receive moneys in this Commonwealth for deposit or for transmission or to establish in this Commonwealth a place of business for the purpose of receiving moneys for deposits or for transmission shall be banks bank and trust companies saving banks and private banks

B Any individual who either on his own behalf or as representative of any corporation or association shall receive in this Commonwealth moneys for deposit or for transmission or shall establish a place of business for such purpose within this Commonwealth when such individual or such corporation or association is not authorized under the laws of this Commonwealth to receive such moneys or to establish such place of business shall be guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period not exceeding one year or a fine not exceeding one thousand dollars or both he shall also be subject to a further fine equal to the

amount of any moneys received by him for deposit or for transmission The corporation which such individual represents or the members of the association which he represents shall be guilty of a misdemeanor and upon convection thereof shall be subject to a fine of five thousand dollars such corporation or such members of an association shall be subject to a further fine equal to the amount of any moneys received by such corporation or such association or by its agent for deposit or for transmission

C The provisions of this section shall not apply to a national banking association or to a Federal Reserve Bank or to the representatives of either or to hotels which receive money from guests for temporary safe-keeping express steamship or telegraph companies which receive money for transmission and brokers licensed under the laws of this Commonwealth holding membership in a lawfully constituted brokerage exchange who do and have authority to do only such banking as is incidental to their brokerage business

Section 1506 Prohibition upon Corporations Acting as Fiduciary Penalty A The only corporations organized under the laws of this Commonwealth which shall have authority to act in this Commonwealth as trustees guardians executors administrators or in any similar fiduciary capacity shall be bank and trust companies

B A corporation organized under the laws of any state of the United States other than Pennsylvania shall not have authority to act in this Commonwealth as trustee guardian executor administrator or in any other similar fiduciary capacity unless it shall be appointed such fiduciary by any last will and testament or codicil thereto or other testamentary writing or by any court or register of wills of this Commonwealth and unless the laws of such other state confer like powers upon corporations organized under the laws of this Commonwealth but such corporations organized under the laws of another state shall be required to give such bond or other security as shall be deemed adequate by the court or register of wills in the Commonwealth having jurisdiction over the estate of which the corporation is acting as trustee guardian executor administrator or similar fiduciary

C The provisions of this section shall not be construed to permit a corporation organized under the laws of any state other than this Commonwealth to establish in this Commonwealth a place of business for the conducting of the business of acting as fiduciary

D The provisions of this section shall not apply to any nonprofit corporation nor shall they be construed to prevent any court or testator from appointing any corporation as trustee to execute a trust for its own use within the purpose of such corporation

E Any national banking association having authority under the laws of the United States to act as trustee guardian executor administrator or similar fiduciary shall upon the adoption by its board of directors of a resolution agreeing to place its trust department under the supervision of the Department of Banking and upon the transmission of a certified copy of such resolution to the Department of Banking be authorized to act as such fiduciary in this Commonwealth

F Any corporation whether organized under the laws of this Commonwealth or of any other state which violates the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not exceeding five thousand dollars

Section 1507 Perjury Anyone who shall wilfully and corruptly make a false statement under any oath or affirmation provided for in this act or anyone who shall by any means procure or suborn any other person to do so shall be guilty of the crime or perjury and upon conviction thereof shall be subject to the same punishment as is or may be provided by law for perjury

Section 1508 Statute of Limitations for Violation of Act Any prosecution for the commission of any criminal offense under the provisions of this act may be commenced at any time within six years after the date upon which the alleged offense shall have been committed However if the person against whom such prosecution is brought shall not have been an inhabitant of this Commonwealth or a usual resident therein for six years then such indictment may be commenced and prosecuted at any time within six years after he shall have become an inhabitant of or usual resident within this Commonwealth

ARTICLE XVI
EFFECTIVE DATE AND REPEALER

Section 1601 Effective Date This act shall become effective on the third day of July one thousand nine hundred thirty-three

Section 1602 Acts and Parts of Acts Specifically Repealed The following acts and parts of acts are hereby specifically reapealed

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Section 1603 General Repeal of Acts All other acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 459, as follows:

An Act to authorize cities of the third class to sue out writs of scire facias on certain municipal claims where more than five years have elapsed since said claims were filed and to reduce such claims to judgment and providing for the revival and collection of such judgments

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of same That whenever any city of the third class has heretofore filed in the office of the prothonotary of the proper county any municipal claim or claims and such city has not within the period of five years after the date on which any such claim was filed sued out a writ of scire facias to reduce the same to judgment then in any such case any such city may within three months after the passage and approval of this act issue its praecipe for a writ of scire facias on any such municipal claim and proceed to judgment in the manner provided by law to obtain judgments upon municipal claims and such judgment shall be a valid judgment and be a lien upon the real estate upon which it was a lien at the time it was filed and said judgment may be revived and collected as other judgments upon municipal claims are revived and collected Provided however That the lien of any such judgment shall not reattach against any real estate transferred to any purchaser during the time when the lien of any such municipal claim was lost nor shall the lien of any such judgment impair or affect the priority of the lien of any mortgage or other lien which gained priority because of the failure of the city to sue out the writ of scire facias within the five year period or was entered of record during the time the lien of such municipal claim was lost

This act shall be in effect immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 481 (House Bill No. 265), entitled:

An Act to validate certain proceedings for municipal improvements, municipal assessments, municipal claims and municipal liens, in the several boroughs of this Commonwealth, and validating such improvements, assessments, claims, and liens; providing for the filing of claims and liens therefor; and the proceedings for the collection of such assessments and claims.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 492, as follows:

An Act to amend section one thousand one hundred and forty of the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" changing the term of office of borough managers

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand one hundred and forty of the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" is hereby amended to read as follows

Section 1140 BOROUGH MANAGER MAY BE CREATED BY ORDINANCE ELECTION The council of any borough may at its discretion at any time create by ordinance the office of borough manager and may in like manner abolish the same While said office exists the council shall from time to time whenever there is a vacancy elect by a vote of a majority of the members one person to fill said office who shall serve [until] for a term ending on the first Monday of January [of the even-numbered year succeeding his election] five years after the first Monday in January of the year in which he was elected and until his successor qualified subject however to removal by the council at any time by a vote of the majority of the members

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 532 (House Bill No. 421), entitled:

An Act validating ratifying and confirming certain assessments by boroughs of sewage taxes against property outside the limits of such boroughs benefited by sewers constructed by such boroughs and all municipal claims filed and entered pursuant to such assessments.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 541, as follows:

An Act establishing as State highways all existing township roads in townships of the second class which have not heretofore been established as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions authorizing the Secretary of Highways under certain conditions to petition the Court of Quarter Sessions to vacate certain of said roads and making an appropriation out of the Motor License Fund

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all existing township roads in townships of the second class which have not heretofore been established as State highways are hereby established by the Commonwealth as State highways to be taken over upon the terms and conditions and subject to the limitations hereinafter contained and thereafter to be maintained and constructed at the expense of the Commonwealth upon the terms and conditions and subject to the limitations hereinafter provided

Section 2 All township roads in townships of the second class not heretofore established as State highways shall be taken over by the Commonwealth through the Department of Highways not later than the first day of December one thousand nine hundred thirty-three subject however to the following exceptions

(a) No township road or part thereof shall be taken over by the Commonwealth if an order or decree for the improvement thereof has been issued until there has been full compliance with the terms of such order or decree

(b) No township road or part thereof shall be taken over by the Commonwealth if a contract for the improvement thereof has been entered into between a contractor and the Commonwealth or the local authorities or both until the contract has been completed

(c) No township road or part thereof shall be taken over if an agreement has been entered into between the local authorities and the Commonwealth or any other party for the maintenance or construction of such road even though no formal contract has been executed pursuant to such agreement and no work has been done until the terms of the agreement have been fulfilled or the agreement has been cancelled by the local authorities

Section 3 The Commonwealth shall take over through the Department of Highways the obligation for maintaining constructing or reconstructing all drainage structures and bridges on any highway taken over under the provisions of this act which are the responsibility of the township except storm or sanitary sewers Responsibility for the construction reconstruction and maintenance of any other structures shall remain with the county township person association or corporation responsible therefor at the date of the approval of this act

Section 4 After the highways hereinbefore designated shall have been taken over by the Commonwealth they shall be built rebuilt constructed reconstructed repaired and maintained by the Department of Highways at the expense of the Commonwealth but it shall nevertheless be lawful for the Department of Highways to enter into agreements in the discretion of the Secretary of Highways with counties or townships or with persons associations or corporations for sharing with the Commonwealth the cost of construction reconstruction or maintenance of highways or parts thereof taken over by the Commonwealth under this act The construction or improvement of any such highways shall be of such width type and location as may be determined by the Secretary of Highways with the approval of the Governor and repairs and maintenance shall be of such type as shall be determined by the Secretary of Highways

The county commissioners of any county may by resolution and after approval of a grand jury of the county take over with the consent of the Secretary of Highways any State highway included in this act or any section thereof as a county road to be maintained and improved in the manner provided by law for county roads A description of any road or section so taken over with the resolution of the county commissioners and the approval of the Secretary of Highways shall be filed by the county commissioners in the office of the clerk of the Court of Quarter Sessions of the proper county

Section 5 Whenever it shall appear to the Secretary of Highways that any part or section of any township road taken over under the provisions of this act is unnecessary for public travel burdensome or dangerous he may petition the Court of Quarter Sessions of the proper county to vacate such part or section of township road and the proceedings upon said petition shall be governed by existing laws relating to the vacating of public highways provided that nothing herein contained shall be construed to limit the authority of the Secretary of Highways to vacate certain sections of roads which have been relocated as now provided by law

Section 6 This act is not intended and shall not be construed to include or in any manner affect any private road county road or any road street or highway in any city borough or incorporated town of the Commonwealth

Section 7 All moneys received by the Commonwealth under any contract or agreement for sharing the cost of the construction reconstruction or maintenance of any section of a highway under the provisions of this act shall be deposited in the Motor License Fund and as much of the money in the

Motor License Fund as may be necessary to carry out the provisions of this act is hereby specifically appropriated to the Department of Highways for the purposes of this act

Section 8 It is the intention of the General Assembly that if this act cannot take effect in its entirety because of the judgment of any court of competent jurisdiction holding unconstitutional any part or parts thereof the remaining provisions of the act shall be given full force and effect as completely as though the part or parts held unconstitutional had not been included herein

Section 9 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

Section 10 This act shall become effective upon it approval by the Governor

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. GELDER. Mr. President, I move that Senate Bill No. 541, the bill just read, be recommitted to the Committee on Public Roads and Highways.

Mr. CLARK. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensd with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 570 (House Bill No. 131), entitled:

An Act to validate certain proceedings for municipal improvements municipal assesments municipal claims and municipal liens in the several boroughs of this Commonwealth and validating such improvements assessments claims and liens providing for the filing of claims and liens therefor and the proceedings for the collection of such assessments and claims.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensd with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 583 (House Bill No. 750), entitled:

An Act to amend section one thousand nine hundred and two of the act approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled, "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto;" permitting cities temporarily to construct and reconstruct highways and sewers without contract.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensd with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 604 (House Bill No. 451), entitled:

An Act to amend section one of the act approved the twenty-sixth day of August one thousand nine hundred and thirty-two (P. L. 101) entitled "An act authorizing collectors of delinquent taxes except in cities of the first class to accept payments of delinquent taxes or water-rents or rates in installments" extending the provisions thereof to county taxes other than county taxes in counties of the second class and clarifying the term "Delinquent tax collector."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensd with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 617, as follows:

An Act to amend section twenty-five of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred forty-seven) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities, accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widows and childrens exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans court in all matters relating to fiduciaries concerned with the estates of decedents" as amended so as to limit the duration of the lien of legacies unless proceedings are brought to enforce their payment within ten years after the probate of the testators will or after said legacies become due and payable

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-five of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred forty-seven) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widows and childrens exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge or residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the

court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans court in all matters relating to fiduciaries concerned with the estates of decedents" which was amended by the act approved the fourteenth day of April one thousand nine hundred and thirty-one (Pamphlet Laws thirty-two) is hereby further amended to read as follows

Section 25 (a) 1 In all cases in which by the provisions of any last will and testament or by the provisions of this act or by proceedings in the orphans court in any county any legacy or any money payable at a future period or any money the interest in which is payable to any person is or shall be hereafter charged upon or payable out of real estate it shall be lawful for the legatee or the person entitled to such money or interest to apply by petition to the orphans court having jurisdiction of the accounts of the fiduciary On the presentation of such petition the court having caused due notice to be given to such fiduciary and the devisee or heir as the case may be and the present owner of the real estate charged with such legacy sum of money or interest and to such persons interested in the estate or property as justice may require may proceed according to equity to make a decree directing such devisee heir or owner to pay the amount of such legacy sum of money or interest then due within a time to be limited by such decree and providing that in case such devisee heir or owner shall fail to make payment within such time the fiduciary or a trustee to be appointed by said court in its discretion shall after giving public notice of such sale once a week for a period of three weeks before the day appointed therefor by advertisement in at least one newspaper published in the county if there be one or if there be none then in an adjoining county and by handbills posted at a conspicuous place on the real estate proposed to be sold and in at least three of the most public places in the vicinity of such estate make sale of said real estate or so much thereof as may be necessary for the purpose of payment of such legacy sum of money or interest The proceeds of such sale shall be distributed under the direction of said court as in other cases of judicial sales to the persons legally entitled to receive the same In the case of money charged upon real estate the interest on which is payable to any person the court may instead of directing a sale of such real estate as aforesaid make such decree or order to enforce payment of said interest as shall be just and proper

2 The orphans' courts of the several counties of this Commonwealth in all cases where under the provisions of this section such courts have power to order the sale of real estate may authorize or direct a private sale if in the opinion of the court under all the circumstances a better price can be obtained at private than at public sale as where the interest shall be undivided or for any other sufficient cause

3 Before authorizing or directing any private sale of real estate public notice thereof shall be given by advertisement printed in at least one newspaper published in the county where such real estate is situated once a week for a period of three weeks prior to the date fixed by such order for authorizing or directing such sale and also written or printed notices one of which shall be posted at a conspicuous place on the real estate proposed to be sold and at least three of which shall be posted at three of the most public places in the vicinity of such real estate and before authorizing or directing such sale the court shall require proof by affidavit to be filed in the proceedings that notice as aforesaid has been given Such notice specify the location and description of the real estate proposed to be sold the name of the proposed purchaser and the price agreed to be paid

(b) If the real estate charged with such legacy sum of money or interest be situated in a county or counties other than that the orphans' court of which has jurisdiction of the accounts of the fiduciary and the devisee heir or owner against whom such decree has been made shall fail to comply therewith according to the terms thereof such decree may be certified to the orphans' court of any county in which such real estate is situated or in case such real estate is divided by a county line then to the orphan's court of the county where the mansion-house may be situated or if there be no mansion-house to the county where the principal improvements may be or if there be no improvements to either county Upon such certification and petition filed by the legatee or the person entitled to such money or to such interest it shall be the duty of the said orphans' court to make an order for the public or private sale of so much and such parts of such real estate as shall in their opinion be necessary to raise the specified sum and to direct the fiduciary or a trustee to be appointed by said court to make such sale after public notice as aforesaid given in each of the counties in which the real estate is situated Such fiduciary or trustee shall in all cases of public sale make return of his proceedings in relation to such sale to the orphans' court making such order of sale when if the same be approved by said court it shall be confirmed but the proceeds of all such sales shall be distributed under the direction of the court having jurisdiction of the accounts of the fiduciary or trustee as provided in clause (a) of this section In the case of money charged upon real estate the interest on which is payable to any person the orphans' court to which the decree is certified as aforesaid may instead of directing a sale of such real estate as aforesaid make such decree or order to enforce payment of said interest as shall be just and proper In the case of private sales authorized or directed under the provisions of this section no return or confirmation shall be necessary

(c) Before such legatee or other person shall be entitled to the benefit of any decree made under the provisions of this section for payment by the divisee heir or owner of the real estate of the amount of such legacy sum of money or interest he or she shall give such security as the court in which application was originally made shall direct for the indemnity of the devisee heir owner or other persons interested in the event of any debt due by the testator being recovered for the payment of which such real estate would be liable

(d) 1 Whenever under the provisions of any will a legacy is expressly or by legal implication or by the provisions of this or any other act charged as a lien upon real estate of such testator such lien shall cease and determine at the expiration of the period hereinafter limited unless proceedings to enforce such lien as hereinbefore provided in this section shall be brought by such legatee within such period and duly prosecuted to the entry of a decree as therein provided

2 Where the principal of such legacy is immediately payable to some person whether absolutely or in trust for some other person the said proceedings shall be brought within ten years after the date when said will shall have been probated

3 Where the legacy is one which under the will is not payable to any one either absolutely or in trust until some future period or event the said proceedings shall be brought within ten years after the expiration of such period of time or after the happening of such event

4 No such proceedings shall be necessary to preserve the lien of an annuity or annual sum given or directed to be paid to any person by the terms of any will without any principal sum being expressly bequeathed to any one to provide for payment of such annuity or annual sum But where a principal sum is bequeathed to any person in trust to pay to some other person out of the income or principal thereof such annuity or annual sum then the said proceedings shall be brought by such trustee within ten years after the probate of said will or after the said principal sum is due and payable to such trustee in like manner as is hereinbefore provided in subdivisions two and three of clause (d) of this section

5 An such proceeding shall be docketed and indexed in the orphans' court in the name of the testator and if any account has already been filed by the executors such proceedings shall be given the same term and number and be docketed with the audit and adjudication of said account

6 The foregoing provisions of clause (d) of this section shall be retroactive Provided however that in case of any legacy the lien of which would be sooner barred proceedings for the enforcement thereof may be commenced within five years after the passage of this act in manner as provided in clauses (a) (b) and (c) of this section

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 625, as follows:

An Act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their directors shareholders attorneys and other employes prohibiting the tranaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts records of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows

ARTICLE I

SHORT TITLE AND PRELIMINARY PROVISIONS

Section 1 Short Title This act shall be known and may be cited as the "Building and Loan Code"

Section 2 Definitions A The following terms shall be construed in this act to have the following meanings except in those instances where the context clearly indicates otherwise

"Articles" includes the original articles of incorporation any or all amendments thereto articles of merger or consolidation and also what have herefore been designated by law as certificates of incorporation or charters

"Assets" includes all the property and rights of every kind of association

"Association" includes any building and loan association organized under this act or heretofore organized under or by virtue of any other law of this Commonwealth

"Authorized Capital" means the sum of the par value of the shares authorized to be issued in the articles of incorporation or in any amendment thereto

"Corporation" means a corporation or a joint stock association organized under the laws of this Commonwealth of the United States or of any other state territory foreign country or dependency

"Department" means the Department of Banking of this Commonwealth

"Incorporator" means a signer of the original articles of incorporation

"Mortgage Loans" means loans which are secured pursuant to the provisions of this act by the bond of the borrower by a mortgage on real property and by installment shares

"Person" means an individual or an unincorporated association including a partnership a limited partnership or any other form of unincorporated enterprise owned by two or more individuals

"Shares" means the units into which the shareholders' rights to participate in the control of a building and loan association are divided

"Share Certificate" means a written instrument signed by the proper corporate officers as required by this act and evidencing the fact that the corporation or person therein named is the registered owner of the shares therein described it also includes the term "certificate of stock" as used in existing laws

"Share Loans" means loans which are secured pursuant to the provisions of this act by the note of the borrower and by prepaid or installment shares

"Shareholder" means a registered owner of shares in a building and loan association

"Subscriber" means one who subscribes for shares in a building and loan association whether before or after incorporation

"Written" includes printed typewritten engraved lithographed telegraphed cabled radiogramed photographed photostated telephotographed or other form of recorded or transmitted message

B Article and section headings shall not be construed to affect in any manner the scope or meaning of any article or section of this act

C The singular shall be construed to include the plural The masculine shall be construed to include the feminine and the neuter and conversely the neuter shall be construed to include the masculine and the feminine

Section 3 Applicability of Act Every association heretofore organized and incorporated under the act approved the twenty-ninth day of April one thousand eight hundred seventy-four (Pamphlet Laws seventy-three) entitled "An act to provide for the incorporation and regulation of certain corporations" its amendments and supplements and every association heretofore created by any special act or formed under any general act which has accepted in any manner whatsoever the Constitution of Pennsylvania and which if not existing would be required to incorporate under this act shall hereafter be subject to the provisions of this act without formal reorganization hereunder and shall be deemed to exist under this act Except as herein otherwise specifically provided the provisions of this act shall govern all such associations heretofore incorporated in this Commonwealth

Section 4 Saving Clause A The provisions of this act in so far as they are the same as those of existing acts shall be construed as a continuation of such acts and not as new enactments The repeal by this act of any existing act or of any part thereof shall not be construed to revive any act or part of any act heretofore repealed or superseded

B Except as otherwise specifically provided in this act the provisions of this act shall not affect any act done liability incurred or right accrued nor affect any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any act repealed or superseded by this act

C The repeal of any act by this act shall not affect the corporate existence of any association heretofore created under any law of this Commonwealth

D Any person holding office under any act repealed by this act shall continue to hold such office until the expiration of his term subject to the conditions attached to such office prior to the passage of this act

E All resolutions regulations and rules made pursuant to any act repealed by this act shall unless inconsistent with any provision of this act continue with the same force as if such act had not been repealed

Section 5 Constitutional Construction It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

Section 6 Construction of References A Any reference in this act to any act by title or otherwise shall be construed to apply to and include any codification wherein the provisions of the act referred to are substantially reenacted

B Any reference in this act to the provisions of law on any subject shall apply to statutes and decisions becoming effective after the effective date of this act as well as those then in existence

Section 7 Jurisdiction of Courts Except where otherwise specifically provided the provisions of this act shal not be deemed to curtail in any manner whatsoever the equity jurisdiction and powers of the courts of this Commonewalth

Section 8 Notices to Corporations and Persons Unless expressly provided otherwise all written notices required by this act to be given to any corporation or person shall be (1) served in the manner writs of summons except that such service need not be made by the sheriff or (2) mailed or sent by telegram charges prepaid (a) in the case of an individual to his last known residence or place of business (b) in the case of an unincorporated association or a corporation organized under the laws of this Commonwealth to its principal office and (c) in the case of a corporation incorporated under the laws of some other state to its registered office in Pennsylvania or if it has no registered office in Pennsylvania to its home office in the state of incorporation or in any other state

If a notice is sent by mail or by telegraph such notice shall be deemed to have been given to the corporation or person addressed when it is deposited in the United States mail or with a telegraph office for transmission to such corporation or person

Section 9 Advertisement or Notice in Newspaper A Unless expressly provided otherwise any advertisement or notice in a

newspaper of general circulation required by this act shall be published in a newspaper of general circulation in the county as defined by the Newspaper Advertising Act approved the sixteenth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred eighty-four) its supplements and amendments in which the place of business of the association is or in the case of a proposed institution will be located and which is published in the city borough or township in which such place of business is or will be located

If there is no newspaper of general circulation published in the city borough or township then the advertisement or notice shall be inserted in a newspaper of general circulation in the county published at the county seat If no newspaper of general circulation in the county is published at the county seat then such advertisement or notice shall be inserted in the newspaper of general circulation published nearest to the city borough or township in which the place of business of such association is located and within the county If there is no newspaper of general circulation published within the county then the advertisement or notice shall be inserted in the newspaper of general circulation published nearest to such city borough or township in an adjoining county

B Unless expressly provided otherwise any advertisement or notice in a legal newspaper required by this act shall be published in the legal newspaper published within the county as defined by the Newspaper Advertising Act in which the place of business of the association is or in the case of a proposed institution will be located

C Unless expressly provided otherwise if this act requires advertisement or notice to be made both in a newspaper of general circulation and in a legal newspaper and if there is no legal newspaper published within the county in which the place of business of the association is or in the case of a proposed institution will be located the advertisement shall be made in two newspapers of general circulation in the county except that if two newspapers of general circulation are not published in the county then such advertisement or notice shall be made in only one newspaper of general circulation published in the county or if none is published there then in one newspaper published in an adjoining county as provided by this section in any case in which a newspaper of general circulation is not published in the county

D Any proof of publication required by this act shall be in accordance with the requirements set forth in the definition of proof of publication contained in the Newspaper Advertising Act

E Any notice or advertisement in a newspaper required by this act shall be construed to refer to a newspaper published in the English language

Section 10 Waiver of Notice Any notice required by this act or by the articles or by-laws of any association governed by the provisions of this act to be given to any corporation or person may be waived by such corporation or person either before or after the day prescribed for the giving of such notice Such waiver shall be in writing and signed by such corporation or person

Section 11 Effect of Filing or Recording Papers Required to be Filed The filing or recording of the articles or amendments thereto or of any other papers or documents by an association pursuant to the provisions of this act is required for the purpose of affording the public the opportunity of acquiring knowledge of the contents thereof but no corporation or person dealing with the association shall be charged with constructive notice of the contents of any such articles or papers by reason of such filing or recording

Section 12 Fees Except as otherwise specifically provided any prothonotary or recorder of deeds and any State department board commission or officer shall be entitled to receive for services performed as required by this act such fees as it lawfully charges for such or similar services

Section 13 Certificates and Certified Copies of Certain Documents to be Received in Evidence All certificates issued by the Department of State in accordance with the provisions of this act and all copies of documents filed with the Department of State in accordance with the provisions of this act when certified by the Secretary of the Commonwealth shall be taken and received by all courts public offices and official bodies as prima facie evidence of the facts therein stated A certificate by the Department of State under the seal of the Commonwealth as to the existence or nonexistence of the facts relating to corporations which would not appear from a certified copy of any of the foregoing documents or certificates shall be taken and received by all courts public offices and official bodies as prima facie evidence of the existence or nonexistence of the facts therein stated

ARTICLE II

NAMES AND PLACES OF BUSINESS OF ASSOCIATIONS

Section 201 Association Name Change of Name A The name of an association may be in any language but it shall be expressed in English letters or characters It shall contain the words "building and loan association" The name of an association shall not contain the words "trust" "bank" "deposit" "discount" or any other word which may deceptively lead to the conculsion that it is authorized to perform any act or conduct any business which is forbidden to it by law by its charter or otherwise The name of the association shall not contain the words "Pennsylvania" "Commonwealth" "State" "Government" "Official" "Federal" "National" or "United States"

The name of an association shall not be deceptively similar to that of any other corporation authorized to transact business in this Commonwealth or the name of any unincorporated body whatsoever registered with the Department of State under any act unless such other corporation or unincorporated body is about to change its name or to cease doing business or is being wound up or in the case of a foreign corporation is about to withdraw from doing business in this Commonwealth and the written consent of such other corporation or unincorporated body to the adoption of its name or a deceptively similar name has been given and is filed with the Department of State and with the Department of Banking

B The provisions of this section shall not apply to any name which is in existence upon the effective date of this act However if the association bearing this name shall desire to change its name in any manner whatsoever pursuant to the provisions of this act the new name shall comply in every detail with the requirements of this section A change in name shall be effected in the regular manner provided by this act for amending its articles

C This section shall not be construed to abrogate or limit the law as to unfair competition or unfair practices nor derogate from the common law the principles of equity or the statutes of this Commonwealth with respect to the right to acquire and protect trade names

D The assumption of a name in violation of this section shall not vitiate or otherwise affect the corporate existence but the Court of Common Pleas of Dauphin County may upon application of the Attorney General acting on his own motion or at the instance of any administrative department board or commission of the Commonwealth and the court of common pleas of any county may upon the application of any corporation or person adversely affected enjoin the association from using or continuing to use a name assumed in violation of this section

Section 202 Reservation of Association Name The exclusive right to the use of a name may be reserved (1) by any person intending to organize an association or (2) by any association intending to change its name Such reservation shall be made by filing with the Department of State duplicate originals of an application to reserve a specified name executed by the applicant If the Department of State shall find that such name is available it shall send one duplicate original of such application to the Department of Banking If the Department of Banking decides that such name is satisfactory to it it shall forthwith give its written assent to the Department of State The Department of State shall then reserve the name for the exclusive use of such applicant for a period of sixty days The right to the exclusive use of a specified name so reserved may be transferred to any corporation or person who except for such prior reservation would be entitled under the provisions of this act to reserve such name Such transfer may be made by filing with the Department of State duplicate originals of a notice of such transfer which notice shall be executed by the applicant for whom such name was reserved and shall specify the name and address of the transferee The Department of State shall send one such duplicate original to the Department of Banking

Section 203 Place of Business Change of Place of Business A An association shall not hold any of the regular meetings

of its directors grant any loans or transact any business except at the place of business designated in its by-laws but the collection of dues and the holding of shareholders' meetings shall not be construed to be the transaction of business within the meaning of this section

B An association may change its place of business to any place within the city borough or township named in its articles in the manner provided in its by-laws An association upon changing its place of business shall forthwith give notice of such change to the Department of Banking and the Department of State

Section 204 Branch Offices and Sub-agencies An association shall not establish maintain or operate either directly or indirectly any branch association branch office agency sub-office sub-agency or branch place of business within this Commonwealth for the holding of the regular meetings of its directors the granting of any loans or the transaction of any part of its business but all of the business of such association shall be carried on solely and exclusively at its place of business The collection of dues and the holding of shareholders' meetings shall not be construed to be the transaction of business within the meaning of this section

ARTICLE III

FORMATION ORGANIZATION AND GENERAL CORPORATE POWERS OF ASSOCIATIONS

Section 301 Formation An association may be formed pursuant to the provisions of this act by fifteen or more incorporators Such incorporators shall be natural persons of full age and of either sex married or single At least two-thirds of them shall be citizens of the United States or of its territories or possessions at least two-thirds shall be residents of this Commonwealth and residents of the county in which the place of business of the proposed association is to be situated

Section 302 Prohibition upon Payment of or Contract for Promoters' Fees It shall be unlawful (1) for any fee commission or compensation to be paid to any corporation or person for the promotion or organization of an association or (2) for any part of the money collected from subscribers or shareholders to be applied to the payment of promoters' fees for obtaining subscriptions or selling shares or for services in starting such association whether such fee commission or compensation is provided for by the contract with the proposed association with the promoters with the subscribers or otherwise

In any case in which there has been a violation of this section the Department shall have the power to disapprove the articles upon this ground alone

Section 303 Articles of Incorporation Articles shall be signed in triplicate originals by each of the incorporators and acknowledged by at least five of them before any officer within this Commonwealth authorized to take acknowledgments

The articles shall set forth in the English language

(1) The name of the proposed association

(2) The city borough or township in which it will establish its place of business

(3) A precise and accurate statement of the purpose or purposes for which it is organized as well as a statement that it is organized under the provisions of this act

(4) The term for which it is to exist

(5) The par value of its shares

(6) A statement of all expenses connected with the organization of the corporation and the procuring of subscriptions including a declaration that no fee commission or compensation of any kind has been or is to be paid to any corporation or person for the promotion or organization of the association or for the procuring of subscriptions or the sale of its shares

(7) The name occupation citizenship place of residence and post office address of each incorporator

(8 The name occupation citizenship place of residence post office address and term of office of each of the first directors and the number of shares to which he has subscribed

(9) Any provision not inconsistent with law which the incorporators may choose to insert for the regulation of the business and the internal affairs of the association and which the Department shall approve

Section 304 Advertisement of Articles The incorporators shall advertise their intention to file articles one time in a newspaper of general circulation and one time in a legal newspaper Advertisements shall appear at least three days prior to the day the articles are filed with the Department of State and shall set forth briefly

(1) The name of the proposed association

(2) A statement that the application is made under the provisions of this act and

(3) The time when application will be made to the Department of State

Section 305 Filing of Articles Payment of Fees or Charges A On the day specified by the incorporators in the advertisement of their intention to file articles of incorporation they shall deliver or cause to be delivered to the Department of State a proof of publication of such advertisement and the triplicate originals of the articles required by this act

B The Department of State shall examine the proof of publication and the articles to determine whether they contain all the information and are in the form required by this act and whether the name of the proposed assocation is the same as one already adopted or reserved by any other corporation or person or is so similar thereto that it is likely to mislead the public

C After all the fees and charges established by law have been paid the Department of State shall if the proof of publication and the articles contain the information and are in the form required by this act and if the name of the proposed association does not violate any provision of this act forthwith endorse its approval upon each of the triplicate originals of the articles and transmit them to the Department of Banking

D If the Department of State shall disapprove the articles pursuant to the provisions of this act it shall forthwith give notice thereof to the proposed incorporators stating in detail its reasons for doing so and indicating how the incorporators can remedy their nonconformance with the provisions of this act Upon remedying the defect the incorporators may in the same manner file the same or amended articles whichever the particular case may require

Section 306 Approval of Articles by Department of Banking A The Department of Banking shall immediately upon the receipt of the articles from the Department of State conduct such investigation as it may deem necessary to ascertain from the best sources of information at its command

(1) Whether the name of the proposed association is likely to mislead the public as to its character or purpose

(2) Whether the convenience and advantage of the public will be served by the proposed incorporation and whether the density of the population in the neighborhood designated for the place of business of such proposed association and in the surrounding country affords reasonable promise or adequate support for the enterprise

(3) Whether the responsibilty character and general fitness for the business of the incorporators and directors named in the articles are such as to command the confidence of the community and to warrant the belief that the business of the proposed association will be honestly and efficiently conducted in accordance with the intent and purpose of this act

(4) Whether any fee commission or compensation has been paid to any corporation or person for the promotion or organization of such association or whether any part of the money collected or to be collected from subscribers or shareholders has been or is to be applied to the payment of promoters' fees for obtaining subscriptions or selling shares or for services in starting such association whether such fee commission or compensation is provided for by contract with the proposed association or by contract with the subscribers to the shares

B Within thirty days after the receipt of the articles from the Department of State the Department of Banking shall upon the basis of the facts disclosed by the investigation provided for by this section either approve or disapprove the articles It shall immediately notify the Department of State in writing of its action If it shall approve the articles it shall sign its approval upon the tirplicate originals It shall retain one of the triplicate originals and return the other two to the Department of State

C If the Department of Banking disapproves the articles it shall return them to the Department of State stating in detail its reasons for doing so The Department of State shall immediately give notice to the proposed incorporators of the action of the Department of Banking and of the reasons therefor as stated to it by that Department The proposed incorporators may within thirty days after the Department of State gives them notice of the disapproval of their articles

appeal from such disapproval to the Governor who shall hear such appeal promptly and within thirty days thereafter decide the matter and certify his decision to the Department of Banking The decision of the Governor shall be conclusive and not subject to any review The Department of Banking shall act in accordance therewith

Section 307 Issuance of Certificate of Incorporation Immediately upon receipt of the two signed triplicate originals of the articles of an association from the Department of Banking the Department of State shall file and record one of the triplicate originals and shall issue a certificate of incorporation The remaining triplicate original of the article and the certificate of incorporation shall be sent by the Department of State to the incorporators or their representative who shall then have them recorded in the office of the recorder of deeds of the county in which the place of business of the proposed association is or will be situated The triplicate original of the articles upon being recorded by the recorder of deeds shall be returned to the incorporators or their representatives and shall constitute the charter of the association

Section 308 Effect of Issuance of Certificate of Incorporation Upon the issuance of the certificate of incorporation of any association by the Department of State the corporate existence shall begin The certificate of incorporation shall be conclusive evidence of the fact that the accociation has been incorporated but proceedings may be instituted by the Commonwealth to dissolve wind up and terminate an association which should not have been formed under this act or which has been formed without a substantial compliance with the conditions prescribed by this act as precedent to the provisions of this act

Section 309 Fees for Investigation by Department of Banking In addition to any other fees or charges provided by law in the case of any corporation the incorporators of an association shall pay to the Depratment of State at the time they file their articles such reasonable fees as shall be established by rule and regulation by the Department of Banking for the investigation made by the Department of Banking pursuant to the provisions of this act to determine whether the articles should be approved Such fees shall be paid by the Department of State through the Department of Revenue into the Banking Department Fund

Section 310 Conditions Precedent to Beginning Business Penalty for Violation A An association formed under this act shall not incur any indebtedness grant any loans or begin the transaction of any business except such as shall be incident to its organization or to the obtaining of subscriptions to or payment for its shares until

(1) A duplicate original of its articles has been recorded in the office of the recorder of deeds pursuant to the provisions of this act

(2) The by-laws of the association have been filed with the Department of Banking

B If an association shall transact any business in violation of this section the officers who participated therein and the directors except those who dissented therefrom and caused their dissent to be filed at the time in the Department of Banking or who being absent so filed their dissent upon learning of the action shall be severally liable for the debts and liabilities of the association arising therefrom

Section 311 Organization Meetings A After the issuance of the certificate of incorporation of an association the first meeting of the shareholders shall be held within this Commonwealth at the call of the incorporators or a majority of them for the purpose of adopting by-laws if the articles of incorporation do not provide for the adoption thereof by the directors and for such other purposes as shall be started in the notice of the meeting The incorporators so calling the meeting shall give at least ten days' notice thereof by mail to each shareholder which notice shall state the time place and purpose or purposes of the meeting

B After the issuance of the certificate of incorporation of an association an organization meeting of the board of directors named in the articles shall be held within this Commonwealth at the call of a majority of the directors for the purpose of adopting by-laws if the articles authorize the directors to adopt by-laws for the purpose of electing officers and for the transaction of such other business as may come before the meeting The directors calling the meeting shall give at least five days' notice by mail of the time and place of the meeting to each director named in the articles

Section 312 Power of Legislature to Alter or Revoke Charters The General Assembly may revoke or annul the charter of any association formed under this act as provided by Article XVI Section 10 of the Constitution

Section 313 Corporate Capacity and Authority An association formed under this act shall have the capacity to act possessed by natural persons but shall have authority to perform only such acts as are necessary or proper to accomplish its purpose or purposes and which are not repugnant to law

Section 314 General Powers Subject to the limitations and restrictions contained in this act or in its articles every association shall have authority

(1) To continue as an association for the time limited in its articles or if a time limit is not specified therein then perpetually subject to the power of the General Assembly under the Constitution of this Commonwealth

(2) To sue and be sued complain and defend in its corporate name

(3) To have a corporate seal which may be altered at pleasure and to use the same by causing it or a facsimile of it to be impressed or affixed or in any manner reproduced

(4) To make after amend and repeal by-laws not inconsistent with its articles or with law for the administration and regulation of the affairs of the association

(5) To elect or appoint and remove officers and agents of the association and to define their duties and fix their compensation

(6) To have and exercise all of the powers and means necessary to effect the purpose or purposes for which the association is formed

(7) To dissolve and wind up

The powers herein enumerated shall not be construed as limiting or enlarging any grant of authority specifically granted elsewhere in this act or as limiting the purpose or purposes for which an association may be organized as set forth in its articles It shall not be necessary to set forth in the articles of an association any of the powers enumerated in its articles Except as otherwise provided in this act or in the by-laws of a particular association the powers herein enumerated shall be exercised by the board of directors of the association

Section 315 Defense of Ultra Vires A No limitation upon the business purpose or purposes or powers of an association express or implied in its articles or implied by law shall be asserted in order to defend any action at law or in equity between the association and a third person or between a shareholder and a third person involving any contract to which the association is a party or any right of property or any alleged liability of whatsoever nature but such limitation may be asserted

(1) In an action by a shareholder against the association to enjoin the doing of unauthorized acts or the transaction or continuation of unauthorized business If the unauthorized acts or the business sought to be enjoined are being transacted pursuant to any contract to which the association is a party the court may if all of the parties to the contract are parties to the suit and if it deems the same to be equitable se aside and enjoin the performance of such contract and in so doing shall allow to the associatoin or the other parties as the case may be compensation for the loss or damage sustained by either of them which may result from the action of the court in setting aside and enjoining the performance of such contract but anticipated profits to be derived from the performance of the contract shall not be awarded by the court as a loss or damage sustained

(2) In an action at law or in equity by the association whether acting through a receiver trustee or other legal representative or through shareholders in a representative suit against the officers or directors of the association for exceeding their authority

(3) In any proceeding in which the Department is defending any action taken by it against the association or is seeking to enforce an order against such association or to enjoin it from the transaction of unauthorized or unlawful business

B No conveyance or transfer by or to an association of property real or personal of any kind or description shall be invalid or fail because in making such conveyance or transfer or in acquiring the property real or personal the board of di-

rectors or any of the officers of the association acting within the scope of the actual or apparent authority given to them by the board of directors have in so doing exceeded any of its objects purposes or powers

Section 316 By-Laws Adoption Amendment or Repeal Approval by Department A Except as herein otherwise provided the shareholders shall have the power to make alter amend and repeal the by-laws of an association The authority to make by-laws may be expressly vested by the articles in the board of directors subject to the power of the shareholders to change or repeal such by-laws but the board of directors shall not make or alter any by-laws fixing their qualifications classification term of office or compensation or any by-laws regulating the proportion of the profits of the association or the rate of interest paid to a withdrawing shareholder Unless the articles or by-laws otherwise provide the by-laws may be adopted altered amended and repealed by a majority vote of the board of directors or of the shareholders as the case may be at any regular or special meeting duly convened after notice to the shareholders or directors of that purpose

B The by-laws of an associtaion may contain any provision for the regulation and management of the affairs of such association not inconsistent with law or the articles

C Immediately upon the adoption of the by-laws or of any additions thereto or any alteration amendment or repeal thereof notice of such fact and a copy of such by-law or such alteration amendment or repeal shall forthwith be sent to the Department of Banking The Department of Banking shall have the power to disapprove any such by-law or any such alteration amendment or repeal thereof but such by-law alteration amendment or repeal shall be effective until the Department actually disapproves it and gives notice thereof to the association

Section 317 Parties Bound by By-Laws Execution of Instruments The by-laws of an association shall operate merely as regulations among the members of the association and shall not affect contracts or other dealings wiht other corporations or persons unless such corporations or persons have actual knowledge of such by-laws or unless the association has given to such corporations or persons a copy of such by-laws

Any form of execution provided in the by-laws to the contrary notwithstanding any note mortgage evidence of indebtedness contract or other instrument of writing or any assignment or endorsement thereof executed or entered into between an association and any other corporation or person when signed by the president or vice-president and by the secretary or treasurer of such association shall be held to have been properly executed for and in behalf of the association

ARTICLE IV
DIRECTORS AND OFFICERS

Section 401 Number and Election of Directors Executive Committee Subject to the provisions of this act the number qualifications terms of office manner of election time and place of meeting compensation and powers and duties of the directors of an association may be prescribed from time to time by the by-laws Except as otherwise provided in the by-laws

(1) A director shall be elected for a term of one year

(2) The number of directors shall be the same as that stated in the articles

(3) Vacancies in the board of directors shall be filled by the remaining members of the board and each person so elected shall be a director until his successor is elected by the shareholders who may make such election at the next annual meeting of the shareholders or at any special meeting duly called for that purpose and held prior thereto

(4) The regular meetings of the board of directors shall be held at the place of business of the association but special meetings may be held at such place within this Commonwealth as a majority of the directors may from time to time designate

(5) A majority of all the directors shall be necessary to constitute a quorum for the transaction of business and except as otherwise provided in this act or in the articles or by-laws of a particular association the acts of a majority of the directors who are present at a meeting at which a quorum is present shall be the acts of the board of directors but if the directors shall severally or collectively consent in writing to any action to be taken by the association such action shall be as valid corporate action as though it had been authorized at a meeting of the board of directors

(6) The board of directors may by resolution passed by a majority of the whole board delegate three or more of its number to constitute an executive committee which to the extent provided in such resolution shall have and exercise the authority of the board over the ordinary operations of the business of the association between the dates of the monthly meetings of the board Every such committee shall keep full minutes of all business transacted by it and shall present detailed reports of all such transactions at each monthly meeting of the board

Section 402 Term of Office and Qualification of Directors A The business and affairs of every association shall be managed by a board of at least five directors Except as otherwise provided by this act or by the articles or by-laws of the association such board of directors shall exercise all the powers and fulfill all the duties granted to or imposed upon the association by this act

B Each director shall hold office for the term for which he is elected and until his successor shall have been duly elected and qualified The names and terms of office of the first directors shall be stated in the articles Except as otherwise provided in this act for the filling of vacancies directors other than those constituting the first board of directors shall be elected by the shareholders

C Every director shall during his term of office be a citizen of the United States at least two-thirds of the directors shall during their terms of service be bona fide residents in this Commonwealth and at least two-thirds shall during their terms of office be bona fide residents in the county in which the association has its place of business

D Every director shall be a shareholder of the association Any director who during his term of service ceases to be a shareholder shall forthwith cease to be a director of the association and his office shall be vacant He shall not be eligible for reelection as a director of such association for the remainder of the term for which he was elected and for a further period of one year from the expiration of his term Any vacancy thus occurring shall be filled in the regular manner for filling vacancies in the board

Section 403 Classification of Directors If the by-laws of an association so provide the directors may be classified in respect to the time for which they shall severally hold office In such case each class shall be as nearly equal in numebr as possible the term of office of at least one class shall expire in each year and the members of a class shall not be elected for a shorter period than one year or for a longer period than four years At each ensuing election of directors after such classification only the number of directors equal to the number of the class whose terms expire at the time of the election shall be elected and such directors shall be elected for the longest term for which any class may have been elected as provided in this section

Section 404 Meetings of Board of Directors Notice Thereof A The Board of Directors of every association shall hold a regular meeting at its place of business at least once in each month Meetings of the board of directors shall be held upon such notice as the by-laws may prescribe Attendance of a director at any meeting shall constitute a waiver of notice of such meeting except where a director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting was not lawfully called or convened Neither the business to be transacted at or the purpose of any meeting need be specified in the notice or waiver of notice of such meeting

B The board of directors shall keep complete records of their proceedings in a minute book kept for that purpose When a director shall request it the vote of each director upon a particular question shall be recorded in the minutes

Section 405 Compensation of Directors The directors of an association shall be entitled to such compensation for their services as directors as is provided in its articles or by-laws A director may also be a salaried officer of the association

Section 406 Examination and Report by Board of Directors A The board of directors of every association shall at least once in each year make or cause to be made by at least three of its members or by accountants employed for the purpose a detailed examination of the books papers and affairs of the association and the loans thereof with the special duty of ascertaining the safety and present value of the loans and

investments of the association and the value of the collateral security if any held in connection with any loans and into such other matters as the Department may require The board of directors shall have the power to employ such assistants as they may deem necessary to make such examinations

B As soon as any such examination is completed a detailed written report thereof signed under oath or affirmation by the directors or certified to by the other persons making such examination shall be sent to the Department A copy thereof shall be placed on file in the association and properly noted on the minutes

Section 407 Communications from Department of Banking Every official communication directed by the Department to an association or to any officer thereof shall be transmitted by the officer receiving it to the board of directors at the next meeting of such board and shall be duly noted in the minutes of such meeting

Section 408 Disqualification of Directors If a director shall for six successive months or such shorter period as is established by the by-laws fail to attend any of the regular meetings of an association without having been during such period excused by the board for such failure to attend his office shall forthwith become vacant but he shall be eligible for re-election

Section 409 Officers of Associations Removal Compensation A Every association shall have a president a vice-president a secretary a treasurer and a solicitor and may have such additional officers as shall be provided for in the by-laws Any two or more offices may be held by the same person except that the same person shall not at the same time be holder of more than one of the following offices president vice-president secretary treasurer and solicitor in addition when an association has a conveyancer the president vice-president secretary or treasurer of an association shall not at the same time be the conveyancer of the association

B The officers of an association shall be selected at least annually by the board of directors unless the by-laws provide a different method The president vice-president secretary treauser solicitor and conveyancer of an institution shall be required to be members of the board of directors of the association

C Unless specifically provided otherwise in the by-laws the board of directors shall fix the compensation of all officers

D Any officer may be removed by the board of directors whenever in its judgment the best interests of the association will be served thereby but such removal shall be without prejudice to the contract rights if any of the person so removed

E Unless specificaly provided otherwise in the by-laws the board of directors shall have the power to fill any vacancies created by the death removal resignation or otherwise of any officer

F The officers as between themselves and the association shall have such authority and perform such duties as shall be specified by the by-laws

Section 410 Bonds of Officers and Employes A The officers and employes of every association as well as any directors who are authorized to receive payments of moneys or to handle negotiable securities on behalf of such association shall before entering upon the performance of their duties furnish to it bonds in such amount as is specified with such corporate surety as is approved by the directors Such bond shall be conditioned upon the faithful performance of the duties of such officers or employes The cost of such bonds may be paid by the association

B The Department shall have the power to require any such officer employe or director at any time during his term of office or employment to furnish a bond in an amount greater than that required by the board of directors or it may require new or additional corporate surety

Section 411 Women May Be Directors or Officers Women married or single may serve as officers or directors of an association

Section 412 Relation of Directors and Officers to Association Officers and directors shall be deemed to stand in a fiduciary relation to an association and shall discharge the duties of their respective positions in good faith and with that diligence care and skill which ordinarily prudent men would exercise under similar circumstances in like positions

Section 413 Power of Attorney to Make Entries of Record A Every association shall by power of attorney filed of record in the office of the recorder of deeds in any county in which it may have occasion or in which it may be required to enter acknowledgement of payments assignment extension postponement release or satisfaction of or to take any other action affecting the lien of any mortgage which appears upon the records in such office designate a person or persons who shall be authorized in the name of such association to make such entries The officer or employe of an association who has custody of the mortgage papers of such association shall not be designated to make such entries

B Such recorded of deeds shall not permit any person other than the person or persons so designated to act in such manner for such assication

C Any entry on any record in an office of a recorder of deeds if made in violation of this act shall be of no effect

Section 414 Acceptance of Fee or Commission by Director Officer Attorney or Employe A A director an officer an attorney or an employe of an association shall not stipulate for or agree or assent to reveice or receive any fee commission gift or other property of value from any corporation or person for procuring or for endeavoring to proucre for such corporation or person or for any other corporation or person any loan from or any investment by such association This prohibition shall not be construed to affect the right of a solicitor or a conveyancer of a buliding and loan association to stipulate for or agree or assent to receive or receive a reasonable fee or charge from any corporation or person for his services in making searches of title of real property offered to the assqciation as security or in drawing any papers incident to the loan for which such real property is given as security or in performing similar duties or to affect the right of the officers directors or employes to stipulate for or agree or assent to receive a reasonable fee for examining and appraising real property offered as security for a mortgage loan

B Any director officer attorney or employe of an association who knowingly violates the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be subject to a fine not exceeding a sum equal to three times the amount of the value of the property which he receives as such fee commission or gift In addition he shall be disqualified from acting as a director officer attorney or employe of any association within this Commonwealth for a period of five years after the date of such conviction

Section 415 Purchases from an Sales to Directors Officers Attorneys or Employes A An association shall not contract for or purchase from any of its directors officers attorneys or employes any securities or other property unless such purchase is made in the regular course of business upon terms not less favorable to the association than those offered to any other corporation or person unless such purchase could not be made from another reliable source at a more favorable price or upon more favorable terms and unless such purchase is authorized by the vote of a majority of all the members of the board of directors of such association who are not interested in such transaction except in their capacity as directors of the association

B An association shall not sell securities or other property owner or held by it to any of its directors officers attorneys or employes unless such sale is made in the regular course of business upon terms not less favorable to the association than those offered to any other corporation or person unless such sale could not be made elsewhere at a more favorable price or upon more favorable terms and unles such sale is authorized by the vote of a majority of all the members of the board of directors of such association who are not interested in such transaction except in their capacities as directors of the association

C For the purpose of this section a purchase from or a sale to a corporation of which any director officer attorney or employe described in this section owns ten per centum or more of the outstanding shares or a purchase from or a sale to an unincorporated association of which any such director officer attorney or employe is a member shall be considered a purchase from or a sale to such director officer attorney or employe

D Any director officer attorney or employe of an association who knowingly violates the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be subject to an imprisonment not exceeding one year

or a fine not exceeding one thousand dollars or both he shall also be subject to a further fine equal to any profit which he shall have made upon the transaction

ARTICLE V

MEETING RIGHTS AND LIABILITIES OF SHAREHOLDERS

Section 501 Meetings of Shareholders A Meetings of the shareholders of an association shall be held within this Commonwealth at such place as may be provided in the by-laws of the association Unless the by-laws provide otherwise all meetings of the shareholders shall be held at the place of business of the association

B The by-laws may provide for the number and the time of meetings of shareholders but at least one regular meeting of the shareholders shall be held in each calendar year for the election of directors at such time as shall be provided in the by-laws If the annual meeting shall not be called and held within one month after the designated time any shareholder shall have the power to call upon the Department to issue an order in the manner provided by law to compel the calling and holding of such meeting

C Special meetings of shareholders may be called at any time by the president the board of directors the holders of not less than one-fifth of all the shares outstanding and entitled to vote at the particular meeting and by such other officers or persons as may be provided in the articles or by-laws At any time upon written request of any person entitled to call a special meeting it shall be the duty of the secretary of the association to call a special meeting of the shareholders to be held at such time as the secretary of the association may fix not less than ten or more than sixty days after the receipt of the request If the secretary shall neglect or refuse to issue such call the person or persons making the request shall have the power to call upon the Department to issue an order in the manner provided by law to compel the calling and holding of such meeting

D Any annual or special meeting may be adjourned for any period of time but any meeting at which directors are to be elected shall be adjourned only from day to day until such directors have been elected

Section 502 Notice of Meetings of Shareholders Written notice of every meeting of the shareholders of an association shall be given by or at the direction of the person authorized to call the meeting to each shareholder of record entitled to vote at the meeting at least five days prior to the day named for the meeting unless a greater period of notice is required elsewhere in this act The notice shall specify th place day and hour of the meeting and in the case of a special meeting the general nature of the business to be transacted When a meeting is adjourned it shall not be necessary to give any notice of the adjourned meeting or of the business to be transacted at an adjourned meeting other than by announcement at the meeting at which such adjournment is taken unless otherwise provided in the by-laws

Section 503 Quorum of Shareholders A shareholders' meeting duly called shall not be organized for the transaction of business unless a quorum is present Unless otherwise provided in the by-laws

(1) The presence in person or by proxy of the holders of a majority of the outstanding shares entitled to vote shall constitute a quorum

(2) The shareholders present at a duly organized meeting can continue to do business until adjournment notwithstanding the withdrawal of enough shareholders to leave less than a quorum

(3) If a meeting cannot be organized because a quorum has not attended those present may except as otherwise provided in this act adjourn the meeting to such time and place as they may determine but in the case of any meeting called for the election of directors those who attend the second of such adjourned meetings although less than a quorum as fixed in this section or in the articles shall nevertheless constitute a quorum for the purpose of electing directors

Section 504 Shareholders May Vote in Person or by Proxy Every shareholder of record of an association shall have the right at every shareholders' meeting to one vote for every share standing in his name on the books of the association Every shareholder may vote either in person or by proxy executed in writing by the shareholder or by his duly authorized attorney in fact and filed with the secretary of the association A proxy unless coupled with an interest shall be revocable at will notwithstanding any other agreement or any provision in the proxy to the contrary but the revocation of a proxy shall not be effective until notice thereof has been given to the secretary of the association No unrevoked proxy shall be valid after eleven months from the date of its execution unless coupled with an interest A proxy shall not be revoked by the death or incapacity of the maker unless before the vote is counted or the authority is exercised written notice of such death or incapacity is given to the secretary of the association A shareholder shall not sell his vote or execute a proxy to any person for any sum of money or anything of value

Section 505 Election of Directors Cumulative Voting Unless otherwise provided in the by-laws elections for directors need not be by ballot except upon demand made by a shareholder at the election and before the voting begins In all elections for directors every shareholder shall have the right in person or by proxy to multiply the number of votes to which he may be entitled by the number of directors to be elected and he may cast his whole number of such votes for one candidate or he may distribute them among any two or more candidates The candidates receiving the highest number of votes up to the number of directors to be chosen shall be elected

Section 506 Voting by Trustees and Pledges Shares of an association held in a fiduciary capacity by a fiduciary appointed by last will and testament or by decree of the orphans' court shall be voted by such fiduciary either in person or by proxy in the manner and under the circumstances provided by law Shares standing in the name of a fiduciary other than one appointed by last will and testament or by decree of the orphans' court or shares held by an assignee for the benefit of creditors or by a receiver may be voted by such fiduciary assignee or receiver either in person or by proxy A shareholder whose shares are pledged to anyone other than the association shall be entitled to vote thereon in person or by proxy until the shares have been transferred on the books of the association to the pledges and thereafter the pledges shall be entitled to vote the shares in person or by proxy A shareholder whose shares are pledged to the association shall be entitled to vote such shares in person or by proxy

Section 507 Voting by Joint Holders of Shares Where shares of an association are held jointly by more than one corporation or person the will of the majority of such joint holders shall control the manner of voting or the giving of a proxy If the shares are held jointly by two or any other exen number of corporations or persons and a majority does not agree to vote one way the shares shall not be voted If only one of the joint holders is present in person or by proxy he shall have the right to vote all such shares and all of the shares standing in the names of such corporations or persons shall be deemed to be represented for the purpose of determining a quorum The same shall be true in the case of fiduciaries other than those appointed by last will and testament or by decree of the orphans' courts unless such fiduciaries have been appointed under an instrument or a decree of court which directs otherwise Where in any case such fiduciaries are equally divided upon the manner of voting the shares jointly held by them it shall be lawful for the court of common pleas upon petition filed by any of the fiduciaries or by any beneficiary to direct the voting of such shares in the manner which in the opinion of the court will be for the best interests of the parties beneficially interested in the shares

Where shares of an association are held jointly in a fiduciary capacity by two or more fiduciaries appointed by last will and testament or by decree of the orphans' court they shall be voted in the manner and under the circumstances provided by law

Section 508 Voting Shares Held by a Corporation An association or other corporation owning shares in an association or in any other corporation may vote them by its president or by proxy appointed by him unless some other person by resolution of its board of directors shall be appointed to vote such shares in which case such person shall be entitled to vote the shares upon the production of a certified copy of such resolution

Section 509 Determination of Shareholders of Record A Unless the by-laws otherwise provide the board of directors of an association may fix a time not less than ten or more than forty days prior to the date of any meeting of shareholders as a record date for the determination of the shareholders entitled to notice of and to vote at any such meeting In such case only the shareholders of record on the date so fixed shall be entitled to notice of and to vote at such meeting notwithstanding any transfer of any shares on the books of the association after any record date fixed as aforesaid The board of directors may close the books of the association against transfers of shares during the whole or any part of such period and in such case written or printed notice thereof shall be given at least ten days before the closing thereof to each shareholder of record at the address appearing on the records of the association or supplied by him to such association for the purpose of notice While the stock transfer or other books of such association are closed no transfer of shares shall be made thereon Unless a record date is fixed by the by-laws or the board of directors for the determination of shareholders entitled to receive notice of or to vote at a shareholders' meeting transferees of shares which are transferred on the books of the association within ten days next preceding the date of such meeting shall not be entitled to notice of or to vote at such meeting Nothing herein contained shall be deemed to abridge the constitutional requirement of sixty days' notice of a meeting called for the purpose of increasing the authorized capital stock of an association incorporated prior to the effective date of this act or to deprive anyone who was a shareholder of record sixty days prior to such meeting of his right to vote at such meeting

B Holders of matured shares or holders of shares which have been voluntarily or involuntarily withdrawn or holders of shares who have not assented to or have dissented from a merger or a consolidation shall be entitled to notice of and to vote at any meeting of shareholders until they shall have been paid in full the amount lawfully due them on account of their shares The exercise of such right to vote at a meeting shall not constitute waiver of or in any way affect any rights granted by law to such shareholders by virtue of the maturing of their shares or of their withdrawal from the association either voluntarily or involuntarily or of their failure to assent to or their dissent from a plan of merger or consolidation

C Shareholders whose shares have been issued less than sixty days prior to the date of a meeting or shareholders who are in default for a period of at least ninety days in the payment of dues interest premiums fines or other lawful charge made by or due to the association shall not be permitted to vote such shares at any meeting of the association

Section 510 Judges of Election A In advance of any meeting of shareholders of an association the board of directors may appoint judges of election to act at such meeting or any adjournment thereof If judges of election be not so appointed the chairman of any such meeting may and on the request of any shareholder or his proxy shall make such appointment at the meeting The number of judges shall be one or three If apopinted at a meeting on the request of one or more shareholders or proxies the majority of shares present shall determine whether one or three judges are to be appointed No person who is a candidate for office shall act as a judge

B In case any person appointed as judge fails to appear or fails or refuses to act the vacancy may be filled by appointment made by the board of directors in advance of the convening of the meeting or at the meeting by the person or officer acting as chairman

C The judges of election shall determine the number of shares outstanding and the voting power of each the shares represented at the meeting the existence of a quorum the authenticity validity and effect of proxies receive votes or ballots hear and determine all challenges and questions in any way arising in connection with the right to vote count and tabulate all votes determine the result and do such acts as may be proper to conduct the election or vote with fairness to all shareholders The judges of election shall perform their duties impartially in good faith to the best of their ability and as expeditiously as is practical If there be three judges of election the decision act or certificate of a majority shall be effective in all respects as the decision act or certificate of all

D On request of the chairman of the meeting or of any shareholder or his proxy the judges shall make a report in writing of any challenge or question or matter determined by them and execute a certificate of any fact found by them Any report or certificate made by them shall be prima facie evidence of the facts stated therein

Section 511 Informal Action by Shareholders Except for the action required by this act for increasing the capital of an association incorporated prior to the effective date of this act any action required by this act to be taken at a meeting of the shareholders may be taken without a meeting if a consent in writing setting forth the action so taken shall be signed by all of the shareholders who would be entitled to vote at a meeting for such purpose and shall be filed with the secretary of the association

Section 512 Immunity of Shareholders A shareholder of an association shall not be personally liable for any debt or liability of the association

ARTICLE VI

CREATION TRANSFER WITHDRAWAL AND MATURITY OF SHARES

Section 601 Authorized Capital Par Value of Shares and Change Therein A Unless specifically otherwise provided in the articles of an association the number of shares which it may issue shall be unlimited

B The shares of an association shall have a par value of not less than one hundred dollars each nor more than two hundred dollars each but every share issued by an association shall have the same par value as every other share This provision shall not affect the right of any association which prior to the effective date of this act has issued shares of a par value less than one hundred dollars or more than two hundred dollars to continue issuing shares of such par value nor shall it affect the right of any association which upon the effective date of this act has issued and outstanding shares of more than one par value to continue to issue such shares

Any association may by amending its articles in the manner prescribed by this act change the par value of its shares but such change shall not be to an amount less than one hundred dollars each nor more than two hundred dollars each Whenever such change in par value is made every holder of a share for which a share certificate has been issued shall return such share certificate to the association and upon the surrender and cancellation of such share certificate the association shall issue to such shareholder the proper number of share certificates at the new par value

C An association may issue fractional shares

Section 602 Issuances of Shares Series A The shares of an association may be issued in a single series they may be issued in any number of series or they may be issued nonserially at such times and in such manner as shall be stated in the articles or by-laws of the association Except as otherwise specifically provided in the articles or by-laws of an association the number of shares which it may issue in a single series shall be unlimited

B Except as otherwise specifically provided in the articles of an association the issuance of shares of a new series shall operate to close the prior series and the association shall not thereafter issue any share in such prior series

C Except as otherwise specifically provided in the articles of an association shares which have been withdrawn whether voluntarily or involuntarily or shares which have been cancelled whether because of failure to pay dues installments fines premiums or for any other reason shall not after the holders of such shares have received full payment or credit due them on such shares be reissued nor new shares issued in their stead

Section 603 Prohibition on Preferred Shares Shares as Personal Property A An association shall not issue preferred shares

B Shares of an association shall be deemed personal property

Section 604 Membership Fees An association may charge a membership fee not exceeding one per centum of the par value of each share issued Where a membership fee is charged it shall be paid in cash at the time of the subscription and a receipt shall be given to the subscriber for the amount thereof All membership fees so paid shall be credited to the general

profit account of the association and shall not be credited as dues in the pass book or other receipt issued to the shareholder

Section 605 Payments for Installment Full-Paid and Prepaid Shares An association may issue shares under any or all of the following plans of payment

(1) Shares the par value of which is to be paid in part by periodical payments in cash at such times and in such amounts as shall be established by the articles or by-laws and in part by accrual of earnings on such shares Such periodical payments shall be known as dues and such shares shall be known as installment shares

(2) Shares the par value of which has been paid by a single cash payment at the time of their issuance Such shares shall be known as full-paid shares

(3) Shares the par value of which has been paid in part by a single cash payment at the time of their issuance and in part by accrual of earnings on such shares Such shares shall be known as prepaid shares

Section 606 Lien on Installment Shares Every installment share shall be subject to a lien for the payment of unpaid dues and for the payment of any other charges which are incurred on such shares under the provisions of the articles or by-laws of the association. The by-laws may prescribe the manner of enforcing such lien

Section 607 Share Certificates Issuance and Preservation A Every association shall furnish to each holder of record of an installment share a copy of the by-laws of the association and of all amendments thereto and a receipt by pass book or otherwise for all dues premiums fines or other payments made to the association by him but an association shall not be required to issue a share certificate to any holder of an installment share

B Every association shall furnish to each holder of record of a prepaid or a full-paid share a share certificate which shall state

(1) That the association is incorporated under the laws of this Commonwealth

(2) The name of the registered holder of the shares represented thereby

(3) The date of issuance of the shares

(4) The type of shares which the certificate represents that is whether they are prepaid or full-paid

(5) The number of shares which the certificate represents

(6) The par value of each share represented and in the case of prepaid shares the amount of the single cash payment made on each share by the shareholder

C Every share certificate shall be signed by the president and the secretary or by such officers as the by-laws may provide and sealed with the corporate seal In case any officer who has signed any share certificate shall have ceased to be such officer because of death resignation or otherwise before the certificate is issued may be issued with the same effect as if the officer had not ceased to be such at the date of its issue

D Share certificates shall bear printed consecutive numbers and shall be issued from a bound share certificate book containing a stub for each certificate Each stub shall bear the same number as the share certificate which was attached to it the name and address of the person in whose name the share certificate is issued the number of shares represented by the certificate and the date of the issuance of the certificate The president and the secretary or such officers as the by-laws provide shall certify on each stub that the information contained thereon is correct and in accordance with the share certificate bearing the same number

E Upon the withdrawal of prepaid or full-paid shares and upon payment by the association the certificate representing such shares shall be surrendered to the association and preserved by it indefinitely Likewise any share certificate for which the association has issued a substitute certificate or which for any other reason has been surrendered to the association shall be preserved by it indefinitely

Section 608 Shares Held in Name of Minor Any association may issue shares to or in the name of minors not less than sixteen years of age and shall pay the dividends or earnings thereon as the case may be as well as the withdrawal or maturity value of such shares as the case may be to such minor without the assent of his parent or guardian The receipt acquittance or other action required by the association to be taken by the minor shall be a valid release to the association of its liability on such shares or any part thereof as the case may be The parent or guardian of such minor shall not in his capacity as parent or guardian have the power to attach or in any manner transfer any shares issued to or in the name of such minor

Section 609 Shares Held in Name of Two or More Persons A Whenever shares of an association shall be issued in the names of two or more persons the association shall not pay any dividends or earnings thereon as the case may be or the withdrawal or maturity value thereof as the case may be except upon proper receipt acquittance or other action as the case may be of both or all of such persons unless at the time of subscribing to the shares a definite arrangement shall have been specifically provided for or unless at a subsequent time all the parties agree to a definite arrangement

B Whenever shares of an association shall be issued in the names of two or more persons and such shares shall have been subscribed for under an arrangement with the association whereby the dividends or earnings thereon as the case may be or the withdrawal or maturity value thereof as the case may be may be paid upon receipt acquittance or other action as the case may be of either or any of such persons the association may pay such or any of such persons the association may pay such dividends earnings withdrawal value or maturity value as the case may be upon such receipt acquittance or other action as the case may be of either or any of such persons pursuant to the arrangement provided for in this section notwithstanding the fact that one or more of the other persons may be dead and the association has notice thereof

C This section shall not be construed to affect shares subscribed for in the names of a husband and his wife

Section 610 Death of One Holding Shares as Trustee Whenever shares of an association shall be issued to any person describing himself in subscribing for such shares as trustee for any person who is not less than sixteen years of age and no other notice of the existence and terms of a valid trust than such description shall have been given to the association the dividends or earnings as the case may be on such shares as well as the withdrawal or maturity value of such shares as the case may be shall in the event of the death of the person so described as trustee be paid to the person for whose benefit the shares were stated to have been subscribed If the person for whose benefit the shares were stated to have been subscribed is a minor not less than sixteen years of age such payment shall be made to him under the same conditions as in the case of shares originally subscribed for by such minor

Section 611 Transfer of Shares A Installment shares shall be transferable in the manner provided by the by-laws of the assiciation

B The transfer of prepaid or full-paid shares and the certificates representing them may be regulated by the by-laws provided such by-laws are not inconsistent with the provisions of the Uniform Stock Transfer Act approved the fifth day of May one thousand nine hundred eleven (Pamphlet Laws one hundred twenty-six) it amendments and supplements

Section 612 Voluntary Withdrawals A Any shareholder may upon giving written notice to the association withdraw any shares whether full-paid prepaid or installment which are not pledged to the association as security for a loan granted by it The secretary or other officer designated by the by-laws of the association shall endorse on the written notice of an intention to withdraw required by this section the date of its receipt by the association

B The association shall pay to a shareholder who has withdrawn his shares the amount paid to the association by him on such shares less all fines or other charges due by him plus such proportion of the earnings of the association or such rate of interest as may be prescribed by the by-laws of the association but the board of directors may by general rule or regulation and with the prior written consent of the Department change such proportion of earnings or such rate or interest The amount payable to a shareholder who has withdrawn his shares shall be known as the withdrawal value of his shares Except as herein otherwise specifically provided such amount shall become due thirty days after presentation by the shareholder of the written notice required by this section at a meeting of the association or if not presented by him at a meeting then thirty days after the first meeting of

the association held after the receipt of such notice at the place of business of the association

C Except as hereinafter otherwise specifically provided withdrawals shall be paid only in the order in which the amounts due on such withdrawals become due but where such amounts become due on the same day they shall be paid pro rata

D An association shall not charge a withdrawal fee to any of its shareholders

Section 613 Involuntary Withdrawal of Prepaid or Installment Shares A An association may compel withdrawals of prepaid or installment shares which have not yet matured and which are not pledged to the association as security for loans granted by it but it shall not have the power to compel withdrawal of any prepaid or any installment share as the case may be unless it shall have on hand sufficient funds to pay such withdrawals immediately and until all prepaid or all installment shares respectively issued prior to the date of issuance of such share have first been voluntarily or involuntarily withdrawn in the case of installment shares issued in series such compulsory withdrawal shall be pro rata among the shares of the same series

B The association shall pay on each prepaid share thus involuntarily withdrawn the full amount of the cash payment made thereon by the shareholder at the time of the issuance of such share plus the full portion of the accumulated earnings of such association properly apportionable to such share

C The association shall pay on each installment share thus involuntarily withdrawn the full amount of the dues paid thereon by the shareholder plus the full portion of the accumulated earnings of such association properly apportionable to such share

Section 614 Involuntary Withdrawal of Full-Paid Shares An association may compel withdrawal of full-paid shares which have been issued at least two years prior to the date of such involuntary withdrawal but it shall not have the power to compel withdrawal of any full-paid share unless it shall have on hand sufficient funds to pay such withdrawals immediately and until all full-paid shares issued prior to the date of issuance of such share have first been voluntarily or involuntarily withdrawn The association shal lpay on each share thus involuntarily withdrawn the same amount as it would be required by this act to pay if such shares were voluntarily withdrawn

Section 615 Matured Shares A An installment or pre-paid share shall be declared matured by the board of directors of an association whenever in the case of a prepaid share the cash payment made thereon by the shareholder at the time of the issuance of such share or in the case of an installment share the dues paid thereon by the shareholder plus the full portion of the accumulated earnings of such association properly apportionable to such prepaid or installment share as the case may be equal the par value of the share Notice of such maturity shall forthwith be given to the holder of such share

B Except as hereinafter otherwise specifically provided the par value of shares which have been declared matured and which are not pledged to the association as security for a loan shall be paid in the order in which such shares are declared matured by the board of directors but shares declared matured upon the same day shall be paid pro rata However the association shall before making such payment deduct an amount equal to any delinquent fines or other charges to it upon such shares

C If the shares thus declared matured have been pledged to the association as security for a loan which is secured also by a mortgage upon real property then the mortgage shall be forthwith satisfied upon the payment of any delinquent fines or other charges due the association and upon the payment of the fee provided by law for the satisfaction of mortgages

D If the shares thus declared matured have been pledged to the association pursuant to a loan upon which the sole security is such shares the note shall be forthwith cancelled and the amount of the loan together with the amount of any delinquent fines or other charges due the association shall be deducted from the matured value of such shares The balance shall be payable to such shareholder in the same order as provided by this section in the case of shares which have been declared matured which are not pledged to the association as security for a loan

Section 616 Funds Available for Payment of Matured or Withdrawn Shares Actions at Law Judgments A At least two-thirds of the funds in the treasury of an association shall be applied to the payment of matured or withdrawn shares whenever such amount is necessary for this purpose but the association shall first deduct such amount as shall be necessary to pay current expenses and indebtedness of the association which is then due Whenever two-thirds of the funds in the treasury other than such funds as are necessary to pay current expenses and indebtedness which is then due are insufficient to pay in full all matured or withdrawn shares one-third of such funds in the treasury shall be applied to the payment of matured shares and one-third to the payment of withdrawn shares but if less than one-third of such funds shall be sufficient to pay in full all matured shares the balance of such one-third shall be applied to pay withdrawn shares and conversely if less than one-third of such funds shall be sufficient to pay in full all withdrawn shares the balance of such one-third shall be applied to pay matured shares

B Whenever funds in the treasury are not available in the manner hereinbefore provided to pay any matured or withdrawn share upon which payment has been due for a period in excess of six months all the funds in the treasury other than such funds as are necessary to pay current expenses or indebtedness which is then due shall be applied to the payment of matured or withdrawn shares Whenever all of the funds in the treasury other than such funds as are necessary to pay current expenses and indebtedness which is then due are insufficient to pay in full matured or withdrawn shares one-half of such funds shall be applied to the payment of matured shares and one-half to the payment of withdrawn shares but all matured or withdrawn shares shall be prorated with all other matured or wtihdrawn shares respectively and paid in proportion to the amounts due upon them If less than one-half of such funds shall be sufficient to pay in full all matured shares the balance of such one-half shall be applied to pay withdrawn shares and conversely if less than one-half of such funds shall be sufficient to pay in full all withdrawn shares the balance of such one-half shall be applied to pay matured shares

C Whenever matured or withdrawn shares have not been paid by an association for a period of six months after payment has become due owing to the fact that the funds in the treasury which under this act are to be applied to the payment of such shares are insufficient to pay them in full so much of their bonds or other obligations of the United States of the Commonwealth of Pennsylvania or of a Federal Home Loan Bank of the association as shall be necessary to pay such matured or withdrawn shares shall be sold and the proceeds paid into the treasury of the association to be used to pay such shares

D For the purposes of this section the words "funds in the treasury" shall be construed to include all moneys received or borrowed by the association from any source whatsoever

E The holders of matured or withdrawn shares payment of which has become due under the provisions of this act shall have the power to sue for the amount due them on such shares in an action at law but any judgment obtained in such action shall not be a lien upon real property owned by such association

Section 617 Fines A Any association may impose fines upon its shareholders for failure to pay dues interest or premiums upon their shares but a fine shall not exceed one per centum per month of the amount of the dues interest or premiums which are in arrears for the period during which they have been in such arrears Such fines may be deducted from or charged against the earnings of the association properly apportionable to the shares in the association on account of which such defaults are made but they shall not under any circumstances be deducted from or charged against the dues paid by the shareholder upon such shares

B An association shall not impose fines upon the shares of a deceased shareholder for defaults incurred after his death unless his legal representative makes a payment upon such shares in which case fines may be levied against such shares for all defaults after the date of such payment

C Fines levied pursuant to the provisions of this act shall not be deemed usurious

Section 618 Restrictions on Dividends on Full-Paid Shares The cash dividend or periodical interest paid on full-paid shares shall not exceed the net rate of dividends earned each year on all the outstanding shares of the association less the amount thereof if any set aside as a reserve for contingent losses

Section 619 Cancellation of Shares by Association An association may cancel the installment shares of a shareholder for failure to pay dues upon them for a period of six months In the event of such cancellation by such association the shareholder shall be entitled to all the rights of a withdrawing shareholder

Section 620 Reserve for Contingent Losses Every association shall set aside each year not less than five per centum and not more than fifteen per centum of its net profits for such year as a reserve for contingent losses until the total amount of such reserve shall equal at least five per centum of the assets of such association but the Department may at any time require any association to set aside such additional amount as the Department shall deem necessary to safeguard the interests of the shareholders of such association Such reserve for contingent losses shall be loaned or invested in the same manner as is authorized by this act in the cast of other funds of the association Such reserve for contingent losses shall not at any time exceed ten per centum of the assets of such association except with the written approval of the Department

If due to a reduction of the assets of an association or due to any other cause whatsoever the reserve for contingent losses shall exceed ten per centum of the assets of the association or if the Department has authorized a reserve for contingent losses in excess of such ten per centum such reserve exceeds such percentage above ten per centum authorized by the Department the amount above such ten per centum or such other percentage as has been authorized in writing by the Department as the case may be shall be transferred at the next regular meeting of the board of directors to the general profit account of the association

Section 621 Reduction of Liability to Shareholders A Whenever the losses of any association resulting from a depreciation of its securities or otherwise exceed its reserve for contingent losses so that the fair value of its assets is less than the total amount due its creditors and shareholders the court of common pleas of the county in which the place of business of the association is located may upon the petition of the association approved by a majority of all its directors and the holders of a majority of all its directors and the holders of a majority of all its shares and approved also by the Department order a reduction of its liability to its shareholders in such manner as to distribute the loss equitably among such shareholders Such petition may establish the withdrawal value of any shares withdrawn within a designated period after the issuance of the order permitting such reduction of liabilities

B If after the issuance by the court of the order permitting such reduction of liabilities such association shall realize from its assets a greater amount than was fixed in the order of reduction such excess shall be divided among corporations or persons who as shareholders had their credits so reduced but the excess shall be so divided to the extent of such reduction only

ARTICLE VII
AMENDMENT OF ARTICLES

Section 701 Amendment of Articles Authorized An association may in the manner hereinafter provided in this article amended its articles of incorporation from time to time in any manner whatsoever provided that the articles as so amended would be authorized by this act as original articles of incorporation

Section 702 Proposal of Amendments to Articles Every amendment to the articles of an association shall first be proposed by the board of directors by the adoption of a resolution setting forth the proposed amendment and directing that it be submitted to a vote of the shoreholders entitled to vote thereon at a designated meeting which may be either an annual or a special meeting of the shareholders entitled to vote on the amendment The resolution shall establish the language of the proposed amendment to the articles by providing that the articles shall be amended so as to read as therein set forth in full or that any provision thereof be amended so as to read as therein set forth in full or that the matter stated in the resolution be added to or stricken from the articles

Section 703 Adoption of Amendments Every proposal of an amendment to the articles of an association made by its board of directors shall be adopted at the shareholders' meeting designated for that purpose pursuant to the provisions of this act upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote at such meeting unless the articles require a greater number Any number of amendments may be submitted to the shareholders at one meeting

Section 704 Notice of Meeting to Adopt Amendments to Articles Written notice shall not less than ten days before the shareholders' meetings called by the board of directors for the purpose of considering any proposed amendment to the articles of an association be given to each shareholder of record entitled to vote on the proposed amendment except that written notice of any proposed amendment for increasing the authorized capital stock of the association shall be given to each shareholder entitled to vote thereon at least sixty days before such meeting Such notice shall state the place the day and the hour of the meeting and shall set forth the proposed amendment or a summary of the changes to be effected thereby Notice of such meeting shall also be given by publication in a manner similar to that prescribed in this act in the case of the formation of an association

Section 705 Articles of Amendment After an amendment to the articles of an association has been adopted in the manner provided by this act triplicate originals of the articles of amendment shall be executed under oath or affirmation and under the seal of the association by two duly authorized officers of the association and shall set forth

(1) The name and location of the place of business of the association

(2) The Act of Assembly under which the association was formed and the date when and the place where the original articles were recorded

(3) The time and place of the meeting of the shareholders of the association at which the amendment was adopted and the kind and period of notice given to such shareholders

(4) The number of shares outstanding the number of shares entitled to vote on the amendment and the number of shares voted for and against such amendment

(5) The amendment adopted which shall be set forth in full

Section 706 Filing of Articles of Amendments Payment of Fees Approval by Department of State A The triplicate originals of the articles of amendment and the proof of publication of the advertisement required by this act shall be delivered to the Department of State

B The Department of State shall examine such articles of amendment and such proof of publication to determine whether they contain all the information and are in the form required by this act After all the fees taxes and other charges have been paid as required by law except for the costs of any examinations made by the Department of Banking pursuant to the provisions of this act to determine whether to approve the amendment or any other charges made by the Department of Banking the Department of State shall if the articles of amendment and the proof of publication contain the information and are in the form required by this act endorse its approval upon each of the triplicate originals of the articles of amendment and shall forthwith transmit them to the Department of Banking

C If the Department of State shall disapprove the articles of amendment pursuant to the provisions of this act it shall forthwith give notice thereof to the association stating in detail its reasons for doing so and stating how such association can remedy the nonconformance with the provisions of this act Upon remedying the defect such association may in the same manner file the same or amended articles whichever the particular case may require

Section 707 Approval of Articles of Amendment by Department of Banking A The Department of Banking shall immediately upon the receipt of the articles of amendment from the Department of State conduct such examination as it may deem necessary to ascertain from the best sources of information at its command whether such amendment or amend-

ments will be lawful not injurious to the community and in accordance with the purposes of the articles of incorporation The costs of such examination and any other charges of the Department of Banking bearing upon the filing of articles of amendment shall be assessed upon the association in the manner provided by law for assessments by the Department of Banking of costs of examinations or other charges

B Within thirty days after the receipt of the articles of amendment from the Department of State the Department of Banking shall upon the basis of the facts disclosed by the investigation provided for by this section either approve or disapprove such articles It shall immediately notify the Department of State in writing of its action If it shall approve the articles of amendment it shall sign its approval upon the three triplicate originals and shall retain one of them

C If the Department of Banking disapproves the articles of amendment it shall return them to the Department of State stating in detail its reasons for doing so The Department of State shall immediately give notice to the association of the action of the Department of Banking and of the reasons therefor as stated to it by that Department The association may within thirty days after the Department of State sends it notice of the disapproval of its articles of amendment appeal from such disapproval to the Governor who shall hear such appeal promptly and wtihin thirty days thereafter decide the matter and certify a decision to the Department of Banking The decision of the Governor shall be conclusive and not subject to review The Department of Banking shall act in accordance therewith

Section 708 Issuance of Certificate of Amendment Immediately upon receipt of the two signed triplicate originals of the articles of amendment of an association from the Department of Banking the Department of State shall file and record one of the triplicate originals and shall issue a certificate of amendment The remaining triplicate original of the articles of amendment and the certificate of amendment shall be sent by the Department of State to the association The association shall then have the articles of amendment recorded in the office of the recorder of deeds of the county in which the place of business of the association of situated The triplicate original of the articles of amendment upon being recorded by the recorder of deeds shall be returned to the association

Section 709 Effective Date of Amendment Upon the issuance of the certificate of amendment by the Department of State the amendments shall become effective and the articles of incorporation shall be deemed to be amended accordingly The certificate of amendment shall be conclusive evidence of the performance of all conditions required in this act in proceedings to amend the articles of incorporation except as against the Commonwealth No amendment shall affect any existing cause of action in favor of or against the association of any pending suit in which such association shall be a party or the existing rights of persons other than shareholders and i nthe event the corporate name shall be changed by the amendment no suit brought by or against the association under its former name shall be abated for that reason

ARTICLE VIII
SPECIFIC POWERS AND LIMITATIONS UPON POWERS OF ASSOCIATIONS

Section 801 Powers of Associations In addition to the general corporate powers granted by this act and in addition to any powers specifically granted to an association elsewhere in this act an association shall have the following powers subject to the limitations and restrictions imposed by this act

(1) To issue full-paid prepaid and installment shares

(2) To borrow money and in the case of the Federal Home Loan Bank or any other agency or instrumentality of the United States Government other than a national bank to pledge collateral therefor

(3) To grant loans to its shareholders

(4) To grant loans to other associations

(5) To make investments

(6) To become a member of the Federal Home Loan Bank or of any other corporation or agency established under the authority of the United States Government and to comply with any of the provisions required for membership in the Federal Home Loan Bank or in such other corporation or agency provided the association is authorized to do so by resolution of its board of directors

(7) To purchase improve or lease real property for its accommodation

Section 802 Power to Borrow Money Issuance of Notes Pledging of Collateral A An association may by resolution of its board of directors borrow money to a total amount not exceeding thirty-five per centum of the amount paid in by shareholders on account of shares which have not on the date of such borrowing been matured or for which notice of withdrawal has not on such date been given

B An association shall issue to any corporation or person from whom it borrows money except the Federal Home Loan Bank or any other agency or instrumentality of the United States Government other than a national bank a note for the amount borrowed All such notes shall be issued in the following manner and in the following form only

(1) Each such note shall have the corporate title of the association printed thereon

(2) A copy of the resolution of the board of directors of such association authorizing the loan certified by the secretary of such association or by such other officer as shall be determined by the by-laws shall be permanently attached to such note and each such resolution shall state the borrowing capacity of the association and the amount then owing by the association for borrowed money

(3) Each such note shall be signed on behalf of the association by the president or vice-president and by the secretary or treasurer thereof

(4) Such notes shall bear printed consecutive numbers and shall be issued from a bound notebook containing for each note a stub bearing a number corresponding to the number on such note The stub shall also bear the name and address of the payee of the note the date on which the note was issued the date of maturity the amount of the note and the rate of interest

(5) The president and secretary of such association or any other two or more officers of such borrowing association shall certify on each stub that the information contained thereon is correct and is in accordance with the note bearing the same number

An association shall issue to the Federal Home Loan Bank or to any other agency or instrumentality of the United States Government from which it borrows money other than a national bank its bond obligation or note in such form as is prescribed by the Federal Home Loan Bank or by such other agency or instrumentality of the United States Government

Upon the repayment of such borrowed money the note or the bond obligation or note as the case may be shall be surrendered to the association and shall be cancelled and preserved for a period of not less than seven years

C An association shall not have power to pledge or hypothecate any of its assets for money borrowed by it except in the case of money borrowed from the Federal Home Loan Bank or any other agency or instrumentality of the United States Government other than a national bank An association may pledge or hypothecate to the Federal Home Loan Bank or to any other agency or instrumentality of the United States Government other than a national bank for money borrowed its bonds and mortgages or other assets including the shares pledged with the association as security and it shall not be required to secure the consent of the owner of such shares in order to make such pledge

D An association shall not grant any loan secured by bond and mortgage until it has repaid all moneys borrowed by it from any source except the Federal Home Loan Bank or any other agency or instrumentality of the United States Government other than national banks

Section 803 Temporary Loans to Other Associations Whenever an association has no withdrawn or matured shares unpaid or obligations for borrowed money outstanding it may by resolution of its board of directors grant loans to any other association but an association shall not lend to any one association an amount in excess of ten per centum of the amount paid in on account of the shares of such lending association nor shall such associtaions have outstanding at any one time loans to associations aggregating more than twenty-five per centum of the amount paid in on account of the shares of such lending association

Section 804 Authorized Investments A Except as otherwise specifically provided in this act an association shall not make any investments except as follows

(1) Bonds or other interest-bearing obligations of the United States or those for the payment of the principal and interest on which the faith and credit of the United States is pledged

(2) Bonds or debentures issued by a Federal Home Loan Bank under the provisions of the Federal Home Loan Bank Act approved the twenty-second day of July one thousand nine hundred thirty-two its amendments and supplements

(3) Bonds or other interest-bearing obligations of the Commonwealth of Pennsylvania or those for the payment of principal and interest on which the faith and credit of this Commonwealth is pledged

B An association shall not at any one time have more than twenty-five per centum of the amount paid in on account of its shares invested in the bonds debentures or other interest-bearing obligations authorized by this section as investments for associations

Section 805 Restriction on Ownership or Holding of Real Property by an Association A Except as otherwise provided in this act an association shall not purchase own or hold any real property except as follows

(1) Such real property as it occupies pursuant to the provisions of this act for its accommodation in the transaction of its business or such real property as it partly so occupies and partly leases to others pursuant to the provisions of this act

(2) Such as it shall purchase at sales under judgments decrees or mortgages held by it or as it shall otherwise acquire in good faith and in satisfaction of debts previously contracted to it or in order to protect an interest it may otherwise have lawfully acquired in such property

B An association shall not own or hold any real property other than such real property as it occupies for its accommodation in the transation of its business or such real property as it partly so occupies and partly leases to others pursuant to the provisions of this act for a period longer than five years after the acquisition of such real property but the Department may upon application of an association grant to it in writing the power to hold such real property for a longer period

C An association shall not permit title to any real property of which it is in fact the owner to be carried in the name of any other corporation or person

Section 806 Limitation on Building Owned or Leased Furniture and Fixtures Therein A The cost of the real property including the building or buildings thereon which an association owns and occupies for the transaction of its business or partly so occupies and partly leases to others together with the cost of furniture and fixtures therein which belong to the association shall not at any time exceed in the aggregate five per centum of the amount paid in on account of its shares However an association shall not purchase any real property or erect any building for its occupancy in the transaction of its business without the prior written approval of the Department

B An association shall not expend for the alteration repair or improvement of premises occupied but not owned by it an amount which together with all prior alterations repairs or improvements on the same premises exceeds five thousand dollars without the prior written approval of the Department The cost of such alterations repairs or improvements shall be amortized during the term of such lease or occupancy

C The foregoing provisions of this section shall not affect any real property and building or buildings owned or leased and occupied or furniture and fixtures owned and used by an association upon the effective date of this act for the transaction of its business but such association shall not add to such real property and shall not alter repair or improve such premises if the cost of such additions alterations repairs ro improvements together with any real property and building or buildings owned or any real property and building or buildings owned or furniture and fixtures owned and used or alterations repairs and improvements of leased premises aggregate more than the maximum amount authorized by this section

D An association may lease to any other association or to any other corporation or person for offices or for any other legitimate purpose premises which it owns or occupies for the transaction of its business

Section 807 Protection against Loss on Previous Loan or Investment The restrictions imposed by this act shall not be construed to prevent an association in order to protect itself from loss upon a loan or investment previously made lawfully and in good faith from acquiring ownership of or otherwise taking and holding any kind of property or security whether real or personal Except as otherwise provided by this act any property so acquired unless of the character and nature by this act authorized to be purchased or held by such association shall be sold by it within five years but the Department may upon application of an association grant to it in writing the power to hold such property for a longer period

Section 808 Property Acquired before Effective Date of this Act This act shall not be construed to render unlawful the continued ownership or holding by an association of any loans investments or other real or personal property lawfully acquired prior to the effective date of this act However such loans and investments or such other real or personal property shall be computed in determining the power under this act of an association to grant any additional loans or make any additional investments of the same or different kinds

Section 809 Segregation of Dues upon Order of Department A Whenever it shall appear to the Department that the affairs of an association are in a precarious condition the Department may be written order issued in the manner provided by law prohibit such association from granting any further loans from issuing any new shares and from making any payments on account of withdrawn or matured shares until the order is revoked in writing by the Department The Department may also order that payments of dues made during the period during which such restrictions are in force on account of installment shares which have not been transferred and pledged to the association as security for loans shaltl be segregated from the other assets of the association Such order of the Department shall be known as an order of segregation Such funds shall not be subject to any attachment issued on a judgment obtained by any creditor of the association and shall either be kept on deposit in a depository selected in the manner provided by this act or invested in the bonds designated by this act as authorized investments for associations

The money so deposited or the bonds so purchased shall be available exclusively for the benefit of the shareholders making such payments and may be withdrawn during the period of segregation upon thiry days' written notice

All dues paid by shareholders whose shares are pledged to the association as security for loans during any period during which an order for segregation is in force shall be applied as a credit against the principal of the loan so secured

B If the Secretary of Banking shall in the manner provided by law take possession as receiver of the business and property of an association while an order of segregation is in force or if liquidating trustees shall pursuant to a plan of voluntary dissolution take possession of the business and property of such association while such order is in force the payments on account of dues on shares which have not been transferred and pledged as collateral for any loan which have been segregated pursuant to the order of segregation shall be paid solely from the segregated funds or from the proceeds of the sale of the bonds in which such segregated funds have been invested and the shareholders whose shares have been transferred and pledged as security for loans shall receive full credit for such payment on account of the principal of the loan so secured

C If an association while an order of segregation is in force shall enter into an agreement of merger or consolidation with another association or with other associations or shall file a petition in the court of common pleas for a reduction of its liability to its shareholders such payments made by holders of shares which have not been transferred and pledged as security for loans shall be returned to such shareholders unless they agree in writing to such merger consolidation or reduction of liability in which event such disposition shall be made of their portion of the funds which have been segregated on the bonds in which such segregated funds have been invested as is provided in the agreement of merger or consolidation or in the plan of reduction of liability In the event of such merger or consolidation or such petition for reduction of liability to shareholders shareholders whose shares are

pledged as security for loans shall be entitled to credit for payment made during the period during which the order of segregation was in force if they repay such loans to the association within ninety days from the effective date of such merger consolidation or plan of reduction of liability Otherwise such shareholders shall be presumed to have agreed to all the terms of the agreement of merger or consolidation or the plan of reduction of liability

D The Department may revoke an order of segregation whenever it shall appear that an improvement in the condition of an association makes such action desirable In such event the association may exercise all the powers it could have exercised prior to the issuance of such order It shall treat all payments on account of shares and otherwise made by shareholders during the period during which the order of segregation was in force in the same manner as all other payments on account of shares whenever made

Section 810 Limitation on Loans and Investments An association shall not have the power to grant any loans or make any investments except such loans or invesments as are specifically authorized in this act

Section 811 Limitations of Power to Make Deposits An association shall not deposit any of the moneys received by it in any bank bank and trust company savings bank or private bank unless such institution is specifically approved by the board of directors of the association as a depository for the funds of the association

Section 812 Prohibition upon Accepting Deposits or Discounting Commercial Paper A An association shall not receive money on deposit except as payments on account of shares

B An association shall not purchase or discount any note bill of exchange draft or other commercial paper

ARTICLE IX
LOANS TO SHAREHOLDERS

Section 901 Method of Granting Loans to Shareholders Bids Premiums A Mortgage loans shall be granted by an association pursuant to the provisions of this act by one of the following methods

(1) At any regular meeting of the board of directors or at any special meeting of which notice is given to all the shareholders the directors may offer to lend funds of the association to the corporation or person who shall bid the highest rate of premium for the privilege of being granted such loan The directors may receive bids orally or in writing but all such bids shall be received in open meeting The directors may establish any rules and regulations not inconsistent with this act for the receiving of such bids or the granting of such loans

(2) At any regular meeting of the board of directors or at any special meeting of which notice is given to all the shareholders the directors may offer to lend funds of the association to any corporation or person who shall agree in writing to pay a definite rate of premium for the privilege of being granted such loan but such rate of premium shall not exceed one per centum per year of the amount of the loan Loans may be granted in this manner without competitive bidding

(3) The premium paid pursuant to the provisions of this section by a borrower from an association shall not be deemed usurious although it exceeds the legal rate of interest or when added to any interest paid upon such loan it exceeds the legal rate of interest

B Share loans may be granted by an association pursuant to the provisions of this act in the manner provided by this section for the granting of mortgage loans or in any other manner provided by its articles or by-laws

Section 902 Application for Mortgage Loan Preservation of Application Penalty A An association shall not grant a mortgage loan unless it shall first have obtaind a writtten application signed by the person for whose benefit the loan is to be made which shall set forth

(1) The name address age and occupation of the applicant for the loan

(2) The name and address of the employer of the applicant if the applicant is employed

(3) The location of the real property and the character of the improvements thereon

(4) The name and address of the owner in fee of the real property at the time the application is made to the association

(5) How and when title to thet real property was acquired by the applicant the actual cost of the real property and the actual cost of any permanent improvements made thereon after the applicant acquired title or if applicant does not have title at the time application is made the date of the agreement of sale or option and the actual consideration to be paid for such real property

(6) Whether any money or other thing of value has been or is to be paid to any person as a fee commission or gift for procuring or for endeavoring to procure such loan from the association or for services in making searches of title of read property offered to the association as security or in drawing papers incident to the loan for which such real property is given as security or for any other reason whatsoever and if so the amount or value of such fee commission gift or other property of value and to whom it has been or is to be paid

(7) Whether in fact the applicant is the beneficial owner of the real property and if not who is the beneficial owner

B If the loan is granted by the association such application shall be carefully preserved among the records of the association until the loan is fully repaid to it

C Any person who shall knowingly make any false or misleading statement in the application required by this section or who shall knowingly conceal any material fact of facts required to be given in such application or who shall falsify or mutilate any such application after it has been signed and delivered to the association or who shall abstract any such application from the records of the association or who shall cause or induce any other person to make any such statement conceal any such fact or facts falsify mutilate or abstract any such applicatio nin the manner just described shall be guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period not exceeding three years or a fine not exceeding one thousand dollars or both

Section 903 Security for Mortgage Loan A An association shall grant mortgage loans to its shareholders or to any person intending to become a shareholder upon the following security only

(1) The bond of the borrower secured by the transfer and pledge to the association of installment shares in such association which belong to the borrower and which have a par value at least equal to the amount of the loan and further secured by a mortgage upon real property which belongs to the borrower such mortgage being for at least the full amount of the loan A loan secured in this manner shall be known as share-mortgage loan and the mortgage securing such loan as a share mortgage

(2) The bond of the borrower secured by a mortgage upon real property which belongs to the borrower such mortgage being for an amount not to exceed one-half of the amount of the loan such portion of the loan to be known as the straight-mortgage portion of the loan and a bond for the remainder of the loan secured by the transfer and pledge to the association of installment shares in such association which belong to the borrower and which have a par value at least equal to the amount of such remainder of the loan and further secured by a mortgage upon such real property for an amount equal to such remainder of such loan such remainder of such loan to be known as the share-mortgage portion of the loan A loan secured by both a straight mortgage and a share mortgage in this manner shall be known as a split-mortgage loan

The straight-mortgage portion of a split-mortgage loan shall not be secured by shares and an association shall not charge premiums or fines upon such portion of the loan

An association shall not demand payment of the straight-mortgage portion of a split-mortgage loan except in case of a default by the borrower in the terms of the loan until the share-mortgage portion of such loan has been repaid in full by the maturing of the shares assigned or pledged as security therefor or by any other method Upon such payment of the share-mortgage portion of a split-mortgage loan an association shall have the option either to demand and enforce payment of the straight-mortgage portion of the loan or to convert such loan to a share-mortgage loan upon the transfer and pledge to the association of installment shares in such association which belong to the borrower and which have a par value at least equal to the amount of such loan

B An association shall not grant any mortgage loan unless the mortgage securing such loan (1) is a first lien upon unencumbered improved real property or upon real property upon which a building is in the process of construction situated anywhere within the Commonwealth or where it is not a

first lien upon such property every equal or prior lien is owned by the association and (2) does not altogether with any other lien held by such association upon such property exceed eighty per centum of the fair market value of such real property plus the amount paid to the association prior to or upon the day of the granting of such loan upon shares to be assigned or pledged to the association as security for such loan

The provisions of this subsection shall not be construed to apply to a purchase money mortgage taken by an association upon real property owned by it

C An association shall not directly or indirectly grant to any one corporation or person mortgage loans to a total amount exceeding five per centum of the amount paid to the association by its shareholders on account of its shares but any association may grant to any one corporation or person mortgage loans to a total amount of ten thousand dollars

In computing the total mortgage loans made by an association to an individual there shall be included all mortgage loans made by the association to a partnership or other unincorporated association of which he is a member all mortgage loans made either for his benefit or for the benefit of such partnership or other unincorporated association and all mortgage loans to or for the benefit of a corporation of which he owns twenty-five per centum or more of the capital stock

In computing the total mortgage loans made by an association to a partnership or other unincorporated association there shall be included all mortgage loans to its individual members all mortgage loans made for the benefit of such partnership or other unincorporated association or of any member thereof and all mortgage loans to or for the benefit of any corporation of which the partnership or unincorporated association or any member thereof owns twenty-five per centum or more of the capital stock

In computing the total mortgage loans made by an association to a corporation there shall be included all mortgage loans made for the benefit of the corporation and all mortgage loans to or for the benefit of any individual who owns twenty-five per centum or more of the capital stock of such corporation

A mortgage loan shall be deemed to be made for the benefit of a corporation or person to the extent that the proceeds of such loans are credited or transferred to such corporation or person

D An association shall not upon the security of any one piece of real property grant mortgage loans totalling more than twenty-five thousand dollars

Section 904 Limitation upon Disposal of Mortgages Except as otherwise specifically provided in this act an association shall not except with the written consent of the owner of the real property upon which a mortgage or other encumbrance is secured sell transfer or assign such mortgage or other encumbrance and it shall not sell transfer or assign such mortgage or other encumbrance until every subsequent mortgage or encumbrance owned by it upon such real property shall have been paid in full The corporation or person to whom such transfer sale or assignment is made shall not have the power to charge fines or premiums unless such corporation is a building and loan association

Section 905 Reduction of Mortgage Loan by Application of Shares Appropriation of Shares A borrower with the consent of the association may have the periodical installments of dues on his shares credited on account of the principal of the mortgage loan at any time and may participate in the profits of the association upon waiving his right to a reduction of interest and of premium if any the same as if the dues had not been so credited The borrower in such case shall have the right with the consent of the association when the dues so credited on account of the principal of the loan and the profits or interest thereon as fixed in accordance with the by-laws of the association shall equal the par value of one or more shares to have the number of the shares reduced to such number that the aggregate par value shall not be less than the reduced amount or balance of the principal of the loan still remaining unpaid The periodical installments of dues on the reduced number of shares as well as the interest on the reduced principal of the loan and the premium if any shall be payable after the date of such reduction the same as if the shares had been originally issued in such reduced number as of such date and the loan made for such reduced amount When the dues on the shares are so credited such shares shall not be subject to losses beyond the profits thereon not credited on account of the principal of the loan When the dues thus credited on account of the principal of the loan together with the accumulated profits thereon equal to the principal of the loan or the balance thereof in case the number of the shares has been reduced the borrower shall be entitled to have his mortgage satisfied and the shares shall revert to the association

Section 906 Interest Reduction Loans A borrower with the consent of the association may have the periodical installments of dues on his shares credited on account of the principal of the mortgage loan at such times as shall be provided in the mortgage and also in its accompanying bond or other obligation if any and the interest and the premium if any thereon shall be computed on the balance of the principal of the loan in each case when the dues have been so credited The borrower in such case may agree that the subsequent dues on his shares shall become automatically increased by the amount of the reduction of interest and of premium if any in each case when the dues have been so credited so that the total of each monthly installment of dues and interest and premium if any shall remain the same until the loan has been paid in full but the right to have the dues on the shares credited on account of the principal of the loan as well as the agreement if any that the dues on the shares shall become automatically increased as herein provided shall be set forth in the mortgage and also in its accompanying bond or other obligation if any

The borrower shall have the right with the consent of the association when the dues so credited on account of the principal of the loan shall equal the par value of one or more shares to have the number of shares reduced to such number that their aggregate par value shall not be less than the reduced amount or balance of the principal of the loan still remaining unpaid The periodical installments of dues on the shares thus reduced as well as the interest on the reduced principal of the loan and premium thereon if any shall be payable after the date of such reduction the same as if the shares had been originally issued in such reduced number as of such date and such loan made for such reduced amount When the dues on the shares are credited on account of the principal of the loan as herein provided such shares shall not participate in the profits of the association nor be subject to losses When the loan has been paid in full by the crediting of the dues thereon as herein provided the borrower shall be entitled to have his mortgage satisfied and the shares shall revert to the association

Section 907 Foreclosure on Mortgage for Non-Payment of Dues Interest Premiums or Fines In the case of a default in the payment of dues interest premiums or fines due on a mortgage loan an association shall not have the power to enforce payment of the principal of such loan by legal proceedings until such payments have not been made by the borrower for a period of six months in the case of a mortgage which is a first lien upon real property or for a period of three months in the case of a mortgage which is not a first lien upon real property

Section 908 Withdrawal Value of Shares as Basis for Credit in Foreclosure In the event of a foreclosure by an association of a mortgage securing a loan the credit which shall be allowed to the shareholder on account of his shares which are pledged as security for the loan shall be the withdrawal value of such shares

Section 909 Security for Share Loans An association may grant share loans to any of its shareholders upon the following security only the note of the borrower secured by the transfer and pledge to the association of installment or prepaid shares which have not previously been transferred or pledged to anyone other than the association the amount paid in on account of such shares prior to or at the time of the granting of any loan upon the security of such shares shall be at least equal to the total amount of all loans granted thereon

Section 910 Repayment of Loans before Maturity A A borrower shall have the right to repay a loan to an association at any time before the maturity of the shares securing such loan at any regular meeting of the board of directors of such association

B When a borrower repays a loan to an association before the maturity of the shares securing such loan he may

(1) Pay the amount of the principal of the loan in cash and have the shares securing such loan re-transferred to him by the association or

(2) In the case of a mortgage loan apply the withdrawal value of the shares securing such loan against the principal of such loan and pay the balance in cash or

(3) In the case of a share loan take credit for the withdrawal value of the shares securing such loan up to the amount of the principal of the loan and as to any balance remaining acquire the rights of a withdrawing shareholder

C Upon paying a loan to an association in the manner provided in this section a borrower shall be entitled in the case of a mortgage loan to the satisfaction of his mortgage and in the case of a share loan to the return of his note

D If a borrower shall repay a loan existent upon the effective date of this act upon which the association has deducted premiums or interest in advance such proportion of the premiums or interest as the by-laws shall determine shall be refunded to such borrower unless the same amounts to two per centum or less of the amount of such loan in which case no such refund shall be made but an asosciation shall not in any event retain more than one one-hnudredth of such premiums for each calendar month that has expired since the date of the meeting upon which the loan was granted or more than the interest which at the rate of interest charged upon the loan would have been due up to the date of settlement if the interest had not been paid in advance

Section 911 Demand by Association of Payment of Mortgage or Share Loans A An association shall not except upon a default by the horrower have the power to demand payment of any mortgage loan or share loan until the shares transferred and pledged to it as security for the loan have matured

B The prohibition of this section shall apply despite any provision to the contrary in the note or in the bond and mortgage respectively upon which such loan is made

Section 912 Method of Collecting Premiums or Interest A Any premium which is bid or is agreed to be paid to an association pursuant to the provisions of this act shall be paid in equal periodical installments extending over the period of the loan An amount not exceeding the amount of the first such payment shall be due in advance of or upon the day of the granting of the loan and the remaining installments shall each be payable upon the same day as the dues upon the shares securing such loan

B Interest upon a loan granted by the association shall not be charged or deducted in advance whether such interest is charged in lieu of premiums or otherwise but it shall be paid in equal periodical installments extending over the period of the loan

C If the Secretary of Banking shall take possession of an association as receiver for the purpose of liquidating its business and property or if a liquidating trustee or liquidating trustees shall take possession pursuant to a plan of voluntary dissolution a borrower upon whose loan the association has prior to the effective date of this act deducted premiums or interest in advance shall be entitled upon the repayment of such loan to the association to receive the same credit for such premium or interest in advance as he would have been entitled to receive had the association not been in the possession of the Secretary of Banking as receiver or of a liquidating trustee or liquidating trustees upon the date of such payment and had such payment on such date been a voluntary repayment before maturty of such loan However a borrower shall not after such taking of possession by the Secretary of Banking as receiver or by liquidating trustees be entitled to any credit for premiums paid in periodical insallments except in the case of periodical installments which had been paid prior to but which were not yet due upon the day on which such possession was taken by the Secretary of Banking as receiver or by a liquidating trustee or liquidating trustees

ARTICLE X
MERGER AND CONSOLIDATION

Section 1001 Merger and Consolidation Authorized Any two or more associations may in the manner hereinafter provided in this act be merged into one of such associations hereinafter designated as the surviving association or consolidated into a new association to be formed under this act

Section 1002 Approval of Joint Plan of Merger or Consolidation A The board of directors of each of the associations which desire to merge or consolidate shall by resolution adopted by at least a majority of all the members of each board approve a joint plan of merger or consolidation as the case may be setting forth the terms and conditions of the merger or consolidation and the mode of carrying the same into effect the manner and basis of converting the shares of each association into shares or other securities or obligations of the surviving or new corporation as the case may be and such other details and provisions as are deemed necessary

B The board of directors of each association upon approving such plan of merger or plan of consolidation in accordance with the provisions of this act shall by resolution direct that the plan be submitted to a vote of the shareholders of such association entitled to vote thereon at an annual or special meeting of the shareholders Written notice shall not less than fifteen days before such annual or special meeting be given respectively to each shareholder of record The notice shall state the place day hour and purpose of the meeting and a copy or a summary of the plan of merger or plan of consolidation as the case may be shall be included in or enclosed with such notice Such notice shall also be published once a week for two consecutive weeks before such meeting in at least one newspaper of general circulation

C The plan of merger or consolidation shall be ratified upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote thereon of each of the merging or consolidating associations

Section 1003 Articles of Merger or Consolidation Upon the approval pursuant to the provisions of this act of the plan of merger or the plan of consolidation by the shareholders of the associations desiring to merge or consolidate triplicate originals of articles of merger or articles of consolidation as the case may be shall be executed under the seal of each association by two duly authorized officers of each association and shall set forth

(1) The name of the surviving or new association

(2) The time and place of the meeting of the directors at which the plan of merger or consolidation was proposed and the time and place of the meeting of the shareholders of each corporation at which the plan of merger or consolidation as the case may be was ratified the kind and period of notice given to the shareholders and the total vote by which the plan was adopted

(3) In the case of a merger any changes desired to be made in the articles of the surviving association or in the case of a consolidation all of the statements required by this act to be set forth in the original articles in the case of the formation of an association

(4) The number names and addresses of the persons to be the first directors of the surviving or new association

(5) The plan of merger or consolidation

Section 1004 Filing of Articles of Merger or Consolidation Payment of Fees Approval by Department of State A The triplicate originals of the articles of merger or articles of consolidation as the case may be and the proof of publication of the advertisement required by this act shall be delivered to the Department of State

B In addition to any taxes and charges provided by law in the case of any corporation an association shall pay to the Department of State such reasonable fees as shall be established by rule and regulation by the Department of Banking for the investigation made by the Department of Banking pursuant to the provisions of this act to determine whether the articles of merger or articles of consolidation as the case may be should be approved Such fee for the investigation by the Department of Banking shall be paid to the Department of State at the time of the filing with it of the articles of merger or articles of consolidation and shall be paid by the Department of State through the Department of Revenue into the Banking Department Fund

C The Department of State shall examine such articles of merger or articles of consolidation and such proof of publication to determine whether they contain all the information and are in the form required by this act and also whether the name of the surviving or new association as the case may be conforms with the requirements of law for the name of such an association or if the name is not the same as either or any of the merging or consolidating associations whether it is the same as one already adopted or reserved by another corporation or person or is so similar thereto that it is likely to mislead the public

After all the taxes and other charges have been paid as required by law if the articles of merger or articles of consoli-

dation and the proof of publication contain the information and are in the form required by this act the Department of State shall endorse its approval upon each of the triplicate originals of the articles of merger or articles of consolidation and shall forthwith transmit them to the Department of Banking

D If the Department of State shall disapprove the articles of merger or the articles of consolidation pursuant to this act it shall forthwith give notice thereof to the association stating in detail its reasons for doing so and stating how such association can remedy the nonconformance with the provisions of this act Upon remedying the defect such association may in the same manner file the same or amended articles whichever the particular case may require

Section 1005 Approval of Articles of Merger or Consolidation by Department of Banking A The Department of Banking shall immediately upon the receipt from the Department of State of the articles of merger or articles of consolidation conduct such examination as it may deem necessary to ascertain from the best sources of information at its command

(1) Whether the name of the surviving or new association is likely to mislead the public as to its character or purpose

(2) Whether the consolidation or merger is made for legitimate purposes

(3) Whether the interests of the shareholders or creditors are adequately protected

(4) Whether the surviving or new association meets all the requirements of this act and violates none of its prohibitions

B Within thirty days after the receipt of the articles of merger or articles of consolidation from the Department of State the Department of Banking shall upon the basis of the facts disclosed by the investigation provided for by this section either approve or disapprove such articles It shall immediately notify the Department of State in writing of its action If it shall approve the articles of merger or articles of consolidation it shall sign its approval upon the triplicate originals It shall retain one of the triplicate originals and return the other two to the Department of State

C If the Department of Banking disapproves the articles of merger or the articles of consolidation it shall return them to the Department of State stating in detail its reasons for doing so The Department of State shall immediately give notice to the associations desiring to merge or consolidate of the action of the Department of Banking and of the reasons therefor as stated to it by that Department Such corporations may within thirty days after the Department of State sends them notice of the disapproval of their articles of merger or articles of consolidation appeal from such disapproval to the Governor who shall hear such appeal promptly and shall within thirty days thereafter decide the matter and certify his decision to the Department of Banking The decision of the Governor shall be conclusive and not subject to review The Department of Banking shall act in accordance therewith

Section 1006 Issuance of Certificate of Merger or Certificate of Consolidation Immediately upon receipt of the two signed triplicate originals of the articles of merger or the articles of consolidation of an association from the Department of Banking the Department of State shall file and record one of them and shall issue a certificate of merger or a certificate of consolidation The remaining triplicate of the articles of merger or articles of consolidation and the certificate of merger or articles of consolidation and the certificate of merger or consolidation shall be sent by the Department of State to the surviving or new association as the case may be which shall then have the articles of merger or the articles of consolidation recorded in the office of the recorder of deeds in the county in which the place of business of the association is situated The triplicate original of the articles of merger or articles of consolidation upon begin recorded by the recorder of deeds shall be returned to the association

Section 1007 Effect of Merger or Consolidation Upon the merger or consolidation becoming effective the several associations parties to the plan of merger or consolidation shall be a single association which in the case of a merger shall be that association designated in the plan of merger as the surviving association and in the case of a consolidation shall be the new association provided for in the plan of consolidation The separate existence of all associations parties to the plan of merger or consolidation shall cease except in the case of a merger that of the surviving association The surviving or new association as the case may be shall have all the rights and privileges immunities and franchises of each of the merging or consolidating associations except that the surviving or new association shall not thereby acquire authority to engage in any business or exercise any right which cannot be acquired by or which is forbidden to any association which is incorporated under this act All the property real personal and mixed of each of the associations parties to the plan of merger or consolidation and all debts or obligations due to any of them including subscriptions to shares and other choses in action belonging to either or any of them shall be taken and deemed to be transferred to and vested in the surviving or new association as the case may be without further act of deed The surviving or new association shall thenceforth be responsible for all the liabilities and obligations of each of the associations so merged or consolidated in the same manner as if the surviving or new association had itself incurred such liabilities or obligations but the liabilities of the merging or consolidating associations or of their shareholders directors or officers shall not be affected nor shall the rights of the creditors thereof or of any persons dealing with such associations or any liens upon the property of such corporations be impaired by such merger or consolidation and any claim existing or action or proceeding pending by or against any of such associations may be prosecuted to judgment as if such merger or consolidation had not taken place or the surviving or new association may be proceeded against or substituted in its place In the case of a merger the articles of incorporation of the surviving association shall be deemed to be amended to the extent if any that changes in its articles are stated in the articles of merger and in the case of a consolidation the statements set forth in the articles of consolidation and which are required or permitted to be set forth in the articles of incorporation of associations formed under this act shall be deemed to be the articles of incorporation of the new association

Section 1008 Rights of Dissenting Shareholders A If any shareholder of an association which becomes a party to a plan of merger or consolidation shall file with such association prior to or at the meeting of shareholders at which the plan of merger or consolidation is submitted to a vote a written objection to such plan of merger or consolidation and shall not vote in favor thereof and such shareholder within twenty days after the merger or consolidation was effected shall make written demand on the surviving or new association for the payment of the fair value of his shares as of the day prior to the date on which the vote was taken approving the merger or consolidation without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation the surviving or new association shall pay to such shareholder the fair value of his shares upon surrender of the share certificate or other evidence of his shares The demand of the shareholder shall state the number and kind of the shares owned by him Any shareholder failing to make demand within the twenty-day period shall be conclusively presumed to have consented to the merger or consolidation and shall be bound by the terms thereof If within thirty days after the date on which such merger or consolidation was effected the value of such shares shall be agreed upon by the dissenting shareholder and the surviving or new association payment thereof shall be made within ninety days after the date on which such merger or consolidation was effected upon the surrender of the share certificate or other evidence of his shares Upon payment of the agreed value the dissenting shareholder shall cease to have any interest in such shares or in the association

B If within such period of thirty days the shareholder and the surviving or new association do not so agree then the dissenting shareholder may within sixty days after the expiration of the thirty-day period apply by petition to the court of common pleas within the county in which the place of business of the surviving or new association is situated for the appointment by the court of three disinterested persons to appraise the fair market value of his shares without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation The award of the appraisers or of a majority of them when confirmed by the court shall be final and conclusive The cost of such appraisal including a reasonable fee to the appraisers shall be fixed by the court and shall be assesed either upon the new or surviving association or upon

the dissenting shareholder or upon both in the discretion of the court The award shall be payable only upon and simultaneously with the surrender to the surviving or new association of the share certificate or certificates representing the shares of the dissenting shareholder If the award shall not be paid by the surviving or new association within thirty days after the award was made by the appraisers the amount of the award shall be a judgment against the surviving or new association as the case may be and may be collected as other judgments in such court are by law collectible Upon the payment of the award or judgment the dissenting shareholder shall cease to have any interest in such shares or in the surviving or new association Unless the dissenting shareholder shall file a petition within the time herein limited such shareholder and all persons claiming under him shall be conclusively presumed to have approved and ratified the merger or consolidation and shall be bound by the terms thereof The right of the dissenting shareholder to be paid the fair value of his shares as herein provided shall cease if and when the association shall abandon the merger or consolidation

Section 1009 Effective Date of Merger of Consolidation Upon the issuance of the certificate of merger or the certificate of consolidation by the Department of State the merger or consolidation shall be effective The certificate of merger or the certificate of consolidation shall be conclusive evidence of the performance of all conditions precedent to such consolidation or merger and the creation or existence of a new or surviving association except as against the Commonwealth

ARTICLE XI

VOLUNTARY DISSOLUTION OF ASSOCIATION

Section 1101 Voluntary Dissolution by Incorporators A The incorporators of an association which has not issued any shares of commenced business may effect the dissolution of the association by filing articles of dissolution with the Department of State The articles of dissolution shall be executed in triplicate originals signed and verified by a majority of the incorporators and shall set forth

(1) The name of the association

(2) The city borough or township in which it was to have its place of business

(3) The date of its incorporation

(4) That the association has not issued any shares or otherwise commenced business

(5) That the amount if any actually paid in on subscriptions to its shares less any part thereof disbursed for necessary expenses has been returned to those entitled thereto

(6) That no debts of the association remain unpaid

(7) That two-thirds of the incorporators elect that the association be dissolved

B The triplicate originals of the articles of dissolution shall be delivered to the Department of State If the Department of State finds that the articles conform to law it shall endorse its approval upon each triplicate original and when all fees and charges required by law have been paid it shall forthwith transmit such triplicate originals to the Department of Banking which if it shall approve the granting of the certificate of dissolution shall sign its approval on the triplicate originals It shall retain one such triplicate original and shall forthwith transmit the other two to the Department of State The Department of State shall then issue in duplicate a certificate of dissolution Upon the issuance of the certificate of dissolution the existence of the association shall cease The Department of State shall send one copy of the certificate of dissolution to the incorporators or their representative and shall send a copy of the articles of dissolution to the recorder of deeds of the county in which the place of business of the association in this Commonwealth was to be situated who shall record the articles without fee therefor

Section 1102 Voluntary Dissolution Permitted Limitation Any association which has commenced business and which has issued shares may elect to dissolve voluntarily and wind up its affairs in the manner and under the circumstances hereinafter provided by this act However if it shall appear to the Department upon an examination of the business assets and affairs of the association that its assets will probaly be insufficient to pay in full its shareholders and creditors it may in its discretion take possession of the business and property of the association in which case the Secretary of Banking shall simultaneously and by operation of law take over possession and serve as receiver in the manner provided by law

Section 1103 Proposal and Ratification of Plan of a Voluntary Dissolution Election of Liquidating Trustees A A plan to dissolve voluntarily the affairs of an association shall be proposed by resolution adopted by affirmative vote of two-thirds of all the directors of the association Such resolution shall direct that the question of dissolution be submitted to a vote of the shareholders at a meeting which may be either an annual meeting or a special meeting of the shareholders Written notice stating that the purpose or one of the purposes of such meeting is to discuss the desirability of voluntarily dissolving the association shall be given to each shareholder of record entitled to vote at such meeting within the time and in the manner provided in this act for the giving of notice for a meeting of shoreholders If such meeting be an annual meeting such purpose shall be included in the notice of the annual meeting

B The plan of voluntary dissolution proposed by the directors shall set forth in detail the number of liquidating trustees which shall be one three or five to be elected by the shareholders the amount of the bond which shall be supplied by each of them and the powers duties and compensation of such liquidating trustees

C The resolution shall be declared adopted upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote on majority of the resolution if the resolution is adopted The shareholders shall forthwith proceed to elect the number of liquidating trustees provided for in the plan of voluntary liquidation If more than one liquidating trustee is to be elected each shareholder shall have the right in person or by proxy multiply the number of votes to which he may be entitled by the number of liquidating trustees to be elected and he may cast his whole number of such votes for one candidate or her may distribute them among any two or more candidates The candidates receiving the highest number of votes up to the number of liquidating trustees to be chosen shall be elected

Section 1104 Certificate of Election to Dissolve Voluntarily A Upon the adoption at a meeting of the shareholders of a resolution for the voluntary dissolution of an association pursuant to the provisions of this act a certificate of election to dissolve shall be executed in triplicate under the seal of the association signed and verefied by at least two duly authorized officers of the association which shall set forth

(1) The name of the association

(2) The exact location of its place of business

(3) The names and respective addresses including the street and number if any of its officers

(4) The names and respective addresses including street and number if any of its directors

(5) The number of directors voting for and the number voting against the proposed plan of voluntary dissolution

(6) The number of shares outstanding the number of shares entitled to vote in respect to the dissolution of the association and the number of shares voted for and the number voted against the proposed plan of voluntary dissolution

(7) The names and addresses of the proposed liquidating trustees who were elected at the shareholders' meeting and the number of votes received by every candidate for the position of liquidating trustee

(8) The amount of the bond required to be supplied by each trustee

(9) The signed statement under oath or affirmation of each of the proposed liquidating trustees that he is willing to serve as liquidating trustee subject to the provisions of this act and to the terms of the proposed plan of voluntary dissolution that he will so far as the duty devolves upon him diligently and honestly liquidate the affairs of the association and will not knowlingly violate or permit to be violated any of the provisions of this act or of the proposed plan of voluntary dissolution

B The triplicate originals of the certificate of election to dissolve shall be delivered to the Department of Banking The Department of Banking shall then conduct an examination or an investigation or take such other action as it deems necessary to determine whether to approve the plan of voluntary dissolution

Section 1105 Approval by Department of Certificate of Election to Dissolve Voluntarily Filing Commencing of Liquidation If the Department shall approve the certificate of election to dissolve it shall sign its aproval upon the tripli-

cate originals of the certificate of election to dissolve It shall retain one such triplicate original it shall send one of the remaining triplicate originals to the Department of State for filing and one to the association or its representative The triplicate original shall be promptly recorded by the association or its representative in the office of the recorder of deeds of the county in which the place of business of the association is situated Upon the receipt by the association of the triplicate original of the certificate of election by the association it shall cease to transact its business and the liquidating trustee or trustees as the case may be shall commence the liquidation of the association The liquidating trustee or trustees shall thereafter be authorized to carry out in his own name or in their own names as liquidating trustee or trustees of the association the powers granted to him or to them by the plan of voluntary liquidation

Section 1106 Notice to Creditors and Shareholders A After the Department has approved the plan of voluntary dissolution and has transmitted to the association the triplicate original of the certificate of election to dissolve bearing its signature the liquidating trustee or trustees as the case may be shall forthwith give notice to all corporations or persons who appear upon the books or other records of the association as or who are otherwise known to the liquidating trustee or trustees to be creditors or shareholders of the association Such notice shall be sent to or given at the address which appears upon the books or other records of the association for the particular corporation or person or if no address appears there then to the last known address of such corporation or person

The notice to each shareholder shall state the amount which the books or other records of the association show to be due to such shareholder It shall also state that unless such shareholder shall present his claim under oath or affirmation within three months from the date of the giving of such notice the amount shown to be due by the books of the association will be conclusively presumed to be correct

The notice to each creditor other than a shareholder shall inform such creditor that he must present his claim under oath or affirmation within three months from the date of the giving of such notice or else be barred from claiming an amount exceeding the amount shown to be due him on the books or other records of the association and that he must present his claim under oath or affirmation within six months from the date of the giving of the notice or else be forever barred from sharing in any distribution of the assets of the association

B The liquidating trustee or trustees as the case may be shall also forthwith advertise once a week for three successive weeks in a newspaper of general circulation and in a legal newspaper if any that the association is being liquidated pursuant to a plan of voluntary liquidation that all shareholders must present their claims under oath or affirmation within three months after the date specified in such advertisement which shall not be earlier than the first day on which advertisement was made either in the newspaper of general circulation or in the legal newspaper or be bound by the amount shown by the books or other records of the association to be due them or if a shareholder does not appear upon the books or other records of the association to be a shareholder that he must present his claim under oath or affirmation within six months from such date or else be permanently barred from sharing in the distribution of the assets of the association and that any creditor other than a shareholder must present his claim under oath or affirmation within three months from the date specified in the advertisement which shall not be earlier than the first day on which advertisement was made either in the newspaper of general circulation or in the legal newspaper or else be barred from claiming an amount exceeding the amount shown to be due him on the books or other records of the association and that he must present his claim under oath or affirmation within six months from such date or else be forever barred from sharing in any distribution of the assets of the association

C After the expiration of three months from the date of giving notice to creditors who appear as creditors upon the books or other records of the association other than shareholders the liquidating trustee or trustees as the case may be shall forthwith send a notice by registered mail to each creditor who has not yet presented his claim under oath or affirmation stating that unless he presents his claim under oath or affirmation within six months from the date upon which he was given the first notice required by this section he will be forever barred from sharing in any distribution of the assets of the association Such notice shall be sent to the address which appears for such creditor upon the books or other records of the association or if no address appears there to his last known address

D The first insertion of an advertisement in the newspaper of general circulation or in the legal newspaper shall in so far as possible be made on the same day as the giving of notice to shareholders and creditors

Section 1107 Prohibition upon Allowance of Claims The liquidating trustee or trustees as the case may be shall not allow any of the following claims

(1) The claim of a shareholder who appears upon the books or other records of the association as a shareholder for an amount in excess of the amount which the books or other records show to be due to him as a shareholder unless he has presented such claim under oath or affirmation within three months after the giving of notice to him

(2) The claim of a shareholder who does not appear upon the books or other records of the association as a shareholder unless he has presented such claim under oath or affirmation within six months after the date of the publication of the first advertisement required by this act

(3) The claim of any creditor other than a shareholder for an amount in excess of the amount shown to be due him on the books or other records of the association unless he has presented such claim under oath or affimration within three months after the giving of notice to him or any claim at all of such creditor unless he has presented such claim under oath or affirmation within six months after the giving of notice to him

(4) The claim of any creditor other than a shareholder who does not appear upon the books or other records of the association as a creditor unless he has presented such claim under oath or affirmation within six months after the date of the publication of the first advertisement required by this act

Section 1108 Bonds of Liquidating Trustees Before any liquidating trustee shall enter upon his duties he shall furnish to the association a bond in such amount as is specified in the certificate of election to dissolve or in such greater amount as is required by the Department with such corporate surety as is approved by the Department conditioned upon the faithful performance of his duties as liquaditing trustee The cost of the bond of a liquidating trustee may be paid out of the assets of the association Such bond shall be filed with the Department

Section 1109 Death or Resignation of Liquidating Trustees A In any case in which a plan of voluntary dissolution provides for one liquidating trustee and such liquidating trustee dies resigns or for any reason becomes unable to perform the duties of a liquidating trustee the Department shall forthwith appoint a liquidating trustee to take his place

B In any case in which a plan of voluntary dissolution provides for three or five liquidating trustees and one or more of such liquidating trustees die resign or for any reason become unable to perform the duties of liquidating trustees the remaining liquidating trustees if they constitute a majority of the whole number of liquidating trustees provided by the plan of voluntary dissolution shall by a majority vote select a liquidating trustee or liquidating trustees to take the place of such dead resigned or incapacitated liquidating trustee or trustees If the number of liquidating trustees remaining does not constitute a majority of the whole number of liquidating trustees provided by the plan of voluntary liquidation or if the number of remaining liquidating trustees constitutes such majority but they are equally divided in their votes for a new liquidating trustee or trustees the Department shall forthwith appoint a liquidating trustee to take his place

C Any liquidating trustee appointed pursuant to the provisions of this section shall have the same powers and shall be subject to the same duties as the liquidating trustee whose place he takes

Section 1110 Examination by Department Taking Possession by Department A The Department shall have the same power to examine or investgiate the affairs of an association which is in the process of voluntary dissolution and to assess the cost of such examination or investigation upon such association as is provided by law in the case of associations which are not in the process of voluntary dissolution

B The Department shall have the power to take possession of an association which is in the proceess of voluntary dissolution and the Secretary of Banking automatically and by operation of law to take over such possession as receiver whenever it shall appear to the Department that the best interests of the creditors and shareholders of the association will be served by such action

Section 1111 Approval of Department before Payment of Dividend A liquidating trustee or trustees as the case may be shall not distribute any of the assets of the association in the form of dividends to shareholders without the prior written approval of the Department

Section 1112 Order of Preference in Distribution A The following shall be the order followed by the liquidating trustee or trustees as the case may be in the distribution pursuant to the provisoins of this act of the assets of any association which is being liquidated in pursuance of a plan of voluntary dissolution

First Any reasonable expense incurred by the liquidating trustee or trustees as the case may be in the management liquidation or distribution of the assets and affairs of the association any fee or other debts owing to the Department for examinations or other services rendered or penalties incurred any other claim of the Commonwealth of Pennsylvania and any other claim which is given a preference by law

Second Any claim of a creditor of the association other than the claim of a shareholder arising from his ownership of shares

Third Any claim of a shareholder arising from his ownership of shares whether such shares be installment full-paid prepaid matured or any other type The amount of the claim arising from each share shall be the amount actually paid in on account of such share less any amount lawfully deductible therefrom by the association except in the case of a lawfully and properly matured share in which case the amount of the claim shall be the actual par value of the share less any payment received on account thereof from the association and less any other amount lawfully deductible therefrom by the association

B Every claim enumerated above shall have the same rank and priority as every other claim in the same numbered paragraph regardless of the order in which such claims are enumerated

C All claims provided for in this section shall be construed to refer only to claims presented to the liquidating trustee or trustees in the manner provided in this act and approved by him or them in accordance with the plan of dissolution

Section 1113 Articles of Dissolution A When the liquidating trustee or trustees as the case may be have completely liquidated and distributed the assets of an association in the manner provided by this act articles of dissolution shall be executed in triplicate originals signed and verified by the liquidating trustee or trustees as the case may be which shall set forth

(1) The name of the association

(2) The address including the street and number if any of the place of business of the association

(3) A statement that the association has theretofore filed with the Department of Banking and with the recorder of deeds of the county in which the place of business of the association is situated a certificate of election to dissolve and the date on which the certificate was approved by the Department of Banking

(4) A statement that all the assets of the association have been liquidated and the distribution of the proceeds made in the manner provided by this act

(5) A statement that there are no suits pending against the association in any court

B The triplicate originals of the articles of dissolution shall be delivered to the Department of Banking If the Department of Banking shall approve the articles it shall endorse its approval upon each triplicate original and shall issue in quadruplicate a certificate of dissolution Upon the issuance of the certificate of dissolution the existence of the association shall cease The Department of Banking shall retain one of the triplicate copies of the articles of dissolution and one of the quadruplicate copies of the certificate of dissolution it shall send one such copy of the articles of dissolution and one such copy of the certificate of dissolution to the Department of State for filing it shall send one copy of the articles of dissolution and one such copy of the certificate of dissolution to the liquidating trustee or trustees as the case may be and it shall send one copy of the quadruplicate certificate of dissolution to the recorder of deeds of the county in which the place of business of the association was situated who shall record the certificate without fee therefor

ARTICLE XII

FORFEITURE OF CHARTER GENERAL CRIMINAL PROVISIONS

Section 1201 Books Records and Accounts of Associations Reports Prohibitions Penalty A The total liabilities of each association to shareholders or creditors shall be set out in full upon the books or other records of the association and in all reports required by law It shall be unlawful for any association to reduce such liabilities for the purposes of concealing unadjusted losses expense charges loans or for any other purpose All such losses expense charges loans or other items shall be set up in separate accounts on the books or other records of the association until adjusted or charged off They shall not be charged in any manner whatsoever against dues or other payments made on account of shares or other credits for which the association may be liable

B Whenever an association shall pledge or assign assets as security for any money borrowed by it the amount of money borrowed together with the assets pledged or assigned therefor shall be set out in full on the books or other records of the association and in all reports required by law

C An association shall not conceal any of its assets in any manner whatsoever upon its books or other records or in any report required by law but an accurate and complete record shall be kept of the same An association shall not be any system of accounting or any device of bookkeeping directly or indirectly enter any of its assets upon its books in the name of any other corporation or person or under any title or designation that is not truly descriptive thereof

D An association shall not except with the written approval of the Department enter or at any time carry on its books any real or personal property owned by it at a valuation exceeding its actual cost to such association

E An association shall preserve in such form and manner that they may be readily produced upon proper demand all its records of original or final entries for a period of seven years from the date of making the last entry on the same

F An officer director or employe of an association who knowingly violates any provision of this section shall be guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment not exceeding one year or a fine not exceeding one thousand dollars or both

Section 1202 Repledging of Collateral A Except as otherwise specifically provided in this act an association shall not repledge any property held by it in pledge or as collateral

B Any officer director or employe of an association who knowingly repledges any property held by an association in pledge or as collateral in any manner except as specifically authorized by this act shall be guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period not exceeding one year or a fine not exceeding one thousand dollars or both

Section 1203 Relationship of Association with Employes of Department A An association shall not grant or give any sum of money or other property whether as a gift credit loan or otherwise either directly or indirectly to the Secretary of Banking or to any deputy examiner clerk or other employe of the Department However any association may grant a loan to the Secretary of Banking or any deputy examiner clerk or other employe of the Department if such loan is secured by a mortgage upon his own home which meets all the terms and conditions provided by this act for mortgage loans and which in addition meets any additional conditions imposed and followed by such association in granting such loan

B Any officer director or employe of an association who knowingly violates the provisions of this section or who on his own behalf grants or gives any sum of money or other property whether as a gift credit loan or otherwise either directly or indirectly to the Secretary of Banking or to any deputy examiner clerk or other employe of the Department shall be guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period not exceeding one year or a fine not exceeding one thousand dollars or both he shall also be subject to a further fine of a sum equal to the amount of the gift credit loan or other sum of money or the

value of any other property given in violation of this section

Section 1204 Forfeitures of Articles of Incorporation A The articles of incorporation of an association shall be automatically forfeited by operation of law when

(1) It has not in any manner exercised at least one of the powers conferred upon it by its articles of incorporation within two years after the issuance thereof

(2) It has formerly exercised any of the powers conferred upon it by its articles but for a period of two years it has not exercised at least one of its powers

(3) The Secretary after having taken possession of the business and property of an association as receiver has completely liquidated its assets

(4) The Secretary after having taken possession of the business and property of an association as receiver has surrendered possession to the association itself because he was without funds to liquidate the business and property

(5) The Secretary after having taken possession of the business and property of an association as receiver has surrendered to the association itself or to any other corporation or person the assets of the association in order to permit the carrying out of a special plan of liquidation

(6) Liquidating trustees pursuant to a plan of voluntary dissolution have completely liquidated its assets and the Department has filed the articles of dissolution with the recorder of deeds pursuant to the provisions of this act

B Whenever it shall appear to the Department that any of the conditions shall under the provisions of this section effect the forfeiture of the articles of an association it shall except as otherwise specifically provided in this section issue a certificate of forfeiture of the articles of incorporation in quadruplicate originals One such quadruplicate original shall be filed with the Department one sent to the last known address of the association one to the Department of State and one to the recorder of deeds of the county in which place the business of the association is or was located to be recorded without charge by such recorder of deeds

C If the articles of incorporation of an association have been forfeited in the manner provided by this section the corporate powers may whenever necessary to effect the liquidation and winding up of the business and property of such association continue for a period of three years but they shall not be considered in existence for any other purposes whatsoever

Section 1205 Prohibition upon Doing of Business by Foreign Corporations A Foreign corporation shall not transact the business of a building and loan association within this Commonwealth nor maintain an office within this Commonwealth for the purpose of transacting such business It shall be unlawful for any person to act within this Commonwealth as agent solicitor or local treasurer of such corporation or as such agent solicitor or local treasurer to solicit or receive within this Commonwealth subscriptions to the shares of such corporation or payments therefor to grant loans within this Commonwealth on behalf of such corporations or to solicit applications therefor or to receive within this Commonwealth on behalf of such corporation interest fees fines or premiums upon the shares or loans of such corporation or in any other manner to transact business within this Commonwealth on behalf of such corporation

B Any individual who shall violate the prohibitions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be subject to imprisonment for a period not exceeding one year or a fine not exceeding one thousand dollars or both. He shall also be subject to a further fine equal to any moneys received by him within this Commonwealth in violation of this section The corporation which such individual represents shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of five thousand dollars such corporation shall be subject to a further fine equal to the amount of any moneys received by such corporation or by its agent in violation of this section

Section 1206 Perjury Anyone who shall wilfully and corruptly make a false statement under any oath or affirmation provided for in this act or anyone who shall by any means procure or suborn any other person to do so shall be guilty of the crime of perjury and upon conviction thereof shall be subject to the same punishment as is or may be provided by law for perjury

Section 1207 Statute of Limitations for Violation of Act Any prosecution for the commission of any criminal offense under the provisions of this act may be commenced at any time within six years after the date upon which the alleged offense shall have been committed However if the person against whom such prosecution is brought shall not have been an inhabitant of this Commonwealth or a usual resident therein for six years then such indictment may be commenced and prosecuted at any time within six years after he shall have become an inhabitant of or usual resident within this Commonwealth

ARTICLE XIII

EFFECTIVE DATE AND REPEALER

Section 1301 Effective Date This act shall become effective on the third day of July one thousand nine hundred thirty-three

Section 1302 Acts and Parts of Acts Specifically Repealed The following acts and parts of acts are hereby specifically repealed

Section 1303 General Repeal of Acts All other acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 672 (House Bill No. 720), entitled:

An Act to amend section one thousand seven hundred and sixteen of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as added by further defining the term "cost of Tuition" or "cost of tuition text book and school supplies."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 690, as follows:

An Act providing for the assessment of costs for the acquiring and adopting of or connecting with existing sewers of adjacent municipalities by townships or boroughs and the maintenance thereof and providing for filing of liens therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any township or borough shall by agreement or decree of court acquire rights in or adopt either in whole or in part or connect with an existing sewer of any adjacent municipality the cost of such acquisition adoption or connection and the maintenance thereof shall be assessed against the properties accommodated or benefited in any manner now or hereafter provided by law for the assessment of charges for the costs of sewer construction and after the amount of the assessment charged upon the several properties has been established it shall be the duty of the township commissioners or supervisors or borough council to file municipal liens for such assessments within the time and in the manner provided by law Provided however That the time within which the lien shall be filed shall run from the date of the agreement or final decree of court aforesaid where no actual constructions is necessary or undertaken

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 699, as follows:

An Act to amend clause five of section three of the act approved the thirteenth day of May one thousand nine hundred and nine (Pamphlet Laws five hundred twenty) entitled "An act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with the intent to sell of adulterated misbranded or deleterious foods prisribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof" as amended further regulating the use of sulphur dioxide in the preparation of dried fruits and molasses

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause five of section three of the act approved the thirteenth day of May one thousand nine hundred and nine (Pamphlet Laws five hundred twenty) entitled "An act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with intent to sell of adulterated misbranded or deleterious foods prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof" which was last amended by the act approved the twenty-sixth day of April one thousand nine hundred and twenty-three (Pamphlet Laws eighty-eight) is hereby further amended to read as follows

Fifth If it contains any added sulphurous acid sulphur dioxide or suphites benzoic acide or benzoates except as hereafter provided or if it contains any added boric acid or borates salicylic acid or salicylates formaldehyde hydrofluoric acid or florides fluorborates fluosilicates or other fluorine compounds dulcin glucin saccharin alum compounds of copper betanapthol hydronapthol abrastol asaprol pyroligneous acid or other added ingredients deleterious to health of if in the case of confectionery it contains any of the substances mentioned in this paragraph or any mineral substances or injurious color or flavor alcoholic liquor or any other ingredient not herein mentioned deleterious to health Providing That this act shall not be construed to prohibit the use of harmless colors of any kind in confectionery when used for coloring and not for any fraudulent purpose And provided further That nothing in this act shall be construed to prohibit the use of common salt sugar pure corn syrup pure glucose wine vinegar cider vinegar malt vinegar sugar vinegar glucose vinegar distilled vinegar spices or their essential oils alcohol (except in confectionery) edible oils edible fats wood smoke applied directly as generated or proper refrigeration And provided further That in the manufacture of confectionery the use of alcohol shall be permitted as it may be found in customary alcoholic tinctures or extracts used for flavoring purposes only and as a solvent for glazes and that oil of sweet birch or methyl-salicylic ester may be used as a substitute for oil of wintergreen as a flavor And provided further That in the preparation of dried fruits and molasses sulphur dioxide either free or in simple combination may be used in the proportion of not in excess of fifteen hundred (1500) parts a million and [in such quantities as will not render said dried fruits or molasses deleterious to health] that when any dried fruits and molasses are used in any food or food products or contained as a part of or as an ingredient in any food the sulphur dioxide in such dried fruits and molasses shall not exceed the proportion of fifty (50) parts a million and that sodium benzoates may be used in the preparation of those articles of food in which it has heretofore been generally used in quantities not exceeding one-tenth (1/10) of one per centum or benzoic acid equivalent thereto And provided further That when any quantity of sodium benzoate is used in any article of food [or any quantity of sulphur dioxide is used in the preparation of dried fruits or molasses] the fact that sodium benzoates [or sulphur dioxide] has been used in the preparation thereof shall be plainly stated on each package of such food

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

PERMISSION TO HOLD COMMITTEE MEETING

Mr. EALY. Mr. President, I ask permission to hold a meeting of the Committee on Judiciary General while the Senate is in session.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 730, as follows:

An Act to ratify confirm and validate as debts of the municipality bonds and obligations issued by municipal corporations for the payment of the cost of a public improvement which were to rest alone for their security and payment upon assessments for benefits

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever heretofore any municipal corporation has in good faith issued bonds or other obligations for the payment of the cost of a public improvement on the assumption that such bonds were not debts of the municipality within the meaning and intent of article nine section eight of the Constitution for the reason that such bonds or obligations were secured or to be secured by assessments against property benefited by such improvement and were to rest alone for their security and payment upon such assessments such bonds and obligations are hereby ratified confirmed and made valid and binding obligations and debts of the municipality notwithstanding the fact that the corporate authorities of the municipality failed either in whole or in part to comply with the laws of the Commonwealth providing the method of incurring and increasing its indebtedness Provided however That this act shall not be construed to validate any such issue of bonds or obligations as valid debts of the municipality where the amount of any such issue when added to the existing debt of the municipality exceeds the limits of indebtedness permitted by the Constitution

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 769, as follows:

An Act authorizing and empowering certain public officers boards commissions departments and other bodies to enter into contracts and to provide the moneys for the payment of service rendered thereunder for the photographic reproduction of papers documents instruments indexes and volumes and other public records within their jurisdiction

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term "photographic reproduction" as used in this act shall be construed to mean and shall include copies duplicates and transcripts of papers documents instruments indexes and volumes and other public records and copies dupli-

cates and transcripts thereof which shall be made by any photographic method or process whatsoever

Section 2 Whenever in the judgment and discretion of the public officers boards commissions departments and other bodies now authorized by law to provide for the expenditures incident to the establishing creating housing and protection of public records within their jurisdiction it will be to the best interests of the taxpayers represented by them to preserve and perpetuate the data and information contained in papers documents instruments indexes and volumes and other public records constituting the public records within their jurisdiction as a protection against the destruction loss alteration or purloining of such public records by means of photographic reproductions thereof they are hereby authorized and empowered to enter into contracts for the making of such photographic reproductions for the purposes specified in this section and to provide out of the general revenue funds in their hands or other funds created or set aside for such specific purposes sufficient moneys to cover and compensate for the services rendered under such contracts in the making of such photographic reproductions and for the providing of the protection for such public records contemplated by this act

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 794, as follows:

An Act establishing certain public roads and streets in the City of Pittsburgh and County of Allegheny as a State highway and providing for their construction and maintenance by the Department of Highways subject to certain terms and conditions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following various sections of public roads shall respectively be adopted by the Commonwealth as a State highway to be constructed and maintained at the expense of the Commonwealth under the provisions of present or future laws governing State highways except as hereinafter provided

Beginning at a point in the City of Pittsburgh at the south end of the Point Bridge on Carson Street west thence along Carson Street west to Smithfield Street thence along Carson Street east to the line between the City of Pittsburgh and Baldwin Township thence over a section of improved county road in Baldwin Township known as the Carson Street East Extension to the line between Baldwin Township and the City of Pittsburgh thence over Baldwin Road to an intersection with Riverton Street thence along Riverton Street to an intersection with Mifflin Street which is a continuation of the Glenwood Bridge a distance of about 6.1 miles

Section 2 This act shall become effective upon its approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 819 (House Bill No. 1543), entitled:

An Act to amend section five of the act approved the nineteenth day of August one thousand nine hundred and thirty-two (P. L. 92), entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors as herein defined prescribing the method and manner of collecting such tax and providing penalties" extending the period for payment of part of the tax.

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 825, as follows:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended authorizing the officers of school districts to prepare sign and make payment upon certain orders before approval of the orders by the board relating to the payment of temporary indebtedness from current revenue permitting the refunding of certain indebtedness and the depositing of collateral security by depositories secretaries treasurers and tax collectors of school districts in lieu of surety bonds removing the right of certain board of school directors to make agreements concerning the tuition of non-resident pupils relieving certain school districts of the duty of providing special education for feeble-minded children and placing such obligation upon the Department of Welfare allowing certain pupils to attend schools in other districts empowering the State Council of Education to regulate the issuance of certificates to students and graduates of State teachers colleges authorizing boards of trustees of State teachers colleges to charge their pupils certain fees designating certain persons as auditors of financial matters of certain school districts relating to the filing of reports of audits discontinuing teachers institutes and providing for meetings of teachers the payment of the expenses thereof by the counties and the compensation for the teachers in attendance and repealing certain sections and parts of sections

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three hundred twelve of the act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended to read as follows

Section 312 The president shall be the executive officer of the board of school directors and as such he together with the secretary when directed by the board shall execute any and all deeds contracts warrants to tax collectors reports and other papers pertaining to the business of the board requiring the signature of the president He shall after the board has acted on and approved any bill or account for the payment of money authorized by this act sign an order on the treasurer for the payment of the same Provided That in any school district of the first class the board of school directors may direct that any member or other officer of the board than the president shall approve all school orders He shall in no case [however] except as this section otherwise provides sign any order for any sum unless the same has first been acted upon and approved by the board and the amount thereof and the name of the payee properly inserted Any orders which shall be for the payment of amounts owing under any contracts which shall previously have been approved by the board and by the prompt payment of which the district will receive a discount or other advantage may be signed without the approval of the board first having been secured all such orders shall be presented to the board at its next meeting

The president shall perform such other duties as the board may direct and as pertain to his office

Section 2 That section three hundred fifteen of said act is hereby amended to read as follows

Section 315 He shall after the board has acted on and approved any bill or account for the payment of money authorized by this act prepare and sign an order on the treasurer for the payment of the same He may prepare and sign orders on the treasurer for the payment of amounts owing under any contracts which shall previously have been approved by the board and by the prompt payment of which the district will receive a discount or other advantage without the approval of the board first having been secured

Section 3 That section three hundred twenty-four of said act is hereby amended to read as follows

Section 324 The treasurer of each school district shall receive all State appropriations district school tax and other funds belonging to the school district and pay out of the same on proper orders approved by the board of school directors signed except in districts of the first class by the president and in any school district of the first class by any other properly authorized person and attested by the secretary Provided That the treasurer may pay out such funds on orders which have been prepared and signed by the secretary and signed by the president for the payment of amounts owing under any contracts which shall previously have been approved by the board and by the prompt payment of which the district will receive a discount or other advantage without the approval of the board first having been secured Provided further That in all school districts of the first class all school orders before being paid by the school treasurer shall be approved by the school controller of such district

Section 4 That section five hundred six of said act which was last amended by section eleven of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (Pamphlet Laws two hundred forty-three) is hereby further amended to read as follows

Section 506 The board of school directors in any school district of this Commonwealth in any year in order to purchase or acquire proper sites or grounds for school buildings or any lands additional to any present school sites or grounds or to erect enlarge equip or furnish any school building or to repair or rebuild any new or old building or in order to pay or refund any existing indebtedness of any school district or to pay any indebtedness incurred by any municipality for or on account of any school district or for school purposes as is herein required to be assumed by any school district hereby established or to refund as herein authorized to any municipality the amount of any such indebtedness or to pay or refund obligations of certificates of indebtedness issued under the provisions of section five hundred and eight of this act [outstanding on the thirty-first day of December one thousand nine hundred and thirty] may create and incur an indebtedness against such school district and issue bonds to secure the same for any and all such purposes or may create and incur an increase of any existing indebtedness against any such school district for any and all purposes to any amount that the total indebtedness of such school district including the indebtedness of any school or ward school district therein if any shall never exceed seven per centum upon the assessed value of the taxable property for school purposes therein

Section 5 That Section five hundred eight of said act which was last amended by Section twelve of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (Pamphlet Laws two hundred forty-three) is hereby amended to read as follows

Section 508 Any school district having no indebtedness or whose indebtedness incurred or created without the assent of the electors thereof is less than two (2) per centum of the total valuation of the taxable property for school purposes therein may at any time by or through its board of school directors incur in addition to any bonds therein authorized a temporary debt or borrow money which in school districts of the first and second class shall not exceed four-tenths of one (1) per centum and in school districts of the third and fourth class shall not exceed one (1) per centum of the total amount of taxable property in such school district and issue an obligation or obligations therefor under the seal of the district if any properly attested by the president and secretary thereof payable within two years from the date thereof and bearing interest not exceeding the legal rate but no such obligation shall be sold for less than par Provided That the incurring of any such temporary debt or borrowing money upon such obligation shall receive the affirmative vote of not less than two-thirds of the members of the board of school directors therein Provided further That the total amount of all indebtedness incurred or created without the assent of the electors in any school district issuing such obligations shall not at any time including all such obligations exceed two per centum of the total valuation of the taxable property therein Provided further That any school district incurring any temporary debt and issuing such obligations in the manner herein provided shall provide from its current revenue for the payment of the same except such temporary debt as [may be outstanding on the thirty-first day of December one thousand nine hundred and thirty and which by the provisions of section five hundred and six may be] shall have been refunded by an issue of bonds [,], provisions for the payment of which bonds shall be made as herein provided for the payment of all bonds

Section 6 That Section five hundred nine of said act is hereby amended to read as follows

Section 509 The board of school directors in any school district in this Commonwealth may designate one or more banks or trust companies as a depository or depositories for its school funds No such depository shall be named unless it reserves a majority of the votes of the entire school board elected or appointed in such district and such depository before receiving any of the school funds shall except as in this section otherwise provided furnish a proper bond in such amount and with such surety or securities as may be required to be approved by the board of school directors and conditioned upon the faithful keeping paying out and accounting for all of the school funds and property of said school district that may come into its hands as well as for the payment of all interest on money deposited in such depository in accordance with any contract made by it with said school district The funds of the school district shall be deposited as directed by the board of school directors in such depository by the school treasurer in the name of the school district and after any funds have been deposited with such regularly designated depository by any school treasurer he shall thereafter be relieved from all liability therefor and all school orders drawn on the school treasurer for any funds so deposited by him shall be endorsed by said treasurer and made "Payable at .....depository of the School District of .....Provided That no school district in this Commonwealth shall deposit with any designated depository any amount in excess of thirty-three and one-third per centum of the total capital stock and surplus of such depository

In lieu of one or more surety bonds the deposit of school funds may be secured by the deposit with the board of school directors or with any bank or trust company within the Commonwealth which may be agreed upon of any of the following

1 Bonds or other interest-bearing obligations of the United States of this Commonwealth of any state of the United States or of any county city borough incorporated town township school district or other political subdivision of this Commonwealth or of any other state of the United States

2 First mortgage or equipment bonds of any railroad corporation which has not at any time within the five years immediately preceding the date of the deposit of such bonds by the depository failed punctually to pay the matured principle and interest on all of its mortgage indebtedness and in addition thereto regularly to have earned or to have paid in dividends to its shareholders during each of such five years an amount at least equal to four per centum upon all of its outstanding capital stock

3 First mortgages on real estate situated in this Commonwealth which secure bonds or other obligations and which are respectively less in amount than two-thirds of the actual value of the real estate which each covers W hin the meaning of this subsection the actual value of r property shall be the value placed thereon by two reputable and disinterested persons who after having inspected the premises shall have filed with the board of school directors a sworn statement setting forth to the best of their judgment the value of the property

When collateral security is thus deposited in lieu of one or more surety bonds the total amount of such bonds obligations and mortgages thus deposited measured by their actual market value shall be equal to the amount of the deposits secured

and twenty per centum in addition All such bonds obligations and mortgages shall be accompanied by a proper assignment or power of attorney for their transfer Such trust deposit in the event of any depreciation in value shall be maintained on request at the amount provided herein

Section 7 That Section one thousand four hundred four of said act is hereby amended to read as follows

Section 1404 Where any pupil in any school district in this Commonwealth resides one and one-half miles or more by the public road from the nearest public elementary school in the district such pupil unless proper free transportation be furnished to a suitable school in the district on obtaining the consent of the board of school directors thereof may attend any public elementary school in another school district more convenient of access without the consent of the board of school directors of the district where such pupil resides and the district where such pupil resides shall promptly pay to the district where such pupil attends the cost of his tuition textbooks and school supplies only which shall not exceed that of the tuition text-bocks and school supplies of other pupils pursuing similar courses or studies in the same schools. The board of school directors of any district in this Commonwealth may on account of convenience of access or other reasons permit any pupils to attend the schools of another district [on such terms as the two boards of school directors may mutually agree upon]

The board of school directors in any school district in this Commonwealth may out of the funds of the district provide for the free transportation of any pupil to and from the public schools

Section 8 That Section one thousand four hundred thirteen of said act which was last amended by Section one of the act approved the twenty-sixth day of March one thousand nine hundred twenty-five (Pamphlet Laws seventy) is hereby amended to read as follows

Section 1413 It shall be the duty of the secretary of the school board teachers school enumerators and attendance officers in every school district in this Commonwealth in accordance with rules of procedure prescribed by the Superintendent of Public Instruction to secure information and report to the medical inspector of the school district and to the district or county superintendent of schools on or before the fifteenth day of October of each year every child within said district between the ages of eight (8) and sixteen (16) years who is gravely retarded in his or her school work or any child between the ages of six (6) and sixteen (16) who because of apparent exceptional physical or mental condition is not being properly educated and trained and as soon thereafter as possible the medical inspector shall examine such child in accordance with rules of procedure prescribed by the Secretary of Health and report whether such child is a fit subject for special education and training In school districts of the first second and third class having a district superintendent of schools said report shall be made to the superintendent of the district In all other districts the report shall be made to the Secretary of Health and by him reported to the superintendent of schools of the county

Pupils may also be designated as candidates for special education by mental clinics approved by the Council of Education or by a phychologist or a psychological examiner who has been certified by the Superintendent of Public Instruction and is employed by any school district

The County or district superintendent of schools shall submit to the board or boards of school directors plans for establishing and maintaining special classes in the public schools or special public schools for the proper education and training of all such children reported to him as fit subjects for special education and training and except as herein otherwise provided it shall be the duty of the board of directors of any district having such children to provide and maintain or to jointly provide and maintain with neighboring districts such special classes or schools Provided however That if it is not feasible to form a special class with a minimum attendance of ten children in any district or if for any other reason it is not feasible to provide such education for any such child in the public schools of the district the board of school directors of that district shall except as herein otherwise provided unless approved provision for the education of such child is made by the parents or guardian secure such proper education and training outside the public schools of the district or in special institutions or by providing for teaching the child in his home [by a legally certified teacher] in accordance with rules and regulations prescribed by the Department of Public Instruction on terms and conditions not inconsistent with the terms of this act or of any other act then in force applicable to such children

If in any district in which ten or less feebleminded children between the ages of eight and sixteen have their legal residences the board of school directors shall be of the opinion that it is not feasible to establish a special class for such children such board shall report such feebleminded children to the Department of Welfare for enrollment in a school for feebleminded children after any such board shall have thus reported any children it shall be relieved of the obligation of providing education for such children The Department of Welfare shall thereupon provide adequate facilities for the education of such children

School districts maintaining special classes in the public schools or special public schools or providing special education as hereinafter specified in this section shall receive reimbursement as provided by law so long as such classes such schools and such special education are approved by the State Council of Education as to location constitution and size of classes conditions of admission and discharge of pupils equipment courses of study methods of instruction and qualifications of teachers

The State Superintendent of Public Instruction shall superintend the organization of such special classes and such other arrangements for special education and shall enforce the provisions of this act

On or before the first day of October of each year the secretary of the board of school directors in each district in which special education for physically or mentally handicapped children is provided shall make such reports in regard to such special education maintained during the previous school year and that for which the approval of the State Council of Education for the current year is desired as may be required by the Department of Public Instruction When any child between the ages of six (6) and twenty-one (21) years of age resident in this Commonwealth who is blind or deaf is enrolled with the approval of the Department of Public Instruction as a pupil in any of the schools or institutions for the blind or deaf under the supervision of and approved by the Department of Public Instruction the school district in which such child is resident shall pay twenty-five per centum (25%) of the cost of tuition and maintenance of such child in such school or institution as determined by the Department of Public Instruction and for the tuition and maintenance of such children the Commonwealth shall pay out of funds appropriated to the department for special education seventy-five per centum (75%) of the cost of their tuition and maintenance as determined by the department When any person less than six (6) or more than twenty-one (21) years of age resident in this Commonwealth who is blind or deaf is enrolled with the approval of the Department of Public Instruction as a pupil in any of the schools or institutions for the blind or deaf under the supervision of and approved by the Department of Public Instruction the Commonwealth shall pay to such school or institution out of moneys appropriated to the department for special education the cost of tuition and maintenance of such person as determined by the Department of Public Instruction To facilitate payments by the several school districts to the schools or institutions in which deaf or blind children are enrolled of amounts due by such districts for their proportion of the cost of tuition and maintenance of such children the Superintendent of Public Instruction shall withhold from any moneys due to such districts out of any State appropriation for the assistance as reimbursement of school districts the amounts due by such districts to such schools or institutions for the blind or the deaf and amounts so withheld shall be paid to such schools or institutions by warrant of the Auditor General upon the State Treasurer after requisition of the Superintendent of Public Instruction for which purpose all amounts so withheld are hereby specifically appropriated to the Department of Public Instruction Payments of the Commonwealth's proportion of the cost of tuition and maintenance of blind or deaf pupils enrolled in schools or institutions for the blind or for the deaf as hereinbefore provided shall be made quarterly out of moneys appropriated to the Department of Public Instruction for special education by warrant of the Auditor General upon the State Treasurer after requisition by the Superintendent of Public Instruction For the purpose of enabling the Department of Public Instruction to determine from time to time

what amounts are due to schools for the blind or for the deaf hereunder such schools shall forward to the Department at such times and in such form as the Department shall prescribe sworn statements setting forth the names ages and residences of all pupils enrolled hereunder specifying the school districts liable for a part of the cost of tuition and maintenance of any such pupils the per capita cost of and maintenance of pupils and such other information as the Department shall require

Section 9 That section one thousand seven hundred seven of said act which was last amended by section one of the act approved the fourth day of May one thousand nine hundred twenty-seven (Pamphlet Laws six hundred eighty-nine) is hereby further amended to read as follows

Section 1707 Pupils residing in school districts in which no public high schools are maintained may attend during the entire term the high schools in other districts which are nearest or most convenient to their homes Pupils who reside in a school district in which no public high school other than a vocational high school is maintained may attend during the entire term the nearest or most conveniently located academic high school In any district which maintains a high school whose program of studies terminates before the end of the twelfth year pupils who have satisfactorily completed the [same] program of studies there available in other than vocational schools or departments or have completed a program of studies equivalent to said program of studies in some other school or schools may attend at the expense of the school board of the district in which they live and for the purpose of pursuing academic studies of a higher grade the nearest or most conveniently located high school of such type as they may desire to attend giving further high school work Provided That pupils wishing to attend a high school in a district other than the one in which they reside shall obtain the consent of the board of school directors of the district in which such high school is located before attending the same And provided further That where pupils desirous of having their tuition paid in a high school in another district on account of having completed [the] such program of studies in their own district or its equivalent in some other school or schools they must present to the board of their own district and the board of the district in which they wish to attend a certificate from the county superintendent who has jurisdiction over the district in which they live that they have satisfactorily completed the equivalent of said program of studies And provided further That the board of school directors of the district in which the said pupil and/or pupils reside may by agreement in writing provide for the attendance and tuition of the said pupil and/or pupils without the necessity of the said pupil and or pupils taking the county examination with the approval of the County Superintendent in writing County superintendents are hereby authorized and in cases where the boards of the districts have not agreed as hereinbefore provided for required to examine such pupils and if entitled to issue to them the necessary certificate

Section 10 That section two thousand six of said act which was added by section one of the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (Pamphlet Laws seven hundred twelve) is hereby amended to read as follows

Section 2006 The Superintendent of Public Instruction shall prescribe and conduct such examinations of students in the several colleges as he may deem necessary to determine and fix the standards of instruction in and of graduation from any of the curriculums of said colleges Each graduate from a college shall receive such a [normal school] certificate or [college] diploma as the State Council of Education shall prescribe [A normal school certificate shall be accepted as full evidence of the qualifications of the holder thereof to teach two annual full school terms in any public elementary school in this Commonwealth without further examinations such subjects as may be written upon the face of the certificate in accordance with the regulations of the State Council of Education The Superintendent of Public Instruction shall issue to a holder of the college diploma a provisional college certificate entitling him to teach for three annual school terms in any public elementary or secondary school in this Commonwealth without further examination such subjects as may be written upon the face of the certificate in accordance with the regulations of the State Council of Education]

Section 11 That Section two thousand nine of said act which was amended by Section forty-one of the Act approved the twenty-ninth day of May one thousand nine hundred thirty-one (Pamphlet Laws two hundred forty-three) is hereby further amended to read as follows

Section 2009 The tuition of all students at the State Teachers' Colleges who are residents of Pennsylvania and who meet such requirements as the board of presidents of the State Teachers' Colleges may prescribe and who sign an agreement to teach in the public schools of this Commonwealth for not less than two years and who are pursuing therein regular courses for the preparation of teachers shall be paid by the Commonwealth and sufficient appropriations shall be made for this purpose Provided however in addition to such appropriations the board of trustees with the approval of the Superintendent of Public Instruction may fix and charge such fees as may be necessary for the proper operation of the college [The trustees of any State Teachers' College when it does not interfere with its purpose to educate and prepare teachers may with the approval of the Superintendent of Public Instruction admit other students than those preparing to teach Provided That all such students except those in the practice school shall pay regular tuition And provided That when there is insufficient room for all who apply preference shall be given to residents of Pennsylvania and those preparing to teach]

Section 12 That Article twenty-one is hereby amended to read as follows

[Teachers Institute]

[Section 2101 The county superintendent in each county of this Commonwealth is hereby required annually at such time and place as he or a properly authorized committee of teachers acting with him may deem most convenient to call the teachers of the public schools and invite the teachers of other institutions of learning in his county to assemble and organize themselves into a teachers' institute for their improvement in the science art and history of education to continue in session at least five days including a half-day for going to and half-day for returning from the place of meeting of the said institute and to be presided over by the county superintendent or by some one designated by him and to be subject in its general management to his control

[Section 2102 Each county superintendent upon the assembling of the teachers' institute of his county shall cause a roll of members to be prepared which roll shall be called at least twice every day during the session of the institute and all absentees shall be carefully noted or he shall otherwise determine the actual attendance of the teachers at each session and upon the adjournment of the institute he shall ascertain an exact number of teachers who were in attendance and the length of time each attended

[Section 2103 At the Close of each annual teachers' institute upon the presentation of the county superintendent's certificate to the treasurer of the proper county] [certifying to the attendance of teachers as herein required said treasurer is hereby authorized and required to pay immediately to the county superintendent out of the county treasury one dollar ($1.00) for every three days spent by the teachers of the county in attendance at the institute for that year such money to be expended by the county superintendent in paying for instructors and other necessary expenses of the institute Provided That the amount which may be drawn from the county treasurer shall in no case be more than two hundred dollars ($200.00) or less than one hundred dollars ($100.00) if it shall appear from the duplicate vouchers presented by the county superintendent that this sum has been actually expended for that purpose herein specified

[Section 2104 Every annual county teachers' institute shall elect two of its members as auditors who with an auditor elected by the county directors' association shall audit the accounts of said institute as provided in this act

[Section 2105 It shall be lawful for the board of school directors of any school district which has selected a superintendent and employs not less than forty teachers by resolution at any regular meeting duly recorded to authorize the holding of an annual teachers' institute for said district and in such case in all matters pertaining to the holding of institutes it shall be in no wise subject to the authority and jurisdiction of the superintendent of schools of the county in which said district is located and when the holding of the said separate annual institute shall have been authorized as aforesaid] [the superintendent of schools of said district shall have power to call and conduct a teachers' institute and to draw from the county treasury moneys for the support of the same in like manner and to the same extent as the county superintendents of this

Commonwealth are empowered to do and the board of school directors of such district may by a majority vote appropriate such additional funds as it may deem necessary to maintain said institute

[The board of directors of any school district of the first second or third class or the county superintendent of school districts of the fourth class may substitute other equivalent forms of teacher training or teacher improvement for the teachers of such district as may be approved by the Department of Public Instruction in lieu of the teachers' institute hereby provided for and may expend for such purposes the funds available for teachers' institutes or such part thereof as may be necessary for such purpose

[Section 2106 District teachers' institutes may be held throughout the school year for not less than five days or ten half-days which the district superintendent may select for this purpose

[Section 2107 The board of school directors of every school district holding an annual district teachers' institute shall at or before the time of holding the same appoint a proper person who with the two auditors elected by such institute shall audit the accounts of the annual district teachers' institute as herein provided]

[Section 2108 All boards of school directors in this Commonwealth are authorized and required to pay from the district funds to the teachers employed in the public schools of the several districts who are in attendance at the institute held under the authority of the superintendent of schools of the county in addition to the compensation provided for in their contracts four dollars per day for each day's actual attendance upon the sessions of such annual county teachers' institute

[Section 2109 Payment for said institute attendance shall be based on the official reports made to the several boards of school directors by the proper county or district superintendent who shall report the daily attendance of teachers to the respective boards by which they are employed and such payment shall be allowed by the boards of school directors and paid to the teachers entitled to receive the same The time in attendance at the annual teachers' institute shall not be considered as days taught or lessen the actual number of days in the minimum school term

[Section 2110 Every teacher absenting himself from the annual teachers' institute shall forfeit to the school district employing him a sum equal to that which he would have received for attendance at such institute this sum to be deducted from his salary for the month next following the date of convening said institute unless satisfactory reason for such absence be given to the superintendent holding such institute]

[Section 2111 So much of any contract between any teacher and a school district in this Commonwealth as violates any of the provisions of this article shall be null and void

[Section 2112 All county and district superintendents immediately upon the adjournment of the teachers' institutes held in their respective counties or districts shall report to the Superintendent of Public Instruction on blanks furnished by him the number of teachers in attendance the names of instructors the subjects upon which instruction was given the degree of popular interest awakened by the proceedings and such further information as may be required by them

[Section 2113 At the close of each annual county or district teachers' institute the county or district superintendent holding the same shall within thirty days thereafter prepare an itemized account of all the receipts and disbursements received or made on account of such institute and submit the same properly sworn to together with the proper vouchers therefor to the auditors herein provided for to audit the same

[Section 2114 Any institute funds remaining in the hands of the superintendent at the close of the annual teachers' institute as appears by the audit of its accounts shall constitute an institute fund and be accounted for by the superintendent in the accounts of the next annual teachers' institute or be paid over to his successor in office]

MEETINGS OF TEACHERS

Section 2101 Each county superintendent is hereby authorized to call the teachers of the public schools under his jurisdiction to assemble at such times and places as he may deem most convenient for the purpose of receiving instruction in the science and art of teaching each superintendent may also invite members of the teaching and supervisory staffs of the other districts and of institutions of learning within the county to attend such meeting or meetings

Section 2102 Each county superintendent who shall call a meeting of the teachers under his jurisdiction shall exercise general management over such assembly shall secure the necessary speakers and shall incur the necessary expenses such expenses for all such meeting in any one school year shall not exceed the amount of two hundred dollars ($200.00)

Section 2103 Each county superintendent shall keep a record of all the teachers under his jurisdiction who shall attend each such meeting and the number of whole or part days during which such teacher was in attendance At the close of each meeting the superintendent shall send to the board of school directors of each school district under his jurisdiction a statement of the names of the teachers of the school district who were in attendance at each meeting and the period during which each such teacher was in attendance

Each superintendent shall also at the close of each such meeting present to the treasurer of the county in which the school districts under the jurisdiction of the county superintendent or the greater part thereof shall be located a sworn statement of the expenses incurred in the conduct of such meeting

Section 2104 In each school district under the jurisdiction of a county superintendent the board of school directors shall pay from the funds of the school district to each teacher employed in school district who has been in attendance at a meeting of the teachers called by the county superintendent as herein provided one dollar for each half of a day during which such teacher was in attendance at such meeting Such compensation however shall not in any one year exceed four dollars per teacher This payment shall be in addition to the compensation provided in the teacher's contract with the school district

Such payments shall be based upon the official attendance record made by the county superintendent to the board of school directors

Section 2105 The time spent by teachers at a teacher's meeting called by a county superintendent as herein provided shall not be considered as days taught nor lessen the number of days in the minimum school term as herein required

Section 2106 Within thirty (30) days after the closing of a meeting of teachers under the jurisdiction of a county superintendent which has been held as herein provided the county superintendent shall prepare an itemized account of all of the receipts and disbursements received or made on account of such meeting and submit the same properly sworn to together with the proper vouchers therefor to the auditors herein required to audit such accounts

Section 2107 Upon the receipt from a county superintendent of duplicate vouchers and a statement of expenses incurred in the conduct of a teachers' meeting as herein provided which has been sworn to by the county superintendent and approved by the auditors of such meeting the county treasurer of the county in which the school districts under the jurisdiction of such county superintendent or the greater or greatest part thereof in area shall be located shall pay out of the county treasury to such county superintendent the amount of such expenses which shall not exceed two hundred dollars ($200.00)

Section 2108 The teachers under the jurisdiction of a county superintendent shall at the first meeting in each school year which may be called by the county superintendent as provided herein elect two of their number as auditors The persons so elected together with the auditor elected by the school director's association of such county shall audit the accounts of each meeting which shall be held during the school year

Section 2109 Each teacher who shall not attend a meeting of teachers called by a county superintendent as herein provided shall forfeit to the school district employing him a sum equal to that which he would have received for attendance at such meeting The board of school directors of the district of which he shall be employed shall deduct this sum from his salary for the month next following the date of such meeting unless satisfactory reason for such absence be given to the superintendent holding such institute Such forfeiture shall not exceed for any one year the sum of four dollars per teacher

Section 2110 Each county superintendent immediately after the adjournment of a meeting of teachers under his jurisdiction which has been held as herein provided shall report to the Department of Public Instruction on blanks furnished by it the number of teachers in attendance the names of instructors

the subject upon which instruction was given the degree of popular interest awakened by the proceeding and such further information as may be required

Section 2111 In each school district of the first and second classes and in each school district of the third class which has employed a district superintendent the board of school directors may provide any form of teacher training or teacher improvement for the teachers of such district which it may deem proper

All expenses incurred in such training and improvement shall be paid by such board of school directors as are other expenses of such school district

Section 13 That Section two thousand six hundred three of said act which was amended by Section one of the act approved the thirtieth day of April one thousand nine hundred twenty-five (Pamphlet Laws three hundred eighty-two) is hereby further amended to read as follows

Section 2603 In all school districts of the second and third class by the [proper city borough or township] controller or auditors [therein] of the city borough incorporated town or township in which the whole or the greater or greatest portion of the area of each such district shall be located When in any school district of the second class the annual expenditures exclusive of moneys received from the sale of bonds shall exceed the sum of five hundred thousand dollars such district may employ a certified publbic accountant within sixty days from the close of the fiscal year

Section 14 That section two thousand six hundred four of said act is hereby amended to read as follows

Section 2604 In all school districts of the fourth class by the [proper borough or township] auditors [therein] of the borough incorporated town or township in which the whole or the greater or greatest portion of the area of each such district shall be located

Section 15 That section two thousand six hundred twenty-five of said act which was amended by section four of the act approved the fifteenth day of April one thousand nine hundred twenty-seven (Pamphlet Laws one hundred eleven) is hereby amended to read as follows

Section 2625 In every school district of the fourth class in this Commonwealth the proper auditors herein provided to audit the finances of the school district shall meet annually with the board of school directors on the first Monday of July at the time of organization or within five days thereafter and within thirty days carefully audit and adjust the financial accounts of the school district for the preceding school year Provided That the meeting of the auditors with the board of school directors shall not be held on the Fourth of July At the completion of the audit they shall make a careful statement in duplicate of the finances of the district for the preceding year setting forth the assets and liabilities and an itemized statement of all receipts expenditures and credits whatsoever of all school officials and including therein any sums that have been charged against any person or persons one copy of which annual statement shall be filed by such auditors with the secretary of the board of school directors and one in the court of [quarter session] common pleas of the county in which such district or the greater or greatest part thereof in area shall be located and a summary thereof including the assets and liabilities of the school district shall be published in a newspaper having general circulation in the district once a week for three successive weeks beginning the first week after filing the same or be promptly posted by not less than six copies in as many places in the district The auditors shall also file one copy of their report with the Department of Public Instruction by mailing the same sealed stamped and addressed to the Superintendent of Public Instruction Harrisburg Pennsylvania by registered mail with return registry receipt requested

Section 16 That section three hundred twenty-one of said act is hereby amended to read as follows

Section 321 Before he enters upon the duties of his office he shall furnish to the school district for the faithful performance of his duties a bond in such amount and with such surety or sureties as may be required of him and approved by the board of school directors the cost of which bond may be paid for by the school district In lieu of furnishing such a bond the secretary may file his own collateral bond in such amount as may be required by the board of school directors secured by an actual deposit with the board of school directors or with any bank or trust company within the Commonwealth which may be agreed upon of any of the securities which depositories may use to secure the deposit of school funds as herein provided The total market value of the securities thus deposited shall equal the amount of the collateral bond Such collateral bond shall be conditioned upon the faithful performance of his duties as secretary The securities thus deposited shall constitute a trust fund to be available for the satisfaction of any liability accruing upon the collateral bond The securities shall be accompanied by a proper assignment or power of attorney for their transfer Such trust deposit in the event of any depreciation in its value shall be maintained upon request at the amount provided herein The board of school directors may permit the secretary to substitute for any one or more bonds obligations or mortgages included in any such securities other bonds obligations or mortgages as long as the new securities meet the requirements of this act

Section 17 That section three hundred twenty-six of said act is hereby amended to read as follows

Section 326 Every person elected treasurer of any school district in this Commonwealth including the city treasurer elected as treasurer of a school district of the first class shall before entering upon the duties of his office furnish to the school district a proper bond in such amount and with such surety or sureties as the board of school directors therein may approve conditioned for the faithful performance of his duties as school treasurer If any school treasurer is re-elected he shall furnish a new bond for each year The treasurer's bond may be paid for by the school district In lieu of furnishing such a bond the treasurer may file his own collateral bond in such amount as may be required by the board of school directors secured by an actual deposit with the board of school directors or with any bank or trust company within the Commonwealth which may be agreed upon of any of the securities which depositories may use to secure the deposit of school funds as herein provided The total market value of the securities thus deposited shall equal the amount of the collateral bond Such collateral bond shall be conditioned upon the faithful performance of his duties as treasurer The securities thus deposited shall constitute a trust fund to be available for the satisfaction of any liability accruing upon the collateral bond The securities shall be accompanied by a proper assignment or power of attorney for their transfer Such trust deposit in the event of any depreciation in its value shall be maintained upon request at the amount provided herein The board of school directors may permit the treasurer to substitute for any one or more bonds obligations or mortgages included in any such securities other bonds obligations or mortgages as long as the new securities meet the requirements of this act

Section 18 That Section three hundred thirty of said act is hereby amended to read as follows

Section 330 The school treasurer shall not enter upon the duties of his office until his bond with the proper sureties [thereto] or securities has been furnished to and approved by the board of school teachers

Section 19 That Section five hundred twenty-eight of said act is hereby amended to read as follows

Section 528 Every receiver of taxes city treasurer or other authority in a school district of the first class who is by the provisions of this act authorized to collect or receive the school taxes therein shall before entering upon the duties of his office as collector or receiver of school taxes furnish to the school district a bond in such amount and with such surety or sureties as the board of school directors may approve conditioned upon the faithful performance of his duty in the office of such collector or receiver the cost of which bond shall be paid by the said school district In lieu of furnishing such a bond each such receiver of taxes city treasurer or other authority may file his own collateral bond in such amount as may be required by the board of school directors secured by an actual deposit with the board of school directors or with any bank or trust company within the Commonwealth which may be agreed upon of any of the securities which depositories may use to secure the deposit of school funds as herein provided The total market value of the securities thus deposited shall equal the amount of the collateral bond Such collateral bond shall be conditioned upon the faithful performance of his duties as receiver or collector of taxes The securities thus deposited shall constitute a trust fund to be available for the satisfaction of any liability accruing upon the collateral bond The securities shall be accompanied by a proper assignment

or power of attorney for their transfer Such trust deposit in the event of any depreciation in its value shall be maintained upon request at the amount provided herein The board of school directors may permit the receiver or collector of taxes to substitute for any one or more bonds obligations or mortgages included in any such securities other bonds obligations or mortgages as long as the new securities meet the requirements of this act

Every such treasurer or receiver of school taxes shall be paid such compensation as the board of school directors in the district may determine and in addition to his salary be furnished by the school district with the necessary stationery and books required by him in the performance of his duties as treasurer or receiver of school taxes and said board of school directors may also appoint annually such clerks as it may deem necessary to assist the said receiver of taxes

In case any receiver of taxes or city treasurer elected as receiver of taxes or as school treasurer in a school district of the first class shall refuse or neglect to furnish a proper bond with the proper sureties or securities as herein provided after his election then in that case the board of school directors in the said district may elect any other proper person as receiver of said school taxes or school treasurer

Section 20 That Section five hundred fifty of said act is hereby amended to read as follows

Section 550 Every person appointed or elected collector of school taxes in any school district of the second third or fourth class in this Commonwealth in addition to any bonds that he may now be required by law to give and before receiving his tax duplicate and warrant to collect said school taxes shall furnish to the school district a proper bond in an amount to be fixed by the board of school directors with such surety or sureties as it may approve conditioned upon the faithful performance of his duties as such tax collector In lieu of furnishing such a bond the tax collector may file his own collateral bond in such amount as may be required by the board of school directors secured by an actual deposit with the board of school directors or with any bank or trust company within the Commonwealth which may be agreed upon of any of the securities which depositories may use to secure the deposit of school funds as herein provided The total market value of the securities thus deposited shall equal the amount of the collateral bond Such collateral bond shall be conditioned upon the faithful performance of his duties as tax collector The securities thus deposited shall constitute a trust fund to be available for the satisfaction of any liability accruing upon the collateral bond The securities shall be accompanied by a proper assignment or power of attorney for their transfer Such trust deposit in the event of any depreciation in its value shall be maintained upon request at the amount provided herein The board of school directors may permit the tax collector to substitute for any one or more bonds obligations or mortgages included in any such securities other bonds obligations or mortgages as long as the new securities meet the requirements of this act In case any person elected or appointed tax collector shall fail to furnish a proper bond with the proper sureties or securities within fifteen days after his appointment or notice so to do then in any such case the board of school directors shall appoint another suitable person as collector of the school taxes in said district in his place and stead who upon giving the proper bond with the proper sureties or securities required by the provisions of this act shall be the duly authorized person to collect the school taxes in said district for the ensuing school year

Section 21 That Section two thousand seven of said act which was added by Section one of the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (Pamphlet Laws seven hundred twelve) is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 856, as follows:

An Act authorizing cities of the third class to provide by ordinance for the payment for public work or improvements heretofore made for or furnished to the city and accepted and used by the city where no legal or valid contract was entered into as required by law

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth in General Assembly met and it is hereby enacted by the authority of the same That whenever heretofore any public work or improvement has been made for or furnished to any city of the third class at the request of the council of such city or the superintendent of any department of such city without entering into a legal or valid contract as required by law and such work or improvement has been accepted and used by such city and in connection therewith there has been no fraud or conspiracy to violate any laws of the Commonwealth relating to such contracts such city of the third class shall have power by ordinance to appropriate money out of any funds of such city for the payment of such work or improvement at the price agreed upon between the council of such city or the superintendent of the department and the contractor together with interest from the date of the acceptance of such work or improvement and to pay the same

Section 2 All acts or parts of acts inconsistent with this act are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 879, as follows:

An Act to exclude from the provisions of the Workmen's Compensation Act of one thousand nine hundred fifteen and the supplements and amendments thereto certain persons whose wages are paid as unemployment or poor relief

Section 1 Be it enacted by the Senate and House of Represenetatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That when used in this act the term "work relief employment" shall mean any employment wherein any person shall be engaged in work for any public or charitable body corporation or institution by direction or assignment of the State Emergency Relief Board a County Emergency Relief Board poor board or other relief agency and where the wages of such employe are paid by such relief agency as poor or unemployment relief whether in food food orders or otherwise

Section 2 The provisions of the Act approved the second day of June one thousand nine hundred fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" and the amendments and supplements thereto shall not apply to any person injured while engaged in any work relief employment

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

Section 4 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HARRIS. Mr. President, I move that Senate Bill No. 879, the bill just read, be recommitted to the Committee on Judiciary General.

Mr. PRINCE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 892, as follows:

An Act to amend section one of the act approved the fourteenth day of April one thousand eight hundred and eighty-one (Pamphlet Laws ten) entitled "An act granting power to counties cities (except cities of the first and second classes) boroughs municipalities and school districts in this Commonwealth which have issued bonds or other interest-bearing evidences of indebtedness to redeem the same and issue new bonds therefor with or without interest coupons attached" as amended by extending the provisions of the said act to cities of the first and second classes and providing that the refunding bonds issued under the provisions thereof may bear interest at a rate of six per centum per annum and providing further that said bonds shall be payable at any time not exceeding twenty years after the date thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the fourteenth day of April one thousand eight hundred and eighty-one (Pamphlet Laws ten) entitled "An act granting power to counties cities (except cities of the first and second classes) boroughs municipalities and school districts in this Commonwealth which have issued bonds or other interest-bearing evidences of indebtedness to redeem the same and issue new bonds therefor with or without interest coupons attached" which was amended by section one of the act approved the first day of March one thousand eight hundred and ninety-one (Pamphlet Laws six) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where any county city borough municipality or school district in this Commonwealth has by virtue of any general or special act of Assembly issued bonds or other interest-bearing evidences of indebtedness with or without interest coupons attached to secure any indebtedness of any such county city borough municipality or school district which may have matured but remain unpaid and uncancelled or are about to mature and become payable or whenever any county city borough municipality or school district shall have the option to redeem or pay any such bonds or interest-bearing evidences of indebtedness or whenever holders of any bonds or interest-bearing evidences of indebtedness of any county city borough municipality or school district which may not have matured or become redeemable are willing to surrender the whole or any part of such issue of bonds or interest-bearing evidences of indebtedness it shall be lawful for any such county city borough municipality or school district for the purpose of redeeming or paying off any or all of the bonds or other interest-bearing evidences of indebtedness payable redeemable or offered for redemption as aforesaid to issue and sell either registered or coupons bonds [bearing interest at a rate not exceeding the rate the issue proposed to be refunded bears] bearing interest at a rate not exceeding six per centum per annum and payable at any time not exceeding [thirty years] twenty years after the date thereof and not exceeding in the aggregate the amount of the bonds or other evidences of indebtedness so redeemed or paid and the said bonds so issued or sold in accordance with the provisions of this act shall be exempt from taxation except for State purposes Provided however That all moneys for the redemption of the issue of bonds proposed to be refunded placed in the sinking fund, if any shall be first applied to the payment as far as applicable of the principal of such bonds and the balance of such issue only shall be redeemed by the issue of new bonds

Section 2 All acts or parts of acts inconsistent with this act are repealed

Section 3 This act shall become effective immediately upon its approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 895 (House Bill No. 810), entitled:

An Act to amend section thirteen of the act approved the seventeenth day of May one thousand nine hundred and seventeen (P. L. 208), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality and purity" as amended removing liver products from the provision which prohibits the sale of medicines containing substances of glandular origin except by registered pharmacists and assistants.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 898, as follows:

An Act authorizing municipalities and townsships to provide work for unemployed persons by renewing repairing and replacing sidewalks

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any municipality or township in order to provide work for unemployed persons may without charging the cost thereof to the property owner renew repair or rebuild any sidewalks within its corporate limits and for such purposes and for the purchase of necessary materials may expend any moneys which may have been provided or realized for unemployment relief purposes

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 962, as follows:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the various political divisions of the Commonwealth for the maintenance of certain streets and roads and in townships of the second class for the maintenance and replacement of certain bridges during the calendar years one thousand nine hundred and thirty-four and one thousand nine hundred and thirty-five and suspending the power of townships of the second class to levy taxes for road purposes during such years

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of Seventeen million eight hundred and ninety-one thousand dollars ($17,891,000) is hereby appropriated to the Department of Highways for the two calendar years beginning January first one thousand nine hundred and thirty-four out out of the Motor License Fund for allocation to and expenditure in the cities towns boroughs and townships of the

Commonwealth in the amounts upon the terms in the manner and for the purposes as set forth within this act

Section 2 Of the seventeen million eight hundred and ninety-one thousand dollars ($17,891,000) thus appropriated and transferred one million nine hundred and twenty-seven thousand dollars ($1,927,000) shall be allocated to and among the cities of the first class one million one hundred and sixty-three thousand five hundred dollars ($1,163,500) among cities of the second class and one hundred and sixteen thousand five hundred dollars ($116,500) among cities of the second class A and of the balance one million twenty-seven thousand four hundred dollars ($1,027,400) shall be for use in cities of the third class one million six hundred and eighty-six thousand nine hundred dollars ($1,686,900) for use in boroughs and incorporated towns six hundred and seventeen thousand two hundred dollars ($617,200) for use in townships of the first class and eleven million three hundred and fifty-two thousand dollars ($11,352,000) for use in townships of the second class

Section 3 The amounts allocated to cities of the first class second class and second class A shall be paid over in eight equal installments on the first days of January April July and October of the years one thousand nine hundred and thirty-four and one thousand nine hundred and thirty-five into the treasury of the city entitled thereto and shall be used in such city by the proper authorities thereof for the maintenance of such streets therein as are not now maintained by the Department of Highways under the provisions of existing law subject to the approval of the Department of Highways

Section 4 Of the amount appropriated to the Department of Highways for use upon the streets and roads in cities of the third class boroughs incorporated towns townships of the first class and townships of the second class there shall be expended by the Department of Highways in each of such political subdivisions such proportion of the total amount hereinbefore provided for use in the political subdivisions of which it is a class as the miles of streets or roads under its jurisdiction within its municipal limits and not now maintained by the Department of Highway bears to the total number of miles of such streets or roads within the municipal limits of all the political subdivisions of which it is a class as above provided

Section 5 From the sum of eleven million three hundred and fifty-two thousand dollars ($11,352,000) hereinbefore appropriated for the maintenance of roads in townships of the second class there shall first be deducted by the department the sum of seven hundred and fifty-two thousand dollars ($752,000) before any allocation is made thereof for maintenance of roads in such townships and the said sum of seven hundred and fifty-two thousand dollars ($752,000) shall be equitably apportioned and expended by the Department of Highways for maintenance repair and replacement in case of casualty of bridges in townships of the second class on roads not now maintained by the Department of Highways under existing law

Section 6 No taxes for road purposes shall be levied in townships of the second class for the fiscal years one thousand nine hundred and thirty-four and one thousand nine hundred and thirty-five but all the cost of the maintenance of roads within such townships during said two years shall be borne by the Department of Highways out of moneys hereby appropriated but nothing herein contained shall be construed to prevent the levy of sufficient tax to pay interest and sinking fund charges on the existing debt of any such township of the second class to pay any floating debt and for other proper and lawful purposes other than the maintenance of roads and bridges

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 80, as follows:

An Act making an appropriation to the Children's Home of Bethlehem Salisbury Township Lehigh County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby specifically appropriated to the Children's Home located at Bethlehem Salisbury Township Lehigh County Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 81, as follows:

An Act making an appropriation to Saint Luke's Hospital located at Bethlehem Lehigh County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eighty-four thousand dollars ($84,000) or so much thereof as may be necessary is hereby specifically appropriated to the Saint Luke's Hospital located at Bethlehem Lehigh County Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at he rate of three dollars ($3) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 82, as follows:

An Act making an appropriation to the Allentown Hospital Allentown Lehigh County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred thirty-two thousand dollars ($132,000) or so much thereof as may be necessary is hereby specifically appropriated to the Allentown Hospital Allentown Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 110, as follows:

An Act making an appropriation to the Board of Managers of the Seamen's Church Institute of Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five thousand five hundred dollars ($5,500) or so much thereof as may be necessary is hereby specifically appropriated to the Board of Managers of the Seamen's Church Institute of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to law

Section 2 In the event of the merger or consolidation of the Seamen's Church Institute of Philadelphia Pennsylvania with any other institution the amount of the aforesaid appropriation remaining unpaid at the time of such merger or consolidation is hereby appropriated and made available to the institution with or in which such Seamen's Church Institute has been merged or consolidated for the same purpose and in the same manner the Auditor General is hereby authorized to issue his warrant upon the State Treasurer in favor of the institution into which such Seamen's Church Institute has been merged or consolidated for the payment of the sum to it so appropriated and made available

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 177, as follows:

An Act making an appropriation to The Home of Industry for Discharged Prisoners of the City of Philadelphia and State of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of four thousand four hundred dollars ($4,400) or as much thereof as may be necessary be and the same is hereby appropriated to the Home of Industry for Discharged Prisoners of the City of Philadelphia and State of Pennsylvania for the purpose of maintenance for the two fiscal years beginning June first one thousand nine hundred and thirty-three Provided That the sum hereby appropriated shall not be paid if at any time during the said two years satisfactory evidence shall be produced to the Auditor General that articles manufactured are being sold at less than the open market price

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 184, as follows:

An Act making an appropriation to the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two hundred and two thousand dollars ($202,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 191, as follows:

An Act making an appropriation to the Columbia Hospital at Columbia Lancaster County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seventeen thousand dollars ($17,000) or so much thereof as may be necessary be and the same is hereby specifically appropriatd to the Columbia Hospital located at Columbia Lancaster County Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 198, as follows:

An Act making an appropriation to the Pennsylvania Association for the Blind Incorporated at Pittsburgh Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of thirty-three thousand dollars ($33,000) or so much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Association for the Blind Incorporated at Pittsburgh Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 199, as follows:

An Act making an appropriation to the Boy's Industrial Home of Western Pennsylvania located at Oakdale Allegheny County

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fourteen thousand three hundred dollars ($14,300) or so much thereof as may be necessary is hereby specifically appropriated to the Boy's Industrial Home of Western Pennsylvania located at Oakdale Allegheny County for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 226, as follows:

An Act making an appropriation to the Pennsylvania Epileptic Hospital and Colony Farm Chester County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of forty thousand dollars ($40,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Pennsylvania Epileptic Hospital and Colony Farm Chester County Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services renderd to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 227, as follows:

An Act making an appropriation to the Chester County Hospital West Chester Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of sixty-six thousand six hundred dollars ($66,600) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Chester County Hospital West Chester Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 229, as follows:

An Act making an appropriation to the Florence Crittenton Circle of Wilkes-Barre Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one thousand one hundred dollars ($1,100) or so much thereof as may be necessary is hereby specifically appropriated to the Florence Crittenton Circle of Wilkes-Barre Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 232, as follows:

An Act making an appropriation to the Lancaster General Hospital Lancaster Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seventy thousand dollars ($70,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Lancaster General Hospital Lancaster Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 233, as follows:

An Act making an appropriation to the New Future Association located on Sherman Avenue North Side Pittsburgh Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one thousand dollars ($1,000) or so much thereof as may be necessary is hereby specifically appropriated to the New Future Association located on Sherman Avenue North Side Pittsburgh Pennsylvania for the two fiscal years beginning June first one thousand nine hundred

and thirty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 238, as follows:

An Act making an appropriation to the Hospital of the University of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred and ninety-nine thousand dollars ($199,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Hospital of the University of Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 239, as follows:

An Act making an appropriation to the Graduate Hospital of the University of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two hundred sixteen thousand dollars ($216,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Graduate Hospital of the University of Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proporton of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 240, as follows:

An Act making an appropriation to the Union Home for Old Ladies of West Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of four thousand four hundred dollars ($4,400) or so much thereof as may be necessary is hereby specifically appropriated to the Union Home for Old Ladies of West Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 241, as follows:

An Act making an appropriation to the Friends' Home for Children of the city of Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of three thousand three hundred dollars ($3,300) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Friends' Home for Children of the city of Philadelphia Pennsylvania for the purpose of maintenance for the two fiscal years beginning June first one thousand nine hundred and thirty-three to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 242, as follows:

An Act making an appropriation to the Western Temporary Home of Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of three thousand three hundred dollars ($3,300) or so much thereof as may be necessary is hereby specifically appropriated to the Western Temporary Home of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 245, as follows:

An Act making an appropriation to the Rush Hospital for Consumption and Allied Diseases of Philadelphia

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seventy-nine thousand dollars ($79,000) or so much thereof as may be necessary be and the same is

hereby specifically appropriated to the Rush Hospital for Consumption and Allied Diseases of Philadelphia for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 247, as follows:

An Act making an appropriation to the George F Geisinger Memorial Hospital Danville Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the George F Geisinger Memorial Hospital Danville Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 254, as follows:

An Act making an appropriation to the Wills Eye Hospital Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eighty-one thousand dollars ($81,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Wills Eys Hospital Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of partly pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 255, as follows:

An Act making an appropriation to the Home for the Aged Located at one thousand eight hundred nine Mount Vernon Street Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby specifically appropriated to the Home for the Aged located at one thousand eight hundred nine Mount Vernon Street Philadelphia Pennsylavnia for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 259, as follows:

An Act making an appropriation to the Reading Hospital of Reading Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred twelve thousand six hundred dollars ($112,600) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Reading Hospital of Reading Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 269, as follows:

An Act making an appropriation to the Homeopathic Medical and Surgical Hospital of Reading Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seventy-five thousand dollars ($75,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Homeopathic Medical

and Surgical Hospital of Reading Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 271, as follows:

An Act making an appropriation to the Lee Homeopathic Hospital Johnstown Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Lee Homeopathic Hospital Johnstown Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day or part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 272, as follows:

An Act making an appropriation to the Conemaugh Valley Memorial Hospital at Johnstown Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of ninety-six thousand dollars ($96,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Conemaugh Valley Memorial Hospital at Johnstown Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 276, as follows:

An Act making an appropriation to the Saint Luke's and Children's Homeopathic Hospitals of Philadelphia Pennsylvania for the maintenance of said hospitals

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and its is hereby enacted by the authority of the same That the sum of one hundred and one thousand seven hundred dollars ($101,700) or so much thereof as may be necessary is hereby specifically appropriated to the Saint Luke's and Children's Homeopathic Hospitals of Philadelphia (formed by the merger of Saint Luke's Homeopathic Hospital and Children's Homeopathic Hospital on April twenty-fifth one thousand nine hundred and twenty-seven under decree of the court of common pleas of Philadelphia County) located at Franklin Thompson and Eighth Streets in the City of Philadelphia for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 289, as follows:

An Act making an appropriation to the Northern Tier Home Harrison Valley Potter County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five thousand five hundred dollars ($5,500) or so much thereof as may be necessary is hereby specifically appropriated to the Northern Tier Home Harrison Valley Potter County Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. SCOTT. Mr. President, I move that Senate Bill No. 289, the bill just read, be recommitted to the Committe on Appropriations.

Mr. BELL. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 303, as follows:

An Act making an appropriation to the Bloomsburg Hospital Bloomsburg Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of thirty-two thousand dollars ($32,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Bloomsburg Hospital Blooomsburg Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner perscribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 304, as follows:

An Act making an appropriation to the Berwick Hospital Berwick Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of sixteen thousand five hundred dollars ($16,500) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Berwick Hospital Pennsylvania for the two fiscal years begining June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 305, as follows:

An Act making an appropriation to the American Ontologic Hospital at Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty thousand five hundred dollars ($20,500) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the American Ontologic Hospital at Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of pay service such proportion of the aforesaid three dollars $(3) per diem rate as the part of the regular ward charge which the person sotreated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 306, as follows:

An Act making an appropriation to the Women's Hospital of Philadelphia Preston and Parrish Streets Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealtn of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred six thousand dollars ($106,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Women's Hospital of Phialdelphia Preston and Parrish Streets Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thrity-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dolalrs ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill have been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The rule requiring to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 307, as follows:

An Act making an appropriation to the Citizens General Hospital New Kensington Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of forty-seven thousand dollars ($47,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Citizens General Hospital New Kensington Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regplar ward charge for such service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill have been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 309, as follows:

An Act making an appropriation to the Easton Hospital at Easton Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seventy-two thousand dolalrs ($72,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Easton Hospital at Easton Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill have been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 310, as follows:

An Act making an appropriation to the National Stomach Hospital of Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of six thousand eight hundred dollars ($6,800) or so much thereof as may be necessary is hereby specifically appropriated to the National Stomach Hospital of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

Tte Senate proceeded to the second reading and consideration of Senate Bill No. 326, as follows:

An Act making an appropriation to the Williamsport Hospital of the City of Williamsport Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred and one thousand four hundred dollars ($101,400) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Williamsport Hospital of the City of Williamsport Pennsylvania for the two fiscal years beginnin June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

Tte Senate proceeded to the second reading and consideration of Senate Bill No. 327, as follows:

An Act making an appropriation to the Aged Colored Women's Home at Williamsport Lycoming County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two thousand dollars ($2,000) or so much thereof as may be necessary is hereby specifically appropriated to the Aged Colored Women's Home at Williamsport Lycoming County Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 328, as follows:

An Act making an appropriation to the Home for the Friendless of the City of Williamsport Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eleven thousand five hundred dollars ($11,500) or so much thereof as may be necessary is hereby specifically appropriated to the Home for the Friendless of the City of Williamsport Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 329, as follows:

An Act making an appropriation to the Florence Crittenton Mission of the City of Williamsport Lycoming County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one thousand one hundred dollars ($1,100) or so much thereof as may be necessary is hereby specifically appropriated to the Florence Crittenton Mission of the City of Williamsport Lycoming County Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 335, as follows:

An Act making an appropriation to the Greenville Hospital Greenville Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five thousand seven hundred dollars ($5,700) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Greenville Hospital of Greenville Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 342, as follows:

An Act making an appropriation to the Northeastern Hospital of Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-nine thousand eight hundred dollars ($29,800) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Northeastern Hospital of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 354, as follows:

An Act making an appropriation to the Elizabeth Steel Magee Hospital Pittsburgh Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifty-four thousand dollars ($54,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Elizabeth Steel Magee Hospital Pittsburgh Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 355, as follows:

An Act making an appropriation to the Montefiore Hospital Association of Western Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seventy-seven thousand four hundred dollars ($77,400) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Montefiore Hospital Association of Western Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 378, as follows:

An Act making an appropriation to the Allegheny General Hospital Pittsburgh Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two hundred seventeen thousand four hundred dollars ($217,400) or so much thereof as may be necessary be and the same is hereby specifically appropriated

to the Allegheny General Hospital for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 379, as follows:

An Act making an appropriation to the Curtis Home for Destitute Women and Children Pittsburgh Pesnsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five thousand five hundred dollars ($5,500) or so much thereof as may be necessary is hereby specifically appropriated to the Curtis Home for Destitute Women and Children Pittsburgh Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 380, as follows:

An Act making an appropriation to the Home for Colored Children Termon Avenue Twenty-seventh Ward Pittsburgh Pennsylvania or its successors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of three thousand nine hundred dollars ($3,900) or so much thereof as may be necessary is hereby specifically appropriated to the Home for Colored Children Termon Avenue Twenty-seventh Ward Pittsburgh Pennsylvania or its successors for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 382, as follows:

An Act making an appropriation to the Robert Wood's Industrial Home and Day Nursery for Colored Boys and Girls of Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two thousand five hundred dollars ($2,500) or so much thereof as may be necessary is hereby specifically appropriated to the Robert Wood's Industrial Home and Day Nursery for Colored Boy and Girls of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty three for the purpose of maintenance to be paid according to law

And said bill have been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 383, as follows:

An Act making an appropriation to the Philadelphia Home for Infants located at four thousand six hundred and eighteen Westminster Avenue Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five thousand dollars or so much thereof as may be necesasry is hereby specifically appropriated to the Philadelphia Home for Infants located at four thousand six hundred and eighteen Westminster Avenue Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to law

And said bill have been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 418, as follows:

An Act making an appropriation to the Germantown Dispensary and Hospital Germantown Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred and thirty-one thousand dollars ($131,000)or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Germantown Dispensary and Hospital Germantown Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free serivce and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill have been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 419, as follows:

An Act making an appropriation to the Children's Aid Society of Pennsylvania

Section 1 Be it enacted by the Senate and House of Repre-

sentatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of sixty-eight thousand dollars ($68,000) or so much thereof as may be necessary is hereby specifically appropriated to the Children's Aid Society of Pennsylvania located in Philadelphia for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

Tte Senate proceeded to the second reading and consideration of Senate Bill No. 423, as follows:

An Act making an appropriation to the Coudersport General Hospital

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that the sum of four thousand three hundred dollars ($4,300) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Coudersport General Hospital for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate preceeded to the second reading and consideration of Senate Bill No. 429, as follows:

An Act making an appropriation to the Wilkes-Barre General Hospital Wilkes-Barre Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred and sixty-two thousand dollars ($162,000) or so much thereof as may be necessary be and the same is hereby sepcifically appropriated to the Wilkes-Barre General Hospital Wilkes-Barre Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforsaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

Tte Senate proceeded to the second reading and consideration of Senate Bill No. 437, as follows:

An Act making an appropriation to the Carlisle Hospital Carlisle Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-seven thousand dollars ($27,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Carlisle Hospital Carlisle Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services renderd to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 441, as follows:

An Act making an appropriation to the Lying-in Charity Hospital Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of ninety-four thousand dollars ($94,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Lying-in Charity Hospital Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 443, as follows:

An Act making an appropriation to the Maternity Hospital Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the

same That the sum of thirty-eight thousand eight hundred dollars ($38,800) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Maternity Hospital Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 444, as follows:

An Act making an appropriation to the Contributors to the Pennsylvania Hospital of Philadelphia Pennsylvania for the maintenance of its Department for the Sick and Injured

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred and fifty-seven thousand dollars ($157,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Pennsylvania Hospital of Philadelphia Pennsylvania for the maintenance of its Department for the Sick and Injured for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 445, as follows:

An Act making an appropriation to the Pennsylvania Society to Protect Children from Cruelty Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five thousand five hundred dollars ($5,500) or so much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Society to Protect Children from Cruelty Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for work outside of Philadelphia County to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 451, as follows:

An Act making an appropriation to the Home for the Aged and Infirm Colored Women of Pittsburgh Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby specifically appropriated to the Home for the Aged and Infirm Colored Women located at Pittsburgh Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 452, as follows:

An Act making an appropriation to the McKeesport Day Nursery at McKeesport Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one thousand dollars ($1,000) or so much thereof as may be necessary is hereby specifically appropriated to the McKeesport Day Nursery at McKeesport Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 485, as follows:

An Act making an appropriation to the Beulah Anchorage of Reading Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two thousand dollars ($2,000) or so much thereof as may be necessary is hereby specifically appropriated to the Beulah Anchorage of Reading Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 493, as follows:

An Act making an appropriation to the Woods Run Settlement House of Allegheny County

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General

Assembly met and it is hereby enacted by the authority of the same That the sum of one thousand seven hundred dollars ($1,700) or so much thereof as may be necessary is hereby specifically appropriated to the Woods Run Settlement House of Allegheny for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 551, as follows:

An Act Making an appropriation to the Greene County Memorial Hospital of Waynesburg Pennsylvania

Section 1 Be it enacted by the Senate and House of Representative of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twelve thousand one hundred dollars ($12,100) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Greene County Memorial Hospital of Waynesburg Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 589, as follows:

An Act making an appropriation to the Charleroi-Monessen Hospital at Charleroi Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of thirty-three thousand six hundred dollars ($33,600) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Charleroi-Monessen Hospital at Charleroi Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-five for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 597, as follows:

An Act making an appropriation to the Annie M. Warner Hospital Gettysburg Adams County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of nine thousand dollars ($9,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Annie M. Warner Hospital Gettysburg Adams County Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 628, as follows:

An Act making an appropriation to the American Hospital for Diseases of the Stomach of Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twelve thousand dollars ($12,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the American Hospital for Diseases of the Stomach of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 635, as follows:

An Act making an appropriation to the Memorial Hospital Association of Monongahela City Washington County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of

the same That the sum of sixteen thousand four hundred dollars ($16,400) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Memorial Hospital Association of Monongahela City Washington County Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 636, as follows:

An Act making an appropriation to the Washington Hospital Association of Washington Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of sixty-nine thousand three hundred dollars ($69,300) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Washington Hospital Association of Washington Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 637, as follows:

An Act making an appropriation to the Canonsburg General Hospital at Canonsburg Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary be and the same is hereby specifically apppropriated to the Canonsburg General Hospital Association located at Canonsburg Washington County Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid accoring to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dolars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 667, as follows:

An Act making an appropriation to the Home for Widows and Single Women of Reading Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of four thousand dollars ($4,000) or so much thereof as may be necessary is hereby specifically appropriated to the Home for Widows and Single Women of Reading Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 669, as follows:

An Act making an appropriation to the Somerset Community Hospital at Somerset Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five thousand dollars ($5,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Somerset Community Hospital at Somerset Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 704, as follows:

An Act making an appropriation to the Philadelphia Orthopaedic Hospital and Infirmary for Nervous Diseases of Philadelphia

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General

Assembly met and it is hereby enacted by the authority of he same That the sum of seventy-eight thousand dollars ($78,000) or so much thereof as may be necessary be and the same is hereby appropriated to the Philadelphia Orthopaedic Hospital and Infirmary for Nervous Diseases of Philadelphia for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 733, as follows:

An Act making an appropriation to the South Side Hospital of Pittsburgh Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eighty-five thousand dollars ($85,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the South Side Hospital of Pittsburgh Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 766, as follows:

An Act making an appropriation to the Chester Hospital in the City of Chester Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eighty-six thousand dollars ($86,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Chester Hospital of Chester Delaware County Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 795, as follows:

An Act making an appropriation to the Home for Friendless Children in the City of Reading Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of three thousand four hundred dollars ($3,400) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Home for Friendless Children in the city of Reading Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 874, as follows:

An Act making an appropriation to the Clearfield Hospital Clearfield Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of forty-seven thousand dollars ($47,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Clearfield Hospital of Clearfield Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 891, as follows:

An Act making an appropriation to the First Allegheny Day Nursery Pittsburgh Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby specifically appropriated to the First Allegheny Day Nursery of Pittsburgh

Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maiantenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 926, as follows:

An Act making an appropriation to the Old Ladies' Home located at Wissinoming Philadelphia

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of thirteen thousand two hundred dollars ($13,200) or so much thereof as may be necessary is hereby specifically appropriated to the Old Ladies' Home located at Wissinoming Philadelphia for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 927, as follows:

An Act making an appropriation to the Almira Home Association New Castle Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seven thousand seven hundred dollars ($7,700) or so much thereof as may be necessary is hereby specifically appropriated to the Almira Home Association of New Castle Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bil No. 930, as follows:

An Act making an appropriation to the Chestnut Hill Hospital of Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-four thousand dollars ($24,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Chestnut Hill Hospital of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3) per diem as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That said hospital shall not receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 931, as follows:

An Act Making an appropriation to the Florence Crittenton Home Germantown Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two thousand dollars ($2,000) or so much thereof as may be necessary is hereby specifically appropriated to the Florence Crittenton Home Germantown Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 935, as follows:

An Act making an appropriation to the Industrial Home for Crippled Children at Pittsburgh Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Asembly met and it is hereby enacted by the authority of the same That the sum of twenty-two thousand dollars ($22,000) or so much thereof as may be necessary is hereby specifically appropriated to the Industrial Home for Crippled Children located at Pittsburgh Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 936, as follows:

An Act making an appropriation to the Children's Aid Society of Western Pennsylvaniat at Pittsburgh Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is here enacted by the authority of the same That the sum of twenty-eight thousand dollars ($28,000) or so much thereof as may be necessary is hereby specifically appropriated to the Children's Aid Society of Western Pennsylvania Pittsburgh Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance of the work of said society and any of its auxiliary branches incorporated and unincorporated

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 937, as follows:

An Act making an appropriation to the Colored Women's Relief Association of Western Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two thousand seven hundred dollars ($2,700) or so much thereof as may be necessary is hereby specifically appropriated to the Colored Women's Relief Association of Western Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three to be used for the purpose of maintenance of the Davis Temporary Home for Colored Children and Day Nursery located at Pittsburgh Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 938, as follows:

An Act making an appropriation to the Ladies of the Grand Army of the Republic Home Department of Pennsylvania at Hawkins Station Allegheny County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-nine thousand five hundred dollars ($29,500) or so much thereof as may be necessary is hereby specifically appropriated to the Ladies of the Grand Army of the Republic Home Department of Pennsylvania located at Hawkins Station Allegheny County Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HARRIS. Mr. President, at the request of the sponsor, I move that Senate Bill No. 879, on second reading calendar, entitled:

An Act to exclude from the provisions of the Workmen's Compensation Act of 1915 and the supplements and amendments thereto, certain persons whose wages are paid as unemployment or poor relief.

be recommitted to the Committee on Judiciary General.

Mr. PRINCE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING

Mr. SCOTT. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 367, on third reading, entitled:

A Further Supplement to the act approved the first day of April, one thousand eight hundred and sixty-three (P. L. 213), entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges," and making an appropriation for carrying the same into effect.

Mr. ARMSTRONG. Mr. President, I second the motion.

The motion was agreed to.

BILLS RECOMMITTED

Mr. SCOTT. Mr. President, I move that Senate Bill No. 367, on third reading, the bill just read, be recommitted to the Committee on Appropriations.

Mr. ARMSTRONG. Mr. President, I second the motion.

The motion was agreed to.

RECONSIDERATION OF SENATE BILL No. 262.

Mr. SCOTT. Mr. President, I move to reconsider the vote by which Senate Bill No. 262, entitled:

An Act relating to business corporations, defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties and repealing certain acts and parts of acts relating to corporations.

passed second reading

Mr. ARMSTRONG. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and reconsideration of Senate Bill No. 262, entitled:

An Act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations

The first section of the bill was read as follows and agreed to:

ARTICLE I

GENERAL PROVISIONS

Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Business Corporation Law"

The second section of the bill was read as follows:

Section 2 Definitions The following words or phrases unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

"Articles" includes the original articles of incorporation any or all amendments thereto and articles of merger or consolidation and also includes what have heretofore been designated by law as certificates of incorporation or charters.

"Assets" includes all the property and rights of every kind of the corporation

"Authorized Capital Stock" means the aggregate number of shares of all classes either with or without par value which the corporation is authorized to issue

"Share Certificate" means a written instrument signed by the proper corporate officers as required by this act and evidencing the fact that the person or corporation therein named is the registered owner of the shares therein described and also includs the term "Certificate of Stock" as used in existing laws

"Corporation for Profit" means a corporation organized for the pecuniary profit of its shareholders

"Domestic Business Corporation" or "Business Corporation" means a corporation for profit organized under this act or heretofore organized under or by virtue of any other law of this Commonwealth for any purpose for which a corporation may be organized under this act

"Foreign Business Corporation" means a corporation for profit organized under or by virtue of any laws other than thise of this Commonwealth for any purpose or purposes for which a corporation may be formed under this act

"Incorporator" means a signer of the original articles of incorporation

"Paid-in Surplus" means that part of the consideration received by a business corporation for or on account of all shares issued which does not constitute stated capital

"Registered Office" means that office maintained by a domestic or foreign business corporation in this Commonwealth the address of which is filed with the Department of State

"Shareholder" means a registered owner of shares in a business corporation

"Shares" are the units into which the shareholders' rights to participate in the control of a business corporation in its surplus or profits or in the distribution of its assets are divided

"Stated Capital" means at any particular time the sum of the par value of all shares then issued having a par value the consideration received by a business corporation for all shares then issued without par value except such part thereof as may have been allocated otherwise than to stated capital in a manner permitted by this act and such other amounts as may have been transferred to the stated capital account of the corporation whether from the issue of shares as a share dividend or otherwise minus such formal reductions from such sum as may have been effected in a manner permitted by this act

"Subscriber" means one who subscribes for shares in a business corporation whether before of after incorporation

"Written" includes printed typewritten engraved litographed telegraphed cabled radiogramed photographed photostated telephotographed or other form of recordation

Section headings shall not be taken to govern or limit the scope of the sections of this act

The singular shall include the plural and the masculine shall include the feminine and neuter

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 2, page 2, by striking out lines 20 to 25, inclusive; also line 27 by inserting after the word "the" and before the word "pecuniary" the following: "direct or indirect"; also page 3, line 4 by inserting after the word "purpose" and before the word "for" the following: "or purposes"; also page 3, by inserting between lines 19 and 20 the following: "Share Certificate" means a written instrument signed by the proper corporate officers as required by this act and evidencing the fact that the person or corporation therein named is the registered owner of the shares therein described and also includes the term "Certificate of Stock" as used in existing laws; also page 4, by striking out lines 15 to 18, inclusive.

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third section of the bill was read as follows:

Section 3 Applicability and Acceptance of Act A Every corporation of the second class heretofore organized and incorporated under the Corporation Act of 1874 its amendments and supplements and every corporation heretofore created by any special act of formed under any general act which has accepted in any manner whatsoever the Constitution of Pennsylvania and which if not existing would be required to incorporate under this act shall hereafter be subject to the provisions of this act without formal reorganization hereunder and shall be deemed to exist under this act The provisions of this act shall govern all such corporations theretofore incorporated in this Commonwealth

B Any corporation incorporated prior to 1874 by any general or special act which has not accepted the Constitution of Pennsylvania in any manner whatsoever and which if not existing would be required to incorporate under this act shall be deemed to exist under and shall be governed by the provisions of this act upon filing with the Department of State a certificate accepting the provisions of the Constitution of Pennsylvania and of this act The certificate shall be executed under the seal of the corporation and shall be signed by two duly authorized officers of the corporation and shall set forth

(1) The name of the corporation

(2) The Act of Assembly by or under which it was created

(3) A statement that the corporation accepts the Constitution of Pennsylvania and the provisions of this act and

(4) A statement that the acceptance of the Constitution of Pennsylvania and of the provisions of this act was duly authorized by a meeting of the shareholders called for that purpose

C Every foreign business corporation heretofore admitted to do business in this Commonwealth which if now seeking admission would be required to comply with the provisions of this act shall within ninety days after the effective date of this act secure a certificate of authority from the Department of State and shall thereafter be subject to the provisions of this act

D This act shall not be construed as attempting to deprive any existing corporation of any corporate power right privilege or franchise which such corporation now enjoys

On the qusetion,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 3, page 6, by striking out lines 3 to 6, inclusive.

Mr. ARMSTRONG. Mr. President I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fourth section of the bill was read as follows:

Section 4 Scope of Act This act does not relate to does not affect and does not apply to

(1) Associations operating on a cooperative plan whether for profit or not for profit

(2) Any corporation which may be organized under the Nonprofit Corporation Law

(3) Any corporation which by the laws of this Commonwealth is subject to the supervision of the Department of Banking the Insurance Department The Public Service Commission or the Water and Power Resources Board

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 4, page 6, line 9, by striking out after "(1)" and before the word "whether" the folowing: "[Associations operating on a cooperative plan]" and inserting in lieu thereof the following: "Cooperative associations;" also page 6, line 12, by inserting

at the end of the line after the word "Law" the following: "or which if not existing would be required to incorporate under that act."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the question as amended?

It was agreed to.

The fifth section of the bill was read as follows:

Section 5 Saving Clause A This act shall not impair or affect any act done offense committed or right accruing accrued or acquired or liability penalty judgment or punishment incurred prior to the time this act takes effect but the same may be enjoyed asserted enforced prosecuted or inflicted as fully and to the same extent as if this act had not been passed

B The provisions of all acts or parts of acts which are repealed by this act or are reenacted in this act shall be considered as remaining continuously in force so that all rights enjoyed and liabilities incurred under such provisions before the effective date of this act shall be enjoyed or may be enforced as if this act had not been passed

C The provisions of this act as far as they are the same as those of existing laws shall be construed as a continuation of such laws and not as new enactments The repeal of any acts by this act shall not affect the corporate existence of any corporation heretofore created Any person holding office under any act repealed by this act shall continue to hold such office until the expiration of the term thereof subject to the conditions attached to such office prior to the passage of this act

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 5, page 6, line 19, by inserting after the word "liability" and before the word "penalty" the following: "duty or obligation;" also line 27 by striking out at the beginning of the line before the word "all" the word: "[that]" and inserting in lieu thereof the following: "far as concerns;" also line 27 by striking out after the word "rights" and before the word "and" the word: "[enjoyed]" and inserting in lieu thereof the following: "vested and accrued;" also line 27 by inserting after the word "liabilities" and before the word "incurred" the following: "duties and obligations;" also page 7, line 1, by striking out at the beginning of the line before the word "or" the word: "[enjoyed]" and inserting in lieu thereof the word: "preserved."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The sixth section of the bill was read as follows:

Section 6 Interpretation of Act A The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

B Whenever in this act reference is made to any act by title such reference shall be construed to apply to and include any codification wherein the provisions of the act referred to are substantially reenacted

C Nothing in this act shall be interpreted to authorize a corporation to do any act in violation of the common law or the statutes of this Commonwealth or the United States with respect to monopolies and illegal restraint of trade

D No corporation which may be incorporated under this act shall hereafter be incorporated except under the provisions of this act

E This act shall not be deemed to curtail in any manner whatsoever the equity jurisdiction of the courts of this Commonwealth

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 6, page 7, by striking out lines 23 to 27, inclusive; also line 28, by striking out at the beginning of the line before the word "No" the letter: "[D]" and inserting in lieu thereof the letter "C"; also line 28, by striking out after the word "which" and before the word "be" the word: "[may]"; also line 28, by striking out after the word "which" and before the word "be" the word "[may]"; and inserting in lieu theref the word: "night; also page 8, line 3, by striking out at the beginning of the lines before the word "This" the letter: "[E]" and inserting in lieu thereof the letter: "D"; also line 4, by inserting after the word "the" and before the word "equity" the following: "law or"; also page 8, by inserting between lines 5 and 6 the following subsection: "E Section headings shall not be taken to govern or limit the scope of the sections of this act The singular shall include the plural and the masculine shall include the feminine and neuter"

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The seventh section of the bill was read as follows:

Section 7 Fees Any prothonotary or recorder of deeds and any State department board commission or officer shall be entitled to receive for services performed as required by this act such fees as are lawfully charged for similar services

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 7, page 8, line 9, by inserting after the word "are" and before the word "lawfully" the following: "or may be"; also line 9, by inserting after the word "for" and before "sim-" the following: "those or"

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The eighth section of the bill was read as follows:

Section 8 Waiver of Notice Whenever any notice is required to be given under the provisions of this act or the articles or by-laws of any corporation a waiver thereof in writing signed by the person or persons entitled to such notice whether before or after the time stated therein shall be deemed equivalent to the giving of such notice

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 8, page 8, line 11 by striking out the figure "8" and before the word "Notice" the following: "[Waiver of]"; also line 11 by striking out at the end of the line after the word "Notice" the follow-

ing: "[Whenever any notice is]" and inserting in lieu thereof the following: "of Meetings A Whenever written notice is required to be given to any person under the provisions of this act or by the articles or by-laws of any business corporation it may be given to such person either personally or by sending a copy thereof through the mail or by telegram, charges prepaid, to his address appearing on the books of the corporation or supplied by him to the corporation for the purpose of notice If the notice is sent by mail or by telegraph it shall be deemed to have been given to the person entitled thereto when deposited in the United States mail or with a telegraph office for transmission to such person Such notice shall specify the place day and hour of the meeting and in the case of a special meeting the general nature of the business to be transacted"; also by inserting betweent lines 11 and 12 the following as the beginning of a new paragraph: "B Whenever any written notice is"; also line 27 by inserting at the end of the line after the word "notice" the following: "Except in the case of a special meeting neither the business to be transacted at nor the purpose of the meeting need be specified in the waiver of notice of such meeting"; also by inserting between lines 17 and 18 the following paragraph; C Attendance of a person at any meeting shall constitute a waiver of notice of such meeting except where a person attends a meeting for the express purpose of objecting to the transaction of any business because the meeting was not lawfully called or convened."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The ninth section of the bill was read as follows:

Section 9 Effect of Filing or Recording Papers Required to be Filed The filing or recording of the articles or amendments thereto or of any other papers or documents pursuant to the provisions of this act is required for the purpose of affording all persons the opportunity of acquiring knowledge of the contents thereof but no person dealing with the corporation shall be charged with constructive notice of the contents of any such articles or papers by reason of such filing or recording

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 9, page 8, line 19 by striking out at the end of the line after the word "articles" the word: "[or]"; also line 20 by striking out at the beginning of the line before the word "or" the following: "[amendments thereto]"; also line 25 by inserting after the word "articles" and before the word "or" the word: "papers"; also line 26 by striking out at the beginning of the line before the word "by" the word: "[papers]" and inseritng in lieu thereof the word "documents."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The tenth section of the bill was read as follows:

Section 10 Powers of Department of State The Department of State shall have the power and authority reasonably necessary to enable it to administer this act efficiently and to perform the duties imposed upon it by this act All reports required by this act to be filed with the Department of State shall be made on forms which shall be prescribed and furnished by that department Forms for all other documents to be filed with the department shall be furnished by the department on request thereof but the use thereof unless otherwise specifically prescribed in this act shall not be mandatory

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 10, page 9, line 2 by striking out after the word "all" and before the word "required" the word "[reports]" and inserting in lieu thereof the following: "articles, papers and other documents"; also line 3 by striking out at the end of the line after the word "made" the following: "[on forms]"; also line 4 by striking out at the beginning of the line before the word "shall" the word: "[which]" and inserting in lieu thereof the following: in such form as"; also line 4 by striking out after the word "precribed" and before the word "by" the following: "[and furnished]"; also line 5 by striking out at the end of the line after "ment" the following: "[Forms for all other documents to be filed with the]"; also by striking out out lines 6 to 8, inclusive.

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The eleventh section of the bill was read as follows:

Section 11 Certificates and Certified Copies of Certain Documents to be Received in Evidence—All certificates issued by the Department of State in accordance with the provisions of this act and all copies of documents filed with the Department of State in accordance with the provisions of this act when certified by the Secretary of the Commonwealth shall be taken and received by all courts public offices and official bodies as prima facie evidence of the facts therein stated A certificate by the Department of State under the seal of the Commonwelth as to the existence or nonexistence of the facts relating to corporations which would not appear from a certified copy of any of the foregoing documents or certificates shall be taken and received by all courts public offices and official bodies as prima facie evidence of the existence or nonexistence of the facts therein stated

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend Section 11, page 9, line 12, by inserting after the word "of" and before the word "of" and before the word "documents" the following: "articles papers and other"; also line 19, by striking out after the word "of" and before the word "facts" the word "[the]"; also line 20, by striking out at the end of the line after the word "from" the following: "[a certified copy of]"; also line 21 by striking out at the beginning of the line before the word "the" the following. "[any of]"; also line 24, by striking out after the word "of" and before the word "facts" the word "[the]"

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 201 of the bill was read as follows:

ARTICLE II
FORMATION OF BUSINESS CORPORATIONS

Section 201 Purpose of Incorporation and Qualifications of Incorporators Three or more natural persons of full age and either sex married or single at least two-thirds of whom are citizens of the United States or of its territories or possessions may form a domestic business corporation under the provisions of this act for any lawful purpose or purposes

On the question,
Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 201, page 10, line 2, by striking out after the word "a" and before the word "business' the word "[domestic]."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,
Will the Senate agree to the amendment?
They were agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.

Section 202 of the bill was read as follows and agreed to.

Section 202 The Corporate Name A The corporate name may be in any lanuguage but shall be expressed in English letters or characters and shall contain the word "corporation" "company" or "incorporated" or shall end with an abbreviation of one of these words except that the word "company" or the abbreviation "Co" may be used only if that word or abbreviation is not immediately preceded by the word "and" or any symbol or substitute therefor The corporate name shall not imply that the corporation is an administrative agency of the Commonwealth or is subject to the supervision of the Department of Banking or of the Insurance Department and shall not contain the word "bank" "banking" "bankers" "savings" "trust" "deposit" "insurance" "mutual" "assurance" "indemnity" "building and loan" "surety" "security" "guaranty" "guarantee" "cooperative" "State" or "Commonwealth"

B The corporate name shall not be the same or deceptively similar to

(1) The name of any other domestic corporation or any foreign corporation authorized to transact business in this Commonwealth or the name of any unincorporated body whatsoever registered with the Department of State under any Act of Assembly unless such other domestic or foreign corporation or unincorporated body is about to change its name or to cease to do business or is being wound up or such foreign corporation is about to withdraw from doing business in this Commonwealth and the written consent of such other domestic or foreign corporation or unincorporated body to the adoption of its name or a decepectively similar name has been given and is filed with the articles

(2) The name of any administrative department board or commission or other agency of the Commonwealth

(3) A name the exclusive right to which is at the time reserved by any other corporation whatsoever in the manner provided in this act or any other Act of Assembly

C Nothing in this section shall abrogate or limit the law as to unfair competition or unfair practices nor derogate from the common law the principles of equity or the statutes of this Commonwealth with respect to the right to acquire and protect trade names

D The assumption of a name in violation of this section shall not vitiate or otherwise affect the corporate existence but the Court of Common Pleas of Dauphin County may upon the application of the Attorney General acting on his own motion or at the instance of any administrative department board or commission of the Commonwealth and the court of common pleas of any county may upon the application of any person unincorporated body or corporation adversely affected enjoin the corporation from using or continuing to use a name assumed in violation of this section

On the question,
Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 202, page 10, line 14 by inserting at the end of the line after the word "Commonwealth" the following: "or of the United States"; also line 18 by inserting at the end of the line after the word "'Indemnity'" the following: "casualty," "fiduciary," "benefit," "beneficial," "benevolent"; also line 20 by striking out after the word "'State'" and before the word "'Commonwealth'" the word: [or]; also line 20 by inserting at the end of the line after the word "'Commonwealth'" the following: "Public Service," "National," "Federal," or "United States"; also line 26 by inserting after the word "whatsoever" and before the word "registered" the word: "voduntarily"; also page 11, line 6 by inserting at the end of the line after the word "articles" the following: "Provided that nothing herein contained shall be construed to refer or apply to any assumed or fictitious name required by law to be filed with the Department of State"; also line 24 by inserting at the end of the line after the word "county" the following: "having jurisdiction over the corporation."

Mr. ARMSTRONG. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendments?
They were agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.

Section 203 of the bill was read as follows and agreed to.

Section 203 Reservation of Corporate Name The exclusive right to the use of a corporate name may be reserved by

(2) Any domestic business corporation intending to change this act or

(2) Any domestic business corporation intending to change its name or

(3) Any foreign business corporation intending to make application for a certificate of authority to transact business in this Commonwealth or

(4) Any foreign business corporation authorized to transact business in this Commonwealth and intending to change its name or

(5) Any person intending to organize a foreign business corporation and intending to have such corporation make application for a certificate of authority to transact business in this Commonwealth Such reservation shall be made by filing with the Department of State and application to reserve a specified corporate name executed by the applicant If that department finds that such name is available for corporate use it shall reserve the name for the exclusive use of the applicant for a period of sixty days The right to the exclusive use of a specified corporate name so reserved may be transferred to any person by filing with the Department of State a notice of such transfer executed by the person for whom such name was reserved and specifying the name and address of the transferee

Section 204 of the bill was read as follows:

Section 204 Articles of Incorporation Articles shall be signed in duplicate originals by each of the incorporators and acknolwedged by at least two of them before any officer within this Commonwealth authorized to take acknowledgments and shall set forth in the English language

(1) The name of the corporation

(2) The location and post office address of its initial registered office in this Commonwealth and the name of its initial registered agent at such address

(3) A precise and accurate statement of the purpose or purposes for which the corporation is organized and that it is organized under the provisions of this act

(4) The term for which it is to exist

(5) The aggregate number of shares which the corporation shall have authority to issue and if the shares are to consist of one class only the par value of each of the shares or a

statement that all of the shares are without par value or if the shares are to be divided into classes the number of shares of each class if any that are to have a par value and the par value of each share of each class and the number of shares of each class if any that are to be without par value

(6) If the shares are to be divided into classes a description of each class and a statement of the preferences qualifications limitations restrictions and the special or relative rights granted to or imposed upon the shares of each class

(7) If the corporation is to issue the shares of any preferred or special class in series a description of each series and a statement of the variations in the relative rights and preferences as between different series in so far as the same are to be fixed in the articles and a statement of any authority to be vested in the board of directors to establish series and fix and determine the variations in the relative rights and preferences as between series

(8) The amount of paid-in capital with which the corporation will begin business which shall not be less than Five Hundred Dollars ($500.00) in cash.

(9) The names of the first directors their post office addresses and their terms of office

(10) The name and post office address of each of the incorporators and a statement of the number of shares subscribed by each which shall not be less than one and the class of shares for which each subscribes

(11) Any provisions which the incorporators may choose to insert granting to shareholders the preemptive rights to subscribe to any or all issues of shares or securities of the corporation

(12) Any provisions not inconsistent with law which the incorporators may choose to insert for the regulation of the internal affairs of the corporation and the business of the corporation

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 204, page 13, line 1, by inserting after the word "Articles" and before the word "shall" the following: "of incorporation;" also line 2 by striking out after the word "signed" and before the word "by" the following: "[in duplicate originals];" also line 4 by inserting after the word "within" and before the word "this" the following: "or without;" also line 6 by inserting at the end of the line after the word "corporation" the following: "unless the name is in a foreign language and expressed in English letters or characters;" also line 8 by striking out at the end of the line after the word "Commonwealth" the following: "[and the name of];" also page 13 by striking out line 9; also line 13 by inserting at the end of the line after the word "exist" the following: "which may be perpetual;" also page 14, line 18, by striking out after the word "shareholders" and before the word "preemptive" the word "[the]."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 205 of the bill was read as follows:

Section 205 Advertisement The incorporators shall advertise their intention t oapply for a charter one time in two newspapers published in the English language one of which shall be a newspaper of general circulation and the other the legal newspaper if any designated by the rules of the court for the publication of legal notices otherwise in two newspapers of general circulation published in the county in which the initial registered office of the corporation is to be located Where there is but one newspaper of general circulation published in any county advertisement in such newspaper shall be sufficient Advertisements shall appear at least three days prior to the day application for a charter is made to the Department of State and shall set forth briefly

(1) The name of the proposed corporation

(2) A statement that the application is made under the provisions of this act

(3) The character and purpose or purposes of the proposed corporation and

(4) The time when application will be made to the Department of State

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 205, page 14, line 26 by striking out after the word "to" and before the word "one" the following: "[apply for a charter]" and in serting in lieu thereof the following: "file articles of incorporation with the Department of State"; also page 15, line 8 by striking out after the word "day" and before the word "the" the following "[application for a charter is made to]" and inserting in lieu thereof the following: "the articles of incorporation are filed with"; also line 11 by striking out after the word "the" and before the word "under" the following: "[application is made]" and inserting in lieu thereof the following: "proposed corporation is to be organized"; also line 13 by striking out after the word "The" and before the word "purpose " the following: "[character and]"; also line 15 by striking out after the word "when" and before the word "the" the following: "[application will be made to]" and inserting in lieu thereof the following: "the articles will be filed with."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 206 of the bill was read as follows and agreed to.

Section 206 Filing of Articles Certificate of Incorporation On the day specified in the advertisement the incorporators shall deliver or cause to be delivered to the Department of State the duplicate originals of the articles and proof of the advertisement required by the preceding section If the Department of State finds that the articles conform to law it shall endorse its approval upon each duplicate original and when bonus fees and charges have been paid as required by law shall file and record one of the tuplicate originals and shall issue a certificate of incorporation The remaining duplicate original of the articles and the certificate of incorporation shall be returned by the Dpartment of State to the incorporators or their representative and the duplicate original shall be recorded in the office of the recorder of deeds of the county in which the registered office of the corporation is situated The duplicate original of the articles upon being recorded by the recorder of deeds shall be returned to the incorporators or their representative and shall constitute the charter of the corporation

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 206, page 15, line 18, by inserting after the word "On" and before the word "the" the following: "or before;" also line 20 by striking out after the word "the" and before the word "articles" the following: "[duplicate originals of the];" also line 20 by inserting at the end of the line after the word "articles" the following: "of incorporation"; also line 23, by striking out at the end of the line after the word "approval" the following: "[duplicate original]" and inserting in lieu thereof the word: "thereon"; also line 24, by inserting after the word "when" and before the word "bonus" the word: "all"; also line 25 by striking out at the end of the line after the word "file" the following: "[and record one]"; also line 26, by striking out at the beginning of the line before the word "and" the

following: "[of the duplicate originals]" and inserting in lieu thereof the following: "the articles"; also line 18, by inserting after "tion," at the beginning of the line, and before "On" the letter: "A"; also page 16, by inserting between lines 7 and 8 the following: "B. If the articles of incorporation delivered to the Department of State are for the incorporation of a business corporation for the transaction of any business in which a corporation may not engage without the approval of or a license from any department, board or commission of the Commonwealth, the Department of State shall refer the articles to such department, board or commission and shall not file the articles or issue a certificate of incorporation until the approval or consent of such department, board or commission shall have been endorsed thereon"; also line 26 by striking out after the word "and" and before the word "issue" the word: "[shall]"; also line 26, by inserting after the word "issue" and before the word "a" the following: "to the incorporators"; also line 27, by striking out at the end of the line after the word "incorporation" the following: "[The remaining duplicate original of the ar-]"; also by striking out lines 28 and 29; also page 16 by striking out lines 1 to 3 inclusive, and inserting in lieu thereof the following: "to which shall be attached a copy of the approved articles"; also line 4, by striking out after the word "The" and before the word "articles" the following: "[duplicate original of the]"; also line 4, by striking out at the end of the line after the word "being" the word: "[recorded]"; also by striking out line 5; also line 6 by striking out at the beginning of the line before the word "shall" the following: "[corporators or their representative and]" and inserting in lieu thereof the following: "approved and filed by the Department of State."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 207, 208 and 209 of the bill were read as follows and agreed to.

Section 207 Effect of Issuance of Certificate of Incorporation Upon the issuance of the certificate of incorporation by the Department of State the corporate existence shall begin and those persons who subscribed for shares prior to the issuance of the certificate of incorporation or their assignees shall be shareholders in the corporation The certificate of incorporation shall be conclusive evidence of the fact that the corporation has been incorporated but proceedings may be instituted by the Commonwealth to dissolve wind up and terminate a corporation which should not have been formed under this act or which has been formed without a substantial compliance with the conditions prescribed by this act as precedent to incorporation

Section 208 Conditions Precedent to Beginning Business Penalty for Violation of Section A A corporation formed under this act shall not incur any indebtedness or begin the transaction of any business except such as shall be incident to its organization or to the obtaining of subscriptions to or the payment for its shares until

(1) A duplicate original of its articles has been recorded in the office of the recorder of deeds as heretofore provided in this act

(2) The amount of capital with which it will begin business as stated in the articles has been fully paid and

(3) There has been filed in the office of the recorder of deeds of the county in which the corporation has its registered office an affidavit signed by at least a majority of the board of directors stating that the amount of capital with which it will commence business as stated in the articles has been fully paid in

B If a corporation shall transact any business in violation of this section the officers who participated therein and the directors except those who dissented therefrom and caused their dissent to be filed at the time in the registered office of the corporation or who being absent filed their dissent upon learning of the action shall be severally liable for the debts and liabilities of the corporation arising therefrom

Section 209 Cemetery and Burial Corporations In the case of the incorporation of a cemetery or burial corporation as a business corporation the articles shall in addition to the information heretofore required by this article contain a provisions that a sum equal to at least one-tenth of the gross amount of the funds arising from the sale of lots in the burial ground or cemetery of the corporation shall be set apart for the perpetual care and preservation of the grounds and the repair and renewal of the buildings and property of such corporation that such sum shall be invested by the board of directors in securities which are legal investments for trustees under the laws of this Commonwealth and that the income arising therefrom shall be applied by the board of directors to the foregoing purposes

Section 210 of the bill was read as follows:

Section 210 Organization Meetings After the issuance of the certificate of incorporation the first meeting of the shareholders shall be held within or without this Commonwealth at the call of the incorporators or a majority of them for the purpose of adopting by-laws unless the articles provide that by-laws shall be adopted by the board of directors and for such other purpose as shall be stated in the notice of the meeting The incorporators calling the meeting shall give by mail to each shareholder at least ten days' notice of the time place and purpose or purposes of the meeting

After the issuance of the certificate of incorporation an organization meeting of the board of directors named in the articles shall be held either within or without this Commonwealth at the call of a majority of the directors for the purposes of adopting by-laws if the articles authorize the directors to adopt by-laws of electing officers and of transacting such other business as may come before the meeting The directors calling the meeting shall give at least five days' notice by mail to each director named in the articles of the time and place of the meeting

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 210, page 18, line 8, by inserting after the word "the" and before the word "incorporators" the following: "shareholders who were the"; also line 12, by striking out at the end of the line after the word "The" the word "[incorporators]" and inserting in lieu thereof the word: "persons"; also line 13, by inserting after the word "give" and before the word "by" the following; "personally or"; also line 14, by inserting after word "days'" and before the word "notice" the word: "written"; also line 20, by striking out after the word "the" and before the word "of" the word: "[purposes]" and inserting in lieu thereof the word: "purpose"; also line 24, by inserting after word "days" and before the word "notice" the word: "written"; also line 24, by inserting after the word "notice" and before the word "by" the following: "personally or"

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 211 of the bill was read as follows and agreed to.

Section 211 Legislature Reserves Power to Alter or Revoke Charters The General Assembly may alter revoke or annul the charter of any corporation formed under this act as provided by Article XVI section ten of the Constitution

Section 301 of the bill was read as follows:

ARTICLE III
CORPORATE POWERS DUTIES AND SAFEGUARDS

Section 301 Corporate Capacity and Authority A business corporation shall have the capacity of natural persons to act but shall have authority to perform only such acts as are necessary or proper to accomplish its purpose or purposes and which are not repugnant to law

Mr. SCOTT. Mr. President, I move to amend section 301, page 19, line 7, by striking out after the word "here" and before the word "to" the word: "[authority]" and inserting in lieu thereof the word: "power"; also line 8, by striking out after the word "accomplish" and before "pur-" the word: "[its]" and inserting in lieu thereof the word: "the"; also line 9, by inserting after the word "purposes" and before the word "and" the following: "for which it is organized."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 302 of the bill was read as follows:

Section 302 General Powers Subject to the limitations and restrictions contained in this act or in its articles every business corporation shall have authority

(1) To continue as a corporation for the time limited in its articles or if a time limit is not specified therein then perpetually subject to the power of the General Assembly under the Constitution of this Commonwealth

(2) To sue and be sued complain and defend in its corporate name

(3) To have a corporate seal which may be altered at pleasure and to use the same by causing it or a facsimile thereof to be impressed or affixed or in any manner reproduced

(4) To purchase take receive lease as lessee take by gift devise or bequest or otherwise acquire and to own hold use and otherwise deal with any real or personal property or any interest therein situated in or out of this Commonwealth which may be appropriate to enable it to accomplish fully and properly its corporate purpose or purposes

(5) To sell and convey mortgage pledge lease as lessor and otherwise dispose of all or any part of its property and assets

(6) Whenever appropriate to enable it to accomplish any or all of its purposes to guarantee purchase take receive or otherwise acquire hold sell assign transfer mortgage loan pledge or otherwise dispose of and otherwise use and deal in and with the shares bonds securities and other evidences of indebtedness of any domestic corporation or any corporation formed under any law other than those of this Commonwealth and while the owner of the same to exercise all the rights powers or privileges of ownership including the right to vote thereon

(7) To purchase take receive or otherwise acquire hold on pledge transfer or otherwise dispose of its own shares except that no such purchase or acquisition shall be made at a time when the net assets of the corporation are less than its stated capital or which would reduce its net assets below its stated capital

(8) To borrow money for any or all of its corporate purposes to issue its promissory notes bonds or other forms of certificates of indebtedness for the repayment thereof with interest at a rate not exceeding six per centum and to secure any of its obligations by mortgage pledge or deed of trust of or on any of its property franchises and income

(9) To invest it surplus funds from time to time to lend money for any or all of its corporate purposes and to take and hold real and personal property as security for the payment of funds so invested or loaned

(10) To conduct its business carry on its operations and have offices within and outside of this Commonwealth and to exercise in any other state territory district or possession of the United States or in any foreign country and the territories and colonies thereof the powers granted by this act

(11) To make alter amend and repeal by-laws not inconsistent with its articles or with law for the administration and regulation of the affairs of the corporation

(12) To elect or appoint and remove officers and agents of the corporation and to define their duties and fix their compensation

(13) To enter into any obligation necessary for the transaction of its ordinary affairs

(14) To have and exercise all of the powers and means necessary or essential to effect the purpose or purposes for which the corporation is formed

(15) To dissolve and wind up

The powers herein enumerated shall not be construed as limiting or enlarging the grant of authority hereinbefore made by this article or as a limitation on the purpose or purposes for which a corporation may be organized as set forth in its articles It shall not be necessary to set forth any of such enumerated powers in the articles of the corporation Except as otherwise provided in this act or in the by-laws the powers herein enumerated shall be exercised by the board of directors of the corporation

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President I move to amend section 302, page 19, line 12 by striking out at the end of the line after the word "have" the word: "[authority]" and inserting in lieu thereof the word: "power"; also line 13 by striking out at the end of the line after the word "time" the following: '[lim-]"; also line 14 by striking out at the beginning of the line before the word "in" the following: "[ited]" and inserting in lieu thereof the word: "specified"; also line 14 by striking out at the end of the line after the word "articles" the following: "[or if a time limit is not specified]"; also line 15 by striking out at the beginning of the line before the word "subject" the following: "[therein then perpetually]"; also page 20, line 5 by striking out after the word "of" and before the word "purpose" the word: "[its]" and inserting in lieu thereof the word: "the"; also line 5 by inserting after the word "purposes" and before the word "to" the following: "for which it is organized"; also line 9 by inserting after the word "any" and before the word "domestic" the word: "other"; also line 10 by inserting after the word "or" and before the word "any" the word: "of"; also line 20 by striking out at the end of the line after the word "of" the following: "[its corpo-]"; also line 21 by striking out at the beginning of the line before the word "purposes" the following: "[rate]" and inserting in lieu thereof the word: "the"; also line 21 by inserting after the word "purposes" and before the word "to" the following: "for which it is organized"; also line 23 by striking out at the end of the line after the word "interest" the following: "[at a rate not exceeding six per]"; also line 24 by striking out at the beginning of the line before the word "and" the word : "[centum]"; also line 28 by striking out after the word "of" and before the word "purposes" the following: "[its corporate]" and inserting in lieu thereof the word: "the"; also line 28 by inserting at the end of the line after the word "purposes" the following: "for which it is organized"; also page 21, line 16 by striking out after the word "its" and before the word "affairs" the word: "[ordinary]"; also line 19 by striking out at the end of the line after the word "is" the word: "[formed]" and inserting in lieu thereof the word: "organized"; also line 24 by striking out at the beginning of the line before the word "purposes" the following: "[purpose or]"; also line 25 by striking out after "ganized" and before the word "It" the following: "[as set forth in its articles]"; also line 28 by inserting after the word: "or" and before the word "in" the following: "in the articles or."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 303 of the bill was read as follows and agreed to.

Section 303 Defense of Ultra Vires A No limitation upon the business purpose or purposes or powers of a business corporation expressed or implied in its articles or implied by law shall be asserted in order to defend any action at law or in equity between the corporation and a third person or between a shareholder and a third person involving any contract to which the corporation is a party or any right of property or any alleged liability of whatsoever nature but such limitation may be asserted

(1) In an action by a shareholder against the corporation to enjoin the doing of unauthorized acts or the transaction or continuation of unauthorized business If the unauthorized acts or the business sought to be enjoined are being transacted pursuant to any contract to which the corporation is a party the court may if all of the parties to the contract are parties to the suit and if it deems the same to be equitable set aside and enjoin the performance of such contract and in so doing shall allow to the corporation or the other parties as the case may be compensation for the loss or damage sustained by either of them which may result from the action of the court in setting aside and enjoining the performance of such contract but anticipated profits to be derived from the performance of the contract shall not be awarded by the court as a loss or damage sustained

(2) In an action at law or in equity by the corporation whether acting through a receiver trustee or other legal representative or through shareholders in a representative suit against the officers or directors of the corporation for exceeding their authority

(3) In a proceeding by the Commonwealth as authorized by law to dissolve the corporation or in a proceeding by the Commonwealth to enjoin the corporation from the transaction of unauthorized or unlawful business

B No conveyance or transfer by or to a corporation of property real or personal of any kind or description shall be invalid or fail because in making such conveyance or transfer or in acquiring the property real or personal the board of directors or any of the officers of the corporation acting within the scope of the actual or apparent authority given to them by the board of directors have exceeded any of the corporation's objects purposes or powers

C The provisions of this section shall extend to contracts and conveyances made by foreign corporations in this Commonwealth and to all conveyances by foreign corporations of real property situated in this Commonwealth

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 303, page 23, line 15 by striking out after the word "corporation's" and before "pur-" the word: "[objects]."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 304 of the bill was read as follows:

Section 304 Adoption and Contents of By-laws Except as hereinafter provided the shareholders shall have the power to make alter amend and repeal the by-laws of a business corporation The authority to make by-laws may be expressly vested by the articles in the board of directors subject to the power of the shareholders to change or repeal such by-laws Unless the articles or by-laws otherwise provide the by-laws may be adopted altered amended and repealed by a majority vote of the board of directors or of the shareholders as the case may be at any regular or special meeting duly convened after notice to the shareholders or directors of that purpose The by-laws may contain any provisions for the regulation and management of the affairs of the corporation not inconsistent with law or the articles and may provide penalties for the breach thereof not exceeding twenty dollars

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 304, page 23, line 28 by striking out after the word "by-laws" and before the word "be" the word: "[may]" and inserting in lieu thereof the word: "shall"; also line 29 by inserting after the word "of" and before the word "the" the following: "the members of"; also page 24, line 1 by inserting after the word "shareholders" and before the word "as" the following: "entitled to vote thereon."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 305 of the bill was read as follows:

Section 305 Persons Bound by By-laws The by-laws of a business corporation shall operate merely as regulations among the members of the corporation and shall not affect contracts or other dealings with other persons unless such persons have actual knowledge of such by-laws Any form of execution provided in the by-laws to the contrary notwithstanding any note mortgage evidence of indebtedness contract or other instrument of writing or any assignment or endorsement thereof executed or entered into btween any corporation and any other person copartneship association or corporation when signed by the president or vice president and secretary or treasurer of such corporation shall be held to have been properly executed for and in behalf of the corporation

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 305, page 24, line 10, by striking out after the word "the" and before the word "of" the word: "[members]" and inserting in lieu thereof the word: "shareholders."

Mr. ARMSTRONG. Mr President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 306 of the bill was read as follows and agreed to.

Section 306 Registered Office Every business corporation shall have and continuously maintain in this Commonwealth a registered office which may but need not be the same as its place of business The address including street and number if any of the initial registered office shall be stated in the articles of the corporation as heretofore provided in this act

Section 307 of the bill was read as follows:

Section 307 Change of Registered Office After incorporation a change of the location of the registered office may be authorized at any time by a two-thirds vote of the board of directors Before the change of location shall become effective the directors shall file with the Department of State and the recorder of deeds of the county in which the registered office is then located a statement signed and verified by two duly authorized officers of the corporation setting forth

(1) The name of the corporation

(2) The address including street and number if any of its then registered office

(3) The address including street and number if any to which the registered office is to be changed

(4) That such change was authorized by resolution duly adopted by at least two-thirds of the members of the board of directors If the registered office of the corporation is changed from one county to another county then the corporation shall also file for record in the office of the recorder of deeds of the county to which such registered office is changed a copy of its articles together with a copy of the statement of change of address of its registered office The change of address of the registered office shall become effective upon th filing of such statement with the Department of State and the recorder of deeds

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 307, page 25, line 2, by striking out after the word "a" and before the word "vote" the word: "[two-thirds]" and inserting in lieu thereof the word: "majority"; also line 3 by inserting after the word: "the" and before the word: "board" the following: "members of the"; also line 4, by striking out after the word: "the" and before the word: "shall" the word: "[directors]" and inserting in lieu thereof the word: "corporation"; also line 5, by striking out at the end of the line after the word: "State" the following: "[and the recorder of deeds of the]"; also line 6, by striking out at the beginning of the line before the word: "a" the following: "[county in which the registered office is then located]"; also line 15, by striking out after the word: "least" and before the word: "of" the following: "[two-thirds]" and inserting in lieu thereof the following: "a majority"; also line 16, by striking out at the end of the line after the word "directors" the following: "[If the registered office of the corpora-]"; also by striking out lines 17 to 22, inclusive, and inserting in lieu the following as the beginning of a new paragraph: "The change of address of the reg-"; also line 24, by striking out at the end of the line after the word "State" the following: "[and the recorder]"; also page 25, by striking out line 25.

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Will the Senate agree to the section as amended?

It was agreed to.

Section 308 of the bill was read as follows and agreed to:

Section 308 Corporate Records Inspection A Every business corporation shall keep at its registered office records of the preceedings of the shareholders and of the directors and the original or a copy of its by-laws including all amendments or alterations thereto to date certified by the secretary of the corporation and shall keep at its registered office or at the office of a transfer agent or registrar within this Commonwealth an original or a duplicate share register giving the names of the shareholders in alphabetical order and showing their respective addresses the number and classes of shares held by each the number and date of certificates issued for the shares and the number and date of cancellation of every certificate surrendered for cancellation Every such corporation shall also keep appropriate complete and accurate books or records of account which may be kept at its registered office or at its principal place of business

B Every shareholder shall have a right to examine in person or by agent or attorney at any reasonable time or times for any reasonable purpose the share register books or records of account and records of the proceedings of the shareholders and directors and make extracts therefrom

C A business corporation shall be liable to the Commonwealth for a penalty of fifty dollars for each day it neglects to keep or maintain any or all of the books and records required by this section

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 308, page 25, line 27 by striking out at the end of the line after the word "office" the word: "[records]" and inserting in lieu thereof the following: "an original or duplicate record"; also page 26 by striking out lines 19 to 22, inclusive.

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 309 of the bill was read as follows:

Section 309 Procedure to Increase Indebtedness of Corporation No business corporation shall increase its indebtedness except in the manner provided in this section The board of directors of the corporation shall adopt a resolution setting forth the desired increase and the purpose thereof and directing that the question of the proposed increase be submitted to a vote at an annual meeting of the shareholders or at a special meeting of the shareholders entitled to vote thereon Written notice stating that the purpose or one of the purposes of such meeting is to consider the question of increasing the indebtedness of the corporation shall be given to each shareholder at least sixty days before the date of the meeting If such meeting be an annual meeting such purpose may be included in a notice of such annual meeting provided the notice is given at least sixty days before the date of the annual meeting The resolution shall be adopted upon receiving the affairmative vote of the holders of at least a majority of the outstanding shares entitled to vote thereon unless any class of shares is entitled to vote thereon as a class in which event the proposed resolution for increase of indebtedness shall require for its adoption the affirmative vote of the holders of at least a majority of the outstanding shares of each class entitled to vote thereon In every such case the holders of shares transferred within sixty days of any such meeting of the shareholders shall not be entitled to vote either in person or by proxy on the question of increase of indebtedness nor shall any proxy be received or entitled the holder to vote on the question of increase of indebtedness unless the proxy shall have been executed at least sixty days before the meeting called to consider such question Nothing herein contained shall be construed to apply to indebtedness contracted in the usual course of corporate business

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 309, page 26, line 27, by striking out at the end of the line after the word "increase" the following: "[and the purpose]"; also line 28, by striking out at the beginning of the line before the word "and" the word: "[thereof]"; also page 27, line 5, by inserting after the word "shareholder" and before the word "at" the following: "or record"; also line 12, by striking out at the end of the line after the word "shares" the following: "[entitled to vote thereon]"; also line 14, by striking out at the end of the line after the word "resolution" the following: "[for in-]"; also line 15, by striking out at the beginning of the line before the word "shall" the following: "[crease of indebtedness]"; also line 17, by inserting at the end of the line after the word "vote" the following: "as a class"; also line 18, by striking out at the end of the line after the word "thereon" the following: "[In very such case the holder of shares trans-]"; also by striking out lines 19 to 24, inclusive; also line 25 by striking out at the beginning of the line before the word "Nothing" the following: "[before the meeting called to consider such question]" and inserting in lieu thereof the fol-

lowing: "and at least the affirmative vote of the holders of all other outstanding shares."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 310 of the bill was read as follows:

Section 310 Authority to Acquire Property at Judicial Sale A business corporation may at any judicial sale of any property upon which the corporation holds a mortgage or has a lien of any nature whatsoever bid in such property if necessary for the protection of its interests The corporation shall acquire a good and indefeasible title to any and all property so purchased irrespective of any limitation as to the acquisition of property that may exist in its articles or in this act All property so purchased may be held by the corporation until such time as it shall believe it advisable to dispose of the same except that such property shall be sold within twenty years from the time it was purchased at the judicial sale It shall be lawful to sell the property for cash or for part cash and a mortgage to run from the purchaser to the corporation The corporation may sell such property and convey a marketable title thereto without the authorization or confirmation of any court

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 310, page 28, by striking out lines 10 and 11; also line 12 by striking out at the beginning of the line before the word "It" the word: "[sale]"; also line 12 by inserting after the word "lawful" and before the word "to" the following: "for the corporation"; also line 12 by striking out at the end of the line after the word "property" the following: "[for cash]"; also page 28 by striking out line 13; also line 14 by striking out at the beginning of the line before the word "The" the following: "[chaser to the corporation]" and inserting in lieu thereof the following: "upon such terms and for such consideration as it deems desirable."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 311 of the bill was read as follows:

Section 311 Voluntary Transfer of Corporate Assets A The sale lease or exchange of all or substantially all the property and assets of a corporation when made in the usual and regular course of the business of a corporation may be made upon such terms and conditions and for such considerations which may consist in whole or in part of money or property real or personal including shares of any other corporation domestic or foreign as shall be authorized by its board of directors In every such case no authorization or consent of the shareholders shall be required

B A sale lease or exchange of all or substantially all the property and assets with or without the good will of a corporation if not made in the usual and regular course of its business may be made upon such terms and conditions and for such considerations which may consist in whole or in part of money or property real or personal including shares of any other corporation domestic or foreign as may be authorized in the manner hereinafter provided in this section The board of directors shall adopt a resolution recommending such sale lease or exchange and directing the submission thereof to a vote of the shareholders entitled to vote in respect thereof at a meeting which may be either an annual meeting of the shareholders or a special meeting of the shareholders entitled to vote in respect of such sale lease or exchange Written notice stating that the purpose or one of the purposes of such meeting is to consider the sale lease or exchange of all or substantially all the property and assets of the corporation shall be given to each shareholder of record whether or not entitled to vote at least twenty days prior to the date of the meeting in the manner provided by this act for the giving of notice of meetings of shareholders If such meeting be an annual meeting such purpose may be included in the notice of the annual meeting At such meeting the shareholders may authorize such sale lease or exchange and fix or may authorize the board of directors to fix any or all of the terms and conditions thereof and the consideration to be received by the corporation therefor Such authorization shall receive the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote on the question unless any class of shares is entitled to vote as a class on the question in which event such authorization shall receive the affirmative vote of the holders of at least a majority of the outstanding shares of each class of shares entitled to vote as a class on the question an at least a majority of all other outstanding shares entitled to vote thereon After such authorization by a vote of the shareholders the board of directors in its discretion may abandon such sale lease or exchange subject to the rights of third parties under any contracts relating thereto without further action or approval by the shareholders

C Any business corporation upon receiving the approval of its shareholders in the manner specified in the preceding subsection of this section may sell assign dispose of and convey to any other business corporation its franchises and all its property and assets and thereafter such corporation shall cease to exist and its property and assets and franchises shall thereafter be vested in the purchasing corporation The vendor corporation shall file with the Secretary of the Commonwealth a statement executed in duplicate originals under the seal of the corporation signed by at least two duly authorized officers of the corporation and setting forth

(1) The name of the vendor corporation and the address of its registered office

(2) The name of the vendee corporation and the address of its registered office

(3) A statement that the vendor corporation has agreed to sell all its franchises property and assets to the vendee corporation Upon the filing of such statement the Department of State if all fees and charges have been paid as required by law shall file one copy of the duplicate originals and shall send the other to the recorder of deeds of the county in which the registered office of the vendor corporation in this Commonwealth is situated who shall record the same without fee therefor

D Nothing in this section shall be construed to authorize the conversion or exchange of assets in fraud of corporate creditors or of minority shareholders or shareholders without voting rights or in violation of the act approved the twenty-third day of May one thousand nine hundred nineteen (Pamphlet Laws two hundred sixty-two) and its amendments and supplements or The Fiscal Code approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws three hundred forty-three) and its amendments and supplements

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 311, page 28, line 24 by inserting after the word "shares" and before the word "of" the following: "or bonds or other evidences of indebtedness"; also page 29, line 1, by inserting after the word "corporation" and before the word "if" the following: "whether to a subsidiary corporation or not"; also line 5 by inserting after the word "shares" and before the word "of" the following: "or bonds or other evidences of indebtedness"; also line 7, by striking out after the word "this" and before the word "The" the word: "[section]" and inserting in lieu thereof the word: "subsection"; also line 19, by striking out at the beginning of the line before the word "days" the word: "[twenty]" and inserting in lieu thereof the word: "ten"; also

page 30, by striking out lines 13 to 28, inclusive; also page 31, by striking out lines 1 to 9, inclusive; also line 10, by striking out at the beginning of the line before the word "Nothing" the letter: "[D]" and inserting in lieu thereof the letter: "C."

Mr ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 312 of the bill was read as follows:

Section 312 Reorganization upon Forced Sale of Corporate Property and Franchises A When the franchises property and assets of any domestic or foreign corporation which are located in this Commonwealth shall be sold under and by virtue of any process or decree of any court of this Commonwealth or of the United States or under or by virtue of a power of sale contained in any mortgage or deed of trust duly executed by the corporation the persons for or on whose account such franchises property and assets were purchsed shall be and they are hereby constituted a corporation Such corporation shall be vested with and be entitled to exercise and enjoy all the rights privileges and franchises which at the time of such sale belonged to or were vested in the corporation last owning the property sold or its receiver and shall be subject to all the duties imposed by law on business corporations

B At or previous to the sale the purchaser or the persons for whom the purchase is to be made may enter into a plan or agreement for or in anticipation of the readjustment of the respective interests of any creditors mortgages shareholders or any of them of the corporation owning such franchises property and assets at the time of the sale and of holders of claims against such corporation and for the representation of such interests in the bonds or shares of the new corporation Such plan or agreement may provide for the regulation of the voting powers of any class or classes of share and may provide for and regulate voting by the holders and owners of any or all of the bonds of the old corporation or of the bonds issued or to be issued by the new corporation In such event the right of voting by bondholders shall be exercised in such manner for such period and upon such conditions as shall be provided in the plan or agreement Such plan or agreement shall be binding upon the new corporation The new corporation may issue its bonds and stock in conformity with the provisions of such plan or agreement and may at any time within six months after its organization compromise settle or assume the payment of any debt claim or liability of the old corporation or any claims against it upon such terms as may be lawfully approved by a majority of the agents or trustees charged with the carrying out of the plan or agreement of reorganization

C The purchasers of the franchises property or assets of a corporation under this section within thirty days after conveyance of such franchises property and assets has been made to them shall meet and organize the new corporation Notice of the time place and purpose of such meeting shall be published once a week for two successive weeks prior to such meeting in at least one newspaper published in the city or county in which the forced sale was held At such meeting and subject to the provisions of this act a board of directors shall be elected the name and seal of the corporation shall be adopted and the amount kinds and classes of the shares of the authorized capital stock of the new corporation shall be determined Articles of reorganization shall then be executed in duplicate originals under the seal of the new corporation signed by at least two duly authoried officers thereof and setting forth the information heretofore required in this act to be set forth in original articles of incorportaion in so far as such information is applicable and in addition thereto the name of the corporation whose property and franchises were acquired the law under which it was organized the date of the judgment or decree authorizing or directing the sale and a brief description of the property sold Such articles shall be delivered to the Department of State If the Department of State finds that the articles conform to law and all fees and charges have been paid as required by law it shall note its approval on each duplicate original and shall file one copy thereof The remaining duplicate original shall be returned to the new corporation or its representative and shall be recorded in the office of the recorder of deeds of the county in which the registered office of the new corporation is located

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 312, page 31, line 22, by inserting after the word "foreign" and "corpora-" the word: "business"; also line 27, by striking out at the end of the line after the word "trust" the following: "[duly executed by the cor-]"; also 28, by striking out at the beginning of the line before the word "the" the following: "[poration]"; also line 29, by striking out at the end of the line after the word "purchased" the following: "[shall be and]"; also page 32, line 1, by striking out at the beginning of the line before the word "corporation" the following: "[they are hereby constituted a]" and inserting in lieu thereof the following: "may organize a business"; also line 1, by striking out at the end of the line after the word "corporation" the following: "[Such corporation]" and inserting in lieu thereof the following: "in the manner heretofore provided in this act which"; also line 7, by inserting at the end of the line after the word "corporations" the following: "In such event the articles of incorporation shall in addition to the information heretofore required by this act set forth the name of the corporation whose property and franchises were acquired the law under which such corporation was organized the date of the judgment or decree authorizing or directing the sale and a brief description of the property sold"; also line 16, by striking out after the word "bonds" and before the word "shares" the word: "[or]"; also line 16, by inserting after the word "shares" and before the word "of" the following: "obligations or other securities"; also by striking out lines 6 to 28, inclusive; also page 34, by striking out lines 1 to 10, inclusive.

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agre to the section as amended?

It was agreed to.

Section 313, 314 and 315 of the bill was read as follows and agreed to.

Section 313 Usury Not a Defense No business corporation shall plead or set up usury or the taking of more than six per cent interest as a defense to any action brought against it to recover damages on enforce payment of or remedy on any mortgage bond note or other obligation executed or affected by the corporation

Section 314 Special Powers in Time of War In time of war every business corporation shall have power to transact any lawful business in aid of the United States in the prosecution of war to make donations to associations and organizations aiding in war activities and to lend money to the Commonwealth or the Federal government for war purposes

Section 315 Payment of Salaries of Employes in Military Service Any business corporation may continue the salaries of such of its employes as may have enlisted or enrolled or may hereafter enlist or enroll in any branch of the military or naval service of the United States or any state thereof or in any other organization established for the protection of the lives and property of citizens of the United States during the term of such enlistment or enrollment or during such part thereof as such employes by reason of such enlistment or enrollment may be unable to perform their duties as employes of the corporation

Section 316 of the bill was read as follows:

Section 316 Pensions for Employes Every business corporation may grant allowances or pensions out of the earnings of the corporation to its employes for faithful and long-continued service who have in such service become old infirm or disabled but nothing herein contained shall authorize an allowance or pension to be granted to any director or officer of the corporation

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 316, page 35, line 7, by striking out after the word "Pensions" and before the word "Every" the following: "[for Employes]"; also line 9, by inserting after the word "its" and before the word "employes" the following: "directors, officers or"; also line 11, by striking out at the end of the line after the word "disabled" the following: "[but nothing herein contained shall]"; also by striking out lines 12 and 13.

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

They were agreed to.

Will the Senate agree to the amendments?

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 317 of the bill was read as follows:

Section 317 Voting Powers of Security Holders Every business corporation by suitable provisions in its articles may confer upon the holders of any bonds or debentures issued or to be issued by the corporation whether secured by mortgage or otherwise the power to vote in respect to the corporate affairs and management of the corporation to the same extent and in the same manner as shareholders of the corporation as may be provided in the articles and in case of a default in the payment of the principal or interest on such bonds or debentures or otherwise or in any other case may likewise confer upon such bondholders or debenture holders the same right of inspection of the corporate books accounts and records of such corporation and also any other rights which the shareholders of the corporation have or may have under its articles or the laws of this Commonwealth

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 317, page 35, line 18 by striking out after the word "otherwise" and before the word "power" the word: "[the]" and inserting in lieu thereof the word: "such"; also page 35 by striking out line 20; also line 21 by striking out at the beginning of the line before the word "as" the following: "[holders of the corporation]."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 318 of the bill was read as follows:

Section 318 Financial Report to Shareholders Unless the by-laws expressly provide otherwise the directors of every corporation shall cause to be sent to the shareholders within thirty days after the close of the fiscal or calendar year a financial report as of the closing date of the succeeding fiscal or calendar year Such report shall give a summary of the assets and liabilities of the corporation the amount of dividends paid or delivered during the past year the condition as to surplus or deficit and how acquired or created the number of shares issued and outstanding together with any such particulars as are necessary to disclose the general nature of the liabilities and assets of the corporation The report shall also set forth a balance sheet as of the closing date of the preceding fiscal or calendar year together with a statement of income and profit and loss for the year ended on that date The statement of income and profit and loss shall be prepared in the form ordinarily used by accountants for the particular kind of business carried on by the corporation All such reports shall be certified by an auditor elected by the shareholders of the corporation

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 318, page 36, line 4 by striking out after the word "within" and before the word "days" the word: "[thirty]" and inserting in lieu thereof the word: "ninety"; also line 6 by striking out after the word "the" and before the word "fiscal" the word: "[succeeding]" and inserting in lieu thereof the word: "preceding"; also line 8 by striking out after the word "or" and before the word "during" the word: "[delivered]" and inserting in lieu thereof the word: "declared"; also line 20 by striking out after the word "corporation" and before the word "such" the word: "[All]" and inserting in lieu thereof the following: "Unless the by-laws expressly provide otherwise all"; also page 36 by adding between lines 21 and 22 the following section: "Section 319 Insolvency or Bankruptcy Whenever a business corporation shall be insolvent or in financial difficulty, the board of directors may by resolution and without the consent of the shareholders authorize and designate the officers of the corporation to execute a deed of assignment for the benefit of creditors or file a voluntary petition in bankruptcy or file an answer consenting to the appointment of a receiver upon a bill in equity filed by creditors or shareholders or if insolvent file an answer to an involuntary petition in bankruptcy admitting the insolvency of the corporation and its willingness to be adjudged a bankrupt on that ground."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

They were agreed to.

Section 401 of the bill was read as follows and agreed to.

ARTICLE IV

DIRECTORS AND OFFICERS

Section 401 Board of Directors The business and affairs of every business corporation shall be managed by a board of at least three directors who need not be residents of this Commonwealth or shareholders in the corporation unless the articles or by-laws so require Each director shall hold office for the term for which he is elected and until his successor shall have been elected and qualified. The names and terms of office of the first directors shall be stated in the articles Except as hereinafter provided in this article in the case of vacancies directors other than those constituting the first board of directors shall be elected by the shareholders A business corporation may allow compensation to its directors for their services and a director may also be a salaried officer of the corporation

Section 402 of the bill was read as follows:

Section 402 Number Qualifications and Election of Directors Subject to the provisions of this act the number qualifications terms of office manner of election time and place of meeting compensation and powers and duties of the directors may be prescribed from time to time by the by-laws Except as otherwise provided in the by-laws

(1) A director shall be elected for a term of one year

(2) The number of directors shall be the same as that stated in the articles

(3) Vacancies in the board of directors shall be filled by the remaining members of the board and each person so elected shall be a director until his sucessor is elected by the shareholders who may make such election at the next annual meeting of the shareholders or at any special meeting duly called for that purpose and held prior thereto

(4) The meetings of the board of directors may be held at such place within this Commonwealth or elsewhere as a majority of the directors may from time to time appoint

(5) A majority of the directors shall be necessary to constitute a quorum for the transaction of business and the acts a majority of the directors present at a meeting at which a quorum is present shall be the acts of the board of directors Provided That if the directors shall severally or collectively consent in writing to any action to be taken by the corporation such action shall be as valid corporate action as though it had been authorized at a meeting of the board of directors

(6) The board of directors may by resolution passed by a majority of the whole board delegate two or more of its number to constitute an executive committee which to the extent provided in such resolution shall have and exercise the authority of the board of directors in the management of the business of the corporation

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 402, page 37, line 16, by inserting after the word "of" and before the word "one" the following: "at least"; also line 21, by inserting after the word "board" and before the word "and" the following: "though less than a quorum"; also page 38, line 2, by inserting at the end of the line after the word "appoint" the following: "or as may be designated in the notice calling the meeting"; also line 3, by inserting after the word "directors" and before the word "shall" the following: "in office"; also line 7, by inserting after the word "if" and before the word "the" the word: "all"; also line 12, by striking out at the end of the line after the word "resolution" the word: "[passed]" and inserting in lieu thereof the word "adopted."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendements?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 403 of the bill was read as follows and agreed to.

Section 403 Classification of Directors If the articles or by-laws of a business corporation so provide the directors of the corporation may be classified in respect to the time for which they shall severally hold office In such case each class shall be as nearly equal in number as possible the term of office of at least one class shall expire in each year and the members of a class shall not be elected for the shorter period than one year or for a longer period than four years At each ensuing election of directors after such classification only the number of directors equal to the number of the class whose terms expire at the time of the election shall be elected and such directors shall be elected for the longest term for which any class may have been elected as hereinbefore provided in this section

Section 404 of the bill was read as follows:

Section 404 Notice of Directors' Meetings Meetings of the board of directors shall be held upon such notice as the by-laws may prescribe Attendance of a director at any meeting shall constitute a waiver of notice of such meeting except where a director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting was not lawfully called or convened Neither the business to be transacted at nor the purpose of any meeting need be specified in the notice or waiver of notice of such meeting

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 404, page 39, line 5, by striking out after the word "directors" and before the word "be" the word: "[shall]" and inserting in lieu thereof the word: "may"; also line 6, by striking out at the end of the line after the word "prescribe" the following: "[Attendance of a director]"; also by striking out lines 7 to 13, inclusive, and inserting in lieu thereof the following: "Unless the by-laws provide otherwise written notice of every meeting of the board of directors shall be given to each director at least five days prior to the day named for the meeting When a meeting is adjourned it shall not be necessary to give any notice of the adjourned meeting or of the business to be transacted at an adjourned meeting other than by announcement at the meeting at which such adjournment is taken unless otherwise provided in the by-laws"; also page 39 by inserting between lines 13 and 14 the following section: "Section 405 Removal of Directors A The entire board of directors or any individual director may be removed from office by a majority vote of the holders of the outstanding shares entitled to vote at an election of directors In case the board or any one or more directors be so removed new directors may be elected at the same meeting Unless the entire board be removed no individual director shall be removed in case the votes of a sufficient number of shares are cast against the resolution for his removal which if cumulatively voted at an election of the full board would be sufficient to elect one or more directors

B The board of directors may declare vacant the office of a director if he be declared of unsound mind by an order of court or convicted of felony or if within sixty days or such other time as the by-laws may specify after notice of his election he does not accept such office either in writing or by attending a meeting of the board of directors and fulfill such other requirements of qualification as the by-laws may specify

C The court of common pleas of the county where the registered office of the corporation is located may at the suit of any shareholder or shareholders holding at least ten per cent of the common or outstanding shares with or without voting rights remove from office any director or directors in case of fraudulent or dishonest acts or gross abuse of authority or discretion with reference to the corporation and may bar from reelection any director so removed for a period prescribed by the court The corporation shall be made a party to such actions"

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Will the Senate agree to the section as amended?

It was agreed to.

Section 405 of the bill was read as follows:

Section 405 Officers and Agents Every business corporation shall have a president a secretary and a treasurer and may have such other officers and assistant officers and agents as the needs of the corporation may require The officers assistant officers and agents shall be elected or appointed either by the board of directors or by the shareholders at such time in such manner and for such terms as the by-laws may prescribe It shall not be necessary for the officers except the president to be directors but a vice president who is not a director shall not succeed to or fill the office of president If

the by-laws so provide any two or more offices may be held by the same person except the offices of president and secretary The board of directors may secure the fidelity of any or all of such officers by bond or otherwise Unless otherwise provided in the by-laws the board of directors shall have power to fill any vacancies in any office occurring from whatever reason All officers and agents of the corporation as between themselves and the corporation shall have such authority and perform such duties in the management of the property and affairs of the corporation as may be provided in the by-laws or in the absence of controlling provisions in the by-laws as may be determined by resolution of the board of directors

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 405, page 39, line 14, by striking out after the word "Section" and before the word "Officers" the figures "[405]" and inserting in lieu thereof the figures: "406"; also line 22 by striking out after the word "officers" and before the word "to" the following: "[except the president]"; also line 23 by striking out at the end of the line after the syllable "tors" the following: "[but a vice president who is not a director shall]"; also line 24, by striking out at the beginning of the line before the word "If" the following: "[not succeed to or fill the office of president]."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Will the Senate agree to the section as amended?

It was agreed to.

Section 406 of the bill was read as follows:

Section 406 Removal of Officers Any officer or agent elected or appointed by the board of directors may be removed by the board of directors whenever in its judgment the best interests of the corporation will be served thereby but such removal shall be without prejudice to the contract rights if any of the person so removed

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 406, page 40, line 10, by striking out after the word "Section" and before the word "Removal" the figures "[406]" and inserting in lieu thereof the figures "407."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 407 of the bill was read as follows:

Section 407 Relation of Directors and Officers to Corporation Officers and directors shall be deemed to stand in a fiduciary relation to the corporation and shall discharge the duties of their respective positions in good faith and with that diligence care and skill which ordinarily prudent men would exercise under similar circumstances in like positions

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 407, page 40, line 16 by striking out after the word "Section" and before the word "Relation" the figures: "[407]" and inserting in lieu thereof the figures: "408"; also line 22 by striking out at the end of the line after the word "in" the following: [like positions]" and inserting in lieu thereof the following: their personal business affairs."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 408 of the bill was read as follows:

Section 408 Women may be Directors or Officers Women married or single may serve as directors and officers of business corporations

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 408, page 40, line 23 by striking out after the word "Section" and before the word "Women" the fiugures: "[408]" and inserting in lieu thereof the figures: "409."

Mr. ARMSTRONG Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 501 of the bill was read as follows:

ARTICLE V

SHAREHOLDERS' MEETINGS RIGHTS AND LIABILITIES

Section 501 Meetings of Shareholders A Meetings of shareholders may be held at such place within or without this Commonwealth as may be provided in the by laws Unless the by-laws provide otherwise all metings of the shareholders shall be held in this Commonwealth at the registered office of the corporation

B The by-laws may provide for the number and the time of meetings of shareholders but at least one meeting of the shareholders shall be held in each calendar year for the election of directors at such time as shall be provided in the by-laws Failure to hold the annual meeting at the designated time shall not work any forfeiture or dissolution of the corporation If the annual meeting shall not be called and held within six months after the designated time any shareholder may call such meeting.

C Special meetings of the shareholders may be called at any time by the president the board of directors the holders of not less than one-fifth of all the shares outstanding and entitled to vote at the paricular meeting and by such other officers or persons as may be provided in the articles or by-laws At any time upon written request of any person entitled to call a special meeting it shall be the duty of the secretary to call a special meeting of the shareholders to be held at such time as the secretary may fix not less than ten nor more than sixty days after the receipt of the request If the secretary shall neglect or refuse to issue such call the person or persons making the request shall do so

D Adjournment or adjournments of any annual or special meeting may be taken but any meeting at which directors are to be elected shall be adjourned only from day to day until such directors have been elected

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 501, page 41, line 16 by inserting after the word "president" and before the word "the" the word: "or"; also line 16 by inserting after the word "directors" and before the word "the" the word: "or"; also line 19 by striking out at the beginning of the line before the word "by" the word: "[and]" and insert-

ing in lieu thereof the word: "or"; also line 27 by striking out after the word "request" and before the word "do" the word: "[shall]" and inserting in lieu thereof the word: "may."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 502 of the bill was read as follows:

Section 502 Notice of Meetings of Shareholders Written notice of every meeting of the shareholders shall be given by or at the direction of the person authorized to call the meeting to each shareholder of record entitled to vote at the meeting at least five days prior to the day named for the meeting unless a greater period of notice is required elsewhere in this act in a particular case The notice shall specify the place day and hour of the meeting and in the case of a special meeting the general nature of the business to be transacted and may be given to any shareholder either personally or by sending a copy thereof through the mail or by telegram charges prepaid to his address appearing on the books of the corporation or supplied by him to the corporation for the purpose of notice If the notice is sent by mail or by telegraph it shall be deemed to have been given to the shareholder when deposited in the United States mail or with a telegraph office for transmission to the shareholder When a meeting is adjourned it shall not be necessary to give any notice of the adjourned meeting or of the business to be transacted at an adjourned meeting other than by announcement at the meeting at which such adjournment is taken unless otherwise provided in the by-laws

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 502, page 42 by striking out lines 12 to 22, inclusive; also line 23 by striking out at the beginning of the line before the word "when" the word: "[shareholder]" and inserting in lieu thereof the following: "Attendance of a shareholder in person or by proxy at any meeting shall constitute a waiver of notice of such meeting except where a shareholder attends a meeting for the express purpose of objecting to the transaction of any business because the meeting was not legally called or convened."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 503 of the bill was read as follows and agreed to.

Section 503 Quorum of Shareholders A shareholders' meeting duly called shall not be organized for the transaction of business unless a quorum is pesent Unless otherwise provided in the articles

(1) The presence in person or by proxy of the holders of a majority of the outstanding shares entitled to vote shall constitute a quorum

(2) The shareholders present at a duly organized meeting can continue to do business until adjournment notwithstanding the withdrawal of enough shareholders to leave less than a quorum

(3) If a meeting cannot be organized because a quorum has not attended those present may except as otherwise provided in this act adjourn the meeting to such time and place as they may determine but in the case of any meeting called for the election of directors those who attend the second of such adjourned meetings although less than a quorum as fixed in this section or in the articles shall nevertheless constitute a quorum for the purpose of electing directors

Section 504 of the bill was read as follows:

Section 504 Shareholders May Vote in Person or by Proxy Except as otherwise provided in the articles and this act every shareholder of record shall have the right at every shareholders' meeting to one vote for every share standing in his name on the books of the corporation Every shareholder may vote either in person or by proxy executed in writing by the shareholder or by his duly authorized attorney in fact and filed with the secretary of the corporation. A proxy unless coupled with an interest shall be revocable at will notwithstanding any other agreement or any provision in the proxy to the contrary but the revocation of a proxy shall not be effective until notice thereof has been given to the secretary of the corporation No unrevoked proxy shall be valid after eleven months from the date of its execution unless a longer time is expressly provided therein but in no event shall a proxy unless coupled with an interest be voted on after three years from the date of its execution A proxy shall not be revoked by the death or incapacity of the maker unless before the vote is counted or the authority is exercised written notice of such death or incapacity is given to the secretary of the corporation A shareholder shall not sell his vote or execute a proxy to any person for any sum of money or anything of value

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 504, page 43, line 26, by inserting at the end of the line after the word "proxy" the following: "Every proxy shall be"; also page 44, line 20, by inserting after the word "shareholder" and before the word "shall" the following: "entitled to vote."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agre to the section as amended?

It was agreed to.

Section 505 of the bill was read as follows and agreed to.

Section 505 Elections of Directors Cumulative Voting Unless otherwise provided in the by-laws elections for directors need not be by ballot except upon demand made by a shareholder at the election and before the voting begins In all elections for directors every shareholder shall have the right in person or by proxy to multiply the number of votes to which he may be entitled by the number of directors to be elected and he may cast the whole number of such votes for one candidate or he may distribute them among any two or more candidates The candidates receiving the highest number of votes up to the number of directors shall be elected

Section 506 of the bill was read as follows:

Section 506 Voting by Trustees and Pledgees Shares standing in the name of a trustee appointed by deed or by the court of common pleas or shares held by an assignee for the benefit of creditors or by a receiver may be voted either in person or by proxy of the trustee, assignee or receiver. A shareholder whose shares are pledged shall be entitled to vote thereon in person or by proxy until the shares have been transferred on the books of the corporation to the pledgee and thereafter the pledgee shall be entitled to vote the shares in person or by proxy

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 506, page 44, line 29, by striking out at the end of the line after the word "appointed" the following: "[by deed or]"; also page 45, line 7, by inserting after the word "pledgee" and before the word "and" the following: "or nominee"; also line 7, by insert-

ing at the end of the line after the word "pledgee" the following: "or nominee."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 507 of the bill was read as follows:

Section 507 Voting by Joint Holders of Shares Where shares are held jointly by three or more persons the will of the majority of such persons shall control the manner of voting or the giving of a proxy If only one of such persons is present in person or by proxy he shall have the right to vote all such shares and all of the shares standing in the names of such persons shall be deemed to be represented for the purpose of determining a quorum The same shall be true in the case of trustees appointed by deed or by the court of common pleas unless the instrument or decree of court appointing them otherwise directs Where in any case such trustees are equally divided upon the manner of voting the shares jointly held by them it shall be lawful for the court of common pleas upon petition filed by any of the trustees or by any beneficiary to direct the voting of such shares in the manner which in the opinion of the court will be for the best interests of the parties beneficially interested in the shares

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 507, page 45, line 11 by inserting after the word "jointly" and before the word "by" the following: "or as tenants in common"; also line 11 by striking out after the word "by" and before the word "or" the word: "[three]" and inserting in lieu thereof the word: "two"; also line 13 by inserting after the word "one" and before the word "of" the following: "or more"; also line 14 by inserting after the word "he" and before the word "shall" the following: "or they"; also line 18 by striking out after the word "quorum" and before the word "same" the word: "[The]" and inserting in lieu thereof the following: "Where in any case such persons are equally divided upon the manner of voting the shares held by them the vote of such shares shall be divided equally among such persons Except as hereinafter provided the"; also line 19 by striking out after the word "appointed" and before the word "by" the following: "[by deed or]"; also line 20 by striking out after the word "the" and before the word "decree" the following: "[instrument or]"

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 508 of the bill was read as follows:

Section 508 Voting Shares Held by Corporation A corporation owning shares in another corporation may vote the same by its president or by proxy appointed by him unless some other person by resolution of its board of directors shall be appointed to vote such shares in which case such person shall be entitled to vote the shares upon the production of a certified copy of such resolution Shares of its own capital stock belonging to a corporation shall not be voted directly or indirectly at any meeting and shall not be counted in determining the total number of outstanding shares at any given time but shares of its own capital stock held by it in a fiduciary capacity may be voted and shall be counted in determining the total number of outstanding shares at any given time

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 508, page 46, line 11, by inserting after the word "shares" and before the word "at" the following: "for voting purposes."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 509 of the bill was read as follows:

Section 509 Determination of Shareholders of Record Unless the by-laws otherwise provide the board of directors may fix a time not less than ten or more than forty days prior to the date of any meeting of shareholders or the date fixed for the payment of any dividend or distribution or the date for the allotment of rights or the date when any change or conversion or exchange of shares will be made or go into effect as a record date for the determination of the shareholders entitled to notice of and to vote at any such meeting or entitled to receive payment of any such dividend or distribution or to receive any such allotment of rights or to exercise the rights in respect to any such change conversion or exchange of shares In such case only the shareholders of record on the date so fixed shall be entitled to notice of and to to vote at such meeting or to receive payment of such dividend or to receive such allotment of rights or to exercise such rights as the case may be notwithstanding any transfer of any shares on the books of the corporation after any record date fixed as aforesaid The board of directors may close the books of the corporation against transfers of shares during the whole or any part of such period and in such case written or printed notice thereof shall be mailed at least ten days before the closing thereof to each shareholder of record at the address appearing on the records of the corporation or supplied by him to the corporation for the purpose of notice While the stock transfer books of the corporation are closed no transfer of shares shall be made theron Unless a record date is fixed by the by-laws or the board of directors for the determination of shareholders entitled to receive notice of or vote at a shareholders' meeting transferees of shares which are transferred on the books of the corporation within ten days next preceding the date of such meeting shall not be entitled to notice of or to vote at such meeting Nothing herein contained shall be deemed to abridge the constitutional requirement of sixty days' notice of a meeting called for the purpose of increasing the authorized capital stock or indebtedness of a corporation or to deprive anyone who was a shareholder of record sixty days prior to the meeting of his right to vote at the meeting

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 509, page 46, line 29 by striking out after the word "only" and before the word "shareholders" the word: "[the] and inserting in lieu thereof the word: "such"; also line 29 by inserting after the word "shareholders" and before the word "of" the following: "as shall be shareholders"; also page 47, line 22 by striking out at the end of the line after the word "meeting" the following "[Nothing herein contained]"; also by striking out lines 23 to 28, inclusive.

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 510 of the bill was read as follows and agreed to.

Section 510 Voting Lists The officer or agent having charge of the transfer books for shares of a corporation shall make at least five days before each meeting of shareholders a complete list of the shareholders entitled to vote at the meeting arranged in alphabetical order with the address of and the number of shares held by each which list shall be kept on file at the registered office of the corporation and shall be subject to inspection by any shareholder at any time during usual business hours Such list shall also be produced and kept open at the time and place of the meeting and shall be subject to the inspection of any shareholder during the whole time of the meeting The original share ledger or transfer book or a duplicate thereof kept in this Commonwealth shall be prima facie evidence as to who are the shareholders entitled to examine such list or share ledger or transfer book or to vote in person or by proxy at any meeting of shareholders An officer or agent having charge of the transfer books who shall fail to prepare the list of shareholders or keep the same on file for a period of five days or produce and keep the same open for inspection at any meeting as provided in this section shall be liable to any shareholder suffering damages on account of such failure to the extent of such damages

Section 511 of the bill was read as follows:

Section 511 Voting Trusts A Two or more shareholders of any business corporation may by agreement in writing transfer their shares to any person or persons or to a domestic or foreign corporation or corporations having authrity to act as trustee for the purpose of vesting in the transferee or transferees all voting or other rights pertaining to such shares for a period not exceeding ten years and upon the terms and conditions stated in the agreement An unexecuted copy of the agreement shall be filed in the registered office of the corporation and shall be open daily during business hours to the inspection of any shareholder or any transferor under the agreement or the attorney of any shareholder or transferor

B Upon the filing of the agreement the share certificate of shares so transferred shall be surrendered and cancelled and new certificates therefor shall be issued to the transferee or transferees as voting trustee or trustees in which new certificates it shall appear that they are issued pursuant to the agreement In the registration of the transfer of the shares on the books of the corporation it shall be noted that the transfer is made pursuant to the agreement The trustee or trustees shall execute and deliver to the transferors voting trust certificates which shall be transferable in the same manner and with the same effect as certificates of shares under the provisions of the Uniform Stock Transfer Act approved the fifth day of May one thousand nine hundred eleven (Pamphlet Laws one hundred twenty-six) and its amendments and supplements upon the transfer and registration of the shares The trustee or trustees shall possess all voting and other right pertaining to the shares so transferred and registered subject to the terms and conditions of and for the period specified in the agreement

C Unless otherwise provided in the agreement

(1) The trustees may vote in person or by proxy

(2) If there are two or more trustees the manner of voting shall be determined as heretofore provided in this act for the voting of shares by joint holders

(3) Vacancies among the trustees shall be filled by the remaining trustees

(4) A trustee shall incur no responsibility as trustee except for his own individual neglect or malfeasance

(5) Any other shareholder may transfer his shares to the same trustee or trustees upon the terms and conditions stated in the agreement and thereupon shall be bound by all the provisions of the agreement and in every such case a new voting trust shall be deemed to have been formed

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 511, page 49, line 4 by striking out after the word "agreement" and before the word "copy" the following: "[An unexecuted]" and inserting in lieu thereof the following: "A duplicate"; also line 17 by striking out after the word "trustees" and before "ex-" the word: "[shall]" and inserting in lieu thereof the word: "may"; also page 50, line 15 by inserting at the end of the line after the word "formed" the following: "for a term equal to the unexpired term of the original voting trust."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 512 of the bill was read as follows:

Section 512 Judges of Election A In advance of any meeting of shareholders the board of directors may appoint judges of election to act at such meeting or any adjournment thereof If judges of election be not so appointed the chairman of any such meeting may and on the request of any shareholder or his proxy shall make such appointment at the meeting The number of inspectors shall be one or three If appointed at a meeting on the request of one or more shareholders or proxies the majority of shares present shall determine whether one or three judges are to be appointed No person who is a candidate for office shall act as a judge

B In case any person appointed as judge fails to appear or fails or refuses to act the vacancy may be filled by appointment made by the board of directors in advance of the convening of the meeting or at the meeting by the person or officer acting as chairman

C The judges of election shall determine the number of shares outstanding and the voting power of each the shares represented at the meeting the existence of a quorum the authenticity validity and effect of proxies receive votes or ballots hear and determine all challenges and questions in any way arising in connection with the right to vote count and tabulate all votes determine the result and do such acts as may be proper to conduct the election or vote with fairness to all shareholders The judges of election shall perform their duties impartially in good faith to the best of their ability and as expeditiously as is practical If there be three judges of election the decision act or certificate of a majority shall be effective in all respects as the decision act or certificate of all

D On request of the chairman of the meeting or of any shareholder or his proxy the judges shall make a report in writing of any challenge or question or matter determined by them and execute a certificate of any fact found by them Any report or certificate made by them shall be prima facie evidence of the facts stated therein

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 512, page 50, line 18 by inserting after the word "election" and before the word "to" the following: "who need not be shareholders"; also line 22 by striking out at the end of the line after the word "of" the word: "[inspectors]" and inserting in lieu thereof the word: "judges"; also line 25 by inserting after the word "present" and before the word "shall" the following: "and entitled to vote."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 513 of the bill was read as follows and agreed to:

Section 513 Informal Action by Shareholders Except for the action required by this act for increasing the stated capital or

indebtedness of a corporation any action required by this act to be taken at a meeting of the shareholders of a corporation may be taken without a meeting if a consent in writing setting forth the action so taken shall be signed by all of the shareholders who would be entitled to vote at a meeting for such purpose and shall be filed with the secretary of the corporation

Section 514 of the bill was read as follows:

Section 514 Liability of Shareholders A A shareholder of a business corporation shall not be personally liable for any debt or liability of the corporation except salaries and wages due and owing to its laborers and employes for services rendered to the corporation In such event every shareholder shall be personally liable in an amount equal to the amount of shares of the corporation owned by him but no shareholder shall be so liable unless suit for the collection of such salaries and wages shall be brought against him within six months after the same shall become due

B In any action brought to enforce the liability imposed by this section upon shareholders the plaintiff may include as defendants the corporation and any one or more shareholders of such corporation claimed to be liable therefor Service of summons or other process may be made upon the stockholders resident within such county in the same manner as writs of summons are now directed to be served and upon those residing in other counties of this Commonwealth by the sheriff of the county in which they may respectively reside and upon those nonresidents of this Commonwealth in such manner as the court may direct If judgment be given in favor of the plaintiff for his claim or any part thereof the judgment shall be given against the corporation and any shareholders found liable The execution upon such judgment shall be first levied on the property of the corporation within the Commonwealth and in case such property sufficient to satisfy the judgment cannot be found then execution shall be levied on the property of such shareholders for the deficiency or so much thereof as the shareholder defendants in such judgment shall be liable to pay The shareholders who satisfy any judgment or any part thereof shall be entitled to contribution from the corporation in the first instance and if contribution is unobtainable from the corporation then pro rata from the other solvent shareholders originally liable for the claims on which the judgment was obtained

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 514, page 52, line 13 by striking out after the word "the" and before the word "of" the word: "[amount]" and inserting in lieu thereof the word: "value"; also line 13 by inserting after the word "of" and before the word "shares" the word: "the"; also line 17 by inserting at the end of the line after the word "due" the following: "The term value as used in this subsection shall mean in the case of shares with par value the aggregate par value of such shares and in the case of shares without par value the consideration received by the corporation on the original issue of such shares."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 601 of the bill was read as follows:

ARTICLE VI
SHARES OF CAPITAL STOCK

Section 601 Classes of Shares Every corporation shall have power to create and issue one or more classes or kinds of shares any or all of which classes or kinds may consist of shares with par value or shares without par value with full limited or no voting rights and with such designations preferences qualifications privileges limitations options conversion rights and other special rights as shall be stated or authorized in the articles Shares of a business corporation shall be deemed personal property Except as otherwise provided by the articles each share shall be in all respects equal to every other share Unless the articles or by-laws otherwise provide the board of directors shall have the power by resolution duly adopted to issue from time to time in whole or in part the kinds or classes of shares authorized in the articles The power to increase or decrease or otherwise adjust the stated capital of a corporation as in this act elsewhere provided shall apply to all or any such classes or kinds of shares authorized by this section Shares of a corporation shall not be issued except pursuant to subscriptions received therefor or pursuant to the declaration of share dividends as elsewhere provided in this act

On the question,

Will the Senate agree to the section?

Mr. SCOTT, Mr. President, I move to amend section 601, page 53, line 18 by inserting after the word "Every" and before the word "corporation" the word: "business"; also page 54, line 7 by striking out at the end of the line after the word "section" the following: "[Shares of a corporation shall]"; also by striking out lines 8 to 10, inclusive.

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 602, of the bill was read as follows:

Section 602 Issuance of Certain Shares in Series A If the articles so provide the shares of any preferred or special class may be divided into and issued in series If the shares of any such class are to be issued in series then each series shall be so designated as to distinguish the shares thereof from the shares of all other series and classes Any or all of the series of any such class and the variations in the relative rights and preferences as between different series may be fixed and determined by the articles provided that all shares of the same class shall be identical except as to the following relative rights and preferences in respect of any or all of which there may be variations between different series namely the rate of dividend the price at and the terms and conditions on which shares may be redeemed the amounts payable upon shares in event of voluntary or involuntary liquidation sinking fund provisions for the redemption or purchase of shares and the terms and conditions on which shares may be converted in the event the shares of any series are issued with the privilege of conversion

B If the articles shall expressly vest authority in the board of directors then to the extent that the articles shall not have established series and fixed and determined the variations in the relative rights and preferences as between series the board of directors shall have authority by resolution to divide any or all of such classes into series and within the limitations set forth in this section fix and determine the relative rights and preferences of any series so established Such authority of the board of directors shall be subject to such limitations if any as are stated in the articles and shall always be subject to the limitation that the board of directors shall not create a sinking fund in respect of any series unless provision for a sinking fund at least as beneficial to all issued and outstanding shares of the same class shall either then exist or be at the same time created

C Prior to the issue of any shares of a series established by resolution adopted by the board of directors the corporation shall present to the Department of State a statement in duplicate signed and verified by at least two duly authorized officers thereof and setting forth

(1) The name of the corporation

(2) The resolution establishing and designating the series and fixing and determining the relative rights and preferences thereof

(3) The date and the manner of the adoption of such resolution

If the Department of State finds that such statement conforms to law and the articles of the corporation and when all fees have been paid as required by law it shall endorse its

approval on each copy thereof shall file one of the copies of the statement and shall forward the other approved copy to the corporation or its representative whereupon such copy shall be recorded in the office of the recorder of deeds of the county in which the registered office of the corporation in this Commonwealth is situated Upon the filing of such statement by the Department of State the resolution establishing and designating the series and fixing and determining the relative rights and preferences thereof shall become effective

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 602, page 55, line 2 by inserting at the end of the line after the word "conversion" the following: "Different series of the same class of shares shall not be construed to constitute different classes of shares for the purpose of voting by classes under this act"; also line 22 by striking out after the word "statement" and before the word "signed" the following: "in duplicate'; also page 56, line 4 by striking out after the word "approval' and before the word "shall" the following: "[on each copy thereof]" and inserting in lieu thereof the word: "thereon"; also line 5 by striking out at the beginning of the line before the word "the" the following: "[one of the copies of]"; also line 5 by striking out at the end of the line after the word "statement" the following: "[and shall forward]"; also by striking out lines 6 to 9, inclusive; also line 10 by striking out at the beginning of the line before the word "Upon" the following: "[wealth is situated]."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 603 of the bill was read as follows:

Section 603 Consideration for Shares A Subscriptions for shares of a business corporation shall not be made payable in whole or in part with any consideration other than money other property tangible or intangible or with necessary services actually rendered to the corporation Subscriptions for shares having a par value shall be made payable with money to an amount not less than the aggregate par value of the shares subscribed for or with consideration other than money the fair valuation of which to the corporation is not less than the aggregate par value of the shares subscribed for Subscriptions for shares having no par value which are signed before incorporation shall be made payable with consideration of the character and value determined by the incorporators Subscriptions for shares having no par value which are signed after incorporation shall be made payable with consideration of the character and value determined by the shareholders at any annual or special meeting duly called and held for that purpose or determined by the board of directors acting under authority conferred by the shareholders or by the articles of the corporation Shares of a corporation issued and thereafter acquired by it may be disposed of by the corporation for such consideration as may be fixed from time to time by the board of directors For the purpose of determining whether shares have been fully paid for in order to fix the extent of the outstanding obligation of a shareholder to the corporation with respect to such shares the valuation placed by the incorporators the shareholders or the board of directors as the case may be upon the consideration other than cash with which the subscriptions for shares are made payable shall be conclusive

B The consideration for the issuance of shares as a share dividend shall be that part of the surplus of a business corporation which is hereinafter required by this act to be transferred to stated capital upon the issuance of such shares

C In the event of an exchange of issued shares having a par value for a different number of shares having the same aggregate par value whether of the same or a different class or classes or in the event of a conversion of shares or in the event of an exchange of shares with or without part value into the same or a different number of shares without par value whether of the same or a different class or classes the consideration for the shares so issued in exchange shall be deemed to be (1) the consideration originally received for the shares so exchanged or converted and (2) that part of the surplus if any transferred to stated capital upon the issuance of shares for the shares so exchanged or converted and (3) any additional consideration paid to the corporation upon the issuance of shares for the shares so exchanged or converted

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 603, page 56, line 14, by striking out at the end of the line after the letter "A" the following: "[Subscriptions for]"; also line 15, by striking out at the beginning of the line before the word "of" the word: "[shares]" and inserting in lieu thereof the word: "Shares"; also line 15, by striking out at the end of the line after the word "be" the following: "[made pay-]"; also by striking out lines 16 and 17; also line 18, by striking out at the beginning of the line before "Sub-" the following: "[necessary services actually rendered to the corporation]" and inserting in lieu thereof the following: "issued except for money labor done or money or property actually received"; also line 22, by striking out after the word "fair" and before the word "of" the word: "[valuation]" and inserting in lieu thereof the word "value"; also line 25, by striking out after the word "are" and before the word "before" the word: "[signed]" and inserting in lieu thereof the word: "made"; also line 28, by striking out after the word "are" and before the word "after" the word: "[signed]" and inserting in lieu thereof the word: "made"; also page 57, line 12, by striking out after the word "the" and before the word "placed" the word: "[valuation]" and inserting in lieu thereof the word: "value."

Mr. ARMSTRONG. Mr. President. I second the motion.

On the question,

Will the Senate agree to the amendments?

Theye were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 604 of the bill was read as follows and agreed to:

Section 604 Payment of Subscriptions for Shares Unless otherwise provided in the subscription agreement subscriptions for shares whether made before or after the organization of a corporation shall be paid in full at such time or in such installments and at such times as shall be determined by the board of directors Any call made by the board of directors for payment of subscriptions shall be uniform as to all shares of the same class or as to all shares of the same series as the case may be The directors shall cause notice of the amount of any call and of the time and place of payment to be given at least thirty days before the date the call is due either personally or by mail addressed to each shareholder at his last address as it appears on the books of the corporation If a shareholder be indebted to a business corporation on account of unpaid subscriptions for shares the corporation shall have a lien upon such shares for such indebtedness Shares for which the agreed consideration has been paid delivered or rendered to the corporation shall be fully paid shares and non-assessable No note or obligation given by a shareholder whether secured by pledge or otherwise shall be considered as payment in whole or in part of any shares of a business corporation

Section 605 of the bill was read as follows:

Section 605 Defaults in Payment of Consideration for Shares When any shareholder fails to pay any call upon his shares properly made by the directors at the time when such payment is due the directors may proceed to collect the amount

due in the same manner as any debt due the corporation or they may sell at public sale such part of the shares of the delinquent shareholder as will pay all or any part of the installments then due from him with interest and all incidental expenses and transfer the shares so sold to the purchaser who shall be entitled to a certificate therefor Notice of the time and place of such sale and of the sum due on each share shall be given by advertisement once a week for two consecutive weeks next preceding the date fixed for the sale in a newspaper published in the county where the corporation has its registered office or if there be no newspaper in such county then in a newspaper of general circulation in such county and such notice shall be mailed by the treasurer of the corporation to the delinquent shareholder at his last known post office address at least twenty days before the date fixed for such sale If no bidder can be had to pay the amount due on the shares or if the amount is not collected by an action at law brought within the county where such corporation has its registered office the shares shall be forfeited to the corporation and the amount previously paid in by the delinquent shareholder on the shares shall be forfeited to the corporation No share shall be voted at any meeting upon which any installment is due and unpaid

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 605, page 59, line 18, by inserting after the word "newspaper" and before the word "published" the following: "of general circulation"; also line 19, by inserting after the word "office" and before the word "or" the following: "and in the legal newspaper if any designated by the rules of court for the publication of legal notices in such county"; also line 20, by inserting after the word "newspapers" and before the word "in" the following: "of general circulation published"; also page 60, line 2, by inserting after the word "corporation" and before the word "No" the following: "such shares if forfeited may be reissued or reoffered for subscription by the corporation."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Sections 606 and 607 of the bill were read as follows and agreed to.

Section 606 Expenses of Organization Reorganization and Financing The reasonable charges and expenses of organization or reorganization of a corporation and reasonable compensation for the sale or underwriting of its shares may be paid or allowed by such corporation out of the consideration recevied by it in payment for its shares without thereby rendering such shares not full paid and non-assessable

Section 607 Share Certificate A The shares of a corporation shall be represented by share certificates which shall state

(1) That the corporation is organized under the laws of this Commonwealth

(2) The name of the registered holder of the shares represented thereby

(3) The number and class of shares and the designation of the series if any which the certificate represents

(4) The par value of each share represented or a statement that the shares are without par value

(5) If the corporation is authorized to issue shares of more than one class the designations preferences voting power qualifications privileges limitations options conversion rights and other special rights of the shares of each class to be issued which shall be stated in full or in the form of a summary either upon the face or back of the certificate

(6) If the corporation is authorized to issue any preferred or special class in series the variations and the relative rights and preferences between the shares of each series so far as they have been fixed and determined and the authority of the board of directors to fix and determine the relative rights and preferences of subsequent series

B Every share certificate shall be signed by the president and secretary or by such officers as the by-laws may provide and sealed with the corporate seal which may be a facsimile engraved or printed but where such certificate is signed by a transfer agent or by a transfer clerk of such corporation and a registrar the signature of any corporate officer upon such certificate may be a facsimile engraved or printed In case any officer who has signed or whose facsimile signature has been placed upon any share certificate shall have ceased to be such officer because of death resignation or otherwise before the certificate is issued it may be issued by the corporation with the same effect as if the officer had not ceased to be such at the date of its issue

C A share certificate representing shares without par value shall not state any par value nor any value thereof in money nor any right of dividend to which such shares shall be entitled in terms of a percentage of any par or other value but preferences rights limitations privileges and restrictions may be stated thereon in dollars and cents per share

D Every shareholder of record shall be entitled to a share certificate representing the shares owned by him but a share certificate shall not be issued by a corporation to any shareholder until the shares represented thereby have been fully paid for

Section 608 of the bill was read as follows:

Section 608 Issuance of Fractional Shares or Scrip A corporation may issue a certificate for a fractional share and by action of its board of directors may issue in lieu thereof scrip or other evidence of ownership which shall entitle the holder to receive a certificate for a full share upon the surrender of such scrip or other evidence of ownership aggregating a full share but which shall not unless otherwise provided entitle the holder to exercise any voting right or to receive dividends or to participate in any of the assets of the corporation in the event of liquidation The board of directors may cause such scrip or evidence of ownership to be issued subject to the condition that it shall become void if not exchanged for share certificates before a specified date or subject to the condition that the shares for which such scrip or evidence of ownership is exchangeable may be sold by the corporation and the proceeds thereof distributed to the holders of such scrip or evidence of ownership or subject to any other conditions which the board of directors may deem advisable

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 608, page 62, line 11 by inserting after the word "ownership" and before the word "which" the following: "in bearer form or in the name of the holder"; also line 12 by inserting after the word "the" and before the word "holder" the following: "bearer or"; also line 15 by inserting after the word "the" and before the word "holder" the following: "bearer or"; also line 25 by inserting after the word "the" and before the word "holders" the following: "bearers or"

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 609 of the bill was read as follows:

Section 609 Liability of Subscribers and Shareholders A subscriber to or holder of shares of a corporation formed under this act shall not be under any liability to the corporation with respect to such shares other than the obligation of complying with the terms of the subscription for such shares Any person becoming an assignee or transferee of shares or of a subscription for shares in good faith and without knowledge or notice that the full consideration therefor has not been paid shall not be personally liable to the corporation or its creditors for any unpaid portion of such consideration Except when he

has voluntarily invested the estate or trust funds in such share; no person holding shares as executor administrator guardian trustee receiver or in any representative or fiduciary capacity shall be personally liable as a shareholder by reason of so holding such shares but the estate and funds in the hands of such fiduciary or representative shall be so liable No pledgee or other holder of shares as collateral security shall be personally liable as a shareholder but the person pledging such shares shall be considered the holder thereof and shall be liable as a shareholder

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 609, page 63, line 9 by striking out at the end of the line after the word "consideration" the following: "[Except when he has]"; also by striking out line 10; also line 11 by striking out at the beginning of the line before the word "person" the following: "[shares no]" and inserting in lieu thereof the word: "No"; also line 12 by inserting after the word "any" and before the word "representative" the word: "other."

Mr. ARMSTRONG. Mr. PRESIDENT, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 610 of the bill was read as follows and agreed to.

Section 610 Validity of Shares The fact that shares are issued in violation of or without full compliance with the provisions of this act shall not make the shares so issued invalid unless they are issued in violation of Article XVI Section seven of the Constitution of this Commonwealth

Section 611 of the bill was read as follows:

Section 611 Preemptive Rights of Shareholders Unless otherwise provided in its articles a corporation for profit may issue shares option rights or securities having conversion or option rights without first offering them to shareholders of any class or classes Shares which have been offered to shareholders having a preemptive right thereto at a price or upon terms duly fixed and which have not been subscribed for by them within the time duly fixed by the articles or the board of directors may be thereafter offered for subscription to any other person or persons at a price and upon terms not more favorable than those at which they were offered to such shareholders

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 611, page 63, line 28 by inserting after the word "a" and before the word "corporation" the word: "business"; also line 28 by striking out at the end of the line after the word "corporation" the following: "[for profit]"; also page 64, line 4 by striking out after the word 'price" and before the word "upon" the word: "[or]" and inserting in lieu thereof the word: "and"; also line 7, by striking out after the word "any" and before the word "person" the word: "[other]."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 612 of the bill was read as follows:

Section 612 Employes' Share Purchase Plan Unless otherwise provided in its articles every business corporation may provide and carry out a plan for the issue and sale of its authorized but unissued shares to its employes or to the employes of any subsdiary corporation or to a trustee on their behalf without first offering such shares to its shareholders for such consideration upon such terms and conditions and in such manner as shall be provided in the by-laws except that shares subject to preemptive rights may be so issued and sold under such plan only with the written consent or affirmative vote of the holders of two-thirds of the shares entitled to exercise preemptive rights with respect thereto

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 612, page 64, line 16 by striking out after the word "its" and before the word "upon" the following: "[shareholders for such consideration]" and inserting in lieu thereof the word: "shareholders."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 613 of the bill was read as follows and agreed to.

Section 613 Transfer of Share Certificates and Shares A The transfer of share certificates and the shares represented thereby may be regulated by the by-laws provided such by-laws are not inconsistent with the provisions of the Uniform Stock Transfer Act approved the fifth day of May one thousand nine hundred eleven (Pamphlet Laws one hundred twenty-six) and its amendments and supplements

B A business corporation may open a share register in any state of the United States and may employ an agent or agents to keep such register and to record therein transfer of shares in this or in other states or both The acts of such agents shall be binding on the corporation and their duties and liabilities shall be such as may be agreed to by the corporation

Section 614 of the bill was read as follows:

Section 614 Stated Capital and Paid-in Surplus Every business corporation shall have a stated capital which shall consist of the aggregate par value of all its issued shares having a par value and the aggregate amount of value of the agreed consideration received for all its issued shares without par value unless the board of directors by resolution and subject to the limitations hereinafter contained in this section shall determine (a) before or at the time of issue of any shares of the corporation issued for cash or (b) within sixty days after the issuance of any shares issued for labor or services actually performed for the corporation or issued for property other than cash that only a part of the consideration for shares so issued shall be stated capital and that the remainder of the consideration so received shall be paid-in surplus In the event of any such determination

(1) If the shares to be issued shall consist wholly of shares having a par value then the stated capital represented by such shares shall be the aggregate par value of the shares so to be issued

(2) If the shares to be issued shall consist wholly of shares without par value all of which shares have a preferential right in the assets of the corporation in the event of involuntary liquidation then the stated capital represented by such shares shall be not less than the aggregate preferential amount payable upon such shares in the event of involuntary liquidation

(3) If the shares to be issued consist wholly of shares without par value and none of such shares has a preferential right in the assets of the corporation in the event of its involuntary liquidation then the stated capital represented by such shares shall be the total consideration received therefor less such part thereof as may be allocated to paid-in surplus

(4) If the shares to be issued shall consist of several or all of the classes of shares enumerated above then the stated capital to be represented by such shares shall be not less than the

aggregate par value of any shares to be issued having a par value and the aggregate preferential amount payable upon anw shares to be issued without par value having a preferential right in the event of involuntary liquidation

In each such case the resolution of the board of directors shall specify in dollars the part of such consideration which shall be stated capital Every business corporation shall at all times keep its books in such manner as to indicate clearly the allocation of consideration received for shares between stated capital and paid-in surplus The stated capital of the corporation may be increased from time to time by resolution of the board of directors directing that all or a part of the surplus of the corporation be transferred to stated capital The board of directors may direct that the amount of the surplus so transferred shall be deemed to be stated capital in respect of any designated class of shares

On the question,

Will the Senate agree to the section?

Mr. SCOOTT. Mr. President, I move to amend section 614, page 66, line 8 by striking out at the end of the line after "gregate" the following: "[preferential amount payable upon such shares in]"; also by striking out line 9 and inserting in lieu thereof the following: "amount of value of the agreed consideration to be received for such shares"; also line 22 by striking out after "gate" and before the word "any" the following: "[preferential amount payable upon]" and inserting in lieu thereof the following: "amount of value of the agreed consideration to be received for."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 701 of the bill was read as follows and agreed to:

ARTICLE VII

DIVIDENDS REDEMPTION OF SHARES AND REDUCTION OF STATED CAPITAL

Section 701 Directors May Declare Dividends A Subject to any restrictions contained in the articles of the corporation and the provisions of this article any business corporation by its board of directors may declare and pay dividends upon the outstanding shares of the corporation out of its surplus as hereinafter provided from time to time and to such extent as the board of directors may deem advisable Dividends may be paid in cash in property or in shares of the corporation but no corporation shall pay dividends

(1) In cash or property except from the surplus of the aggregate of its assets over the aggregate of its liabilities including in the latter the amount of its stated capital after deducting from such aggregate of its assets the amount by which such aggregate was increased by unrealized appreciation in value or revaluation of fixed assets

(2) In shares of the corporation except from the surplus of the aggregate of its assets over the aggregate of its liabilities including in the latter the amount of its stated capital

B In computing the aggregate of the assets of the corporation the board of directors shall determine and make proper allowance for depreciation and depletion sustained and losses of every character except as otherwise provided in this section Deferred assets and prepaid expenses shall be written off at least annually in proportion to their use as may be determined by the board of directors Amounts of surplus arising from an unrealized appreciation or revaluation of fixed assets shall be shown on the books of the corporation as a separate item apart from surplus profits or paid-in surplus

C A corporation engaged solely or substantially in the exploitation of mines oil wells gas wells patents or other wasting assets or organized solely or substantially to liquidate specific assets need not make any deduction for the depletion of such assets by lapse of time consumption liquidation or exploitation in computing the fund available for dividends and such a corporation may pay dividends from the net profits arising from its business without deduction of such depletion subject however to the rights of shareholders of different classes

Section 702 of the bill was read as follows:

Section 702 Additional Limitations on Cash or Property Dividends Cash or property dividends shall not be paid out of surplus due to or arising from

(1) Any profit on treasury shares before resale or

(2) Any unrealized profits due to increase in valuation of inventories before sale or

(3) The accrued portion of unrealized profits on notes bonds or obligations for the payment of money purchased or acquired at a discount unless such notes bonds or obligations are readily marketable in which case they may be taken at their actual market value or

(4) The unaccrued or unearned portion of any unrealized profit in any form whatever whether in the form of notes bonds obligations for the payment of money installments sales credits or otherwise

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 702, page 69, line 3 by striking out at the end of the line after the word "discount" the following: "[unless such notes bonds or]"; also by striking out lines 4 and 5.

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 703 of the bill was read as follows:

Section 703 Limitations on Dividends Payable in Shares Dividends in shares of the corporation may be payable in shares with or without par value If a dividend is declared payable in shares having a par value such shares shall be issued at the par value thereof and there shall be transferred to stated capital at the time such dividend is declared an amount of surplus equal to the aggregate par value of the shares to be issued as a dividend If a dividend is declared payable in shares having no par value such shares shall be issued at such value as shall be fixed by the board of directors by resolution at the time such dividend is declared and there shall be transferred to stated capital at the time such dividend is declared an amount of surplus equal to the aggregate value so fixed in respect to such shares For the purpose of determining whether shares have been fully paid for in ordr to fix the extent of the outstanding obligation of a shareholder to the corporation with respect to such shares the valuation placed by the board of directors upon the corporate assets in estimating the surplus to be transferred to stated capital as payment for shares issued as a share dividend shall be conclusive Shares issued as share dividends shall be fully paid shares and non-assessable No dividend payable in shares of any class shall be paid to shareholders of any other class unless the articles so provide or such payment is authorized by the vote of the holders of a majority of the shares of the class in which the payment is to be made A splitup or division of issued shares into a greater number of shares of the same class shall not be construed to be a share dividend within the meaning of this section

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 703, page 69, line 28 by striking out after the word "the" and before the word "placed" the word: "[valuation]" and inserting in lieu thereof the word: "value."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,
Will the Senate agree to the section as amended?
It was agreed to.

Section 704 of the bill was read as follows and agreed to:

Section 704 Dividends Payable Out of Paid-in Surplus Dividends may be paid out of paid-in surplus only upon shares having a preferential right to receive dividends provided that the source of such dividends shall be disclosed to the shareholders entitled thereto prior to or concurrently with the payment of such dividends

Section 705 of the bill was read as follows:

Section 705 Redemption and Cancellation of Shares A Whenever any business corporation shall have issued any shares which under its articles are subject to redemption and cancellation it may by resolution of its board of directors redeem and cancel such shares for consideration not in excess of that provided in the articles Such corporation may apply to such redemption an amount out of its stated capital which shall not be greater than that portion of the stated capital represented by such shares at the time of such redemption and the stated capital of the corporation shall be deemed to be reduced to this extent No redemption of shares shall be made which will reduce the remaining assets of the corporation below an amount sufficient to pay all debts and known liabilities of the corporation as they mature except such debts and liabilities as have been otherwise adequately provided for or which will reduce the net assets below the aggregate amount payable to the holders of shares having prior or equal rights to the assets of the corporation upon dissolution

B In every such case a statement of redemption and cancellation shall be executed in duplicate originals under the seal of the corporation signed and verified by at least two duly authorized officers thereof which shall set forth

(1) The name of the corporation and the address of its registered office

(2) The aggregate number of shares which the corporation had authority to issue itemized by classes and series

(3) The number of shares redeemed and cancelled itemized by classes and series

(4) The number of shares which the corporation has authority to issue itemized by classes and series after giving effect to the redemption and cancellation

(5) A statement of the aggregate number of issued shares itemized by classes par value of shares shares without par value and series if any within a class after giving effect to such redemption and cancellation

(6) A statement expressed in dollars of the amount of the stated capital and the amount of paid-in surplus of the corporation after giving effect to such redemption and cancellation

C The duplicate originals of such statement shall be delivered to the Department of State either prior to or within thirty days after the date of such redemption and cancellation If the Department of State finds that the statement conforms to law it shall endorse its approval upon each duplicate original and shall file and record one of the duplicate originals The filing of such statement shall operate as an amendment to the articles of the corporation and shall reduce the number of shares of the class so redeemed which the corporation is authorized to issue by the number of the shares so redeemed and cancelled The remaining duplicate original of the statement shall be returned by the Department of State to the corporation or its representatives and the corporation shall cause the statement to be recorded in the office of the recorder of deeds of the county in which the registered office of the corporation is situated The duplicate original of the statement upon being recorded by the recorder of deeds shall be returned to the corporation or its representative Nothing contained in this section shall be construed to prohibit a reduction of authorized capital stock or a reduction of stated capital in any other manner permitted by this act

On the question,
Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amened section 705, page 70, line 20, by strking out after the word "which" and before the word "are" the following: "[under its articles]"; also page 71, line 10, by striking out after the word "executed" and before the word "under" the following: "[in duplicate originals]"; also page 72, line 3, by striking out after the word "The" and before the word "statement" the following "[duplicate originals of such]"; also by striking out line 8; also line 9, by striking out at the beginning of the line before the word "The" the following: "[of the duplicate originals]" and inserting in lieu thereof the following: "thereon and file the statement"; also line 14, by striking out at the end of the line after "celled" the following: "[The remaining duplicate original of the statement]"; also by striking out lines 15 to 21, inclusive; also line 22, by striking out at the beginning of the line before the word "Nothing" the following: "[sentative]."

Mr. ARMSTRONG. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendments?
They were agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.

Section 706 of the bill was read as follows:

Section 706 Reduction of Stated Capital Without Change in Share Structure A A reduction in the stated capital of a corporation which does not involve an exchange re-classification or cancellation of shares or a reduction of the number of authorized shares of any class below the number of issued shares of that class or a redemption and cancellation of shares may be effected in the manner hereinafter provided in this section The board of directors of the corporation shall adopt a resolution setting forth the amount of the proposed reduction and the manner in which the reduction shall be effected and directing that the question of such reduction be submitted to a vote at an annual meeting of the shareholders or at a special meeting of the shareholders entitled to vote thereon Written notice stating that the purpose or one of the purposes of such meeting is to consider the question of reducing the stated capital of the corporation shall be given to each shareholder of record entitled to vote thereon within the time and in the manner prescribed in this act for the giving of notice of meetings of shareholders If such meeting be an annual meeting such purpose may be included in a notice of such annual meeting The resolution shall be adopted upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote thereon unless any class of shares is entitled to vote thereon as a class in which event the proposed resolution for reduction of stated capital shall require for its adoption the affirmative vote of the holders of at least a majority of the outstanding shares of each class entitled to vote thereon

B Upon the approval of the resolution by the shareholders a statement shall be executed in duplicate originals under the seal of the corporation signed and verified by at least two duly authorized officers thereof and shall set forth

(1) The name of the corporation and the address of its registered office

(2) The number of shares outstanding the number of shares entitled to vote in respect of such reduction and if the shares of any class are entitled to vote as a class the number of shares of such class and the number of shares of all other classes entitled to vote thereon

(3) The number of shares voted for and against such reduction respectively and if the shares of any class are entitled to vote as a class the number of shares of each such class and the number of shares of all other classes voted for and against such reduction respectively

(4) A statement expressed in dollars of the amount of stated capital and the amount of paid-in surplus of the corporation adjusted to give effect to such resolution

C The duplicate originals of the statement shall be filed with the Department of State If the Department of State finds that such statement conforms to law it shall endorse its approval upon each duplicate original and shall file and record one of the duplicate originals Upon the filing of such statement the reduction shall be effective The remaining duplicate original

shall be returned by the Department of State to the corporation or its representative and shall be recorded in the office of the recorder of deeds of the county in which the registered office of the corporation is situated The duplicate original upon being recorded by the recorder of deeds shall be returned to the corporation or its representative

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 706, page 73, line 27 by inserting after the word "vote" and before the word "thereon" the following: "as a class"; also line 27 by inserting at the end of the line after the word "thereon" the following: "and at least the affirmative vote of the holders of all other outstanding shares entitled to vote thereon"; also line 29 by striking out at the end of the line after the word "executed" the following: "[in duplicate originals]"; also page 74, line 2 by striking out after the word "thereof" and before the word "shall" the word "[and]" and inserting in lieu thereof the word: "which"; also line 19 by striking out after the word "The" and before the word "statement" the following: "[duplicate originals of the]"; also line 22 by striking out at the end of the line after the word "approval" the following: "[upon each duplicate original and shall]"; also line 23 by striking out at the beginning of the line before the word "Upon" the following: "[file and record one of the duplicate originals]" and inserting in lieu thereof the following: "thereon and file the statement"; also by striking out lines 25 to 28, inclusive; also page 75 by striking out lines 1 to 3, inclusive.

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 707 of the bill was read as follows:

Section 707 Liability for Unlawful Dividends and Distributions A The directors of a business corporation shall not declare or pay dividends or authorize or ratify the withdrawal or distribution of any part of its assets to shareholders except as authorized in this act If any dividend shall be paid or if any withdrawal or distribution of the corporate assets shall be made except as provided in this act the directors under whose administration the same were made except those who shall have caused their dissent therefrom to be entered on the minutes of the meeting at which such action was authorized or who being absent at the time shall have promptly filed their written objection thereto with the secretary of the corporation upon learning of such action shall be jointly and severally liable to the corporation in an amount equal to the amount of the unlawful dividend or the unlawful withdrawal or distribution of assets Any director against whom a claim shall be asserted under or pursuant to this section and who shall be held liable thereon shall be entitled to a contribution from the other directors who are likewise liable thereon pro rata according to the number of directors Any two or more directors may be sued in the same action

B Any shareholder who shall accept or receive any dividend or distribution of the assets of a corporation not authorized by this act to be made shall be individually liable to the corporation in an amount equal to the amount so accepted or received by him Any two or more shareholders may be sued in the same action

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 707, page 75, line 5 by striking out after "tributions" and before the word "The" the letter: "[A]"; also line 25 by inserting after the word "of" and before the word "directors" the word: "such"; also by striking out lines 27 to 29, inclusive; also page 76 by striking out lines 1 to 3, inclusive.

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 801 of the bill was read as follows and agreed to:

ARTICLE VIII
AMENDMENT OF ARTICLES

Section 801 Amendment of Articles Authorized A business corporation in the manner hereinafter provided in this article may from time to time amend its articles

(1) To adopt a new name subject to the restrictions heretofore provided in this act

(2) To modify any provision thereof limiting its term of existence by increasing such term or to remove such provision and provide for perpetual existence

(3) To change add to or diminish its powers or purposes or to set forth different or additional powers or purposes

(4) To increase or diminish its authorized capital stock or to reclassify the same by changing the number par value designations preferences or relative participating optional or other special rights of the shares or the qualifications limitations or restrictions of such rights or by changing shares with par value into shares without par value or shares without par value into shares with par value either with or without increasing or decreasing the number of shares and in any and as many other respects as desired provided that the articles as so amended would be authorized by this act as original articles of incorporation

Section 802, of the bill was read as follows:

Section 802 Proposal of Amendments Every amendment to the articles shall first be proposed by the board of directors by the adoption of a resolution setting forth the proposed amendment and directing that it be submitted to a vote of the shareholders entitled to vote thereon at a designated meeting which may be either an annual meeting of the shareholders or a special meeting of the shareholders entitled to vote on the amendment The resolution shall establish the language of the proposed amendment to the articles by providing that the articles shall be amended so as to read as therein set forth in full or that any provision thereof be amended so as to read as therein set forth in full or that the matter stated in the resolution be added to or stricken from the articles

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 802, page 77, line 9 by striking out after the word "shall" and before the word "the" the word: "[establish]" and inserting in lieu thereof the word: "contain."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 803, of the bill was read as follows:

Section 803 Notice of Shareholders' Meetings Written notice shall not less than ten days before the shareholders' meetings called by the board of directors for the purpose of considering proposed amendments be given to each shareholder of record entitled to vote on the proposed amendment except the written notice of any proposed amendment for increasing the authorized capital stock of the corporation shall be given to each

shareholder entitled to vote thereon at least sixty days before such meeting Such notice shall state the place the day and hour of the meeting and shall set for the proposed amendment or a summary of the changes to be effected thereby Notice of such meeting shall also be given by publication in a manner similar to that prescribed in this act in the case of the formation of the corporation

On the question,
Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 803, page 77, line 20 by striking out at the end of the line after the word "record" the following: "[entitled to vote on the]"; also line 21 by striking out at the beginning of the line before the word "except" the following: "[proposed amendment]"; also line 23 by striking out at the end of the line after the word "shareholder" the following: "[en-]"; also line 24 by striking out at the beginning of the line before the word "at" the following: "[titled to vote thereon]" and inserting in lieu thereof the following: "of record"; also line 25 by striking out at the end of the line after the word "shall" the following: "[state the place the day and]"; also line 26 by striking out at the beginning of the line before the word "shall" the following: "[hour of the meeting and]"; also line 28 by striking out at the end of the line after the word "thereby" the following: "[Notice of such meeting shall also be given by]"; also by striking out line 29; also page 78 by striking out lines 1 and 2.

Mr. ARMSTRONG. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendments?
They were agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.

Section 804 of the bill was read as follows:

Section 804 Shares Entitled to Vote on Amendments Except as hereinafter provided only the holders of outstanding shares who under the articles are entitled to vote on proposed amendments to the articles of the corporation shall be entitled to vote thereon If a proposed amendment would authorize the board of directors to fix and determine the relative rights and preferences as between series of any preferred or special class or would revoke the authority of the board of directors to do so then the holders of the outstanding shares of any class shall be entitled to vote in respect to such amendment If a proposed amendment would make any change in the preferences qualifications limitations restrictions or special or relative rights of the shares of any class or increase or decrease the par value or the authorized number of shares of any class or limit or deny the existing preemptive rights of the shares of any class or authorize a new class of shares senior or superior in any respect to the shares of any class then authorized or increase the number of authorized shares of any class senior or superior in any respect to the shares of any class then authorized the holders of the outstanding shares of the class or classes affected by the proposed amendment shall be entitled to vote as a class on such amendment regardless of any limitations stated in the articles on the voting rights of such class or classes If a proposed amendment would authorize an increase of the authorized capital stock of the corporation the holders of shares transferred within sixty days of the meeting called for this purpose shall not be entitled to vote either in person or by proxy nor shall any proxy be received or entitle the holder to vote on such amendment unless the proxy shall have been executed at least sixty days before the meeting

On the question,
Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 804, page 78, line 12 by inserting after the word "any" and before the word "class" the word: "such"; also line 25 by inserting after the word "affected" and before the word "by" the word: "adversely"; also line 28 by striking out at the end of the line after the word "classes" the following: "[If a proposed amendment would au-]"; also page 79 by striking out lines 1 to 7, inclusive.

Mr. ARMSTRONG. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendments?
They were agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.

Section 805 of the bill was read as follows:

Section 805 Adoption of Amendments by Shareholders A vote of the shareholders entitled to vote on a proposed amendment shall be taken at the annual or special meeting called for that purpose Unless the articles require a greater vote the proposed amendment shall be adopted upon receiving the affirmative vote of the holders of at least am majority of the outstanding shares entitled to vote on the amendment unless any class of shares is entitled to vote as a class on the amendment in which event the proposed amendment shall be adopted upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares in each class of shares entitled to vote as a class on such amendment and at least a majority of all other outstanding shares entitled to vote thereon Any number of amendments may be submitted to the shareholders and voted upon by them at one meeting

On the question,
Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 805, page 79, line 11 by striking out after "ing" and before the word "Unless" the following: "[called for that purpose]" and inserting in lieu thereof the following: "of which notice for that purpose has been duly given"; also line 14 by striking out at the end of the line after the word "vote" the word: "[on]"; also line 15 by striking out at the beginning of the line before the word "unless" the following: "[the amendment]" and inserting in lieu thereof the word: "thereon"; also line 16 by inserting after the word "vote" and before the word "as" the word: "thereon"; also line 16 by striking out after the word "class" and before the word "in" the following: "[on the amendment]" also line 20 by striking out after the word "class" and before the word "and" the following: "[on such amendment]" and inserting in lieu thereof the word: "thereon"; also line 20 by inserting after the word "and" and before the word "at" the following: "the affirmative vote of the holders of"

Mr. ARMSTRONG. Mr. President, I second the motion.
On the question.
Will the Senate agree to the amendments?
They were agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.

Section 806 of the bill was read as follows:

Section 806 Articles of Amendment A After an amendment has been adopted by the shareholders duplicate originals of articles of amendment shall be executed under the seal of the corporation by two duly authorized officers of the corporation and shall set forth

(1) The name and location of the registered office of the corporation

(2) The Act of Assembly under which the corporation was formed and the date when and the place where the original articles were recorded

(3) The time and place of the meeting of the shareholders of the corporation at which the amendment was adopted and the kind and period of notice given to the shareholders

(4) The number of shares outstanding the number of shares entitled to vote on the amendment and if the shares of any class and entitled to vote as a class then the number of shares of each class and the number of shares of all other classes entitled to vote thereon

(5) The number of shares voted for and against such amendment respectively and if shares of any class are entitled to vote as a class the number of shares of such class and the number of shares of all other classes voted for and against such amendment respectively

(6) The amendment adopted by the shareholders which shall be set forth in full

(7) If the total number of shares is to be increased or decreased the total number of shares including those previously authorized which the corporation will thenceforth be authorized to have the number of shares that have a par value thereof and the number of shares that have no par value and if shares are divided into more than one class a description of the classes and a statement of the number of shares in each class and of the relative rights voting powers preferences and restrictions granted to or imposed upon the shares of each class

B If shares having a par value are to be changed into an equal or different number of shares having no par value the amount of the consideration for which shares having no par value are issued to take the place of outstanding shares having a par value shall be deemed to be the amount of the aggregate par value of such outstanding shares or if the actual value of such shares be less than their par value the consideration may be stated in the articles of amendment to be their actual value If shares having no par value are to be changed into an equal or different number of shares having a par value the shares having a par value which are issued to take the place of outstanding shares having no par value shall be taken to be fully paid for but the aggregate par value of such shares shall not exceed the actual value of the assets of the corporation less its liabilities represented by the shares having no par value so exchanged If shares having no par value are to be changed into a different number of the same class or of any other class or classes of shares having no par value the corporation shall be deemed to have received for such new shares as represent or take the place of such outstanding shares the amount of the capital of the corporation represented by the outstanding shares so changed

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 806, page 79, line 25, by striking out at the end of the line after the word "shrareholders" the word: "[duplicate]"; also line 26, by striking out at the beginning of the line before the word "articles" the following "[originals of]"; also line 27. by inserting after the word "corporation" and before the word "by" the following: "and verified"; also page 81, by striking out lines 4 to 27, inclusive; also page 81, by inserting after line 27 the following section: "Section 807 Advertisement The corporation shall advertise its intention to file articles of amendment with the Department of State in a manner similar to that heretofore prescribed in this act in the case of the formation of a business corporation Advertisements shall appear at least thre days prior to the day upon which the articles of amendment are presented to the Department of State and shall set forth briefly

"(1) The name and location of the registered office of the corporation

"(2) A statement that the articles of amendment are to be filed under the provisions of this act

"(3) The nature and character of the proposed amendment

"(4) The time when the articles of amendment will be filed with the Department of State"

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 807 of the bill was read as follows:

Section 807 Filing and Recording of Articles of Amendment The duplicate originals of the articles of amendment and proof of the advertisement heretofore required in this article shall be delivered to the Department of State If the Department of State finds that such articles conform to law it shall endorse its approval upon each duplicate original and when all bonus fees taxes and charges have been paid as required by law shall file and record one of the duplicate originals and shall issue a certificate of amendment The remaining duplicate original of the articles of amendment and the certificate of amendment shall be returned by the Department of State to the corporation or its representative and such certificate and articles shall be recorded in the office of the recorder of deeds in the county in which the registered office of the corporation is situated A duplicate original of the articles of amendment and the certificate upon being recorded by the recorder of deeds shall be returned to the corporation or its representative

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 807, page 82, line 1 by striking out after the word "Section" and before the word "Filing" the figures: "[807]" and inserting in lieu thereof the figures: "808"; also line 1 by striking out after the word "Filing" and before the word "of" the following: "[and Recording]"; also line 2 by striking out after "ment" and before the word "articles" the following: "[The duplicate originals of the]" and inserting in lieu thereof the following: "On or before the day specified in the advertisement the"; also line 6 by striking out at the end of the line after the word "approval" the following: "[upon each duplicate]"; also line 7 by striking out at the beginning of the line before the word "and" the word: "[original]" and inserting in lieu thereof the word: "thereon"; also line 8 by striking out at the end of the line after the word "file" the following: "[and record one]"; also line 9 by striking out at the beginning of the line before the word "issue" the following: "[of the duplicate originals and shall]" and inserting in lieu thereof the following: "the articles and"; also line 9 by inserting after the word "issue" and before the word "a" the following: "to the corporation or its representatives"; also line 10 by striking out at the end of the line after the word "amendment" the following: "[The remaining duplicate original of the articles]"; also by striking out lines 11 to 19, inclusive, and inserting in lieu thereof the following: "to which shall be attached a copy of the approved articles."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 806 of the bill was read as follows:

Section 808 Effective Date of Amendment Upon the issuance of the certificate of amendment by the Department of State the amendmnets shall become effective and the articles of incorporation shall be deemed to be amended accordingly The certificate of amendment shall be conclusive evidence of the performance of all conditions required in this act in proceedings to amend the articles of incorporation except as against the Commonwealth No amendment shall affect any

existing cause of action favor of or against the corporation or any pending suit in which the corporation shall be a party or the existing rights of persons other than shareholders and in the event the corporate name shall be changed by the amendment no suit brought by or against the corporation under its former name shall be abated for that reason

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 808, page 82, line 20, by striking out after the word "Section" and before the word "Effective" the figures "[808]" and inserting in lieu thereof the figures: "809."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 910 of the bill was read as follows and agreed to.

ARTICLE IX
MERGER AND CONSOLIDATION

Section 901 Merger and Consolidation Authorized A Any two or more domestic business corporations or any one or more foreign business corporations may in the manner hereinafter provided in this article be merged into one of such domestic business corporations hereinafter designated as the surviving corporation or consolidation into a new corporation to be formed under this act provided such foreign business corporations are authorized by the law or laws of the jurisdiction under which they were formed to effect such merger or consolidation

B Any one or more domestic business corporations and any one or more foreign business corporations may in the manner hereinafter provided in this act be merged into one of such foreign business corporations hereinafter designated as the surviving corporation or consolidated into a new corporation to be formed under the law or laws of the jurisdiction under which one of the foreign business corporations was formed provided the laws of such jurisdiction authorize such merger or consolidation

Section 902 of the bill was read as follows:

Section 902 Approval of Joint Plan of Merger or Consolidation A The board of directors of each of the corporations which desire to merge or consolidate shall by resolution adopted by at least a majority vote of the members of each board approve a joint plan of merger or consolidation as the case may be setting forth the terms and conditions of the merger or consolidation and mode of carrying the same into effect the manner and basis of converting the shares of each corporation into shares or other securities or obligations of the surviving or new corporation as the case may be and such other details and provisions as are deemed necessary

B The board of directors of each corporation upon approving such plan of merger or plan of consolidation shall by resolution direct that the plan be submitted to a vote of the shareholders of such corporation entitled to vote thereon at an annual or special meeting of the shareholders Written notice shall not less than fifteen days before such annual or special meeting be given to each shareholder of record of such corporation whether or not entitled to vote on such plan The notice shall state the place day hour and purpose of the meeting and a copy or a summary of the plan of merger or plan of consolidation as the ca may be shall be included in or enclosed with such notice Such notice shall also be published once a week for two consecutive weeks before such meeting in at least one newspaper of general circulation in the county in which the registered office of the corporation is located

C The plan of merger or consolidation shall be approved upon receiving the affirmative vote of the holders of at least the majority of the outstanding shares entitled to vote thereon of each of the merging or consolidating corporations unless any class of shares of any of such corporations is entitled to vote thereon as a class in which event as to such corporation the plan of merger or consolidation shall be approved upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares of each class of shares entitled to vote thereon as a class and at least a majority of all other outstanding shares entitled to vote thereon Different series of the same class of shares shall not be construed to constitute different classes of shares for the purpose of voting by classes under this section

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 902, page 84, line 1 by inserting after the word "of" and before the word "the" the word: "all"; also line 18 by inserting after the word "plan" and before the word "The" the following: "unless the plan of merger or plan of consolidation contemplates an increase in the authorized capital stock of the constituent corporations in which event sixty days notice of such meeting shall be given to each shareholder"; also line 22 by striking out at the end of the line after the word "notice" the following: "[Such notice shall also be pub-]"; also by striking out lines 23 to 26, inclusive; also page 85, line 8 by inserting after the word "and" and before the word "at" the following: "the affirmative vote of the holders of"; also by striking out lines 10 to 12, inclusive.

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 903 of the bill was read as follows:

Section 903 Article of Merger or Consolidation Upon the approval of the plan of merger or the plan of consolidation by the shareholders of the corporations desiring to merge or consolidate duplicate originals of articles of merger or articles of consolidation as the case may be shall be executed under the seal of each corporation by two duly authorized officers of each corporation and shall set forth

(1) The name and the location of the registered office of the surviving or new corporation

(2) The time and place of the meeting of the shareholders of each corporation at which the plan of merger or consolidation as the case may be was adopted the kind and period of notice given to the shareholders and the total vote by which the plan was adopted

(3) Any changes desired to be made in the articles of the surviving corporation in the case of a merger or in the case of a consolidation all of the statements required by this act to be set forth in original articles in the case of the formation of a corporation

(4) The number names and addresses of the persons to be the first directors of the surviving or new corporation

(5) The plan of merger or consolidation

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 903, page 85, line 16 by striking out after the word "consolidate" and before the word "articles" the following: "[duplicate originals of]"; also line 18 by inserting after the word "corporation" and before the word "by" the following: "and verified"; also page 86 by inserting between lines 7 and 8 the following section: "Section 904 Advertisement The corporation shall advertise its intention to file articles of merger or articles of consolidation as the case may be with the Department of State in a manner similar to that heretofore prescribed in this act in the case of the formation of a business corporation Ad-

vertisements shall appear at least three days prior to the day on which the articles of merger or articles of consolidation are presented to the Department of State and shall set forth briefly

"(1) The name and location of the registered office of each of the corporations intending to merge or consolidate

"(2) The name and the location of the registered office of the surviving or new corporation

"(3) A statement that the articles of merger or consolidation are to be filed under the provisions of this act

"(4) The purpose or purposes of the surviving or new corporation

"(5) The time when the articles of merger or consolidation will be delivered to the Department of State"

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 904 of the bill was read as follows:

Section 904 Filing and Recording of Articles of Merger or Consolidation The duplicate originals of the articles of merger or articles of consolidation as the case may be shall be delivered to the Department of State If the Department of State finds that such articles conform to law it shall endorse its approval upon each duplicate original and when all bonus fees taxes and charges have been paid as required by law shall file and record one of the duplicate originals and shall issue a certificate of merger or a certificate of consolidation as the case may be The remaining duplicate original of the articles and the certificate of merger or the certificate of consolidation shall be returned by the Department of State to the surviving corporation or the new corporation as the case may be or to its representatives and such certificate and articles shall be recorded in the office of the recorder of deeds of the county in which the registered office of the surviving or new corporation is situated A duplicate original of the articles and the certificate upon being recorded by the recorder of deeds shall be returned to the surviving of new corporation or its representative

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 904, page 86, line 8, by striking out after the word "Section" and before the word "Filing" the figures: "[904]" and inserting in lieu thereof the figures: "905"; also line 8 by striking out after the word "Filing" and before the word "of" the following: "[and Recording]"; also line 9 by striking out after the word "Consolidation" and before the word "the" the following: "[The duplicate originals of]" and inserting in lieu thereof the following: "On or before the day specified in the advertisement"; also line 10 by inserting at the end of the line after the word "be" the following: "and proof of the advertisement heretofore required in this article"; also line 13 by striking out at the end of the line after the word "approval" the following: "[upon each duplicate]"; also line 14 by striking out at the beginning of the line before the word "and" the word: "[original]" and inserting in lieu thereof the word: "thereon"; also line 15 by striking out at the end of the line after the word "file" the following: "[and record one]"; also line 16 by striking out at the beginning of the line before the word "issue" the following: "[of the duplicate originals and shall]" and inserting in lieu thereof the following: "the articles and"; also line 16 by inserting after the word "issue" and before the word "a" the following: "to the corporation or its representatives"; also line 18 by striking out at the end of the line after the word "be" the following: "[The remaining duplicate original of the articles and]"; also by striking out lines 19 to 28, inclusive, and inserting in lieu thereof the following: "to which shall be attached a copy of the approved articles."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 905 of the bill was read as follows:

Section 905 Effective Date of Merger or Consolidation Upon the issuance of the certificate of merger or the certificate of consolidation by the Department of State the merger or consolidation shall be effective The certificate of merger or the certificate of consolidation shall be conclusive evidence of the performance of all conditions precedent to such consolidation or merger and the creation or existence of a new or surviving corporation except as against the Commonwealth The merger or consolidation of one or more domestic corporations into a foreign corporation shall be effective according to the provisions of law of the jurisdiction in which such foreign corporation was formed but not until articles of merger or articles of consolidation have been adopted and filed as heretofore provided in this act

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 905, page 87, line 1 by striking out after the word "Section" and before the word "Effective" the figures: "[905]" and inserting in lieu thereof the figures: "906."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 906 of the bill was read as follows:

Section 906 Effect of Merger or Consolidation Upon the merger or consolidation becoming effective the several corporations parties to the plan of merger or consolidation shall be a single corporation which in the case of a merger shall be that corporation designated in the plan of merger as the surviving corporation and in the case of a consolidation shall be the new corporation provided for in the plan of consolidation The separate existence of all corporations parties to the plan of merger or consolidation shall cease except that of the surviving corporation in the case of a merger The surviving or new corporation as the case may be shall have all the rights privileges immunities and franchises of each of the merging or consolidating corporations except that the surviving or new corporation shall not thereby acquire authority to engage in any business or exercise any right which a corporation may not be formed under this act to engage in or exercise All the property real personal and mixed of each of the corporations parties to the plan of merger or consolidation and all debts due on whatever account to any of them including subscriptions to shares and other choses in action belonging to any of them shall be taken and deemed to be transferred to and vested in the surviving or new corporation as the case may be without further act or deed The surviving or new corporation shall thenceforth be responsible and liable for all the liabilities and obligations of each of the corporations so merged or consolidated in the same manner as if the surviving or new corporation had itself incurred such liabilities or obligations but the liabilities of the merging or consolidating corporations or of their shareholders directors or officers shall not be affected nor shall the rights of the creditors thereof or of any persons dealing with such corpo-

rations or any liens upon the property of such corporations be impaired by such merger or consolidation and any claim existing or action or proceeding pending by or against any of such corporations may be prosecuted to judgment as if such merger or consolidation had not taken place or the surviving or new corporation may be proceeded against or substituted in its place In the case of a merger the articles of incorporation of the surviving corporation shall be deemed to be amended to the extent if any that changes in its articles are stated in the articles of merger and in the case of a consolidation the statements set forth in the articles of consolidation and which are required or permitted to be set forth in the articles of incorporation of corporations formed under this act shall be deemed to be the articles of incorporation of the new corporation The aggregate amount of the net assets of the merging or consolidating corporations which was available for the payment of dividends immediately prior to such merger or consolidation to the extent that the value thereof is not transferred to stated capital by the issuance of shares or otherwise shall continue to be available for the payment of dividends by such surviving or new corporation

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 906, page 87, line 16, by striking out after the word "Section" and before the word "Effect" the figures "[906]" and inserting in lieu thereof the figures: "907"; also line 27, by striking out at the end of the line after the word "be" the following: "[shall have all the rights]"; also by striking out lines 28 and 29; also page 88, line 1, by striking out at the beginning of the line before the word "shall" the following: "[or new corporation]"; also line 12 by striking out after the word "responsible" and before the word "for" the following: "[and liable]"; also line 14, by striking out at the end of the line after the word "consolidated" the following: "[in the same manner as if the surviving or]"; also by striking out line 15; also line 16, by striking out at the beginning of the line before the word "but" the following: "[gations]."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Wil the Senate agree to the section as amended?

It was agreed to.

Section 907 of the bill was read as follows:

Section 907 Rights of Dissenting Shareholders A If any shareholder of a corporation which becomes a party to a plan of merger or consolidation shall file with such corporation prior to or at the meeting of shareholders at which the plan of merger or consolidation is submitted to a vote a written objection to such plan of merger or consolidation and shall not vote in favor thereof and such shareholder within twenty days after the merger or consolidation was effected shall make written demand on the surviving or new corporation for the payment of the fair value of his shares as of the day prior to the date on which the vote was taken approving the merger or consolidation without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation the surviving or new corporation shall pay to such shareholder the fair value of his shares upon surrender of the share certificate or certificates representing his shares The demand of the shareholder shall state the number and class of the shares owned by him Any shareholder failing to make demand within the twenty-day period shall be conclusively presumed to have consented to the merger or consolidation and shall be bound by the terms thereof If within thirty days after the date on which such merger or consolidation was effected the value of such shares shall be agreed upon between the dissenting shareholder and the surviving or new corporation payment thereof shall be made within ninety days after the date on which such merger or consolidation was effected upon the surrender of the share certificate or certificates representing his shares Upon payment of the agreed value the dissenting shareholder shall cease to have any interest in such shares or in the corporation

(b) If within such period of thirty days the shareholder and the surviving or new corporation do not so agree then the dissenting shareholder may within sixty days after the expiration of the thirty-day period apply by petition to the court of common pleas within the county in which the registered office of the surviving or new corporation is situated for the appointment by the court of three disinterested persons to appraise the fair market value of his shares without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation The award of the appraisers or of a majority of them when confirmed by the court shall be final and conclusive The costs of such appraisal including a reasonable fee to the appraisers shall be fixed by the court and shall be borne by the surviving or new corporation unless in the opinion of the court the action of any shareholder in refusing the offer of the corporation has been arbitrary vexatious or in bad faith in which case the costs shall be assessed in the discretion of the court The award shall be payable only upon and simultaneously with the surrender to the surviving or new corporation of the share certificate or certificates representing the shares of the dissenting shareholder If the award shall not be paid by the surviving or new corporation within thirty days after the award was confirmed by the court the amount of the award shall be a judgment against the surviving or new corporation as the case may be and may be collected as other judgments in such court are by law collectible Upon the payment of the award or judgment the dissenting shareholder shall cease to have any interest in such shares or in the surviving or new corporation Such shares may be held and disposed of by the surviving or new corporation as it may see fit Unless the dissenting shareholder shall file a petition within the time herein limited such shareholder and all persons claiming under him shall be conclusively presumed to have approved and ratified the merger or consolidation and shall be bound by the terms thereof The right of the dissenting shareholder to be paid the fair value of his shares as herein provided shall cease if and when the corporation shall abandon the merger or consolidation

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 907, page 89, line 14 by striking out after the word "Section" and before the word "Rights" the figures "[907]" and inserting in lieu thereof the figures: "908"; also page 90, line 11 by inserting after the word "made" and before the word "within" the following: "in cash"; also line 21 by inserting after the word "pleas" and before the word "within" the following: "in equity."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to,

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 1001 and 1002 of the bill were read as follows and agreed to.

ARTICLE X
FOREIGN BUSINESS CORPORATIONS

Section 1001 Admission of Foreign Business Corporations A foreign business corporation before doing any business in this Commonwealth shall procure a certificate of authority to do so from the Department of State in the manner hereinafter provided in this article unless the entire business operations of the corporation within this Commonwealth are within the protection of the Commerce Clause of the Federal Constitution in which event the corporation may engage in such business operations without procuring a certificate of authority A foreign business corporation shall not be denied a certificate

of authority by reason of the fact that the laws of the state or country governing its organization and internal affairs differ from the laws of this Commonwealth and nothing in this act contained shall be construed to authorize this Commonwealth to regulate the organization or the internal affairs of such corporation

Section 1002 Restriction on Admission of Foreign Business Corporations The Department of State shall not issue a certificate of authority to any foreign business corporation

(1) If the application for the certificate of authority hereinafter required by this article to be filed sets forth any kind of business for the transaction of which a domestic business corporation could not be formed under the laws of the Commonwealth

(2) The name of which is not expressed in English letters or characters or does not contain the word "corporation" "company" or "incorporated" or end with an abbreviation of one of such words as provided in this act in the case of domestic business corporations unless such corporation for use in this Commonwealth expresses its name in English letters or characters and includes in or adds to the end of its name one of such words or an abbreviation thereof in the manner heretofore provided in this act

(3) Which has a name the same as or deceptively similar to the name of any domestic corporation or any other foreign corporation authorized to do business in this Commonwealth or the name of any unincorporated body registered with the Department of State under any Act of Assembly unless such other domestic or foreign corporation or unincorporated body is about to change its name or to cease to do business or is being wound up or such foreign corporation is about to withdraw from doing business in this Commonwealth and the written consent of such other domestic or foreign corporation or unincorporated body to the adoption of its name or a deceptively similar name has been given and is filed with the statement hereinafter required by this act

(4) Which has a name the same as or deceptively similar to a name the exclusive right to which is at the time reserved by an other corporation in the manner provided in this act or any other Act of Assembly

(5) Which has as part of its name any word or phrase not permitted by this act to be a part of the name of a domestic business corporation

Section 1003 of the bill was read as follows:

Section 1003 Application for a Certificate of Authority A foreign business corporation in order to procure a certificate of authority shall present to the Department of State a copy of its articles and all amendments thereto duly certified by the proper public officer of the state or country of its incorporation or if the corporation is created by a special law and has no articles a duly certified copy of such law a verified translation of any part of such articles amendments or law which is in a foreign language and an application for a certificate of authority executed under the seal of the corporation and signed and verified by at least two duly authorized officers thereof which shall set forth

(1) The name of the corporation

(2) If the name of the corporation does not contain one of the words "corporation" "company" or "incorporated" or does not end with an abbreviation of one of such words then the name of the corporation with the word or abbreviation which it elects to add thereto for use in this Commonwealth

(3) The name of the state or country under the laws of which it is formed

(4) The address including street and number if any of its principal office in the state or country under the laws of which it is formed

(5) The address including street and number if any of its proposed registered office in this Commonwealth

(6) A designation of the Secretary of the Commonwealth and his successor in office as the true and lawful attorney of the corporation upon whom all lawful process in any action or proceeding against it may be served that the service of process upon the Secretary of the Commonwealth shall be of the same legal force and validity as if served on the corporation and that the authority for such service of process shall continue in force as long as any liability remains outstanding against the corporation in this Commonwealth

(7) The character and nature of the business it proposes to do within this Commonwealth

(8) A statement of the aggregate number of shares which it has authority to issue itemized by classes par value of shares shares without par value and series if any within a class

(9) A statement of the aggregate number of its issued shares itemized by classes par value of shares shares without par value and series if any within a class

(10) Such further and additional information as the Department of State may from time to time require

On the question,

Will the Senate agreed to the section?

Mr. SCOTT. Mr. President, I move to amend page 94, by inserting between lines 5 and 6 the following section: "Section 1003 Advertisement A foreign business corporation before it may procure a certificate of authority shall advertise its intention to apply for a certificate of authority by publication in a manner similar to that heretofore prescribed in this act in the case of the formation of a domestic business corporation Advertisements shall appear at least three days prior to the day on which application is made to the Department of State and shall set forth briefly; (a) The name of the corporation and of the state or country under the laws of which it is formed; (b) The address including street and number if any of its principal office in the state or country under the laws of which it is incorporated; (c) The address including street and number if any of its proposed registered office in this Commonwealth; (d) The character and nature of the business it proposes to do within this Commonwealth; (e) The date when its application for a certificate of authority will be presented to the Department of State"; also line 6, by striking out after the word "Section" and before the word "Application" the figures "[1003]" and inserting in lieu thereof the figures: "1004"; also line 7, by striking out at the beginning of the line before the word "foreign" the word: "[A]" and inserting in lieu thereof the following: "On or before the day specified in the advertisement the"; also line 7, by striking out at the end of the line after the word "corporation" the following: "[in order to procure a cer-]"; also line 8, by striking out at the beginning of the line before the word "shall" the following: "[tificate of authority]"; also line 15, by inserting after the word "language" and before the word "and" the following: "proof of the advertisement heretofore required by this article"; also page 95, line 25, by inserting at the end of the line after word "require" the following: "for the purpose of ascertaining whether or not the applicant corporation is entitled to a certificate of authority."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 1004 of the bill was read as follows:

Section 1004 Issuance and Recording of Certificate of Authority If the Department of State finds that the provisions of this article have been complied with and that the applicant corporation is entitled to a certificate of authority to do business in this Commonwealth it shall endorse its approval upon the application for a certificate of authority and when all bonus fees and charges have been paid as required by law shall file the application and the copy of the articles and shall issue to the corporation a certificate of authority to do business in this Commonwealth The certificate of authority shall set forth the name of the corporation the address of its registered office in this Commonwealth and the character and nature of the business it is authorized to transact in this Commonwealth Upon the issuance of the certificate of au-

thority by the Department of State the corporation may do in this Commonwealth any of the business referred to in the certificate of authority and no other subject however to the right of the Commonwealth to cancel or revoke such right to transact business in this Commonwealth as provided in this act The certificate of authority shall be returned to the corporation or its representative and such certificate and a verified copy of its articles shall be recorded in the office of the recorder of deeds of the county in which the registered office of the corporation in this Commonwealth is located The certificate of authority upon being recorded by the recorder of deeds shall be returned to the corporation or its representative

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 1004, page 95, line 26 by striking out after the word "Section" and before the word "Issuance" the figures: "[1004[" and inserting in lieu thereof the figures: "1005"; also page 96, line 18 by striking out after the word "be" and before the word "to" the word: "[returned]" and inserting in lieu thereof the word: "delivered"; also, line 19 by striking out at the end of the line after the word "representative" the following: "[and such certificate]"; also by striking out lines 20 to 25, inclusive.

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 1005 of the bill was read as follows:

Section 1005 Registered Office of Foreign Business Corporations Every foreign business corporation required by the provisions of this article to obtain a certificate of authority to do business in this Commonwealth shall have and continuously maintain in this Commonwealth a registered office which may but need not be the same as its place of business in this Commonwealth The address including street and number if any of the initial registered office of each foreign corporation shall be stated in its application for a certificate of authority to do business in this Commonwealth A foreign business corporation may from time to time change the address of its registered office upon obtaining from the Department of State before such change is made an amended certificate of authority as hereinafter provided in this article

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 1005, page 96, line 26 by striking out after the word "Section" and before the word "Registered" the figures: "[1005]" and inserting in lieu thereof the figures: "1006."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 1006 of the bill was read as follows:

Section 1006 Amended Certificate of Authority After receiving a certificate of authority a foreign business corporation may subject to the provisions of this act change its name or the address of its registered office in the Commonwealth or be authorized to do in this Commonwealth other or additional business than that authorized by its certificate of authority by filing with the Department of State an application for an amended certificate of authority Such application shall be executed under the seal of the corporation signed and verified by two duly authorized officers thereof and shall set forth the changes desired by the corporation If the Department of State finds that the provisions of this article have been complied with and that the applicant corporation is entitled to an amended certificate of authority it shall approve and file the application and when all fees and charges have been paid as required by law shall issue to the applicant corporation an amended certificate of authority setting forth the desired changes The amended certificate of authority shall be recorded in the office of the recorder of deeds of the county in which the original certificate of authority was recorded If the address of the registered office of the applicant corporation is changed from one county to another county then the corporation shall have recorded in the office of the recorder of deeds of the county in which its new registered office is situated its original and amended certificates of authority and a verified copy of its articles

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 1006, page 97, line 13 by striking out after the word "Section" and before the word "amended" the figures: "[1006]" and inserting in lieu thereof the figures: "1007"; also line 13 by inserting after the word "Authority" and before the word "After" the letter: "A"; also line 21 by inserting after "thority" and before the word "Such" the following: "and proof of the advertisement hereinafter required by this section"; also line 24 by striking out at the end of the line after the word "corporation" the following: "[If the Department of State finds]" and inserting in lieu thereof the following subsections: "B A foreign business corporation shall before making application to the Department of State advertise its intention to apply for an amended certificate of authority by publication in a manner similar to that prescribed in this act in the case of the formation of a domestic business corporation Advertisements shall appear at least three days prior to the day on which application is made to the Department of State and shall set forth briefly: (1) The name of the corporation and of the state or country under the laws of which it is formed (2) If the application is for permission to do in this Commonwealth other or additional business the character and nature of the business it proposes to do under the amended certificates of authority (3) If the application is for a change of name the new name under which it proposes to do business (4) If the application is for change of the registered office of the corporation to another county the address including street and number if any of its then registered office and the address including street and number if any to which the registered office is to be changed "C If the Department of State finds"; also amend section 1006, page 97, line 27 by striking out at the end of the line after the word "shall" the following: "[approve and file]" and inserting in lieu thereof the following: "endorse its approval upon"; also page 98, line 1 by inserting after the word "shall" and before the word "issue" the following: "file the application and"; also line 3 by striking out at the end of the line after the word "changes" the following: "[The amended certificate of authority]"; also by striking out lines 4 to 12, inclusive.

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 1007 of the bill was read as follows:

Section 1007 Amendments to Articles of Foreign Business Corporations Upon amendment of the articles of any foreign

corporation authorized by a certificate of authority to transact business in this Commonwealth such corporation shall forthwith file with the Department of State a copy of such amendment duly authenticated by the proper official of the state or country under the laws of which such corporation is organized and shall also file a verified copy thereof in the office of the recorder of deeds of the county in which its registered office is located in this Commonwealth The filing of any such amendment shall not of itself enlarge or alter the nature or kind of business which such corporation is authorized to transact in this Commonwealth nor authorize such corporation to transact business in this Commonwealth under any other name than the name set forth in its certificate of authority unless such corporation shall apply for and receive an amended certificate of authority as hereinafter provided in this article

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 1007, page 98, line 13 by striking out after the word "Section" and before the word "Amendments" the figures: "[1007]" and inserting in lieu thereof the figures: "1008"; also line 20 by striking out at the end of the line after the word "organized" the following "[and shall also file a verified]"; also by striking out lines 21 and 22; also line 23 by striking out at the beginning of the line before the word "The" the following: "[this Commonwealth]"; also page 99, line 1 by striking out after the word "as" and before the word "provided' the word: "[thereafter]" and inserting in lieu thereof the word: "hereinbefore.'

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 1008 of the bill was read as follows:

Section 1008 Merger of Foreign Business Corporations Whenever a foreign business corporation authorized by a certificate of authority to transact business in this Commonwealth shall be a party to a statutory merger permitted by the laws of the state or country under which it is organized and such corporation shall be the surviving corporation it shall forthwith file with the Department of State a copy of the articles of merger duly authenticated by the proper officer of the state or country under the laws of which such statutory merger was effected It shall not be necessary for such corporation to procure either a new or amended certificate of authority to transact business in this Commonwealth unless the name of such corporation be changed thereby or unless the corporation desires to transact in this Commonwealth other or additional business than that which it is then authorized to transact in this Commonwealth

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 1008, page 99, line 3, by striking out after the word "Section" and before the word "Merger" the figures: "[1008]" and inserting in lieu thereof the figures: "1009."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 1009 of the bill was read as follows:

Section 1009 General Powers of Foreign Business Corporations A foreign business corporation which shall have received a certificate of authority under this act so long as such certificate of authority shall not be revoked or cancelled shall enjoy the same rights and privileges as a domestic business corporation but no more and except as in this act otherwise provided shall be subject to the same liabilities restrictions duties and penalties now in force or hereafter imposed upon domestic business corporations to the same extent as if it had been organized under this act to transact the business set forth in its certificate of authority

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 1009, page 99, line 20, by striking out after the word "Section" and before the word "General" the figures "[1009]" and inserting in lieu thereof the figures "1010."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 1010 of the bill was read as follows

Section 1010 Service of Process upon the Secretary of the Commonwealth Service of process against a foreign business corporation upon the Secretary of the Commonwealth shall be made by the Sheriff of Dauphin County by leaving the fee the plaintiff is required by law to pay for this service and two copies of the process at the office of the Secretary of the Commonwealth The sheriff shall make due return of his service of the process to the court magistrate or justice of the peace issuing the same Such process may be issued by any court magistrate or justice of the peace having jurisdiction of the subject matter of the controversy in any county of the Commonwealth in which the corporation shall have its registered office or in the county in which the right of action arose When legal process against any such corporation has been served upon the Secretary of the Commonwealth he shall immediately send by mail postage prepaid one copy of such process directed to the corporation at its registered office The fee paid by the plaintiff to the Secretary of the Commonwealth at the time of the service shall be taxed in the plaintiff's costs if he prevails in the suit necessitating the service of the process The Secretary of the Commonwealth shall keep a record of the day and hour of the service of such process on him and a certified copy of such record shall be sufficient evidence thereof The service of process on the Secretary of the Commonwealth under this section shall be of the same legal force and validity as if the process had been served on the corporation and the authority for such service of process shall continue in force as long as any liability remains outstanding against the corporation in the Commonwealth Nothing herein contained shall limit or affect the right to serve any process notice or demand required or permitted by law to be served upon a foreign corporation in any other manner now or hereafter permitted by law

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 1010, page 100, line 2, by striking out after the word "Section" and before the word "Service" the figures: "[1010]" an inserting in lieu thereof the figures "1011."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 1011 of the bill was read as follows:

Section 1011 Acquisition of Real Property Every foreign business corporation authorized to transact business within

this Commonwealth may acquire hold mortgage lease and transfer real property in this Commonwealth in the same manner and subject to the same limitations as domestic business corporations Every such corporation may purchase in its corporate name at any sheriff's or other judicial sale any real estate within this Commonwealth upon which such corporation may have or hold a judgment or lien and may at its pleasure sell and convey such real estate but any real estate so purchased shall be sold and conveyed within ten years from the date of such purchase All the rights privileges and duties now by law accorded to and imposed upon lien creditors purchasing at judicial sales are hereby extended to such corporations

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 1011, page 101, line 9 by striking out after the word "Section" and before the word "Acquisition" the figures: "[1011]" and inserting in lieu thereof the figures: "1012"; also by striking out lines 19 and 20.

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 1012 of the bill was read as follows:

Section 1012 Revocation of Certificate of Authority Whenever the Department of State shall find that a foreign business corporation authorized by a certificate of authority to do business in this Commonwealth is engaged in this Commonwealth in any business which it is not authorized to transact by its certificate of authority or by any amended certificate of authority or has changed its name or the location of its registered office without first securing an amended certificate of authority as required by this act or has failed to file a copy of its articles or a copy of any amendments thereto or its certificate of authority or any amended certificate of authority in the office of the recorder of deeds of the county in which its registered office is situated or is violating any of the laws of this Commonwealth the Department of State shall give notice by registered mail to such corporation that such default exists and that its certificate of authority including any amendments thereto will be revoked and cancelled unless such default shall be cured within thirty days after the mailing of such notice If such default shall not be cured within such period of thirty days the Department of State shall revoke and cancel the certificate of authority of such foreign corporation including any amendments thereto Upon revoking and cancelling any such certificate of authority the Department of State shall mail to such corporation at its registered office in this Commonwealth a certificate of revocation and shall mail a copy of such certificate to the recorder of deeds of the county in which the registered office of the corporation is situated who shall record the same without any fee therefor Upon the issuance of such certificate of revocation the authority of the corporation to transact business in this Commonwealth shall cease and such corporation shall not thereafter transact any business in this Commonwealth unless it applies for and receives a new certificate of authority

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 1012, page 101, line 24 by striking out after the word "Section" and before the word "Revocation" the figures: "[1012]" and inserting in lieu thereof the figures: "1013"; also page 102, line 4 by striking out at the end of the line after the word "act" the following: "[or has failed to file a copy of its articles or]"; also by striking out lines 5 to 7, inclusive; also line 8 by striking out at the beginning of the line before the word "or the following: "[its registered office is situated]"; also line 21 by striking out at the end of the line after the word "revocation" the following: "[and shall mail a]"; also by striking out lines 22 to 24, inclusive; also line 25 by striking out at the beginning of the line before the word "Upon" the word "[for]"

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 1013 of the bill was read as follows:

Section 1013 Penalty for Doing Business Without Certificate of Authority Any person agent officer or employe who shall transact any business within this Commonwealth for any foreign business corporation which is required by the provisions of this article to procure a certificate of authority but has not done so shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment not exceeding thirty days or by a fine not exceeding one thousand dollars ($1,000) or both in the discretion of the court trying the same but the failure of any such corporation to apply for and secure a certificate of authority from the Department of State shall not impair or affect the validity of any contract with such corporation and actions or proceedings at law or in equity may be instituted and maintained on any such contract No such action however shall be instituted or recovery had by any such corporation on any such contract either expressed or implied in any of the courts of this Commonwealth or before any justice of the peace or magistrate thereof until such corporation shall obtain a certificate of authority and shall pay to the Department of State a fine of two hundred fifty dollars ($250.00)

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 1013, page 103, line 3 by striking out after the word "Section" and before the word "Penalty" the figures: "[1013]" and inserting in lieu thereof the figures: "1014."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 1014 of the bill was read as follows:

Section 1014 Surrender of Certificate of Authority (a) Any foreign business corporation may withdraw from doing business in this Commonwealth and surrender its certificate of authority by filing with the Department of State an application for a certificate of withdrawal executed under the seal of the corporation and signed and verified by two duly authorized officers thereof which shall set forth

(1) The name of the corporation

(2) The state or country of its corporation

(3) The date on which it received a certificate of authority to do business in the Commonwealth

(4) A statement that it revokes its designation of the Secretary of the Commonwealth as the person on whom process against it may be served in this Commonwealth

(5) A statement that it surrenders its certificate of authority to do business in this Commonwealth

(6) A statement that it consents that process against it in an action or proceeding upon any liability or obligation incurred within this Commonwealth before the issuance of the certificate of withdrawal may be served upon the Secretary of the Commonwealth after the filing of such certificate

(7) A post office address to which the Secretary of the Commonwealth may mail a copy of any process against it that may be served upon him

(b) Upon the filing of such application and the return for cancellation of the corporation's certificate of authority or the filing of proof that it has been lost or destroyed the Department of State after all bonus taxes fees and charges have been paid as required by law shall cancel the certificate of authority if any and shall issue in duplicate a certificate of withdrawal The Department of State shall return one of such certificates of withdrawal to the corporation or its representatives and shall send the other to the recorder of deeds of the county in which the registered office of the corporation in this Commonwealth is situated who shall record the same without fee therefor Upon the issuance of the certificate of withdrawal the authority of the corporation to do business within this Commonwealth shall cease and determine and no such corporation doing business in this Commonwealth after the issuance of such certificate shall maintain any action in this Commonwealth upon any contract made by it in this Commonwealth subsequent to the issuance of such certificate of withdrawal The issuance of such certificate shall not however affect any action pending at the time thereof or affect any right of action upon contract made by such corporation in the Commonwealth before the issuance of the certificate Process against the corporation in an action upon any liability or obligation incurred within this Commonwealth before the issuance of such certificate may be served thereafter upon the Secretary of the Commonwealth

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 1014, page 103, line 25, by striking out after the word "Section" and before the word "Surrender" the figures: "[1014]" and inserting in lieu thereof the figures: "1015"; also page 104 by inserting between lines 20 and 21 the following subsection: "B A foreign business corporation shall before making application for a certificate of withdrawal advertise its intention to withdraw from doing business in this Commonwealth in a manner similar to that hereinafter required by this act in the case of the voluntary dissolution of a domestic business corporation"; also line 21, by striking out at the beginning of the line before the word "Upon" the leter: "[B]" and inserting in lieu thereof the letter: "C"; also line 21 by inserting after the word "application" and before the word "and" the following: "proof of the edvertisement heretofore required by this section"; also line 27, by striking out at the beginning of the line before the word "a" the following: "[in duplicate]" and inserting in lieu thereof the following: "to the corporation or its representative"; also line 27, by striking out at the end of the line after the word "withdrawal" the following: "[The Department of]"; also by striking out lines 28 and 29; also page 105 by striking out lines 1 to 3, inclusive; also line 4, by striking out at the beginning of the line before the word "Upon" the word: "[therefor]"; also line 6, by striking out at the end of the line after the word "determine" the following: "[and no such]"; also by striking out lines 7 to 10 inclusive; also line 11, by striking out at the beginning of the line before the word "The" the following: "[of withdrawal]"; also line 12, by striking out at the beginning of the line before the word "affect" the word: "[however]."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 1101 of the bill was read as follows:

ARTICLE XI

DISSOLUTION AND WINDING UP

Section 1101 Voluntary Dissolution by Incorporators The incorporators of a business corporation which has not commenced business and which has not issued any shares may effect the dissolution of the corporation by filing articles of dissolution with the Department of State The articles of dissolution shall be executed in duplicate originals signed and verified by a majority of the incorporators and shall set forth

(1) The name of the corporation

(2) The address including street and number if any of its registered office

(3) The date of its incorporation

(4) That the corporation has not commenced business and that none of its shares has been issued

(5) That the amount if any actually paid in on subscriptions to its shares less any part thereof disbursed for necessary expenses has been returned to those entitled thereto

(6) That no debt of the corporation remain unpaid

(7) That all the incorporators elect that the corporation be dissolved

The duplicate originals of the articles of dissolution shall be delivered to the Department of State If the Department of State finds that the articles conform to law it shall endorse its approval upon each duplicate original and when all bonus taxes fees and charges required by law have been paid shall file for record one of the duplicate originals and shall issue in duplicate a certificate of dissolution Upon the issuance of the certificate of dissolution the existence of the corporation shall cease The Department of State shall send one copy of the certificate of dissolution to the incorporators or their representative and shall send a copy of the articles of dissolution and a copy of the certificate of dissolution to the recorder of deeds of the county in which the registered office of the corporation in this Commonwealth is situated who shall record the articles and certificate without fee therefor

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 1101, page 105, line 23 by striking out after the word "business" and before the word "which" the word: "[and]" and inserting in lieu thereof the word: "or"; also line 26 by striking out at the end of the line after the word "executed" the following: "[in duplicate orig-]"; also line 27 by striking out at the beginning of the line before the word "signed" the following: "[inals]" and inserting in lieu thereof the following: "under the seal of the corporation"; also page 106, line 13 by striking out after the word "The" and before the word "articles" the following: "[duplicate originals of the]"; also line 16 by striking out after the word "approval" and before the word "and" the following: "[upon each duplicate original]" and inserting in lieu thereof the word: "thereon"; also line 18 by striking out at the end of the line after the word "file" the following: "[for record one of the duplicate]"; also line 19 by striking out at the beginning of the line before the word "issue" the following: "[originals and shall]" and inserting in lieu thereof the following: "the articles and"; also by striking out after the word "issue" and before the word "a" the following: "[in duplicate]"; also line 20 by inserting after "solution" and before the word "Upon" the following: "to the incorporators or their representatives"; also line 21 by striking out at the end of the line after the word "cease" the following: "[The Depart-]"; also by striking out lines 22 to 28, inclusive.

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 1102 of the bill was read as follows:

Section 1102 Election of Corporation to Dissolve Voluntarily Any business corporation which has commenced business and which has issued shares may elect to dissolve voluntarily and wind up its affairs by a written agreement signed by all the

shareholders of record of the corporation consenting to its dissolution or after the board of directors shall have adopted a resolution recommending that the corporation be dissolved voluntarily and directing that the question of dissolution be submitted to a vote of the shareholders at a meeting which may be either an annual meeting of the shareholders or a special meeting of the shareholders entitled to vote on the question Written notice stating that the purpose or one of the purposes of such meeting is to discuss the advisability of voluntarily dissolving the corporation shall be given to each shareholder of record whether or not entitled to vote within the time and in the manner provided in this act for the giving of notice of meetings of shareholders If such meeting be an annual meeting such purpose may be included in the notice of the annual meeting The resolution shall be declared adopted upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote on the resolution unless any class of shares is entitled to vote on the resolution as a class in which event the resolution must receive for its adoption the affirmative vote of the holders of at least a majority of the outstanding shares of each class of shares entitled to vote on the resolution as a class and at least a majority of all other outstanding shares entitled to vote on the resolution

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 1102, page 108, line 1 by inserting after the word "and" and before the word "at" the following: "the affirmative vote of the holders of"

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 1103 of the bill was read as follows:

Section 1103 Certificate of Election to Dissolve Upon the execution by all the shareholders of a written agreement for the voluntary dissolution of a corporation or upon the adoption at a meeting of the shareholders of a resolution for the voluntary dissolution of a corporation or upon the adoption at a meeting of the shareholders of a resolution for the voluntary dissolution of a corporation as the case may be a certificate of election to dissolve shall be executed in duplicate under the seal of the corporation signed and verified by at least two duly authorized officers of the corporation which shall set forth

(1) The name of the corporation

(2) The address including street and number if any of the registered office of the corporation in this Commonwealth

(3) The names and respective addresses including street and number if any of its officers

(4) The names and respective addresses including street and number if any of its directors

(5) If the election to dissolve was by written agreement of all share holders a statement that the agreement was signed by all shareholders of record of the corporation or signed in their names by their duly authorized attorneys

(6) If the election to dissolve was by resolution adopted at a meeting of the shareholders the number of shares outstanding the number of shares entitled to vote in respect of the dissolution of the corporation and the number of shares voted for and against the voluntary dissolution of the corporation respectively and if the shares of any class are entitled to vote as a class the number of shares of such class and the number of shares of all other classes voted for and against the voluntary dissolution of the corporation

The duplicate originals of the certificate of election to dissolve shall be delivered to the Department of State If the Department of State finds that the certificate conforms to law it shall endorse its approval upon each duplicate original and when all bonus taxes fees and charges required by law have been paid shall file for record one of the duplicate originals and shall return the other duplicate original to the corporation or its representative The duplicate original returned by the Department of State shall be promptly recorded by the corporation or its representative in the office of the recorder of deed of the county in which the registered office of the corporation in this Commonwealth is situated Upon the filing by the Department of State of a certificate of election to dissolve the corporation shall cease to carry on its business except in so far as may be necessary for the proper winding up thereof but its corporate existence shall continue until a certificate of dissolution has been issued by the Department of State or until a decree dissolving the corporation has been entered by a court of common please as elsewhere provided in this act

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 1103, page 108, line 9 by striking out after the word "executed" and before the word "under" the following: "[in duplicate]"; also page 109, line 5 by striking out after the word "The" and before the words "the certificate" the following: "[duplicate originals of]"; also line 8 by striking out at the end of the line after the word "approval" the following: "[upon each duplicate]"; also line 9 by striking out at the beginning of the line before the word "and" the word: "[original]" and inserting in lieu thereof the word: "thereon"; also line 10 by striking out at the end of the line after the word "file" the following: "[for record one]"; also by striking out lines 11 to 16, inclusive; also line 17 by striking out at the beginning of the line before the word "Upon" the following: "[in this Commonwealth is situated]" and inserting in lieu thereof the following: "the certificate."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 1104 of the bill was read as follows and agreed to.

Section 1104 Winding up in Voluntary Dissolution proceedings A The board of directors of a business corporation shall have full power to wind up and settle the affairs of a business corporation in the event of a voluntary dissolution proceeding

B After the filing by the Department of State of a certificate of election to dissolve the board of directors shall immediately cause notice of the winding up proceedings to be mailed to each known creditor and claimant and to be published once a week for two successive weeks in two newspapers published in the English language one of which shall be a newspaper of general circulation and the other the legal newspaper if any desingated by the rules of court for the publication of legal notices otherwise in two newspapers of general circulation published in the county in which the registered office of the corporation is located Where there is but one newspaper of general circulation published in any county advertisement in such newspaper shall be sufficient

C The board of directors shall as speedily as possible proceed to collect all sums due or owing to the corporation to sell and convert ito cash any and all corporate assets to collect the whole or so much as may be necessary or just of any amounts remaining unpaid on subscriptions to shares and out of the sum realized to pay satisfy and discharge all debts and liabilities of the corporation according to their respective priorities Any surplus remaining after paying off all debts and liabilities of the corporation shall be paid by the board of directors to the shareholders according to their respective rights and preferences

D The board of directors at any time during the winding up proceedings may by petition apply to any court of common pleas of the county in which the registered office of the corporation is located to have the proceedings continued under the supervision of the court and thereafter the proceedings shall continue under the supervision of the court as hereinafter provided in this act

Section 1105 of the bill was read as follows:

Section 1105 Articles of Dissolution When all debts liabilities and obligations of the corporation have been paid and discharged or adequate provision shall have been made therefor and all of the remaining property and assets of the corporation shall have been distributed to its shareholders articles of dissolution shall be xcuted in duplicate originals signed and verified by at least two duly authorized officers of the corporation which shall set forth

(1) The name of the corporation

(2) The address including street and number if any of the registered office of the corporation

(3) A statement that the corporation has theretofore filed with the Department of State and with the recorder of deeds of the county in which the registered office of the corporation is situated a certificate of election to dissolve and the date on which the certificate was filed by the Department of State

(4) A statement that all debts obligations and liabilities of the corporation have been paid and discharged or that adequate provisions has been made therefor

(5) A statement that all the remaining property and assets of the corporation have been distributed among its shareholders in accordance with their respective rights and interests

(6) A statement that there are no suits pending against the corporation in any court

The duplicate originals of the articles of dissolution shall be delivered to the Department of State If the Department of State finds that such articles conform to law it shall endorse its approval on each duplicate original and if all bonus taxes fees and charges required by law have been paid shall file for record one of the duplicate originals and shall issue in duplicate a certificate of dissolution Upon the issuance of the certificate of dissolution the existence of the corporation shall cease The Department of State shall send one copy of the certificate of dissolution to the representative of the dissolved corporation and shall send a copy of the articles of dissolution and a copy of the certificate of dissolution to the recorder of deeds of the county in which the registered office of the corporation in this Commonwealth is situated who shall record the articles and certificate without fee therefor

On the question,

Will the Senate agree to the section?

Mr. SCOTT Mr. President, I move to amend section 1105, page 111, line 12, by striking out at the end of the line after the word "executed" the following: "[in dupli-]"; also line 13, by striking out at the beginning of the line before the word "signed" the following: "[cate originals]" and inserting in lieu thereof the following: "under the seal of the corporation and"; also line 19, by striking out at the beginning of the line before the word "the" the following: "[filed with]" and inserting in lieu thereof the following: "delivered to"; also by striking out at the end of the line after the word "State" the following: "[and with the recorder]"; also by striking out line 20; also line 21, by striking out at the beginning of the line before the word "a" the following: "[of the corporation is situated]"; also page 112, line 3, by striking out after the word "The" and before the word "articles" the following: "[duplicate originals of the]"; also page 112, line 6, by striking out after the word "approval" and before the word "and" the following: "[on each duplicate original]" and inserting in lieu thereof the word: "thereon"; also line 8, by striking out at the end of the line after the word "file" the following: "[for record one of the duplicate]"; also line 9, by striking out at the beginning of the line before the word "a" the following: "[originals and shall issue in duplicate]" and inserting in lieu thereof the following: "the articles and issue to the corporation or its representative"; also page 112, line 11, by striking out at the end of the line after the word "cease" the following: "[The Depart-]"; also by striking out lines 12 to 18, inclusive.

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 1106 of the bill was read as follows and agreed to.

Section 1106 Winding Up of Corporation upon the Expiration of its Charter Every business corporation which is dissolved by expiration of its charter shall nevertheless continue to exist for the purpose of winding up its affairs prosecuting and defending actions by or against it collecting and discharging obligations disposing of and conveying its property and collecting and dividing its assets but not for the purpose of continuing business except in so far as necessary for the winding up of the corporation The board of directors of such corporation shall continue as a board and shall have full power to wind up the affairs of such corporation

Section 1107 of the bill was read as follows:

Section 1107 Involuntary Proceedings for Winding Up and Dissolution A The several courts of common pleas of the Commonwealth may upon petition filed by a shareholder of a business corporation entertain proceedings for the involuntary winding up and dissolution of the corporation when it is made to appear

(1) That the objects of the corporation have wholly failed or are entirely abandoned or that their accomplishment is impracticable or

(2) That the facts of the directors or those in control of the corporation are illegal oppressive or fraudulent or

(3) That the corporate assets are being misapplied or wasted and that it is beneficial to the interests of the shareholders that the corporation be wound up and dissolved or

(4) That the directors are deadlocked in the management of the corporate affairs and the shareholders are unable to break the deadlock and that irreparable injury to the corporation is being suffered or is threatened by reason thereof

B The several courts of common pleas of this Commonwealth may upon petition filed by a creditor of a business corporation whose claim has either been reduced to judgment and an execution thereon returned unsatisfied or whose claim is admitted by the corporation entertain proceedings for the involuntary winding up and dissolution of the corporation when in either case it is made to appear that the corporation is unable to pay its debts and obligations in the legal course of business as they mature or to afford reasonable security to those who may deal with it

C Any petition for the involuntary winding up and dissolution of a corporation authorized to be filed under this section shall be filed with a court of common pleas of the county in which the registered office of the corporation is located

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 1107, page 113, line 14 by inserting after "lent" and before the word "or" the following: "and that it is beneficial to the interests of the shareholders that the corporation be wound up and dissolved."

Mr. ARMSTRONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Sections 1108 and 1109 of the bill were read as follows:

Section 1108 Procedure in Liquidation of Corporations by Courts of Common Pleas A Upon the filing of a petition by the board of directors or a shareholder or a creditor as authorized in this article for the voluntary or involuntary winding up and dissolution of a business corporation as the case may be the court of common pleas shall have all the ordinary powers of a court of equity to issue injunctions to

appoint a receiver or receivers pendente lite with such powers and duties as the court from time to time may direct and to take such other proceedings as may be requisite to preserve the corporate assets and carry on the business of the corporation until a full hearing can be had

B Upon a hearing and proof of the issues after such notice as the court may direct to be given to all parties to the proceeding and to any other parties in interest designated by the court the court may appoint a liquidating receiver with authority to collect the assets of the corporation including all amounts owing to the corporation by shareholders on account of any unpaid portion of the consideration for the issuance of shares Such liquidating receiver shall have authority subject to the order of the court to sell convey and dispose of all or any part of the assets of the corporation either at public or private sale The assets of the corporation or the proceeds resulting from a sale conveyance or other disposition thereof shall be applied to the expenses of such liquidation and to the payment of the liabilities and obligations of the corporation and any remaining assets or proceeds shall be distributed among its shareholders according to their repsective rights and interests The order appointing such liquidating receiver shall state their powers and duties Such powers and duties may be increased or diminished at any time during the proceedings A receiver of a corporation appointed under the provisions of this section shall have authority to sue and defend in all courts in his own name as receiver of such corporation The court appointing such receiver may issue writs in favor of such receiver to the sheriff of any county in this Commonwealth for service

C A receiver shall in all cases be a resident of this Commonwealth or a corporation authorized to act as receiver which corporation may be a domestic corporation or a foreign corporation authorized to transact business in this Commonwealth and shall give such bond as the court may direct with such sureties as the court may require

D In proceedings to liquidate the assets and business of a corporation the court may require all creditors of the corporation to file with the prothonotary of the court or with the receiver proofs under oath of their respective claims If the court requires the filing of claims it shall fix a date which shall be not less than four months from the date of the order as the last day for the filing of claims and shall prescribe the notice that shall be given to creditors and claimants of the date so fixed Prior to the date so fixed the court may extend the time for the filing of claims Creditors and claimants failing to file proofs of claim on or before the date so fixed may be barred by order of court from participating in the distribution of the assets of the corporation

Section 1109 Discontinuance of Liquidation Proceedings Reorganization The liquidation of the assets and business of a corporation may be discontinued at any time during the winding up proceedings in the following manner

(1) If the suit shall have been instituted by a shareholder and it is made to appear to the court that the deadlock in the corporate affairs has been broken or the management or control of the corporation has been changed the court in its discretion may dismiss the proceeding and direct the receiver to redeliver to the corporation all its remaining property and assets

(2) If the suit shall have been instituted by a creditor and it is made to appear that the debts of the corporation have been paid or provided for and that there remain or can be obtained sufficient funds to enable the corporation to resume its business the court in its discretion may dismiss the proceeding and direct the receiver to redeliver to the corporation all its remaining property and assets

(3) When a compromise or reorganization of the corporation is proposed whether the suit shall have been instituted by a shareholder or by a creditor the court upon the summary application of any shareholder or creditor or receiver may order a meeting of the creditors or shareholders to be summoned in such manner as the court may direct If a majority in number representing three-fourths in value of the creditors or the holders of three-fourths of the shares entitled to vote thereon or both or if a majority in numbr representing three-fourth in value of any class of creditors or if the holders of three-fourths of the shares of any class as the case may be agree to any compromise or reorganization of the corporation such compromise or reorganization if approved by the court shall be binding on all creditors or on all shareholders or both or on the class of creditors or class of shareholders or both as the case may be and also on the corporation and its receiver if any

Section 1110 of the bill was read as follows:

Section 1110 Decree of Involuntary Dissolution The court of common pleas in a proceeding to wind up the assets and business of a business corporation shall enter a decree dissolving the corporation when the costs and expenses of such proceedings and all debts liabilities and obligations of the corporation shall have been paid and discharged and all of its remaining property and assets distributed to its shareholders or in case its property and assets are not sufficient to satisfy and discharge such costs expenses debts and obligations when all the property and assets have been applied as far as they will go to their payment. Upon the issuance of the decree by the court the existence of the corporation shall cease After the court shall enter a decree of dissolution it shall be the duty of the prothonotary of the court to cause a certified copy of the decree of dissolution to be field with the Department of State and a certified copy thereof to be recorded in the office of the recorder of deeds of the county in which the registered office of the corporation in this Commonwealth is situated No fee shall be charged by the Department of State for the filing thereof and no fee shall be charged by the recorder of deeds for the recording thereof

On the question,

Will the Senate agree to the section?

Mr. SCOTT. Mr. President, I move to amend section 1110, page 118, line 10 by striking out at the end of the line after the word "State" the following: "[and a certified copy thereof to be recorder in the]"; also by striking out lines 11 and 12; also line 13 by striking out at the beginning of the line before the word "No" the following: "[wealth is situated]"; also line 14 by striking out at the end of the line after the word "filing" the following: "[thereof and no fee shall"]; also by striking out lines 15 and 16 and inserting in lieu thereof the following: "of any decree of dissolution."

Mr. ARMSTRONG, I second the motion.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Sections 1111, 1112, 1202, 1202 and 1203 of the bill were read as follows and agreed to.

Section 1111 Survival of Remedies after Dissolution The dissolution of a business corporation either by the issuance of a certificate of dissolution by the Department of State or by the decree of a court of common pleas when the court has not liquidated the assets and property of the corporation or by expiration of its period of duration or by the sale of all its franchises property and assets to another business corporation shall not take away or impair any remedy given against such corporation its directors or shareholders for any liability incurred prior to such dissolution if suit thereon is brought and service of process had within two years after the date of such dissolution Such suits may be prosecuted against and defended by the corporation in its corporate name

Section 1112 Action to Annul Vacate or Forfeit Corporate Franchises The Attorney General may institute proceedings to annul vacate or forfeit the article of incorporation and the franchises of a business corporation upon such grounds and in such manner as is now provided by law In every such case the court of common pleas in which such action is instituted shall have full power to wind up the affairs of the corporation in the manner hereinbefore provided in this article

ARTICLE XII

EFFECTIVE DATE AND REPEALER

Section 1201 Effective Date This act shall become effective on the ..... day of .....

.....
.....

Section 1202 Acts and Parts of Acts Specifically Repealed The following acts and parts of acts are hereby specifically repealed

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.....
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.....

Section 1203 General Repeal of Acts All other acts or parts of acts inconsistent herewith are hereby repealed

The title of the bill was read as follows and agreed to.

An Act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaires of such courts, recorders of deeds, and certain State departments, commissions and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties and repealing certain acts and parts of acts relating to corporations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE MESSAGE

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 963

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives,

Resolved (if the Senate concur), That House Bill No. 963. entitled

An Act to amend section two of the act approved the twenty-second day of April one thousand eight hundred and seventy-four (Pamphlet Laws one hundred nine) entitled "An act to provide for the submission of civil cases to the decision of the court and to dispense with trial by jury" providing that upon request of counsel the decision of the court in such cases shall state separately the facts found the answers to points submitted and the conclusions of law

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS INTRODUCED

Mr. FRAZIER. Mr. President, I ask unanimous consent to read bills in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FRAZIER read in his place and presented to the Chair Senate Bill No. 969, entitled:

An Act providing for the payment of damages caused by the change of grade where the property was improved on the natural surface of the ground without conforming to the established grade regulation where said regulation had been established for more than three years prior to the improvement.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 970, entitled:

An Act relating to awards by boards of viewers for property taken, injured or destroyed; and providing that such award be not less than the amount admitted to be due, or more than the amount claimed.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 971, entitled:

An Act providing for the payment of consequential damages arising from the taking, injury or destruction of private property by municipal or other corporations or individuals in the construction or enlargement of their works, highways or improvements.

Which was committed to the Committee on Judiciary General.

Mr. HARRIS. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HARRIS read in his place and presented to the Chair Senate Bill No. 972, entitled:

An Act making an appropriation to the Zoar Home for Mothers, Babies and Convalescents, of Allison Park, Allegheny County.

Which was committed to the Committee on Appropriations.

REPORT FROM COMMITTEE

Mr. PRINCE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PRINCE, from the Committee on Forestry, reported as committed, Senate Bill No. 914 (House Bill No. 1800), entitled:

An Act providing for the control and eradication of white pine blister rust; providing for the destruction of trees, plants and bushes infected with the white pine blister rust; authorizing the Department of Forests and Waters to remove, appraise and pay for healthy host plants necessarily destroyed; declaring certain plants and bushes to be a public nuisance; authorizing the Department of Forests and Waters to set aside fruiting current and gooseberry and white pine growing districts as control areas; authorizing the collection of the expense of destroying the plants from owners failing to destroy; and providing penalties for its violation.

BILL ON THIRD READING AND FINAL PASSAGE

Mr. WILLIAMSON. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 876, on third reading, entitled:

An Act to amend clause (a) of section four hundred and eleven of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the op-

erators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by providing for transfer of registration from husband and wife to either spouse.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 876, entitled:

An Act to amend clause (a) of section four hundred and eleven of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety, regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferirng powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by providing for transfer of registration from husband and wife to either spouse.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. WILLIAMSON. Mr. President, I would like to explain to the members of this Senate what this bill is. It is a bill which has been submitted to the Highway Department, or rather the Registration Department of the Department of Revenue. It provides that where titles are jointly in the name of the husband and wife the two of them can transfer not only the title, but it carries with it, on the payment of two dollars, the license of the car. They tell me over in the Highway Department there are about four of these cases a year. It makes a good deal of controversy. It is a small matter, but the matter of two licenses for a car means a good deal to certain people. The Department has no objection to this bill, and believes it ought to be passed. Where the husband and wife jointly own the title and one of them dies, the survivor succeeds to the title. It merely means that the driver's license or license of the car, on payment of two dollars to the owner to whom the title has been transferred, can immediately obtain a license for the car.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Armstrong,	Ealy,	McClure,	Salus,
Batchelor,	Einstein,	Norton,	Scott,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Gelder,	Parkinson,	Sordoni,
Bennett,	Graff,	Pethick,	Staudenmeier,
Boyd,	Harris,	Prince,	Thompson,
Brandt,	Harvey,	Quigley,	Trainer,
Chapman,	Homsher,	Rice,	Williamson,
Clark,	Howell,	Roberts,	Ziesenheim,
Coyne,	Lanius,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL INTRODUCED

Mr. RICE. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RICE read in his place and presented to the Chair Senate Bill No. 973, entitled:

A Supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736), entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder," to exempt persons furnished work as an emergency unemployment relief measure by welfare or relief officers from the provisions thereof.

Which was committed to the Committee on Judiciary General.

HOUSE MESSAGE

RESOLUTION RECALING FROM THE GOVERNOR HOUSE BILL No. 127

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives,

Resolved (if the Senate concur), That House Bill No. 127, entitled:

An Act to amend section one thousand two hundred of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "Fiscal Code" taking out of the operation of the Fscal Code questions relating to the lien and payment of liquid fuel taxes, and referring such questions to the provisions of the liquid fuels tax acts.

be recalled from the Governor for further consideration.

Ordered, That the Clerk inform the House of Representatives accordingly.

QUESTION OF PERSONAL PRIVILEGE

Mr. SALUS. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator will state his question of personal privilege.

Mr. SALUS. Mr. President and members of this Senate, some two weeks ago or more the Mayor of Philadelphia called together the members of the Senate from Philadelphia, and insisted that the members of this Senate do not come

back to Philadelphia without having some proper consideration of the question of the distribution of the road fund. We feel down in Philadelphia, in view of the fact that a very large proportion of the money that goes into the highways of Pennsylvania comes into the Department of Highways from the moneys collected in Philadelphia, that we are entitled to proper consideration. We have been offered in the Senate a bill known as the Williamson bill. That bill seems to me, with the approval of the Mayor and the people in authority in the city of Philadelphia, to be a very important bill. It is high time that Philadelphia should be considered in the distribution of these funds. There is some talk or thought that possibly if such a bill as the Williamson bill is passed the Governor of Pennsylvania might veto this bill. What the Governor will do no one can tell until he has had an opportunity to have the bill before him; and if a bill such as the Williamson bill or something in its nature or something similar to it should be passed and the Governor should veto it, we of course have done our full duty. We cannot accomplish the impossible.

Now, the Williamson bill is of interest not only to the city of Philadelphia, but it is of interest to every county which has a first, second or third class city in it. It is not a bill that is of local benefit to Philadelphia. It is of benefit to all the thickly populated districts in Pennsylvania. And I for one, and I believe that I will be followed by the other Senators from Philadelphia, and I am convinced also will be backed by many Senators from the first, second and third class cities, in insisting that proper legislation be passed at this session whereby these localities shall receive full consideration of the question of the distribution of the money that come from that particular locality for the benefit of the roads in their counties. And if it becomes necessary, Mr. President, for the members of the Senate from Philadelphia to back-pedal, even go so far as to stop legislation in this Senate, we are going to get what we are entitled to get. I believe we would be justified in doing it, that we ought to do it. It is high time that we received fair consideration in the question of the distribution of the money for roads in Pennsylvania. They talk and have been talking very much here in the Senate and in the House and all over, including the Governor, about economy. Economy means saving money whereever you can and getting that money which belongs to you distributed where it should be distributed. This demand on our part is a question of economy for Philadelphia.

Under the Williamson bill we would get about three million dollars. Well, after a consideration of that bill, that amount of money may be considered a little more than we ought to get at this time. I am not particularly insistent that we get three million dollars, but we are insistent that we do get a fair consideration by both the Highway Committee and the Committee on Appropriations. And as I said before if we cannot get this consideration it is high time that the members of this Senate get together and form a combination to allow other measures that people from other sections of the State are interested in to also remain in the Committee. That is not fair legislation, but sometimes you cannot be fair; and if I have my way and we do not get proper consideration, it is my purpose to try to get the members of the Senate from Philadelphia to make House Bill No. 22 look like a pair of deuces in a packed deck. We are going to get consideration, and if we can not get it fairly, honestly and in accordance with upright legislation, we will have to go by the back door methods. But we are determined that fair consideration of this bill must be given to Philadelphia or we will have to take care of our selves in our own best way.

REPORTS FROM COMMITTEES

Mr. EALY. Mr. President, I ask unanimous consent to make report from committee at this time,

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EALY, from the Committee on Judiciary General, reported as committed Senate Bill No. 951 (House Bill No. 1933), entitled:

An Act to amend section two of an act approved the twenty-first day of April, one thousand nine hundred twenty-seven (P. L. 327), entitled "An act relating to the extradition of persons charged with crime and to make uniform the law with reference thereto," by giving the Governor of this State authority to deliver up certain imprisoned persons, for the purpose of trial for murder in the demanding state under certain conditions.

Mr. HOMSHER. Mr. President, I ask unanimous consent to make report from committee at this time,

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOMSHER, from the Committee on Agriculture, reported as committed, Senate Bill No. 932, entitled:

An Act to amend section one, two, three and four of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1229), entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption; conferring powers and imposing duties on the Secretary of Health and the Advisory Health Board and otherwise providing for the administration of the act; and imposing penalties"; limiting the status of an approved inspector; changing the requirements for holders of milk permits and imposing additional duties on such permit holders or applications therefor granting additional power to the Secretary of Health in the enforcement of the act.

Mr. HOWELL. Mr. President, I ask unanimous consent to make report from committee at this time,

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOWELL, from the Committee on Judiciary General, reported as committed, Senate Bill No. 796, entitled:

An Act defining and regulating the practice of photography; providing for the licensing and registration of persons to carry on the practice of photography, and the promulgation and enforcement of rules for the conduct thereof by the Department of Public Instruction.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 374, entitled:

An Act to authorize the purchase by the Commonwealth of historical works relative to the services of Pennsylvania volunteers

HOUSE BILL No. 1500, entitled:

An Act for the development and use of unredeemed seated and unseated lands purchased by county commissioners at tax sales; providing for the holding and permanent retention of such lands by the county for forest or recreational uses beneficial to the local community, or for their transfer to the

State under suitable restrictions for similar uses subject to certain annual charges, providing for the use of revenues derived from such lands; providing a procedure for the discharge of liens of record against such lands by sale after notice to owners and lien creditors; providing for the sale by the counties of such lands as are retained by the county; providing for the appointment by local State forest advisory councils and conferring powers upon the Department of Forest and Waters and the Board of Game Commissioners with respect to the acquisition and exchange of such lands, their proper organization and development, and the acceptance of gifts of lands.

HOUSE BILL No. 300, entitled:

An Act to amend section two of the act, approved the thirteenth day of March, one thousand eight hundred and fifteen (P. L. 177), entitled "An act to amend the act, entitled 'An act directing the mode of selling unseated lands for taxes, and for other purposes'"; authorizing and directing county treasurers to execute deeds for unseated lands sold by their predecessors in office, and validating deeds heretofore so executed.

HOUSE BILL No. 747, entitled:

An Act to amend section five hundred and three of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, three hundred forty-three), entitled "Fiscal Code," as amended, providing for appeals from refusals of the Board of Finance and Revenue to allow refunds.

HOUSE BILL No. 256, entitled:

An Act to validate acts done by corporations before the recording of their charters.

Whereupon,

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the presence of the Senate signed the same.

BILL ON SECOND READING

Mr. PARKINSON. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 206, on second reading, entitled:

An Act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, division and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign non-profit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds and certain State departments, commissions and officers; authorizing certain local public offices and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations.

Mr. FRAZIER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 206, as follows:

An Act relating to nonprofit corporations defining and providing for the organization merger consolidation division and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations

ARTICLE I
GENERAL PROVISIONS

Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Nonprofit Corporation Law"

Section 2 Definitions The following words or phrases unless the context clearly indicates otherwise shall have the meanings arscribed to them in this section

"Articles" includes both the original articles of incorporation and any and all amendments thereto

"Business" in the case of a domestic nonprofit corporation includes any or all of the activities for which it has been organized and in the case of a foreign nonprofit corporation any or all of the activities in which its certificate of authority authorizes it to engage within this Commonwealth

"Court" means the court of common pleas of the county where the registered office of the corporation is or is to be located

"Directors" includes persons designated in the articles as such and persons designated elected or appointed by any other name or title to act as directors and their successors The term when used in relation to any power or duty requiring collective action shall be construed to mean "Board of Directors"

"Domestic Nonprofit Corporation" means a corporation formed under this act or a corporation heretofore organized or created in this Commonwealth which becomes subject to this act

"Foreign Nonprofit Corporation" means a corporation not or pecuniary profit formed under any laws other than those of this Commonwealth

"Incorporator" is one of the signers of the original articles of incorporation

"Member" includes each person signing the articles of incorporation and each person admitted to membership in the corporation and each person admitted to membership in the corporation The term "member" shall be construed to be synonymous with "shareholder" if the corporation issues capital stock

"Nonprofit Corporation" means a corporation organized for a purpose or purposes not involving pecuniary profit incidental or otherwise to its members

"Registered Office" means in the case of a domestic nonprofit corporation that office in this Commonwealth at which its books and records are kept and the address of which is filed in the office of the recorder of deeds as required by this act and in the case of a foreign nonprofit corporation authorized to do business within this Commonwealth that office in this Commonwealth the address of which is filed with the Secretary of the Commonwealth as required by this act

"Trust Instrument" includes any lawful deed of gift grant last will and testament or other document by which the donor grantor or testator shall give grant devise or bequeath any real or personal property or the income therefrom in trust for any charitable religious benevolent educational scientific or literary purpose or public benefaction of whatever name or nature

Section headings shall not be taken to govern or limit the scope of the sections of this act

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Applicability and Acceptance of Act A Every corporation of the first class heretofore organized and incorporated under the Corporation Act of 1874 its amendments and supplements and every corporation heretofore created by any special act or formed under any general act which has accepted in any manner whatsoever the Constitution of Pennsylvania and which if not existing would be required to incorporate under this act shall hereafter be subject to the provisions of this act without formal reorganization hereunder

and shall be deemed to exist under this act the provisions of this act shall govern all such corporations heretofore incorporated in this Commonwealth

B Any corporation incorporated prior to one thousand eight hundred and seventy-four by any general or special act which has not accepted the Constitution of Pennsylvania in any manner whatsoever and which if not existing would be required to incorporate under this act shall be deemed to exist under and shall be governed by the provisions of this act upon filing with the Department of State a certificate accepting the provisions of the Constitution of Pennsylvania and of this act The certificate shall be executed under the seal of the corporation shall be signed by two duly authorized officers of the corporation and shall set forth

(1) The name of the corporation

(2) The Act of Assembly by or under which it was created

(3) A statement that the corporation accepts the Constitution of Pennsylvania and the provisions of this act and

(4) A statement that the acceptance of the Constitution of Pennsylvania and of the provisions of this act was duly authorized by a meeting of the members called for that purpose

C Every foreign nonprofit corporation heretofore admitted to do business in this Commonwealth which if now seeking admission would be required to comply with the provisions of this act shall within ninety days after the effective date of this act secure a certificate of authority from the Department of State and shall thereafter be subject to the provisions of this act

D This act shall not be construed as attempting to deprive any existing corporation of any corporate power right privilege or franchise which such corporation now enjoys except that such corporation shall not hereafter operate in any manner resulting in pecuniary profit or gain to its members

Section 4 Scope of the Act This act does not relate to does not affect and does not apply to

(1) Associations operating on a cooperative plan whether for profit or not for profit

(2) Beneficial benevolent fraternal and fraternal benefit societies having a lodge system and a representative form of government or transacting any type of insurance whatsoever

Any corporation whatsoever organized for any purpose or purposes involving pecuniary profit to its members or stockholders

Section 5 Saving Clause A This act shall not impair or affect any act done offense committed or right accruing accrued or acquired or liability penalty judgment or punishment incurred prior to the time this act takes effect but the same may be enjoyed asserted enforced prosecuted or inflicted as fully and to the same extent as if this act had not been passed

B The provisions of all acts or parts of acts which are repealed by this act or are reenacted in this act shall be considered as remaining continuously in force so that all rights enjoyed and liabilities incurred under such provisions before the effective date of this act shall be enjoyed or may be enforced as if this act had not been passed

C The provisions of this act as far as they are the same as those of existing laws shall be contrued as a continuation of such laws and not as new enactments The repeal of any acts by this act shall not affect the corporate existence of any corporation heretofore created Any person holding office under any act repealed by this act shall continue to hold such office until the expiration of the term thereof subject to the conditions attached to such office prior to the passage of this act

Section 6 Charters May Be Perpetual or Limited Power to Revoke Reserved Nonprofit corporations may be formed under this act for a definite or perpetual term but the General Assembly may alter revoke or annul the charter of any corporation formed under this act as provided by Article XVI Section 10 of the Constitution

Section 7 Fees Any prothonotary or recorder of deeds and any State department board commission or officer shall be entitled to receive for services performed as required by this act such fees as are lawfully charged for similar services

Section 8 Equity Jurisdiction of Courts of Common Pleas Not Limited This act shall not be deemed to curtail in any manner whatsoever the equity jurisdiction of the courts of this Commonwealth

Section 9 Severable Clause The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 10 Construction of References Whenever in this act reference is made to any act by title or otherwise such reference shall be construed to apply to and include any codification wherein the provisions of the act referred to are substantially reenacted

Section 11 Effect of Filing or Recording Papers Required to be Filed The filing or recording of the articles or amendments thereto or of any other papers pursuant to the provisions of this act is required for the purpose of affording all persons the opportunity of acquiring knowledge of the contents thereof but no person dealing with the corporation shall be charged with constructive notice of the contents of any such articles or papers by reason of such filing or recording

ARTICLE II

FORMATION OF NONPROFIT CORPORATIONS

Section 201 Purpose of Incorporation and Qualification of Incorporators Five or more natural persons of full age and of either sex married or single at least three of whom are residents of the Commonwealth and citizens of the United States its territories or possessions may form a domestic nonprofit corporation under the provisions of this act for any purpose or purposes which are lawful and not injurious to the community

Section 202 The Corporate Name A The corporate name may be in any language but must be expressed in English letters or characters The corporate name shall not imply that the corporation is an administrative agency of the Commonwealth or is subject to the supervision of the Department of Banking or of the Insurance Department and shall not contain the word or phrase "bank" "banking" "banker" "savings" "trust" "deposit" insurance" "mutual" "assurance" "indemnity" "building and loan" "surety" "security" "guaranty" "guarantee" "cooperative" "State" or "Commonwealth"

B The corporate name shall not be the same as or deceptively similar to the name of any other domestic corporation whatsoever or of any foreign corporation authorized to do business in this Commonwealth or of any unincorporated body whatsoever registered with the Department of State under this or any other Act of Assembly or the name of any administrative department board commission or agency of the Commonwealth

C Nothing in this act shall abrogate or limit the law as to unfair competition or unfair practices nor derogate from the common law the principals of equity or the statutes of this Commonwealth with respect to the right to acquire and protect trade names

D The assumption of a name in violation of this section shall not vitiate or otherwise affect the corporate existence but the Court of Common Pleas of Dauphin County may upon the application of the Attorney General acting on his own motion or at the instance of any administrative department board or commission of the Commonwealth and the court of common pleas of any county may upon the application of any person unincorporated association or corporation adversely affected enjoin the corporation from using or continuing to use a name assumed in violation of this section

Section 203 Articles of Incorporation Articles shall be signed in duplicate originals by each of the incorporators and acknowledge by at least three of them before any officer within this Commonwealth authorized to take acknowledgments and shall set forth in the English language

(1) The name of the proposed corporation

(2) A precise and accurate statement of the purpose or purposes for which it is to be formed and that it is a corporation which does not contemplate precuniary gain or profit incidental or otherwise to its members

(3) The location and post office address of its registered office in this Commonwealth

(4) The term for which it is to exist

(5) The name and post office address of each incorporator

(6) The name and addresses of three or more persons who are to act as directors until the election of their successors and who may be given such titles as may be deemed appropriate but who shall be subject to all of the provisions of this act relating to directors The number of persons so named shall constitute the number of directors of the corporation until changed by a by-law adopted pursuant to authority contained in the articles

(7) A statement of the means to be adopted for the accomplishment of the corporate purpose or purposes

(8) The terms of the general scheme of financing such corporation including the amount of capital stock if any and the number and par value of shares into which it is divided

(9) The amount of assets classified as to real and personal property which the corporation will have to start its corporate functions If the corporation is authorized to issue capital stock the amount of the capital stock which has been paid in cash to the treasurer of the intended corporation and the name and residence of the treasurer

(10) The body which is to adopt the by-laws and the manner in which they are to be adopted

(11) Any lawful provision desired for the regulation of the affairs of the corporation including restrictions upon the power to amend all or part of the articles

The authorized number and qualifications of its members the different classes of membership if any the property voting and other rights and privileges of each class of membership and the liability of each or all classes to dues or assessments and the method of collection thereof may be set forth either in the articles or in the by-laws

Section 204 Registration of Corporate Name The incorporators shall make application to the Department of State for the registration of the proposed corporate name The application shall set forth the name which the incorporators desire to use and the address of the proposed registered office of the corporation If the proposed name is not the same as or does not appear to be deceptively similar to any name theretofore registered with the Department of State under this or any other Act of Assembly the department shall issue to the incorporators a certificate that the proposed name has been duly registered and that such name does not conflict with any registered name If the proposed name appears to be deceptively similar to any registered name or names the department shall issue to the incorporators a certificate that the proposed name appears to be deceptively similar to such registered name or names which shall be set forth in full in the certificate If the proposed name is the same as a registered name the department shall refuse to register such name and shall forthwith notify the incorporators of this fac Upon application of any party interested either for or against the granting of the proposed charter the department shall include in any certificate issued by it under this section any information desired as to the names registered with the department The department of State shall keep a properly indexed record of the registrations and cansellations of registrations provided for in this act

Section 205 Articles and Certificate to be Filed with the Prothonotary A copy of the articles together with the certificate from the Department of State relating to the regisration of the proposed corporate name shall be filed by the incorporators in the office of the prothonotary of the court of commn pleas of the county wherein the registered office of the proposed corporation is to be located The articles and the certificate shall remain on file in the office of the prothonotary at least three days prior to the day the application for a charter will be made to the court as hereinafter provided and shall be open to the inspection of the public during the business hours of such office

Section 206 Advertisement The incorporators shall advertise their intention to apply for a charter one time in two newspapers published in the English language one of which shall be a newspaper of general circulation and the other the legal newspaper if any designated by the rules of court for the publication of legal notices otherwise in two newspapers of general circulation printed in the county in which the initial registered office of the corporation is to be located Where there is but one newspaper of general circulation published in any county advertisement in such newspaper shall be sufficient Advertisements shall appear at least three days prior to the day fixed for the presentation of the application to the court and shall set forth briefly

(1) The name of the proposed corporation

(2) A statement that the application is made under the provisions of this act

(3) The character and purpose or purposes of the proposed corporation

(4) A statement that the articles have been filed in the office of the prothonotary and the time when the application will be made to the court

Section 207 Court to Decree or Refuse Incorporation On the day specified in the advertisement the incorporators shall make an application for a charter to the court and shall present to the court duplicate originals of the articles proof of the advertisement required by the preceeding section and the certificate of the Department of State pertaining to the registration of the corporate name The court shall consider the application It may hear evidence on behalf of the applicants and against the application if any there be or it may refer the application to a master to make report as to the propriety of granting the application In such case upon the filing of the master's report the court shall grant the applicants and protestants a hearing if either of them files exceptions If the certificate from the Department of State sets forth that the name of the proposed corporation appears to be deceptively similar to any designated registered name the court shall determine whether or not the use of the proposed name is likely to result in or cause confusion or injury to the owner of the registered name or to the public in general If the court shall find the articles to be in proper form and within the provisions of this act the purpose or purposes given in the articles to be lawful and not injurious to the community and the name of the proposed corporation not to be so deceptively similar to any registered name as to result in confusion or injury as aforesaid the court shall so certify on each set of the articles and shall order and decree thereon that the articles are approved and that upon the recording of the articles and the order the corporation shall come into existence for the purpose or purposes and upon the terms stated therein otherwise the court shall refuse the application for a charter

Section 208 Recording of Articles a Condition Precedent to Corporate Existence After the court shall have endorsed the articles as required by the preceding section the prothonotary shall retain one copy of the original articles as part of the court record and shall transmit the other copy to the office of the recorder of deeds of the county where they shall be recorded Upon the recording of the articles the corporate existence shall begin and thenceforth the incorporators their associates and successors shall be a corporation The articles upon being recorded shall constitute the charter of the corporation and shall be returned to the incorporators Certified copies of the articles so recorded shall be competent evidence for all purposes in the courts of this Commonwealth No corporation formed under this act shall incur any debts or begin the transaction of any business except such as is incidental to its organization or to the obtaining of subscriptions to membership until its articles have been recorded in the office of the recorder of deeds If the corporation has transacted any business in violation of this section the officers who participated therein and the directors except those who dissented therefrom and caused their dissent to be filed at the time in th proposed registered office of the corporation or who being absent so filed their dissent upon learning of the action shall be severally liable for the debts or liabilities of the corporation or who being absent so filed their dissent upon learning of the action shall be severally liable for the debts or liabilities of the corporation arising therefrom

Section 209 Validity and Effectiveness of the Articles The articles endorsed by a judge and recorded by the recorder of deeds shall be conclusive evidence of the fact that the corporation has been incorporated but proceedings may be instituted by the Commonwealth to dissolve wind up and terminate a corporation which should not have been formed under this act or which has been formed without a substantial compliance with the conditions prescribed in this act as precedent to incorporation

Section 210 Prothonotary to Make Monthly Report to Department of State The prothonotary of each court of common pleas shall on or before the tenth day of each month report to the Department of State the name and address of the registered office of each nonprofit corporation incorporated by the court during the preceding month and for so doing shall receive a fee of One Dollar ($1.00) from each corporation which shall be taxed as part of the prothonotary's filing fee The Department of State shall note after the registered name of each corporation the date of its incorporation If any incorporators shall have registered a name with the department and the corporation is not formed within six months from the date of such registration the department shall cancel the registration of such name

Section 211 Special Procedure for Incorporation of Educational Institutions Desiring to Confer Degrees A In the

case of the incorporation of a college university or theological esminary as a nonprofit corporation with power to confer degrees in art pure and applied science philosophy literature law medicine and theology or any of them the articles shall in adidtion to the information heretofore required by this article and in conformity with the requirements and limitations contained in the following article set forth

(1) The amount of assets in the possession of the incorporators which are to be devoted to the purpose of establishing and conducting the college university or theological seminary

(2) The minimum number of persons whom it is intended to employ regularly as members of the faculty of the corporation

(3) A brief statement of the requirements for admission to and of the course or courses of study to be pursued in the instruction

(4) The information hereinafter required by this article in the case of corporations formed to carry out the directions or purposes of a trust instrument if the corporation is being formed under such circumstances

B When the articles and other papers are presented to the court for approval the court shall examine them If they are found to be in proper form and in conformity with the provisions of this act and shall appear lawful and not injurious to the community the court shall so certify thereon The court shall then direct the prothonotary or clerk of the court to transmit to the Superintendent of Public Instruction one copy of the articles The Superintendent of Public Instruction shall within sixty days after the receipt of the articles cause the State Council of Education to be convened at such time and place as he may designate Thereupon the council shall consider the articles and shall make such investigations and hold such hearings as it may deem necessary in the premises If the courses of instruction the standards of admission to the institution and the composition of the faculty shall appear to be sufficient and to conform to the requirements hereinafter prescribed in this act for such institutions and if the educational needs of the particular locality in which the institution is to be situated and of the Commonwealth at large are likely to be furthered by the granting of findings and its approval of the same together with a recomthe charter the council shall endorse upon the articles its mendation to the court before which the articles were originally presented that the application for a charter be granted If in the judgment of the council the application for a charter should not be granted the council shall endorse upon the articles its findings and its disapproval together with a recommendation to the court that the application be refused Thereupon the Superintendent of Public Instruction shall return the articles to the court which in passing finally upon the application shall be guided in its decree by the findings of the council If the court after giving consideration to the approval of the council shall be satisfied with the propriety of the application for a charter in view of all the facts it shall approve the application but if the council has disapproved the application the court shall refuse to approve the application The court in no case shall have power to grant a charter to a college university or theological seminary with power to confer degrees until the application has been approved by the State Council of Education

Section 212 Special Procedure for Incorporation of Charitable and Eleemosynary Institutions Whenever articles for the incorporation of a hospital or other charitable or eleemosynary institution or society in which indigent persons are treated or are to be treated or maintained are filed with the prothonotary he shall forthwith transmit one copy of the articles to the Department of Welfare of the Commonwealth Thereupon the department shall make a thorough invtstigation as to the need for such a corporation in the community wherein the work if the corporation is to be carried on and within sixty days shall certify upon the articles whether or not the needs of the community wherein the work of the corporation is to be carried on require the incorporation of such hospital institution or society and the reasons for its conclusion The court shall not approve such application unless and until the articles are returned by the department and unless the department shall certify that the incorporation of such hospital charitable or eleemosynary institution or society is required by the needs of the community in which its work is to be carried on The certification of the department as to such necessity shall be conclusive upon the court

Section 213 Corporations for the Execution of Trust Instruments Whenever the terms of a trust instrument shall direct designated trustees to form a nonprofit corporation for the purpose of carrying out the intents and purposes of the trust instrument or whenever the trustees of a trust instrument shall deem it advisable to incorporate to carry out the intents and purposes of the trust instrument the articles filed for this purpose shall in addition to the information heretofore required by this article set forth

(1) The general terms and provisions of the trust instrument as the purpose or purposes of the corporation

(2) The nature and value of the trust property

(3) The number of persons who shall constitute the permanent board of directors the qualifications of the directors the length of time for which the directors are authorized to act after election and appointment the mode in which their successors shall be elected or appointed and the manner in which vacanices shall be filled as prescribed by the trust instrument

(4) Such other provisions of an organic nature as may be necessary to carry out the intent of the donor or testator

When the articles are presented to the court they shall have attached thereto a verified copy of each trust instrument relating to the trust for the carrying out of which the nonprofit corporation is being formed

Section 214 Religious Corporations In the case of the incorporation of any church or religious congregation the articles may in addition to the information heretofore required by this article contain all or any one of the following

(1) A provision that the church or congregation acknowledges itself to be a member of and to belong to a specific church or religious denomination and that as such it accedes to recognizes and adopts the constitution canons or eccelesiastical laws doctrines discipline and worship of such specified church or religious denomination in the United States and the constitution and canons or ecclesiastiol laws of the diocese or district of such church or religious denomination embracing the whole or a part of the Commonwealth with which the particular church or congregation is or expects to be connected

(2) A provision that the rector or minister chosen by such corporation to take charge of the religious services by it maintained shall during his continuance in the office of rector or minister be exofficio president of the board of directors

(3) A provision that the church or religious denomination is chartered for the further collateral purpose of conducting a public burial ground or cemetery not for profit other than is necessary for the proper maintenance of the burial ground or cemetery

Section 215 Young Men's Christian Associations In the case of the incorporation of a Young Men's Christian Association the articles shall in addition to the information heretofore required by this artilce set forth

(1) The names and addresses of at least six trustees (in addition to the names of the directors) who together with the president of the association shall form a board of trustees having the powers and duties hereinafter expressly prescribed by this act

(2) A statement that the proposed corporation is for the improvement of the spiritual mental social and physical condition of young men by the support and maintenance of lecture rooms libraries reading rooms religious and social meetings gymnasiums and such other means and services as may conduce to the accomplishment of the object according to the general rules and regulations of the State Young Men's Christian Association of Pennsylvania

tion heretofore required by this article contain a provision

Section 216 Cemetery and Burial Companies In the case of the incorporation of a cemetery or burial company as a nonprofit corporation the articles shall in addition to the information heretofore required by this article contain a provision that a sum equal to at least one-tenth of the gross amount of the funds arising from the sale of lots in the burial ground or cemetery of the company shall be set apart for the perpetual care and preservation of the grounds and the repair and renewal of the buildings and property of such company and that such sum shall be invested by the board of directors in investments similar to those constituted as legal investments for trustees under the laws of this Commonwealth and that the income arisng therefrom shall be applied by the board of directors to the above purposes

Section 217 Unincorporated Associations In the case of the incorporation of an unincorporated association society league or club as a nonprofit corporation the articles when presented to the court shall in addition to the other papers heretofore required in this article have attached thereto a copy of the constitution and by-laws of the association and an affidavit of at least three of the incorporators stating

(1) That the purpose or purposes set forth in the articles are the same as those of the unincorporated association

(2) That the incorporators constitute a majority of the members of a committee authorized to incorporate such association society league or club by the requisite vote required by the organic law of the association society league or club for the amendment of such organic law

ARTICLE III

CORPORATE POWERS DUTIES AND SAFEGUARDS

Section 301 Corporate Capacity and Authority A nonprofit corporation shall have the capacity to act possessed by natural persons but shall have authority to perform only such acts as are necessary or proper to accomplish its purpose or purposes and which are not repugnant to law

Section 302 General Powers Subject to the limitations and restrictions contoined in this act or in its articles every nonprofit corporation shall have authority

(1) To continue as a corporation for the time limited in its articles or if a time limit is not specified therein then perpetually subject to the power of the General Assembly under the Constitution of this Commonwealth

(2) To sue and be sued complain and defend its corporate name

(3) To have a corporate seal which may be altered at pleasure and to use the same by causing it or a facsimile thereof to be impressed or affixed or in any manner reproduced

(4) To purchase take receive lease as lessee take by gift devise or bequest or otherwise acquire and to own hold use and otherwise deal with any real or personal property or any interest therein situated in or out of this Commonwealth which may be appropriate to enable it to accomplish fully and properly its corporate purpose or purposes

(5) To sell and convey lease as lessor and otherwise dispose of all or any part of its property and assets

(6) Whenever its general interests so require to borrow money and issue its promissory note bond or other form of certificate of indebtedness for the repayment thereof with interest at a rate not exceeding six per centum and in like case to mortgage its property as security for its debts or other lawful engagements

(7) To elect or appoint and remove officers and agents of the corporation and to define their duties and fix their compensation

(8) To make alter amend and repeal by-laws not inconsistent with its articles or with law for the administration and regulation of its affairs

(9) To enter into any obligation necessary for the transaction of its ordinary affairs

(10) To have and exercise all of the powers and means necessary or essential to effect the purpose or purposes for which the corporation is formed

(11) To dissolve and wind up

The powers herein enumerated shall not be construed as limiting or enlarging the grant of authority hereinbefore made by this article or as a limitation on the purpose or purposes for which a corporation may be organized as set forth in its articles It shall not be necessary to set forth any of such enumerated powers in the articles of the corporation

Section 303 Defense of Ultra Vires (A) No limitation upon the business purpose or purposes or powers of a nonprofit corporation expressed or implied in its articles or implied by law shall be asserted in order to defend any action at law or in equity between the corporation and a third person or between a member and a third person involving any contract to which the corporation is a party or any right of property or any alleged liability of whatsoever nature but such limitation may be asserted

(1) In an action by a member against the corporation to enjoin the doing of unauthorized acts or the transaction or continuation of unauthorized business If the unauthorized acts or the business sought to be enjoined are being transacted pursuant to any contract to which the corporation is a party the court may if all of the parties to the contract are paries to the suit and if it deems the same to be equitable set aside and enjoin the performance of such contract and in so doing shall allow to the corporation or the other parties as the case may be compensation for the loss or damage sustained by either of them which may result from the action of the court in setting aside and enjoining the performance of such contract but anticipated profits to be derived from the performance of the contract shall not be awarded by the court as a loss or damage sustained

(2) In an action at law or in equity by the corporation whether acting through a receiver trustee or other legal representative or through members in a representative suit against the officers or directors of the corporation for exceeding their authority

(3) In a proceeding by the Commonwealth as authorized by law to dissolve the corporation or in a proceeding by the Commonwealth to enjoin the corporation from the transaction of unauthorized or unlawful business

(B) No conveyance or transfer by or to a corporation of property real or personal of any kind or description shall be invalid or fail because in making such conveyance or transfer or in acquiring the property real and personal the board of directors or any of the officers of the corporation acting within the scope of the actual or apparent authority given to them by the board of directors have in so doing exceeded any of its objects purposes or powers

(C) The provisions of this section shall extend to contracts and conveyances made by foreign corporations in this Commonwealth and to all conveyances by foreign corporations of real property situated in this Commonwealth

Section 304 Membership Certificates and Capital Stock A nonprofit corporation may be organized upon either a nonstock basis or upon a stock share basis as set forth in its articles A nonprofit corporation organized upon a non-stock basis shall not issue shares of stock but membership in such cororation may be evidenced by certificates of membership Upon the face of each such certificate there shall be printed in clear type a statement that the corporation is a nonprofit corporation The shares of nonprofit corporations organized upon a stock share plan shall be of such denominations not exceeding One Hundred Dollars ($100.00) as the articles shall provide Upon the face of each certificate of stock there shall be printed in clear type a statement that the corporation in a nonprofit corporation Each share of stock shall entitled the holder thereof to one vote No dividends shall be directly paid on any such to one vote No dividends shall be directly paid on any such shares nor shall the shareholders be entitled to any portion of the earnings of such corporation derived through increment of value upon its property or otherwise incidentally made but upon dissolution of any such corporation the shareholders shall be entitled to a pro rata distribution of the asets thereof after the payment of all debts and the liquidation of all liabilities based upon their several holdings therein as represented by the shares of stock standing in the names of such shareholders at the time of dissolution except that no property held subject to any trust Such shares of stock shall not be transferable by assignment or sale nor be transferred through legal heirs or devisees upon the death of the owner thereof unless the by-laws of such corporation make express provision therefor Such nonprofit corporation shall have power to exclude from further membership any shareholder who fails to comply with the reasonable and lawful requirements of the laws rules and regulations duly made by such corporation for the government of its members and may cancel the stock of any such offending member without liability for an accounting excepting as may be provided for in the articles or by-laws The provisions of the Uniform Stock Transfer Act of this Comomnwealth approved the fifth day of May one thousand nine hundred eleven (Pamphlet Laws one hundred twenty-six) shall not be held to apply to the shares of stock of nonprofit corporations in any manner or to be to any intent inconsistent with the provisions of this act

Section 305 Members of Nonprofit Corporations Grouped in Local Units A nonprofit corporation may by by-law proposed by the board of directors of such corporation enact that the members of the corporation and those who thereafter become members shall be grouped in local units formed upon the basis of territorial area or such other basis as may be determined in such by-law proposed by the board of directors as hereinafter provided for the purpose of election of delegates or representatives to represent the members of such local units at any annual or special meeting of such corporation The

board of directors shall have the power in such by-law to provide the territorial limits or other basis from or upon which each local units is drawn or formed to do all things necessary to insure the representation of the local unit at meetings of the corporation and to provide the basis of representation and number of delegates to which the local unit is entitled but each local unit shall be entitled to at least one delegate and a delegate or delegates representing a local unit shall not have a greater number of votes than the total membership of the local unit The local units designatd by the by-laws of any such corporation may be incorporated under the laws of this Commonwealth by the members thereof and shall have power to do all things necessary to give effect to this section and the rules and by-laws adopted hereunder

Sction 306 Authority to Take and Hold Trust Property Investments Subject to any limitations or restrictions contained in its articles every nonprofit corporation formed for religious educaional scientific or charitable purposes may without limitations as to value take receive and hold such real and personal property including the principal or interest of any money or other fund as may be given granted conveyed bequeathed devised to or otherwise vested in such corporation in trust for the purpose or purposes set forth in its articles Such real and personal proeprty shall be faithfully and specifically used for or applied to the purpose or puroses for which it was given in trust to the cororation The directors of the corporation shall as trustees of such property be held to the same degree of responsibility and accountability as if not incorporated unless a less degree or a particular degree of responsibility and accountability is prescribed in the trust instrument or unless the directors remain under the control of the members of the corporation who retain the right to direct and to direct the actions of the directors as to the use of the trust property from time to time If the trust instrument by which the donor grantor or testator gave such property to the corporation in trust shall direct that only the income of the property shall be used for the accomplishment of the particular religious educational scientific or charitable purpose the directors of the corporation may unless otherwise specifically directed in the trust instrument invest the property in investments which are designated as legal investments for trust funds under the laws of this Commonwealth and such investments are hereby declared to be legal investments of such trust funds by the directors The directors of the corporation shall keep accurate accounts of all trust funds separate and apart from the other funds of the corporation and shall unless the terms of the particular trust instrument provide otherwise make an annual report signed by the treasurer to the members of the corporation concerning the trust funds held under this section and the use made of such funds and of the income thereof

Section 307 Authority to Acquire Property at a Judicial Sale A nonprofit corporation may at any judicial sale of any property upon which the corporation holds a mortgage or has a lien of any nature whatsoever bid in such property if necessary for the protection of its interests The corporation shall acquire a good and indefeasible title to any and all property so purchased irrespective of any limitation as to the acquisition of property that may exist in its articles or in this act All property so purchased may be held by the corporation until such time as it shall believe it advisable to dispose of the same except that such property shall be sold within twenty years from the time it was purchased at the judicial sale It shall be lawful to sell the property for cash or for part cash and a mortgage to run from the purchaser to the corporation The corporation may sell such property and convey a marketable title thereto without the authorization or confirmation of any court

Section 308 Procedure to Borrow Money and to Acquire or Dispose of Real Estate Unless its articles or by-laws provide for the approval of another body a nonprofit corporation shall not borrow money or purchase sell lease away or otherwise dispose of any real estate unless and until a resolution authorizing the same shall have been approved by a majority of the members of the corporation at a regular or special meeting duly convened upon proper notice of this purpose A resolution of the members authorizing the borrowing of money need not specify the particular sums rates of interest or times of maturity of the loans but such itmes may be agreed upon and authorized by the directors of the corporation Every nonprofit corporation may mortgage sell lease away or otherwise dispose of any of its real estate without application to and the authorization or confirmation of any court except in those cases where the Revised Price Act of one thousand nine hundred and seventeen approved the seventh day of June one thousand nine hundred seventeen (Pamphlet Laws three hundred eighty-eight) and its amendments and supplements confers jurisdiction upon the orphans' court of the court of common pleas of a particular county to authorize or confirm the selling leasing conveying upon ground rent or mortgaging of real estate by a corporation All proceeds derived by a nonprofit corporation from any loan sale lease ground rent or mortgage shall be faithfully and specifically used for or applied to the lawful activites of the corporation and in case such proceeds are derived from any real estate suoject to a trust the trust shall be impinged upon such proceeds

Section 309 Transaction of Business Any nonprofit corporation the lawful activities of which require the receipt and payment of money including among other things the charging of admission fees tuition or other school fees and fees for the handiwork of members of the corporation shall have the right and power to receive and collect such moneys to the extent necessary for the accomplishment of its purpose or purposes and in so doing may make an incidental profit All moneys so received or collected by any nonprofit corporation shall be applied to the maintenance and operation or the furtherance of the lawful activities of the corporation and in no case shall such moneys be divided or distributed in any manner whatsoever among the members of the corporation

Section 310 Appointment and Powers of Policemen Any non-profit corporation maintaining any buildings or grounds open to the public or organized for the prevention of cruelty to children and aged persons may apply to any julge of the court of common pleas of the county within which the property of such corporation is situated for the appointment of such persons as the corporation may designate to act as policemen for the corpoartion The court upon such application may order and decree such persons or as many of them as it may deem proper and necessary to be such policemen Every policeman so appointed shall before entering upon the duties of his office take and subscribe the oath required by the seventh article of the Constitution before the recorder of deeds of the county in which it is intended that such policeman shall act Such oath together with the decree and order of the court shall be recorded by the recorder of deeds of such county Such policemen so appointed shall severally possess and exercise all the powers of constables in this Commonwealth in and upon and in the immediate and adjacent vicinity of the property of the corporation Policemen so appointed for a corporation organized for the prevention of cruelty to aged persons and children shall severally possess and exercise all the powers of constbles in any county in which they may be directed by the corporation to act and are hereby authorized to arrest persons for the commission of any offense of cruelty to children or aged persons The keepers fo jails lockups station houses or houses of detention in any county of this Commonwealth shal lreceive all persons arrested by such policemen for purposes of detention until they are dealt with according to law Every policeman when on duty shall wear a metallic shield with the words "special officer" and the name of the corporation for which appointed inscribed thereon The Compensation of such policemen shall be paid by the corporation for which the policemen are respectively appointed as may be agreed upon between the corporation and suc hpolicemen When any corporation shall no longer require the services of any policeman it shall file to that effect under its corporate seal in the office of the recorder of deeds where the court decree and order of appointment of such policeman is recorded The recorder of deeds shall note this information upon the margin of the record where the court decree and order is recorded and thereupon the power of such policeman shall cease and be determined It shall be the duty of the recorder of deeds to notify the clerk of the court by which such policeman was appointed of the termination of such appointment

Section 311 Adoption and Enforcement of Rules and Regulations by Certain Corporations Any nonprofit corporation maintaining buildings or grounds open to the public shall have the power to adopt promulgate and enforce such lawful rules and regulations as shall be needful to maintain peace and order on or in such grounds and buildings and to secure the safety and protection of the property of the corporation

Any person violating any of the rules or regulations so adopted or promulgated shall upon conviction thereof in a summary proceeding before a justice of the peace alderman or magistrate be sentenced to pay a fine of not more than Ten Dollars ($10.00) together with the costs of prosecution and in default of the payment of the fine and costs to undergo imprisonment for not more than ten days

Section 312 Requirements of Educational Institutions Desiring to Confer Degrees A No college university or theological seminary shall be incorporated under this act with power to confer degrees in art pure and applied science philosophy literature law medicine and theology or any of them unless it has

(1) A minimum protective endowment of at least Five Hundred Thousand Dollars ($500,000) beyond all indebtedness and assets invested in buildings and apparatus for the exclusive purpose of promoting instruction except that in the case of tax-supported institutions or those maintained by religious or other roganizations financial support o rcontributed services equivalent in value to the endowment herein specified may be substituted for such endowment

(2) A faculty consisting of at least eight regular professors who devote all their time to the instruction of its college or university classes unless the college is devoted to a specific subject in art archaeology literature or science (medical and law schools excepted) in which case the faculty shall consist of at least three regular professors who devote all their time to the instruction in the special branch for which the college is established and two or more instructors or fellows in the particular brnch who shall be provided to assist in the instruction to be given the students for the promotion of original investigation and in the development and growth of the special branch of science to which such college may be devoted

B A college university or theological seminary incorporated under this act with the power to confer degrees shall have power to confer baccalaureate degrees in art science philosophy or literature only upon students who have completed a college or university course covering four years The standard of admission to these four-year courses or to advanced classes in these courses shall be not less than four years of academic or high school preparation or its equivalent and shall be subject to the approval of the State Council of Education

C Any educational corporation formed under this act with the power to confer degrees as aforesaid shall be subject to visitation and inspection by representatives of the State Council of Education If any such corporation shall fail to keep up the standards required by this act the court shall upon the recommendation of the State Council of Education revoke the power to confer degrees

Section 313 Vesting of Corporate Property in Trustees to Escape Liability for Debts Any corporation for charitable uses owning any property dedicated to religious or charitable purposes such as churches school houses parsonages hospitals almshouses and the like may for the purpose of protecting such property from liability to debt thereafter contracted on the part of the corporation vest its property in trustees upon trust for the use of congregation or members of the corporation for the time being as places of worship or for the use as school houses or residences for ministers or pastors or for the maintenance of any charity When the trustees shall be so vested by deeds duly recorded the property so conveyed as long as it is used for the purposes above mentioned and is not used for any secular purpose or for a purpose from which profits are derived shall not be liable to any debts contracts or engagements of the corporation thereafter made or entered into but shall be deemed and taken to be freed therefrom in the same manner and with like effect as if the same had been conveyed or devised to the trustees by a stranger in trust for the uses of the corporation but so that the same shall not be liable for their debts contracts or engagements or to their control for any purposes other than for the uses of the same as places of worship or as free schools or schools from which no pecuniary profits are derived or as residences for ministers or pastors or for the maintenance of the charitable purpose for which it was dedicated or intended by the donors or contributors All trustees and officers of corporations having the management of property for charitable uses which is held in trust as aforesaid contracting debts or causing them to be contracted in the improvement of the property by building thereon shall be personally liable for the debts thus contracted unless they shall have notified the persons with whom the contract is made that the property is not liable for the debts contracted in building thereon but there shall be no liability to anyone other than persons with whom such contracts are made by the corporation

Section 314 Exhibition Corporations Granted Power of Eminent Domain A nonprofit corporation formed for the purpose of educating the general public by exhibiting artistic mechanical agricultural and horticultural product sand providing public instruction in the arts and sciences shall in addition to the general powers conferred on nonprofit corporations by this act have the right to enter upon take and occupy such public lands property and easements as may be required from time to time for its corporate purpose The taking of such public lands for the erection and maintenance thereon of buildings or other structures for the public exposition of mnaufactured articles agricultural products minerals and all articles pertaining to the arts and sciences and providing public instruction in the arts and sciences by the exercise of eminent domain is hereby declared to be a taking of land for public use Such corporations shall not exercise the right of eminent domain as to any burying ground passenger railroad stationhouse nor as to any street alley highway wharf landing or other property of any incorporated city town or borough without the consent of its councils first had to such appropriation by ordinance duly passed and approved nor shall such right in any event be exercised as to any tide-water wharf nor as to any part of any other public wharf or river landing which has been heretofore graded and paved by the municipality and if not so graded and paved such wharf or river landing may be appropriated as herein provided any limitation of use thereof by the municipality by donation dedication appropriation statute or otherwise to the contrary notwithstanding In the exercise of the power of eminent domain the corporation shall follow the procedure prescribed in Section of the Business Corporation Law approved the..... day of .....

Section 315 Burial and Cemetery Companies Churches with Burial Grounds A Every nonprofit corporation formed for the purpose of conducting or maintaining a public or private cemetery and every religious corporation authorized by its articles to maintain a burial ground shall set aside annually a sum equal to at least one-tenth of the grossa mount of the funds arising from the sale of lots in such burial ground or cemetery for the perpetual care and preservation of the grounds and the repair and renewal of the buildings and property connected with and forming a part of the burial ground or cemetery

B Every such corporation may take receive hold and administer any grant donation or bequest of property in trust for the embellishment of the burial ground or cemetery or for the erection repair preservation or renewal of any tomb monument gravestone fence railing or other like structure or for the planting and cultivation of threes shrubs flowers or plants in or around any cemetery lot or for improving such premises ni any manner or form consistent with the design and purpose of the corporation according to the terms of such grant donation or bequest

C The directors of any such corporation are hereby made trustees of any such funds so received or set aside and neither such funds nor the income derived therefrom shall be used by such trustees for any purpose other than the purpose for which the same were set aside donated bequeathed or otherwise acquired It shall be the duty of the directors of such corporation to investigate such funds in investments which are designated as legal investments for trustees under the laws of this Commonwealth and to use the income derived from such investments for the purpose of caring for preserving and maintaining such burial ground or cemetery or any other purpose which may be specified by the grantor or donor The directors of any such corporation shall cause accurate accounts to be kept of such trust funds separate and apart from the other funds of the corporation and shall make an annual report signed by the treasurer to the members of the corporation and other interested parties concerning the investment of the trust funds and the use made of the income derived from such investments The amount of such funds shown by such report to be in the hands of the directors shall be final and conclusive in favor of and against all parties in interest unless appropriate action is brought in the proper courts of this Commonwealth against the trustees within fifteen days after the regular meeting of the corporation at which such report is submitted The directors of any such corporation shall file annually in the court of quarter sessions

of the county where the charter of the corporation was granted a bond with surety or sureties to be approved by such court in the full amount of any funds set aside or held in trust by such directors under authority of Subsections A and B of this section but the first bond filed by the directors covering funds set aside under Subsection A of this section shall be filed one year after the date when the corporation came into existence The court of quarter sessions of such county shall upon petition of any person related by blood or marriage to any person who has donated or bequeathed funds to any such corporation for the care preservation or maintenance of the burial ground or cemetery or to one who has purchased a lot therein for the burial of the dead or of the donors or purchasers themselves shall have the right to compel the directors of the corporation to file any bond herein provided for in the event of the failure of the directors to file the same on or before the first Monday of July of any year

D Any such corporation may permit the burial of the dead within a burial ground or cemetery free of charge or may sell lots in such burial ground or cemetery for the purpose of the burial of the dead at such prices as shall not produce a profit other than is necessary for the proper maintenance of such burial ground or cemetery and convey the same to the purchasers by conveyance duly executed under the seal of the corporation Every nonprofit corporation organized for the purpose of conducting a cemetery or burial ground may transfer the title to lots in such cemetery or burial ground upon the books of the corporation and such transfer shall be as good and valid in law as if a deed was duly acknowledged and recorded in the office for recording deeds in the proper county

Section 316 Registered Office Records A Every nonprofit corporation shall maintain an office in this Commonwealth to be known as its registered office The location and post office address of the registered office shall be stated in the articles as heretofore provided in this act After incorporation the location of the registered office may be changed

(1) From one location to another in the same county by resolution adopted by a majority of all the members including members not entitled by the articles or by-laws to vote On or before the day that such change is made notice of such change and of the post office address of the new registered office shall be filed with and recorded by the recorder of deeds of the county

(2) From one county to another county by amendment of the articles of the corporation in the manner hereinafter prescribed in this act

B Every nonprofit corporation shall keep at its registered office records of the proceedings of the members and of the directors a membership register giving the names of the members in alphabetical order and appropriate and complete records of its finances Every member shall have the right to examine in person or by agent or attorney at any reasonable time or times for any reasonable purpose the books of account the membership registre and the records of the proceedings of the members and directors

ARTICLE IV
BY-LAWS

Section 401 Power to Make By-Laws The members of a nonprofit corporation may make alter and repeal by-laws not inconsistent with law or the articles The authority to make such by-laws may be expressly vested by the articles in the board of directors subject to the power of the members to change or repeal the by-laws The board of directors however shall not make alter or repeal any by-laws fixing their qualifications classification term of office or compensation By-laws shall not be adopted altered or repealed by less than a majority vote of the board of directors or the members of the corporation as the case may be unless the articles or by-laws provide otherwise

Section 402 Persons Bound by By-laws The by-laws of every nonprofit corporation shall operate merely as regulations among the members of the corporation and shall not affect contracts or other dealings with other persons unless such persons have actual knowledge of such by-laws Any note mortgage evidence of indebtedness contract or other instrument of writing or any assignment or endorsement thereof executed or entered into between any corporation and any other person copartnership association or corporation when signed by the president or vice president and secretary or treasurer of such corporation shall be held to have been properly executed for and in bhalf of such corporation irrespective of any other form of execution provided in the by-laws

Section 403 Contents of By-laws Subject to the provisions of this act the by-laws may contain any provisions for the regulation and management of the affairs of the corporation and may provide penalties for the breach thereof not exceeding Twenty Dollars ($20.00)

ARTICLE V
OFFICERS AND DIRECTORS

Section 501 Directors The business of every corporation shall be managed by a board of at least three directors A director shall hold office for the term for which he was named or elected and until his successor is elected and qualified The names and terms of office of the first directors shall be stated in the articles Except as hereinafter provided in the case of vacancies directors other than those constituting the first board shall be elected by the members Subject to the provisions of this act the number qualifications terms of office manner of election the compensation and the powers and duties of the directors the time place and manner of calling giving notice of and conducting directors' meetings and the number of directors which shall constitute a quorum may be prescribed by the articles or by-laws If the by-laws so provide meetings of directors may be held outside of the Commonwealth Except as otherwise provided in the articles or by-laws

(a) A director shall be elected for a term of one year

(b) Vacancies in the board of directors shall be filled by the remaining members of the board and each person so elected shall be a director until his successor is elected by the members who may make such election at the next annual meeting of the members or at any special meeting duly called for that purpose and held prior thereto

(c) The meetings of the board of directors may be held at such place as a majority of the directors may from time to time appoint

(d) A majority of the board of directors shall be necessary to constitute a quorum for the transaction of business.

Section 502 Officers and Agents Every nonprofit corporation shall have a president a secretary and a treasurer and may have such other officers and agents as the needs of the corporation may require The articles or by-laws may prescribe special qualifications for such officers The officers and agents shall be elected or appointed and their compensation fixed by either the board of directors or the members as prescribed in the by-laws The president shall be a director and the other officers may be directors A director may at the same time serve and receive compensation for his services as an officer The offices of secretary and treasurer may be combined in one person All officers and agents shall respectively have such authority and perform such duties in the management of the property and affairs of the corporation subject to the control of the board of directors as may be prescribed by the by-laws or in the absence of controlling provisions in the by-laws as may be determined by the board of directors Any officer or agent may be removed by the board of directors whenever in its judgment the best interests of the corporation will be served thereby but such removal shall be without prejudice to the contract rights of any person so removed In the case of death removal or resignation of any officer the director shall supply the vacancy thus created until the next election unless the by-laws prescribe some other manner

Section 503 Relation of Directors and Officers to Corporation Officers and directors shall be deemed to stand in a fiduciary relation to the corporation and shall discharge the duties of their respective positions in good faith and with that diligence care and skill which ordinary prudent men would exercise under similar circumstances in like positions

Secton 504 Boards of Trustees of Young Men's Christian Associations Every Young Men's Christian Association incorporated under this act shall have in addition to a board of directors six or more trustees who together with the president of the association shall form a board of trustees Each member of the board of trustees shall be a member of one of the protestant evangelical denominations but a majority of such members exclusive of th president of the association shall not be members of any one denomination The number terms of office manner of election time and place of meeting

and the powers and duties of the trustees may subject to the provisions of this act be prescribed by the articles or the by-laws Vacancies in the board of trustees shall be filled by a majority vote of the remaining trustees from nominations to be made by the board of directors All real property which shall be given to or acquired by a Young Men's Christian Association and all gifts and bequests of money to be held in trust shall be held by the board of trustees but the real property of the association shall be managed by the board of directors and real property belonging to such associations shall not be conveyed disposed of or mortgaged by the board of trustees except with the consent of the board of directors The property of the association and all income received therefrom by the board of trustees shall be devoted to the purpose or purposes of the corporation and to no other purpose The income received from such property shall be paid over by the board of trustees to the treasurer of the board of directors so long as the directors expend the income for the purpose or purposes of the association

ARTICLE VI

MEMBERS AND MEMBERS' MEETINGS

Section 601 Classes and Qualifications of Membership Membership in all nonprofit corporations shall be of classes and shall be governed by such rules of admission retention suspension and expulsion as the articles or by-laws shall prescribe except that all such rules shall be reasonable germane to the purpose or purposes of the corporation and equally enforced as to all members of the same class Unless otherwise provided by the articles or by-laws there shall be one class of members whose voting and other rights and interests shall be equal Where neither the articles nor by-laws provide for members as such or where a nonprofit corporation has in fact no members other than the persons constituting its board of directors the persons for the time being constituting the board shall for all intents and purposes be taken to be the members of the corporation and exercise all the rights and powers of members

Section 602 Membership Fees Assessments Nonprofit corporations may levy dues or assessments or both upon their members if authority to do so is conferred either by the articles or the by-laws and subject to any limitations therein contained Such dues or assessments or both may be imposed upon all classes of members alike or in different amounts or proportions or upon a different basis upon different classes of members Members of one or more classes may be made exempt from either dues or assessments or both in the manner or to the extent provided either in the articles or by-laws The amount of the levy and method of collection of such dues or assessments or both may be fixed in the articles or by-laws or the articles or by-laws may authorize the board of directors to fix the amount thereof from time to time and make them payable at such time and by such methods of collection as the directors may prescribe Such corporations may make by-laws necessary to enforce the collection of such dues or assessments including provisions for the cancellation of membership for nonpayment of such dues or assessments and reinstatement in such corporation upon reasonable notice

Section 603 Members' Meeting The time place and manner of calling giving notice of and conducting members' meetings and the number of members which shall constitute a quorum may be prescribed in the by-laws If the by-laws so provide meetings of the members may be held outside of the Commonwealth A quorum of members may be greater or less than a majority of the members entitled to vote Special meetings of the members entitled to vote Special meetings of the members may be called by such officers directors or persons as the by-laws may authorize except that a special meeting may be called at any time by the board of directors If any meeting designated for the election of directors is not called and held within six months after the designated time any member may call such meeting to be held at the registered office of the corporation Notice of any members' meeting may be actual or constructive as provided by the by-laws An adjournment or adjournments of any regular or special meeting may be taken without additional notice being given but any meeting at which directors are to be elected shall be adjourned only from day to day until such directors have been elected Unless the by-laws provided otherwise

(1) A meeting of the members shall be held in each calendar year for the election of directors

(2) Persons authorized to call members' meetings shall cause written notice of the time and place and purpose of every such meeting to be given to all members entitled to vote at such meeting at least five days prior to the day named for the meeting If such written notice is placed in the United States mail postage prepaid and addressed to a member at his last known post office address notice shall be deemed to have been given him Notice of any members' meeting may be waived in writing by any member at any time

(3) The presence in person or by proxy if the by-laws permit voting by proxy of a majority of the members entitled to vote shall constitute a quorum The members present at a duly organized meeting can continue to do business until adjournment notwithstanding the withdrawal of enough members to leave less than a quorum If a meeting cannot be organized because a quorum has not attended those present may adjourn the meeting to such time and place as they may determine but in the case of any meeting called for the election of directors those who attend the second of such adjourned meetings although les sthan a quorum as fixed in this section or in the by-laws shall nevertheless constitue a quorum for the purpose of electing directors

(4) Members' meetings regular or special shall be held at the registered office of the corporation

Section 604 Members' Voting Rights Unless otherwise provided in the articles or by-laws every member of a non-profit corporation shall be entitled to one vote Voting by members shall be only in person unless the by-laws specifically provide for voting by proxy The manner of voting may be by ballot mail o rany reasonable means provided in the articles or by-laws In all elections for directors or other officers each member having a right to vote may cast the whole number of his votes for one candidate or distribute them upon two or more candidates as he may prefer No member shall sell his vote or issue a proxy for money or anything of value Upon request of a member the books or records of membership shall be produced at any general or special meeting of the corporation If at any meeting the right of a person to vote is challenged the presiding officer shall require such books or records to be produced as evidence of the right of the person challenged to vote and all persons who appear by such books or records to be members may vote

Section 605 Reduction of Membership Below Stated Number Whenever the membership of a non-profit corporation having a stated number of members shall be reduced below such number by death withdrawal or otherwise the corporation shall not on that account be dissolved but it shall be lawful for the surviving or continuing members to continue the corporate existence unless it is otherwise provided in the articles or by-laws

Section 606 Termination and Transfer of Membership Membership in a nonprofit corporation shall be terminated in the manner provided in the articles or by-laws If the membership in any such corporation is limited to persons who are members in good standing in another corporation or in any lodge church club or society the articles shall in each case define such limitations and may provide that failure on the part of any such member to keep himself in good standing in such other corporation or association shall be sufficient cause for expelling the member from the corporation requiring such eligibility No member shall be expelled from any nonprofit corporation without notice trial and conviction the form of which shall be prescribed by the articles or by-laws unless the articles or by-laws provide otherwise

(1) The right of a member of a nonprofit corporation to vote and his right title and interest in or to the corporation or its property shall cease on the termination of his membership

(2) No member may transfer his membership or any right arising therefrom

Section 607 Membership Book Every nonprofit corporation shall keep at its registered office a membership book containing the name and address of each member and in any case where membrship has been terminated such fact shall be recorded in the book together with the dte on which the membership ceased

ARTICLE VII

ORGANIC CHANGES

Section 701 Amendment of Articles A A nonprofit corporation upon application to the court in the manner herein provided may amend its articles for any or all of the following purposes

(1) To adopt a new name subject to the restrictions heretofore provided in this act

(2) To modify any provision thereof limiting its terms of existence by increasing such term or to remove such provision and provide for perpetual existence

(3) To change the location of its registered office to any other county within the Commonwealth

(4) To extend limit add to omit or surrender any of its powers or means of accomplishing its purpose or purposes except that any additional or extended powers or means shall be cognate and incidental to the accomplishment of the controlling purpose or purposes for which the corporation was formed

(5) To add to remove or otherwise change any other provisions contained in the articles

B Before the application is made to the court a resolution authorizing the proposed amendments shall be adopted by a majority vote of the members or such other vote as may be required by the articles at a regular or special meeting duly convened after notice to all the members of this purpose If a proposed amendment would make any change in the rights of the members of any class then the members of such class shall be entitled to vote as a class upon such amendment whether by the terms of the articles such class is or is not entitled to vote and in addition to the vote herein required the vote of a majority or such other vote as the articles may require of the members of each class so affected by the amendment shall be necessary for the adoption thereof Any amndment which might be adopted at a meeting of the members my be adopted without a meeting if written consent to the amendment has been given by all members entitled to vote therein Thet resolution shall establish the language of the proposed amendment to the articles by providing that the articles shall be amended so as to read as therein set forth in full or that any provision thereof be amended so as to read as therein set forth in full or that the matter stated in the resolution be added to or stricken from the articles

C Application to the court shall be made by a petition of the corporation signed and verified by at least two duly authorized officers thereof The petition shall be under the seal of the corporation and shall set forth

(1) The name and location of the registered office of the corporation

(2) The Act of Assembly under which the corporation was formed the date when the court entered the decree of incorporation and the date when and place where the original articles were recorded

(3) The time and place of the meeting of the members of the corporation the kind and period of notice of the meeting given to the members and the total vote by which the resolution authorizing the application to the court was adopted

(4) Every proposed amendment or alteration of or addition to the existing articles Amendments alterations or additions shall be set forth in full

(5) All other facts necessary to enable the court to act understandingly

The petition shall in all cases be accompanied by a certified copy of the charter of the corporation and of the resolution authorizing the proposed amendments and in the case of a proposed change of the corporate name shall be accompanied also by a certificate of registration from the Department of State which shall be applied for and issued in the same manner and subject to the same limitations as heretofore provided in this act in the case of the formation of a corporation If the court shall be of the opinion that the amendments are lawful will be beneficial and not injurious to the community and do not conflict with the requirements of this act or of the Constitution it shall enter a preliminary decree appointing a day for the hearing of the application and directing that notice thereof be given by publication in a manner similar to that prescribed in this act in the case of the formation of a corporation However the court shall not issue such preliminary decree in the case of an educational or charitable corporation unless and until it shall receive the approval or recommendation of the State Council of Education or the Department of Welfare as the case may be in a manner similar to that prescribed by this act in the case of the formation of such corporations Upon the day specified in the advertisement proof of the publication of notice of the application shall be presented to the court whereupon the court shall proceed to consider the petition If in view of all the facts the court shall be satisfied with the propriety of the petition it shall endorse thereon its order and decree that the petition is approved and that upon the recording of the petition and the order and decree the amendments specified in the petition shall be a part of the charter Upon the recording of the petition and the order and decree in a manner similar to that provided in this act in the case of the formation of a corporation the amendments specified in the petition shall become part of the charter of the corporation with the same force and effect as if they had been originally included in the charter

D The prothonotary in making the report to the Department of State heretofore required by this act shall include in such report the old and new name and the address of the registered office or every corporation which during the preceding month had its name changed by proceedings under this section For this service the prothonotary shall receive a fee of One Dollar ($1.00) from each corporation The Department of State shall cancel the registration of the discarded corporate names and shall note after each newly acquired name the date it was acquired by proceedings under this section If any corporation shall have registered a new name with the department and the corporation does not adopt such name by proceedings under this section within six months from the date of such registration the department shall cancel the registration of such name

Section 702 Volunteer Fire Companies Et Cetera Change of Purpose Upon the establishment of a paid fire department by a municipality any incorporated volunteer fire company of any type or designation whatsoever or any incorporated firemen's relief association having its domicil in such municipality and desiring to continue its corporate existence may amend its charter in the manner provided in the preceding section to substitute for the purpos for which it was incorportaed any literary charitable benevolent or social purpose which is lawful and not injurious to the community and which does not involve pecuniary gain or profit incidental or otherwise for its members At least one month's notice shall be given of the meeting called for the purpose of adopting the new purpose After the petition and decree of the court shall have been recorded the new object or purpose shall supersede the original object or purpose of the corporation and shall be as valid and binding as if it had been the original object or purpose for which the corporation had been incorporated

Section 703 Merger and Consolidation A Two or more nonprofit corporations formed for kindred purposes may upon application to the court in the manner hereinafter provided either be merged into one of such corporations or be consolidated into a new nonprofit corporation Before the application is made to the court a joint agreement prescribing the terms and conditions of merger or consolidation and such other details and provisions as are deemed necessary shall be approved by a majority vote or such other vote as may be required by the articles of each class of members of each of such corporations at a regular or special meeting of each corporation convened after notice to all the members of this purpose The fact of such approval shall be certified on the agreement by the secretary of each corporation and the agreement so adopted and certified shall be signed and acknowledged by two duly authorized officers of each corporation If the name of the surviving corporation in the case of a merger or of the new corporation in the case of a consolidation is to be different from the name of either of the constituent corporations an application for the registration of the proposed name shall be made to and a certificate shall be issued by the Department of State in a manner similar to that prescribed in this act in the case of the formation of a corporation

B Application to the court shall be made by a joint petition of the corporations seeking to merge or consolidate and shall be made to the court of common pleas of the county in which the registered office of the surviving or new corporation is to be located Such petition shall be under the seal of each corporation shall be signed and verified by at least two duly authorized officers of each corporation and shall among other things set forth

(1) The name and location of the registered office of the surviving or new corporation

(2) The time and place of the meeting of the members of each corporation at which the joint agreement was adopted the kind and period of notice given to the members and the

total vote by which the joint agreement was adopted

(3) Any changes desired to be made in the articles of the surviving corporation in the case of a merger or in the case of a consolidation all of the statements required by this act to be set forth in original articles in the case of the formation of a corporation

(4) The names and addresses of the persons to be directors of the surviving or new corporation until the first regular meeting of its members

(5) The terms and conditions of the merger or consolidation

The petition shall be in all cases be accompanied by a certified copy of the charter of each constituent corporation and of the joint agreement authorizing the proposed merger or consolidation In the case of the adoption of a new name for the surviving or new corporation the petition shall be accompanied also by a certificate from the Department of State pertaining to the registration of such name If the court shall be of the opinion that the proposed merger or consloidation is lawful will be beneficial and not injurious to the community and does not conflict with the requirements of this act or of the Constitution it shall be the duty of the court to enter a preliminary decree appointing a day for the hearing of the petition and directing that notice thereof be given by publication in the same manner as that required by this act in the case of the formation of a corporation However the court shall not issue such preliminary decree if the constituent corporations are educational or charitable corporations unless and until it shall receive the approval or recommendation of the State Council of Education or the Department of Welfare as the case may be in a manner similar to that prescribed in the case of the formation of such corporations Upon the day specified in the advertisement proof of the publication of notice of the application shall be presented to the court and if the court shall be satisfied with the propriety of the petition in view of all the facts it shall endorse thereon its order and decree that the petition is approved and that upon the recording of the petition and the order the merger and consolidation shall take effect If in the case of a merger the petition shall state any matters with respect to which the articles of the surviving corporation are to be amended accordingly upon the recording of the petition and the order and decree In the case of a consolidation the statements in the petition similar to those required in original articles shall be deemed to be the articles of the corporation created by the consolidation The petition together with the order and decree ndorsed thereon shall be recorded in a manner similar to that specified in the case of the formation of a corporation and thereupon the merger or consolidation shall become effective

C Upon the merger or consolidation becoming effective the several constituent corporations shall be one corporation which in the case of merger shall be that one of the constituent corporations into which it was agreed the other should be merged and which shall survive the merger for that purpose or in the case of consolidation the new corporation into which it was agreed the constituent corporations should be consolidated The separate existence of the constituent corporations shall cease except that of the surviving corporation in the case of a merger Subject to the terms and conditions of the petition the surviving or new corporation as the case may be shall possess all the rights privileges and franchises possessed by each of the former corporations merged or consolidated except that the surviving or new corporation shall not thereby acquire authority to engage in any business or exercise any right which a corporation may not be formed under this act to engage in or exercise All the property real personal and mixed of each of the constituent corporations and all debts due on whatever account to any of them including subscriptions for membership and other choses in action belonging to any of them shall be transferred to and vested in such surviving or new corporation as the case may be without further act or deed The surviving or new corporation shall be responsible for all the liabilities and obligations of each of the corporations merged or consolidated in the same manner as if the surviving or new corporation had itself incurred such liabilities or obligations but the privileges of such constituent corporations or of their members directors or officers shall not be affected nor shall the rights of the creditors thereof or of any persons dealing with such corporations be impaired by such merger or consolidation and any claim existing or action or proceeding pending by or against an constituent corporation may be prosecuted to judgment as if such merger or consolidation had not taken place or the surviving or new corporation may be proceeded against or substituted in place of the constituent corporation Any devise bequest gift or grant contained in any will or other instrument in trust or otherwise made before or after such merger or consolidation to or for any of the constituent corporations shall inure to the surviving or new consolidated corporation as the case may be

D The prothonotary of the court in making the report to the Department of State heretofore required by this act shall include in such report the names and registered offices of the constitutent corporations involved in merger or consolidation proceedings consummated during the preceding month and the names of the surviving or new corporations resulting from such proceedings For this service the prothonotary shall receive a fee of One Dollar ($1.00) from the petitioners Where a constituent corporation is merged into a surviving corporation or where the constituent corporations are consolidated into a new corporation the Department of State shall cancel the registration of the names of the non-surviving corporations If any name registered with the department under the provisions of this section is not adopted by proceedings under this section within six months from the date of such registration the department shall cancel the registration of such name

Section 704 Division of Charitable Corporations A A nonprofit corporation organized for a charitable purpose and having more than one place where its business is carried on may upon application to the court in the manner hereinafter provided secure a division of its corporate entity and property so that thereafter the charity shall be administered by two or more separate nonprofit corporations Before the application is made to the court a resolution providing for and setting fort hthe full details of the proposed division shall be adopted by a vote of a majority of each class of members of the corporation or by such other vote as the articles may prescribe at a regular or special meeting convened after notice to all members of this purpose If the resolution is adopted as aforesaid this fact shall be certified on the resolution by the secretary of the corporation The resolution so adopted and certified shall be signed and acknowledged by at least two duly authorized officers of the corporation Application for the registration of the proposed names of the new corporations shall be made to and a certificate shall be issued by the Department of State in the same manner as that required by this act in the case of the formation of a corporation except that the name of the petitioning corporation need not be re-registered unless it is desired to make a change in such name

B Application to the court shall be made by a petition of the corporation signed and verified by at least two duly authorized officers which petition shall be under the seal of the corporation and shall among other things set forth

(1) The names and the location of the registered offices of the proposed new corporations The name of the petitioning corporation may be assigned to one of the new corporations

(2) The time and place of the meeting of the members at which the resolution was adopted the kind and period of notice given to the members and the total vote by which the resolution was adopted

(3) All of the statements required by this act to be set forth in original articles in the formation of a corporation which statements may be similar to or different from or be certified on the resolution by the secretary of the corporation The resolution so adopted and certified shall be signed and acknowledged by at least two duly authorized officers of the corporation Application for the registration of the proposed names of the new corporation shall be made to and a certificate shall be issued by the Department of State in the same manner as that required by this act in the case of the formation of a corporation except that the name of the petitioning corporation need not be re-registered unless it is desired to make a change in such name

B Application to the court shall be made by a petition of the corporation signed and verified by at least two duly authorized officers which petition shall be under the seal of the corporation and shall among other things set forth

(1) The names and the location of the registered offices of the proposed new corporations The name of the petitioning corporation may be assigned to one of the new corporations

(2) The time and place of the meeting of the members at which the resolution was adopted the kind and period

of notice given to the members and the total vote by which the resolution was adopted

(3) All of the statements required by this act to be set forth in original articles in the formation of a corporation which statements may be similar to or different from those contained in the charter of the petitioning corporation

(4) The names and addresses of the persons to be directors of the new corporations until the first regular meeting of their respective members

(5) A Statement of all moneys securities and endowments of the petitioning corporation which shall be divided equitably among the new corporations except that no gift or legacy shall be diverted from the purpose of the donor

(6) The terms and conditions of the proposed division The petition shall in all cases be accompanied by a certified copy of the charter of the petitioning corporation and of the resolution authorizing the division and a certificate from the Department of State pertaining to the registration of each new corporate name proposed to be adopted If the court shall be of the opinion that the proposed division is lawful will be beneficial and not injurious to the community and does not conflict with the requirements of this act or of the Constitution it shall be the duty of the court to enter a preliminary decree appointing a day for a hearing of the petition and directing that notice thereof shall be given by publication in the manner heretofore provided in this act in the case of the formation of a corporation However the court shall not enter such preliminary decree unless and until it shall receive a recommendation from the Department of Welfare in a manner similar to that prescribed in the case of the formation of a charitable corporation

C Upon the day specified in the advertisement proof of the publication of notice of the application shall be presented to the court and the court shall bear the petition If the court shall be satisfied with the propriety of the petition in view of all the facts it shall endorse thereon its order and decree that the petition is approved and that upon the recording of the petition and the order the division prayed for in the petition shall become effective It shall be lawful for the court to decree such conveyances assignments and transfers of the property and effects of the petitioning corporation as it may deem proper to be made to each new corporation and when such conveyances assignments and transfers have been made each new corporation shall hold the property so decreed and conveyed to it as its own property as fully and completely as the petitioning corporation held such property When the reception of any person or persons or class of the community or other specific public duty is enjoined upon the petitioning corporation by any Act or Acts of Assembly it shall be lawful also for the court to decree which of the new corporations shall thereafter receive such person or persons or class of the community or perform such other public duty Thereafter it shall be the duty of the new corporation so charged to perform such public duty and the other new corporations shall be released and discharged from suc hduty The petition together with the order and decree of the court shall be recorded in the office of the recorder of deeds in a manner similar to that hretofore provided by this act in the case of the formation of a corporation and thereupon the division prayed for shall become effective and the corporate existence of the new corporations shall begin The new corporations shall be governed by the charter provisions set forth in the petition and such provisions shall to all intents and purposes be deemed to be the charter of each of such corporations

D The prothonotary of the court in making the report to the Department of State heretofore required by this act shall include in such report the name and registered office of the petitioning corporation and of each new corporation resulting from division proceedings consummated during the preceding month For such service the prothonotary shall receive a fee of One Dollar ($1.00) from the petitioning corporation The Department of State shall note after the registered name of each new corporation the date of its incorporation If a petitioning corporation shall have registered the names of new corporations to be formed as the result of division proceedings and such division proceedings do not take place within six months from the date of the registration of such names the Department of State shall cancel the registration of such names

ARTICLE VIII

FOREIGN NONPROFIT CORPORATIONS

Section 801 Admission of Foreign Nonprofit Corporations A foreign nonprofit corporation before doing any business in this Commonwealth shall procure a certificate of authority to do so from the Department of State in the manner hereinafter provided in this article unless the entire business operations of the corporation within this Commonwealth are within the protection of the Commerce Clause of the Federal Constitution in which event the corporation may engage in such business operations without procuring a certificate of authority A foreign nonprofit corporation shall not be denied a certificate of authority by reason of the fact that the laws of the state or county governing its organization and internal affairs differ from the laws of this Commonwealth and nothing in this act contained shall be construed to authorize this Commonwealth to regulate the organization or the internal affairs of such corporation

Section 802 Restrictions on Admission of Foreign Nonprofit Corporations The Department of State shall not issue a certificate of authority to any foreign nonprofit corporation

(1) If the application for the certificate of authority hereinafter required by this article to be filed sets forth any kind of business for which a domestic nonprofit corporation could not be formed under the laws of the Commonwealth

(2) If the name of the corporation is the same as or deceptively similar to the name of any domestic corporation or any other foreign corporation authorized to do business in this Commonwealth or the name of any unincorporated body whatsoever registreed with the Department of State under any Act of Assembly unless such other domestic or foreign corporation or unincorporated body is about to change its name or to cease to do business or is being wound up or such foreign corporation is about to withdraw from doing business in this Commonwealth and the written consent of such other domestic or foreign corporation or foreign corporation or unincorporated body to the adoption of its name or a deceptively similar name has been given and is filed with the application for a certificate of authority hereinafter provided for in this article

(3) If the name of the corporation contains words not permitted by this act to be part of the name of a domestic nonprofit corporation

(4) If the corporation is a college university theological seminary or other nonprofit corporation which if formed under the provisions of this act would require the approval of the State Council of Education unless the approval of the State Council of Education shall be annexed thereto Whenever the Department of State shall receive an application for a certificate of authority from this type of corporation it shall be the duty of the department to submit the application together with the certified copy of the articles or special law as the case may be to the Superintendent of Public Instruction and thereafter the procedure shall be the same as that heretofore prescribed by this act for th approval or disapproval by the State Council of Education of applications for the incorporation of similar domestic nonprofit corporations except that the documents and the findings of the State Council of Education shall be returned to the Department of State It shall be unlawful for the Department of State to issue a certificate of authority to such a corporation without the approval of the State Council of Education

(5), If the corporation is one which if formed under the provisions of this act would require the approval of the Department of Welfare unless the approval of the Department of Welfare shall be annexed thereto Whenever an application for a certificate of authority is filed with the Department of State by this type of corporation it shall be the duty of the deparment to submit all the documents to the Department of Welfare and thereafter the procedure shall be the same as that heretofore prescribed by this act for th approval or disapproval by the Department of Welfare of applications for the incorporation of similar domestic nonprofit corporations except that the Department of Welfare shall return the documents of State It shall be unlawful for the Department of State to issue a certificate of authority to such a corporation without the favorable recommendation of the Department of Welfare

Section 803 Application for a Certificate of Authority A foreign nonprofit corporation in order to procure a certificate

of authority shall file with the Department of State a copy of its articles and all amendments thereto duly certified by the proper public officer of the state or country of its incorporation or if the corporation is created by a special law and has no articles a duly certified copy of such law a verified translation of any part of such articles amendments or law which is in a foreign language and an application for a certificate for a certificate of authority executed under the seal of the corporation and signed and verified by at least two duly authorized officers thereof which shall set forth

(1) The name of the corporation

(2) The name of the state or country under the laws of which it is formed

(3) The address including street and number if any of its principal office in the state or country under the laws of which it is formed

(4) The address including street and number if any of its proposed registered office in this Commonwealth

(5) A designation of the Secretary of Commonwealth and his successor in office as the true and lawful attorney of the corporation upon whom all lawful process in any action or proceeding against it may be served and that the service of process upon the Secretary of the Commonwealth shall be of the same legal force and validity as if served on the corporation and that the authority for such service of process shall continue in force as long as any liability remains outstanding against the corporation in this Commonwealth

(6) The character and nature of the business it proposes to do within this Commonwealth

(7) Such further and additional information as the Department of State may from time to time require

Section 804 Issuance and Recording of Certificate of Authority If the Department of State finds that the provisions of this article have been complied with and that the applicant corporation is entitled to a certificate of authority to do business in this Commonwealth it shall endorse its approval upon the application for a certificate of authority and when all fees and charges have been paid as required by law shall file the application and the copy of the articles and shall issue to the corportion a certificate of authority to do business in this Commonwealth The certificate of authority shall set forth the name of the corporation the address of its initial registered office in this Commonwealth and the business which the corporation is authorized to transact in this Commonwealth Upon the issuance of the certificate of authority by the Department of State the corporation may do in this Commonwealth any of the business referred to in the certificate of authority and no other subject however to the right of the Commonwealth to cancel or revoke such right to transact business in this Commonwealth as provided in this act The certificate of authority shall be returned to the corporation of its representative and such certificate and a verified copy of its articles shall be recorded in the office of the recorder of deeds of the county in which the registered office of the corporation in this Commonwealth is located The certificate of authority upon being recorded by the recorder of deeds shall be returned to the corporation or its representative

Section 805 Amended Certificate of Authority After receiving a certificate of authority a foreign nonprofit corporation may subject to the provisions of this act change its name or the address of its registered office in the Commonwealth or be authorized to do in this Commonwealth other or additional business than that authorized by its certificate of authority by filing with the Department of State an application for an amended certificate of authority Such application shall be executed under the seal of the corporation signed and verified by two duly authorized officers thereof and shall set forth the changes desired by the corporation If the Department of State finds that the provisions of this article have been complied with and that the applicant corporation is entitled to an amended certificate of authority it shall approve and file the application and when all fees and charges have been paid as required by law shall issue to the applicant corporation an amended certificate of authority setting forth the desired changes The amended certificate of authority shall be recorded in the office of the recorder of deeds of the county in which the original certificate of authority was recorded If the address of the registered office of the applicant corporation was changed from one county to another county then the corporation shall have recorded in the office of the recorder of deeds of the county in which its new registered office is situated its original and amended certificates of authority and a verified copy of its articles

Section 806 General Powers of Foreign Nonprofit Corporations A foreign nonprofit corporation which shall have received a certificate of authority under this act so long as such certificate of authority shall not be revoked or cancelled shall enjoy the same but no greater rights and privileges as a domestic nonprofit corporation and except as in this act otherwise provided shall be subject to the same liabilities restrictions duties and penalties now in force or hereafter imposed upon domestic corporations of like character to the same extent as if it had been organized under this act to transact the business set forth in its certificate of authority

Section 807 Revocation of Certificate of Authority Whenever the Department of State shall find that a foreign nonprofit corporation is doing in this Commonwealth a business which a domestic nonprofit corporation could not do or is exceeding the authority contained in its original or amended certificate of authority or has changed its name or the location of its registered office without first securing an amended certificate of authority from the Department of State or has failed to file a copy of its articles or a copy of any amendments thereto or its certificate of authority or any amended certificate of authority in the office of the recorder of deeds of the county in which its registered office is situated or is violating any of the laws of this Commonwealth the Department of State shall give notice by registered mail to such corporation that such default exists and that its certificate of authority including any amendments thereto will be revoked and cancelled unless such default shall be cured within thirty days after the mailing of such notice If such default shall not be cured within such period of thirty days the Department of State shall revoke and cancel the certificate of authority of such foreign corporation including any amendments thereto Upon revoking and cancelling any such certificate of authority the Department of State shall mail to such corporation at its registered office in this Commonwealth a certificate of revocation and shall mail a copy of such certificate to the recorder of deeds of the county in which the registered office of the corporation is situated who shall record the same without any fee therefor Upon the issuance of such certificate of revocation the authority of the corporation to transact business in this Commonwealth shall cease and such corporation shall not thereafter transact any business in this Commonwealth unless it applies for and receives a new certificate of authority

Section 808 Service of Process Service of process against a foreign nonprofit corporation upon the Secretary of the Commonwealth shall be made by the Sheriff of Dauphin County by leaving the fee the plaintiff is required by law to pay for this service and two copies of the process at the office of the Secretary of the Commonwealth The sheriff shall make due return of his service of the process to the court magistrate or justice of the peace issuing the same Such process may be issued by any court magistrate or justice of the peace having jurisdiction of the subject matter of the controversy in any county of the Commonwealth in which the corporation shall have its registered office or in the county in which the right of action arose When legal process against any such corporation has been served upon the Secretary of the Commonwealth he shall immediately send by mail postage prepaid one copy of such process directed to the corporation at its registered address The fee paid by the plaintiff to the Secretary of the Commonwealth at the time of the service shall be taxed in the plaintiff's costs if he prevails in the suit necessitating the service of the process The Secretary of the Commonwealth shall keep a record of the day and hour of the service of such process on him and a certified copy of such record shall be sufficient evidence thereof The service of process on the Secretary of the Commonwealth under this section shall be of the same legal force and validity as if the process had been served on the corporation and the authority for such service of process shall ocntinue in force as long as any liability remains outstanding against the corporation in this Commonwealth Nothing herein contained shall limit or affect the right to serve any process notice or demand required or permitted by law to be served upon a foreign corporation in any other manner now or hereafter permitted by law

Section 809 Penalty for Doing Business Without Certificate of Authority Any person agent officer or employe of a foreign nonprofit corporation who shall transact any business within this Commonwealth for any such foreign nonprofit corporation without first obtaining a certificate of authority as provided in this article shall be guilty of a misdemeanor and

upon conviction thereof shall be punished by imprisonment not exceeding thirty days and by a fine not exceeding One Thousand Dollars ($1,000.00 or either in the discretion of the court trying the same but the failure of any such corporation to apply for and secure a certificate of authority from the Department of State shall not impair or affect the validity of any contract with such corporation and actions or proceedings at law or in equity may be instituted and maintained on any such contract No such action however shall be instituted or recovery had by any such corporation on any such contract either expressed or implied in any of the courts of this Commonwealth or before any justice of the peace or magistrate thereof until such corporation shall obtain a certificate of authority and shall pay to the Department of State a fine of Two Hundred Fifty Dollars ($250.00)

Section 810 Acquisition of Real Property Every foreign nonprofit corporation authorized to transact business within this Commonwealth may acquire hold mortgage lease and transfer real property in this Commonwealth in the same manner and subject to the same limitations as nonprofit corporations formed under the laws of this Commonwealth Every such corporation may purchase in its corporate name at any sheriff's or other judicial sale any real estate within this Commonwealth upon which such corporation may have or hold a judgment or lien and may at its pleasure sell and convey such real estate but an yreal estate so purchased shall be sold and conveyed within ten years from the date of such purchase All the rights privileges and duties now by law accorded to and imposed upon lien creditors purchasing at judicial sales are hereby extended to such corporations

Section 811 Surrender of Certificate of Authority A Any foreign nonprofit corporation may withdraw from doing business in this Commonwealth and surrender its certificate of authority by filing with the Department of State an application for a certificate of withdrawal executed under the seal of the corporation and signed and verified by two duly authorized officers thereof which shall set forth

(1) The name of the corporation

(2) The state or country of its incorporation

(3) The date on which it received a certificate of authority to do business in the Commonwealth

(4) A statement that it revokes its designation of the Seretary of the Commonwealth as the person on whom process against it may be served in this Commonwealth

(5) A statement that it surrenders its certificate of authority to do business in this Commonwealth

(6) A statement that it consents that process against it in an action or proceeding upon any liability or obligation incurred within this Commonwealth before the issuance of the certificate of withdrawal may be served upon the Secretary of the Commonwealth after the filing of such certificate

(7) A post office address to which the Secretary of the Commonwealth may mail a copy of any process against it that may be served upon him

B Upon the filing of such application and the return for cancellation of the corporation's certificate of authority or the filing of proof that it has been lost or destroyed the Department of State after all fees and charges have been paid as require dby law shall cancel the certificate of authority if any and shall issue in duplicate a certificate of withdrawal The Department of State shall return one of such certificates of withdrawal to the corporation or its representatives and shall send the other to the recorder of deeds of the county in which the registered office of the corporation in the Commonwealth is situated who shall record the same without fee therefor Upon the issuance of the certificate of withdrawal the authority of the corporation to do business within this Commonwealth shall cease and determine and no such corporation doing business in this Commonwealth after the issuance of such certificate shall maintain any action in this Commonwealth upo nany contract made by it in this Commonwealth subsequent to the issuance of such certificate of withdrawal The issuance of such certificate shall not however affect any action pending at the time thereof or affect any right of action upon any contract made by such corporation in the Commonwealth before the issuance of the certificate Process against the corporation in an action upon any liability or obligation incurred within this Commonwealth before the issuance of such certificate may be served thereafter upon the Secretary of the Commonwealth

ARTICLE IX

DISSOLUTION AND WINDING UP

Section 901 Voluntary Dissolution A Any nonprofit corporation may upon application to the equity side of the court of Common pleas of the county in which its registered office is located or in which its principal activities are conducted be dissolved and wind up its affairs Before the application is made to the court a resolution authorizing the institution of voluntary proceedings for the dissolution of the corporation shall be approved by a majority vote or such other vote as the articles may require of each class of members of the corporation at a regular or special meeting convened after proper notice of this purpose to all members

B Application to the court shall be made by a petition of the corporation signed and verified by at least two duly authorized officers thereof The petition shall be under the seal of the corporation and shall among other things set forth

(1) The name and location of the registered office of the corporation

(2) The Act of Assembly under which the corporation was formed the date when the court entered the decree of incorporation and the date when and the place where the original articles were recorded

(3) The time and place of the meeting of the members of the corporation at which the resolution authorizing the dissolution proceeding was adopted the kind and period of notice of the meeting given to the members and the total vote by which the resolution was adopted

(4) An inventory of all the real and personal property of the corporation which shall show separately any real or personal property held in trust by the corporation

(5) A statement of all liens and encumbrances upon the corporate property and all outstanding claims of the corporation

(6) The names and addresses of all the existing members of the corporation to the extent this information is known and their respective rights if any to share in the corporate assets in excess of the debts and obligations of the corporation

The petition shall in all cases be accompanied by a certified copy of the charter of the corporation the resolution authorizing the institution of the dissolution proceedings and any trust instrument relating to any real or personal property of the corporation Upon the presentation of the petition to the court the proceedings for dissolution shall be deemed to commence and thereafter the corporation shall cease to transact any business whatsoever except insofar as may be necessary for the winding up of the affairs of the corporation

C Upon the presentation of the petition of the court shall enter a preliminary decree appointing a day for the hearing of the petition and directing all persons interested in the corporation at that time to show cause if any they have why the corporation should not be dissolved The petitioners shall advertise the contents of the decree once a week for two consecutive weeks in the county wherein the registered office of the corporation is located and also in the county where the principal activities of the corporation are conducted if the petition for dissolution is filed in such county Advertisements shall appear in a newspaper of general circulation published within the county and in the legal newspaper if any designated by the rules of court for the publication of legal notices otherwise in two newspapers of general circulation published within the county Where there is but one newspaper of general circulation published in any county advertisements in such newspapers shall be sufficient On the day fixed in the decree proof of the advertisements heretofore requird shall be presented to the court whereupon the court shall consider the petition If the court shall be satisfied that the prayer of the petition may be granted without prejudice to the public welfare or the interests of the members of the corporation the court shall decree that the petition is approved and that upon the recording of the petition and decree the corporation shall be dissolved Before entering the final decree of dissolution the court shall cause the assets of the corporation to be marshaled and the property rights to be adjudicated either by proceedinsg before the court or before a master appointed by its provided that property devoted to religious literary educational or charitable uses shall not be diverted from the objects for which it was donated granted bequeathed or devised In entering the final decree the court shall order

the distribution of the property and assets of the corporation among the members entitled thereto shall direct what disposition shall be made of any real or personal property devoted to any religious literary educational or charitable use and shall designate the directors of the corporation or having proper cause a liquidating trustee to wind up the affairs of the corporation according to the decree of the court Upon the recording of the petition and decree of the court in a manner similar to that heretofore specified in this act in the case of the formation of a corporation the dissolution of the corporation shall become effective and thereafter the corporation shall become effective and thereafter by the court shall wind up the affairs of the corporation in accordance with the decree

D The prothonotary in making the monthly report to the Department of State heretofore required by this act shall include in such report the name and the location of the registered office of every corporation which during the preceding month was dissolved by proceedings under this section For this service the prothonotary shall receive a fee of One Dollar ($1.00) from each corporation The Department of State shall cancel the registration of the name of the corporation and shall note after the name the date the corporation was dissolved

Section 902 Dissolution of Certain Religious Corporations Whenever any nonprofit corporation organized for the support of public worship by reason of the shifting of population withdrawal of membership or any other cause whatsoever has ceased to support public worship within the intent and meaning of its articles the diocesan convention presbytery synod conference council or other supervising and controlling organization of which the corporation is a member or with which it is in allegiance and to which it is subordinate may petition the equity side of the court of common pleas of the county in which the registered office of the corporation is located setting forth the facts of the case and praying for a decree of dissolution The petition shall be under the seal of the organization signed and verified by at least two duly authorized officers thereof and shall set forth the information heretofore required to be set forth in a petition for the voluntary dissolution of a corporation to the extent that such information is applicable The court shall after notice and hearing as heretofore provided in this article enter a decree of dissolution if satisfied that the prayer of the petition may be granted without prejudice to the public welfare or the interests of the members of the corporation Upon the recording of the petition and decree of the court as heretofore provided in this article the dissolution of the corporation shall become effective

Section 903 Disposal of Real Estate of Dissolved Religious Corporations In entering a final decree of dissolution of a corporation organized for the support of public worship the court shall by its decree provide for the disposition of the real estate of the corporation either by

(1) Vesting title thereto in such other corporation as may by its articles be organized for the purpose of holding title to the real estate held for public worship according to the formularies of the church to which the dissolved corporation was in allegiance or

(2) Authorizing the sale thereof by a master or trustee appointed for that purpose and the vesting of the proceeds upon the confirmation of such sale in such body as may be directed by the court to be held in trust for carrying out the intent and purpose of public worship or

(3) Vesting the title thereto in any incorporated or unincorporated body designated by the petitioners to the same uses and trusts as the same was theretofore held by the dissolved corporation

Any sale of real estate decreed by the court under this section shall vest in the purchaser thereof a title in fee simple discharged of any trust under which the property was theretofore held and the trust shall be impinged upon the proceeds of the sale in the hands of the holder thereof

Section 904 Continuation of Corporation After Dissolution All nonprofit corporations whether they expire by their own limitations or are otherwise dissolved shall nevertheless continue to exist for a period of two years after the date of dissolution for the purpose of winding up their affairs prosecuting and defending actions by or against them collecting and discharging obligations disposing of and conveying their property and collecting and dividing their assets but not for the purpose of continuing business except in so far as necessary for the winding up of the corporation No action or proceeding to which a corporation is a party shall abate by the dissolution of the corporation

ARTICLE X

EFFECTIVE DATE AND REPEALER

Section 1001 Effective Date This act shall become effective on the ..... day of .....

Section 1002 Acts and Parts of Acts Specifically Repealed The following acts and parts of acts are hereby specifically

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Section 1003 General Repeal of Acts All other acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING

Mr. McCLURE. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 890 (House Bill No. 1681), on third reading, entitled:

An Act to regulate and restrain the traffic in malt brewed and vinous an fruit juice beverages as herein defined providing for the licensing of the manufacture sale transportation and distribution of such beverages imposing taxes and license fees and providing for collection and distribution of revenues therefrom restricting ownership and interest in licensed places providing penalties and repealing existing acts

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 890 (House Bill No. 1681), as follows:

An Act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined providing for the licensing of the manufacture sale transportation and distribution of such beverages imposing taxes and license fees and providing for collection and distribution of revenues therefrom restricting ownership and interest in licensed places providing penalties and repealing existing acts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That This act shall be known and may be cited as the "Mild Beverage Law"

Section 2 DEFINITIONS The following words and terms as used in this act shall be construed as defined in this section

(a) The word "beverages" means any and all malt or brewed vinous liquids or fruit juices having an alcoholic content in excess of one-half of one per centum by volume the manufacture and sale of which and traffic in which for beverage purposes is not prohibited by the laws of the United States

(b) The word "person" means and includes natural persons associations partnerships and corporations

(c) The word "manufacturer" means and includes all persons associations partnerships and corporations licensed to engage in the brewing and manufacture of all malt or brewed beverages or the fermenting and production of vinous or fruit juices beverages for sale

(d) The term "wholesale distributor" means and includes persons associations partnerships and corporations licensed to engage in the purchase and resale of beverages in the original sealed packages as prepared for the market by the manufacturer but not for consumption on the premises where sold

(e) The term "retail distributor" means and includes persons associations partnerships and corporations licensed to en-

gage in the retail sale of beverages where the consumption thereof is upon the premises of such vendor with the privilege of selling its quantities not exceeding seventy-two ounces to be carried from the premises by the purchaser thereof only however in the original containers

(f) The term "original container" means and includes bottles casks kegs or other containers that have been securely capped or corked by the manufcturer with the name and address of the manufacturer permanently affixed to the bottle cask keg or other container or to the cap or cork used in sealing same

(g) The term "license" means and includes both the person making the application therefor and the premises upon which the privileges of the license are to be exercised and includes manufacturers' wholesale distributors' retail distributors' licenses and public service licenses

(h) The term "licensing power" means the court of quarter sessions of the several counties of this Commonwealth given the authority and power hereunder to grant and issue licenses to wholesale and retail distributors In any county where there are three or more judges learned in the law at least "three judges shall constitute the court for the purposes of this act and at least" two judges must agree upon any action taken under this act to grant refuse suspend or revoke any license

(i) As used in this act the singular shall include the plural and the masculine gender shall include the feminine and the neuter

Section 3 LICENSE TO SELL BEVERAGES REQUIRED It shall be unlawful for any person to produce manufacture sell or offer for sale any beverage unless a license therefor shall have first been previously obtained by such person and for the place where the sale is made as hereinafter provided

Section 4 MANUFACTURERS' LICENSE A manufacturer of good repute upon application as hereinafter provided shall be licensed by the State Treasurer of the Commonwealth to produce and manufacture beverages at one or more places of manufacture and to sell and deliver the same anywhere within the Commonwealth and elsewhere but not in prohibited territory but where a manufacturer operates nor conducts more than one place of manufacture he shall obtain a separate manufacturers' license for each place so operated or conducted

The aplication by a manufacturer for such a license shall contain (a) the names and addresses of applicant together with (b) information concerning the size capacity and equipment of all plants to be used for the purpose of such license and (c) the name of the applicant and where applicant is a partnership or association the names of the partners or members and where the applicant is a corporation the names and addresses of all officers and directors of the corporation

All such licenses to manufacture beverages shall be granted for the calendar year and where a license runs for less than the full calendar year the license fee shall be reduced one-twelfth for each full month such license was not in force during the then calendar year

Section 5 SUSPENSION AND REVOCATION APPEALS If the State Treasurer from information in his possession or that may come into his possession by remonstrance or othehwise is of the opinion that any manufacturer is conducing his or its business in an unlawful manner he shall have power to suspend for anytime or revoke the license of such manufacturer after granting a hearing Any manufacturer aggrieved by the decision of the State Treasurer in refusing suspending or revoking a license may within thirty days thereafter appeal to the court of quarter sessions of the County where the manufacturing plant is situate which shall fix a time for hearing of which notice shall be given to the State Treasurer as the court may provide The court shall hear the appeal de novo and shall make such order affirming modifying or reversing the order of the State Treasurer as to it shall appear just The action of the court shall be final

Section 6 PUBLIC SERVICE LICENSES The State Treasurer is hereby directed to issue licenses to persons operating and conducting restaurant or dining services on railroad cars or coaches and to persons operating and conducting passenger service by water provided however that the applicant is a reputable person and the place to be licensed is a fit place or places for such license Such licenses shall permit the consumption of the beverages upon the licensed premises

Section 7 DISTRIBUTORS' LICENSES LICENSE YEAR Licenses to wholesale distributors and retail distributors shall be granted only by the licensing power of the proper county wherein beverages are to be sold and shall be for one year from the date fixed by rule or standing order of the licensing authority The said licensing power shall by rule or standing order fix a time at which applications for such licenses shall be heard at which time all persons applying or making objections to applications for licenses may be heard by evidence petition remonstrance or counsel

Section 8 FILING AND PUBLICATION OF APPLICATIONS FOR WHOLESALE AND RETAIL DISTRIBUTORS' LICENSES Every person intending to apply for a wholesale or retail distributor's license as aforesaid in any city or county of this Commonwealth shall file with the clrek of the licensing power of the proper county his or its petition at least two weeks before the first day for the sessions of such licensing power at which the same is to be heard and shall at the same time pay said clerk twenty-five dollars for the expenses connected therewith Said clerk shall cause to be published two times in two newspapers of general circulation designated by the said clerk a list containing the names of all such applicants their respective residences and the place for which application is made the first publication shall be no less than ten nor more than fourteen days before the time fixed by the licensing power for sessions of the licensing power

Section 9 APPLICATION FOR DISTRIBUTORS LICENSES Application for wholesale and retail distributors' licenses shall contain

(a) The name and residence of the applicant and how long he has resided there and if an individual the residence of such applicant and if an association partnership or corporation the residences of the members officers and directors

(b) The particular place for which the license is desired and a detailed description thereof and a history of any business that may have been conducted there during the past two years

(c) Place of birth of applicant and if a naturalized citizen where and when naturalized and if a corporation when and where incorporated with the names and addresses of each officer and director and that such officers and directors are citizens of the United States and that all stockholders owning ten per centum or more of the capital stock of such corporation are citizens of the United States

(d) Name of owner of premises and his residence

(e) That the applicant is not or in case of a partnership or association that the members or partners are not and in the case of a corporation that the officers and directors are not in any manner pecuniarily interested either directly or indirectly in the profits of any other class of business licensed or taxed under this act except as hereinafter temporarily permitted

(f) That applicant is the only person in any manner pecuniarily interested in the business so asked to be licensed and that no other person shall be in any manner pecuniarily interested therein during the continuance of the license except as hereinafter temporarily permitted

(g) Whether applicant or in case of a partnership or association any member or partner thereof or in caes of a corporation any officer or director thereof has had a license for sale of said beverages revoked during any time preceding this application and whether applicant or any of said persons during the past two years has ever been convicted for any criminal offense and if so a detailed history thereof

(h) A full description of that portion of the premises for which license is asked and if any other business is to be conducted concurrently with the sale and distribution of beverages a full history of such business relating the nature thereof the length of time it has so previously been conducted by the applicant or his predecessor at such location

There shall be annexed to such petition a certificate signed by at least twelve reputable qualified electors of the ward borough or township in which such beverages are to be sold setting forth that they have been acquainted with the applicant or applicants or the members of the association or partnership or the directors and officers of the corporation where the applicant is a corporation that they have good reason to believe that each and all the statements contained that he prayer of said petitioner be granted and that the license issue

Petition must be verified by affidavit of applicant and by affidavit of owner or his authorized agent as respects informa-

tion concerning the property and if false statement is made in any part of the petition the affiant shall be deemed guilty of the crime of perjury

Section 10 SUBSTITUTED APPLICATIONS IN CASE OF DEATH Whenever an applicant for a wholesale or retail distributor's license having filed his application in due form and in due time shall die before such application has been acted upon by the licensing power it shall be lawful for said licensing power upon petition setting forth said fact to permit the substitution of another applicant in the form as required for a license to sell such beverages at the same place said licensing power specifying in the order granting such allowance in time not less than two weeks distant for hearing said substituted application Thereupon upon payment to the clerk of said licensing power of the sum of twenty-five dollars a notice of said petition of the order thereon and of the substituted application together with the date and hour of the hearing thereof shall by said clerk be published for two successive weeks in two newspapers of general circulation designated by said clerk On the day specified said licensing power shall hear said substituted application and any remonstrance or objection made to the same in like manner as is required for the original application and thereupon may grant or refuse a license to said substituted applicant

Section 11 HEARINGS TO GRANT LICENSES RESTRICTIONS Said licensing power shall hear the petition from residents of the ward borough or township in addition to that of the applicant in favor of and in remonstrance against the application for any such wholesale or retail distributor's license and in all cases shall refuse the same whenever in the opinion of the said licensing power having due regard to the number and character of the petitioners for and against such application that the applicant or applicants is or are not fit persons to whom such license should be granted or the place applied for is not a fit place without regard to the proximity of other places

A wholesale distributor maintaining operating or conducting more than one place of business where beverages are resold or places of his business where orders are taken for such resale shal lobtain a separate license for each such place of business

Licenses shall be granted only to reputable persons or to associations partnerships and corporations whose members or officers and directors are reputable persons

Licenses shall be granted only to individual citizens of the United States who have been residents of this Commonwealth for at least three years immediately preceding or to corporations organized in or duly authorized to transact business in this Commonwealth

No retail distributor's license shall be granted for the sale of beverages in any drug store or pharmacy or in any grocery store or in any mercantile establishment unless there is conducted in such mercantile establishment a bona fide restaurant or dining room in which case a license may be granted for the sale of beverages in the room or space occupied by such restaurant or dining room

No wholesale distributor's license shall be granted except where the room or rooms to be occupied by such business shall be fully separated by walls from any other room or space where other business is conducted in the same building No other commodities of any kind shall be stored or sold in the room or rooms occupied for the business as a wholesale distributor

Section 12 REVOCATION AND SUSPENSION OF LICENSES After a license has been granted upon sufficient cause being shown or proof being made to the said licensing power that the licensee holding a license or any partners members officers or directors of the licensee has or have violated any of the laws of this Commonwealth relating to the sale of beverages it may upon due notice and proper hearing being given to the person so licensed suspend or revoke the said license The action of the licensing power in suspending or revoking a license shall be final

Section 13 TRANSFER OF LICENSES The said licensing power is hereby authorized to transfer wholesale or retail license from one person to another or from one place to another within the jurisdiction of the licensing power as it may determine Any transfer of such license may be made when the applicant or applicants for said transfer shall have presented a petition seting forth all of the facts necessary for original application for such license In cases where the application is made to transfer from one place to another the application shall be advertised as herein provided for original applications for license and residents of the ward borough or township shall have the same right to remonstrate against such transfer in the same manner as against applications for original licenses

Section 14 APPLICATIONS FOR TRANSFERS Applications for any such transfer shall be filed in the office of the clerk of the licensing power of the proper county ten days before the said petition shall be presented to the licensing power and upon expiration of the said ten days the clerk shall certify that the application for such transfer has been on file in his office for the period of time required Provided however In case of death of the licensee such transfer may be made forthwith on petition without preliminary or interlocutory order and without publication of notice

Section 15 FEE FOR LICENSE TRANSFERS Whenever any license shall hereafter be transferred under the provisions of this act no license or other fees shall be required from the persons to whom such transfer is made for the balance of the then current term except a fee of twenty-five dollars to be paid to the clerk of the licensing power for the uses herein provided

Section 16 RENEWAL OF LICENSES Renewal licenses may be granted by the licensing power upon proper application without the necessity of such applicant appearing with his witnesses before the licensing power at its sessions unless remonstrances are filed Where such remonstrances are filed to the renewal of licenses the same proceedings shall be had as in the case of application for an original license

Section 17 DISPLAY OF LICENSE Every licensee shall frame his or its license under a transparent substance and display the same in a conspicuous space so that it may easily be read in his or its place of business and no license shall authorize sales until this section has been complied with

Section 18 ALL LICENSES TO FURNISH BOND No license shall be issued to any manufacturer wholesale distributor or retail distributor until the licensee shall have first executed a bond to the Commonwealth of Pennsylvania and a warrant of attorney to confess judgment in the penal sum hereinafter prescribed and with sufficient sureties either personal or a surety company authorized to do business in this Commonwealth Such bond shall not be accepted until approved by the State Treasurer as respects manufacturers or approved by some one designated by the licensing power as respects wholesale and retail distributors All such bonds shall be conditioned for the faithful observance of all the laws of this Commonwealth relating to the traffic in and sale of beverages Such bond as respects the manufacturer shall be filed with and retained by the State Treasurer and in the case of wholesale and retail distributors by the clerk of the licensing power The penal sum in such bonds shall be as follows In the case of manufacturer two thousand dollars and in the case of wholesale or retail distributor one thousand dolalrs

Section 19 LICENSE FEES DISTRIBUTION OF REVENUES No license shall be issued to any manufacturer wholesale distributor or retail distributor until the licensee shall have first paid an annual license fee for such grant as follows

(a) In the case of a manufacturer one thousand dollars for each place of manufacture be paid to the State Treasurer

(b) In the case of a wholesale distributor as follows In counties of the first and second classes five hundred dollars in counties of the third and fourth classes four hundred dollars and in all other counties three hundred dollars

(c) In the case of a retail distributor the license fee shall be graduated according to the population of the municipal unit in which the place of business is located as follows

I In municipalities or townships having a population of less than one thousand five hundred inhabitants seventy-five dollars

II In those having a population of one thousand five hundred and more but less than ten thousand inhabitants one hundred dollars

III In those having a population of ten thousand and more but less than fifty thousand inhabitants one hundred and fifty dollars

IV In those having a population of fifty thousand and more but less than one hundred thousand inhabitants two hundred dollars

V In those having a population of one hundred thousand and more but less than one hundred fifty thousand inhabitants two hundred and fifty dollars

VI In those having a population of one hundred fifty thousand and more than three hundred dollars

(d) In the case of a license for the sale of beverages in dining cars the fee shall be five hundred dollars for each railroad company

(e) In the case of a license to sell the beverages in a passenger boat or water vehicle the fee shall be twenty-five dollars for each such vessel or boat

The licence fees fixed by this section shall be paid within fifteen days after the license is granted and the license shall not be delivered until the license fee is paid

The fees for wholesale and retail distributors' licenses and for manufacturers' licenses shall be paid by the county or the State Treasurer to the municipalities and townships in which the licensed places are located

Section 20 SALES BY MANUFACTURERS MINIMUM QUANTITIES No manufacturer shall sell or deliver any of such beverages except in original containers permanently marked with the name of such manufacturer nor in quantities of less than one hundred and forty-four (144) fluid ounces when in bottles or in casks or kegs of not less than three and one-half (3½) gallons each in the case of malt and brewed beverages or two (2) gallons in the case of vinous or fruit juice beverages

Section 21 SALES BY WHOLESALE DISTRIBUTORS MINIMUM QUANTITIES No wholesale distributor shall purchase receive or resell such beverages except in the original containers permanently marked as prepared for market by the manufacturer and then shall resell the same only in the county wherein he is licensed in no less quantities however than one hundred and forty-four (144) fluid ounces when in bottles or in casks or kegs of not less than three and one-half (3½) gallons each in the case of malt and brewed beverages and two (2) gallons in the case of vinous or fruit juice beverages Provided That no such beverage sold or delivered shall be consumed upon the premises of the wholesale distributor or in any place provided for such purpose by such distributor Provided further That such beverages when legally sold by a wholesale distributor in the county where licensed may be delivered anywhere in the county of sale and its adjacent counties except in prohibited territory

Section 22 SALES BY RETAIL DISTRIBUTORS No retail distributors shall purchase or receive any beverages except in the original containers permanently marked as marketed by the manufacturer and thereafter may break the bulk upon the licensed premises and sell or dispense the same for the use and consumption only however in and upon the premises so licensed Provided however That such retail distributor may sell such beverages in quantities not exceeding seventy-two (72) ounces in the original containers to be carried from the premises by the purchaser thereof and may sell and deliver beverages in any room of an hotel occupied by a bona fide registered guest entitled to purchase the same

No retail distributor shall maintain any bar at which beverages are served to customer and shall serve beverages to customers for consumption only except in the case of railroad cars and boats on the licensed premises in any building upon said premises in which said beverages are served a portion of which building is lawfully used in conducting a restaurant or dining room or said building be lawfully used in the operation of an hotel or inn

Section 23 UNLAWFUL SALES It shall be unlawful for any licenses or his or its servants agents or employes

(a) To sell trade or barter in beverages between the hours of twelve o'clock midnight of any Saturday and six o'clock in the forenoon of the following Monday

(b) To sell furnish or give any beverages to any person visibly intoxicated or to any insane person or to any minor

(c) To sell furnish or give any beverages to any person on any day on which a general municipal special or primary election is being held

(d) To sell or offer to sell any beverages to any person on credit excepting the customary credits between the various classes of licensees and credits extended by an hotel to a bona fide registered guest No right of action shall exist to collect any claims for credit extended contrary to the provisions of this clause

(e) To sell offer to sell or furnish any beverage to any person on a pass-book or store order or to receive from any person any goods wares merchandise or other articles in exchange for beverages

Section 24 THINGS OF VALUE NOT TO BE OFFERED FOR THE RETURN OF CERTAIN ARTICLES It shall be unlawful for any person licensed to sell beverages to offer or give anything of value as a premium for the return of caps stoppers corks stamps or labels taken from any bottle case barrel or package containng such beverages or to offer or gve anythng of value as a premum or present to nduce the purchase of such beverages or for any other purpose whatsoever in connection with the sale of such beverages "provided however that this section shall not apply to the return of any moneys specifically deposited for the return of the original containers to the owners thereof"

Section 25 UNLAWFUL TO FORTIFY ADULTERATE OR CONTAMINATE BEVERAGES It shall be unlawful to fortify adulterate contaminate or in any wise to change the character or purity of the beverages from that as originally marketed by the manufacturer

Section 26 TRANSPORTATION IN ORIGINAL PACGAGES It shall be unlawful to transport any beverages except in the original containers permanently marked as marketed by the manufacturer

Section 27 DELIVERY VEHICLES TO BEAR NAME AND ADDRESS OF LICENSEE It shall be unlawful for a manufacturer or wholesale distributor to deliver any beverages excepting in vehicles bearing the name and address of such license holder on each side of such vehicle in letters no smaller than four inches in height

Section 28 INTERLOCKING BUSINESS PROHIBITED (a) No manufacturer and no officer or director of any manufacturer shall at the same time be a distributor or an officer director or stockholder or creditor of any wholesale distributor or of any retail distributor nor be the owner proprietor or lessor of any place covered by such wholesale or retail distributor's license

(b) No wholesale distributor and no officer or director of any wholesale distributor shall at the same time be a manufacturer or retail distributor or be an officer director stockholder or creditor of a manufacturer or retail distributor or be the owner proprietor or lessor of any place covered by such retail distributor's license

(c) No manufacturer or wholesale distributor or retail distributor licensed under this act shall own any stock of or have any financial interest in any other class of business licensed under this act

(d) Excepting as hereinafter provided No manufacturer or wholesale distributor shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or in any mortgage lien against the same for which a retail license is granted nor shall a manufacturer or wholesale dealer either directly or indirectly lend any moneys credit or equivalent thereof toany retail dealer in quipping fitting out or maintaining and conducting either in whole or in part an establishment or business where such beverages are licensed for sale and consumption upon the premises excepting only the usual and customary commercial credits for beverages sold and delivered

(e) Excepting as hereinafter provided No manufacturer shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or any mortgage lien against the same for which a wholesale license is granted nor shall a manufacturer either directly or indirectly lend any moneys credit or their equivalent to any wholesale dealer in equipping fitting out or maintaining and conducting either in whole or in part an establishment or business where such beverages are licensed for sale at wholesale excepting only the usual and customary commercial credits for beverages sold and delivered

The purpose of this section is to require a separation of the financial and business interests between the various classes of business authorized to be licensed by this act and no person or corporation shall by any device whatever directly or indirectly evade the provisions of this section But in view of existing economic conditions nothing contained in this section shall be construed to prohibit the ownership of property or conflicting interest existing at the date this act takes effect which is contrary to this section but to prohibit the establishment of such ownership or conflicting interest after said date

Section 29 SALE OF IMPORTED BEVERAGES No beverages imported into this Commonwealth shall be delivered in the first instance anywhere in this Commonwealth except to a licensed wholesale distributor and shall be resold and deliv-

ered only in accordance with this act by such wholesale distributor to whom delivered who shall be liable for the tax imposed thereon by this act when such beverages come to rest or storage in this Commonwealth

Section 30 STATE TAX ON BEVERAGES In addition to the license fees imposed by this act each manufacturer shall be subject to pay the State taxes imposed by this section upon all beverages manufactured in this Commonwealth when prepared for market and each wholesale distributor shall be subject to pay the State taxes imposed by this act upon all beverages imported into this Commonwealth when the same come to rest or storage in this Commonwealth Such taxes shall be at the following rates On malt and brewed beverages one dollar ($1) per barrel or equivalent and on vinous or fruit juice beverages three cents (3c) per gallon

Manufacturers and wholesale distributors shall be liable to the Commonwealth as taxpayers for the payment of the taxes imposed by this act

Section 31 MONTHLY REPORTS AND PAYMENT OF TAX PENALTIES For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every manufacturer and wholesale distributor on or before the last day of each month to transmit to the Department of Revenue upon a form prescribed prepared and furnished by the Department a report under oath or affirmation of the beverages prepared for market or which were imported and came to rest or storage at his place of business in this Commonwealth during the preceding month Such report shall show the number of barrels or gallons prepared for market or imported during the period for which it is made and such further information as the department shall prescribe Each manufacturer shall on such report also show the number of barrels or gallons of beverages prepared for market which during such month were exported from this State and shall be entitled to a deduction of the tax on such beverages in computing the tax payable under this act

Each manufacturer and wholesale distributor at the time of making every report required by this section shall compute and pay to the department the tax due to the Commonwealth on the beverages prepared for market or imported into this State The amount of all taxes imposed under the provisions of this act for each month shall be due and payable on the last day of the next succeeding month and shall bear interest at the rate of one per centum per month or fractional part of a month from the day they are due and payable until paid

If any manufacturer or wholesale distributor shall neglect or refuse to make any report and payment as herein required an additional ten per centum of the amount of the tax shall be added by the department and collected as hereinafter provided and in addition thereto the license of such manufacturer or wholesale distributor may be suspended by the State Treasurer or the licensing power at the request of the department

Section 32 DETERMINATION AND REDETERMINATION OF TAX PENALTIES AND INTEREST (a) If the department is not satified with the report and payment of the tax made by a manufacturer or wholesale distributor it is authorized to make a determination of the tax due based upon the facts contained in the report or upon any information within its possession or that shall come into its possession

(b) Promptly after the date of any such determination the department shall send by registered mail a copy thereof to such manufacturer or wholesale distributor Within thirty days after the date of any such determination such manufacturer or wholesale distributor may file with the department a petition for redetermination of such tax Every petition for redetermination shall state specifically the reason which the petitioner believes entitles him to such redetermination and shall be supported by affidavit that it is not made for the purpose of delay and that the facts set forth therein are true It shall be the duty of the department within ninety days after the date of any determination to dispose of any petition for redetermination Notice of the action taken upon any petition for redetermination shall be given to the petitioner promptly after the date of redetermination by the department

(c) Within thirty days after notice by the department of the action taken on any such petition for redetermination filed with it the manufacturer or wholesale distributor against whom such determination was made may by petition require the Board of Finance and Revenue to review such action Every petition for review shall state specifically the reason upon which the petitioner relies and shall be in such form as the Board of Finance and Revenue shall prescribe The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true The Board of Finance and Revenue shall dispose of each such petition filed with it within ninety days after it shall have been received and in the event of the failure of said board to dispose of any such petition within ninety days the action taken by the department upon the petition for redetermination shall be deemed sustained The Board of Finance and Revenue may sustain the action taken on the petition for redetermination or it may redetermine the tax upon such basis as it shall deem to be according to law and equity Notice of the action of the Board of Finance and Revenue shall be given by mail or otherwise to the department and to the petitioner

(d) The department or any person aggrieved by the decision of the Board of Finance and Revenue or by the Board's failure to act on said petition within ninety days may within sixty days appeal to the Court of Common Pleas of Dauphin County from the decision of the Board of Finance and Revenue or from the decision of the department as the case may be in the manner provided by law for appeals in the case of tax settlements

(e) If any manufacturer or wholesale distributor shall neglect or refuse to make any report and payment of the tax required by this act the department shall estimate the tax due by such corporation and determine the amount due by him for taxes penalties and interest therein from which determination there shall be no right of review or appeal Upon any such neglect or refusal the license of the manufacturer or wholesale distributor may be suspended or revoked by the State Treasurer or licensing power at the request of the department

Section 33 EXAMINATION OF RECORDS AND EQUIPMENT The Department of Revenue or any agent appointed in writing by it is authorized to examine the books papers records plant and equipment of any manufacturer or wholesale distributor to verify the accuracy of any report of payment made under this act or to ascertain whether or not the tax imposed by this act has been paid But any information gained by the department as the result of the reports investigations or verifications herein required to be made shall be confidential and any person divulging such information shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than one thousand dollars ($1,000) and costs of prosecution or to undergo imprisonment of not more than one year or both

Section 34 RECORDS OF MANUFACTURERS AND WHOLESALE DISTRIBUTORS Each manufacturer and wholesale distributor shall maintain and keep for a period of two years such record or records of beverages manufactured or imported together with invoices bills of lading and other pertinent papers as may be required by the department

Section 35 LIEN OF TAXES All taxes penalties and interest imposed by this act due by any manufacturer or wholesale distributor shall be a lien upon the franchises and property both real and personal of such manufacturer or wholesale distributor from the date said taxes are due and payable and shall have priority over any subsequent liens or encumbrances whatsoever except the lien of other State taxes having priority by law and except also that such taxes penalties and interest shall have priority over a mortgage only if the statements thereof were filed of record as hereinafter provided prior to the recording of the mortgage

Statements of all taxes herein imposed due and unpaid together with penalties and interest therein certified by the Secretary of Revenue or his agents may at any time be transmitted to the prothonotaries of the respective counties to be by them entered of record upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgment and executive in the same manner as such writs are ordinarily employed

Section 36 DISTRIBUTION OF REVENUES FROM TAX All taxes collected under the provisions of this act shall be paid by the Department of Revenue into the State Treasury and fifty per centum (50%) of such tax shall be for the use of the Commonwealth The remaining [ninety] fifty per centum (50%) of such tax shall be paid into the Beverage Fund which is hereby created and shall be paid by the State Treasurer quarterly to the county treasurers of the various counties of this Commonwealth for the use of such counties on a ratio that the population of a county bears to the total population of the Commonwealth Any moneys in the Beverage Fund from time to time are hereby appropriated for payment over to the

several counties as herein provided except interest earned on moneys in such Fund which shall be for the use of the General Fund

Section 37 PENALTY Any person copartnership association or corporation violating any of the provisions of this act for which a specific penalty is not provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding three hundred dollars ($300) for the first offense and for any second or subsequent offense shall be sentenced upon conviction to pay a fine not exceeding five hundred dollars ($500) Any such person or the members agents servants or employes of any partnerships or association or the officers directors agents servants or employes of any corporation responsible for any violation of any of the provisions of this act may upon a second or subsequent conviction be sentenced to imprisonment for a term not exceeding six months or by both such fine and imprisonment in the discretion of the court

Section 38 RULES It shall be the duty of the licensing power in the several counties and districts promptly after the passage of this act to fix by rule or otherwise the times and places when applications for wholesale and retail distributors' licenses may be presented so that such licenses may be promptly obtainable by all applicants meeting the necessary requirements and qualifications This provision is intended to meet such emergency as may arise promptly to regulate and license the sale and distribution of the said beverags which may have been legalized by action of Congress of the United States which become automatically legal in this Commonwealth

Section 39 CONSTITUTIONALITY The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 40 EFFECTIVE DATE This act shall become effective immediately upon final enactment

Section 41 REPEAL The following acts are hereby repealed as respectively indicated

The act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-seven) entitled "An act authorizing the transfer by the judges of the several courts of the Commonwealth of licenses for the wholesale or retail of vinous spirituous malt or brewed liquors from one person to another and from one place to another" absolutely

The act approved the thirtieth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws four hundred sixty-four) entitled "An act to provide revenue and regulate the sale of malt brewed vinous and spiritous liquors or any admixture thereof by requiring and authorizing licenses to be taken out by brewers distillers wholesalers bottlers rectifiers compounders storekeepers and agents having a store office or place of business within this Commonwealth prescribing the amount of license fees to be paid in such cases and by imposing an additional license fee on retail dealers in intoxicating liquors" and the amendments thereto so far as the same relate to beverages licensed under this act

The act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled "An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws" and the amendments thereto so far as the same relate to beverages the manufacture sale distribution and transportation of which is regulated and licensed under this act

The act approved the nineteenth day of February One thousand nine hundred and twenty-six (Pamphlet Laws sixteen) entitled "A supplement to the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled 'An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverages purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws' providing for the registering of Federal permits also regulating under permit through a Pennsylvania Alcohol Permit Board created in the Department of Welfare the manufacture production distillation development use in manufacture denaturization redistillation recovery reuse holding in bond holding in storage by bailees for hire sale at wholesale and transportation for hire any alcohol or alcoholic liquid by certain persons also providing for fees and the disposition thereof also authorizing the inspection of the records of the permittees and purchasers of said alcohol or alcoholic liquid also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" in so far as the same relates to or requires permits for the manufacture production distillation development use in manufacture denaturization redistillation recovery reuse holding in bond holding in storage by bailees for hire sale at wholesale and transportation for hire beverages the manufacture and sale of which is regulated and licensed under this act

All other acts and parts of acts inconsistent with this acts are hereby repealed But nothing contained in this act shall be construed to repeal any law relating to the purity or adulteration of beverages or any law relating to sanitation or any local or special law

Nothing contained in this act shall be construed to repeal or in any manner to impair the provisions of the act approved the second day of June one thousand eight hundred and ninety-one (Pamphlet Laws one hundred seventy-three) entitled "An act to permit the growers of grapes in this Commonwealth to manufacture wine from grapes of their own raising that are not first class or marketable and sell such wine to licensed dealers without taking out or paying a license for such manufacture or sale"

And said bill having been read at length the third time, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

By Mr. McCLURE. Mr. President, I ask unanimous consent to amend Section 22, page 25, line 4, by striking out the strike-out bracket [before the word "No"; also line 5, by inserting before the word "or" the strike-out bracket, thus]; also line 15, by striking out the following: "No retail distributor" and insert the word "and"; also line 16, by inserting, after the word "consumption" the following: "only except in the case of railroad cars and boats"; also line 16, by striking out the word "unless"; also line 18, by striking out the word "thereof" and inserting the following: "of which building."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

REPORT FROM COMMITTEES

Mr. BELL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BELL, from the Committee on Education reported as committed, amended, Senate Bill No. 896 (House Bill No. 1374), entitled:

An Act relating to the minimum salaries and annual increments of the teaching and supervisory staffs of the public schools; granting power to the State Council of Education

to permit, as to certain school districts, temporary reductions in the salary schedules; authorizing the State Council of education to suspend mandatory provisions of the act approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws, three hundred nine), entitled "Public School Code," and of its amendments and supplements; prohibiting school districts from demanding or accepting gifts or donations from members of the teaching and supervisory staffs, and empowering the Superintendent of Public Instruction to forfeit certain State subsidies for violations thereof; and temporarily superseding any inconsistent acts and parts of acts.

MOTION TO READ BILLS THE FIRST TIME

Mr. SCOTT. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 674, entitled:

An Act to repeal section three of the act approved the nineteenth day of August, one thousand nine hundred and thirty-two (P. L. 98), entitled "A supplement to the act, approved the eleventh day of June, one thousand nine hundred and thirty-one (Act Number Fifteen-A), entitled 'An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-one; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-one,' making additional appropriations to the Department of Military Affairs and to the Department of Property and Supplies, and an appropriation to the Senate Committee for the Investigation of The Public Service Commission;" lapsing the appropriation made by said act to the Senate committee for the investigation of the Public Service Commission.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 796, entitled:

An Act defining and regulating the practice of photography; providing for the licensing and registration of persons to carry on the practice of photography, and the promulgation and enforcement of rules for the conduct thereof by the Department of Public Instruction.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 896 (House Bill No. 1374), entitled:

An Act relating to the minimum salaries and annual increments of the teaching and supervisory staffs of the public schools granting power to the courts of common pleas to permit as to certain school districts temporary reductions in the salary schedules authorizing courts of common pleas to suspend mandatory provisions of the act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" and of its amendments and supplements prohibiting school districts from demanding requesting or accepting gifts or donations from members of the teaching and supervisory staffs and empowering the Superintendent of Public Instruction to forfeit certain State subsidies for violations thereof relating to the effect of payment of salaries which are less than those prescribed by salary schedules granting certain options to the members of the School Employes' Retirement System and temporarily superseding any inconsistent acts and parts of acts

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 914 (House Bill No. 1800), entitled:

An Act providing for the control and eradication of white pine blister rust; providing for the destruction of trees, plants and bushes infected with the white pine blister rust; authorizing the Department of Forests and Waters to remove, appraise and pay for healthy host plants necessarily destroyed; declaring certain plants and bushes to be a public nuisance; authorizing the Department of Forests and Waters to set aside fruiting currant and gooseberry and white pine growing districts as control areas; authorizing the collection of the expense of destroying the plants from owners failing to destory; and providing penalties for its violation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 929, entitled:

An Act making a deficiency appropriation to the Department of the Auditor General.

And said bill having been read at length the first time,
Ordered, To be laid aside for the second reading

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 932, entitled:

An Act to amend sections one, two three, and four of the act approved the second day of May, one thousand nine hundred and twenty-nine (P .L. 1229), entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption; conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties;" limiting the status of an approved inspector; changing the requirements for holders of milk permits and imposing additional duties on such permit holders or applicants therefor; granting additional powers to the Secretary of Health in the enforcement of the act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 951 (House Bill No. 1933), entitled:

An Act to amend section two of an act approved the twenty-first day of April, one thousand nine hundred twenty-seven (Pamphlet Laws, three hundred twenty-seven), entitled "An act relating to the extradition of persons charged with crime and to make uniform the law with reference thereto," by giving the Governor of this State authority to deliver up certain imprisoned persons, for the purpose of trial for murder in the demanding state, under certain conditions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 957, entitled:

An Act making an appropriation to the Grand View Institution for the Care and Treatment of Poor Consumptives, Oil City, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 958, entitled:

An Act making an appropriation to the Coleman Industrial Home for Colored Boys, of one thousand seven hundred and twenty-one Bedford Avenue, Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 959, entitled:

An Act making an appropriation to the Children's Hospital, of Pittsburgh, in the city of Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 960, entitled:

An Act making an appropriation to the Eye and Ear Hospital, of Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 961, entitled:

An Act making an appropriation to the Pittsburgh Home for Baries, Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. SCOTT. Mr. President, I move that the Senate do now adjourn.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11.32 A. M. until 9 o'clock Monday evening, April 10, 1933.

HOUSE OF REPRESENTATIVES

THURSDAY, April 6, 1933.

The House met at 10.00 A. M.

The SPEAKER (Grover C. Talbot) in the Chair.

PRAYER

The Chaplain, Rev. George F. Connor, offered the following prayer:

O Spirit of God, Thou who didst brood over the destinies of our fathers and forefathers, in the beginning, brood over this House today. We need Thee. All men need Thee.

Enlighten the minds of our people and guide the minds of these Thy servants and the people's.

May the members of the House be enabled to see more than there is to be seen, until the unseen shall have become reality.

May the policies chosen and the laws enacted in the General Assembly be for the human uplift of the Commonwealth and for Thy glory. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. O'Keefe, the further reading was dispensed with and the Journal approved.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

REPORTS FROM COMMITTEES

Mr. GEORGE E. DOWNEY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1520, entitled:

An Act to add section two of article seven of the act approved the seventh day of May, one thousand nine hundred and one (P. L. 20), entitled "An act for the government of cities of the second class," by defining the liability on the bond of the city treasurer in certain cases.

Mr. GEORGE E. DOWNEY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1521, entitled:

An Act to add section seven to article eleven of the act approved the twenty-fifth day of June, one thousand nine hundred and nineteen (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth," by defining the liability on the bond of the city treasurer in certain cases.

Mr. GEORGE E. DOWNEY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1522, entitled:

An Act to add section one thousand one hundred and seven to the act approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by defining the liability on the bond of the borough treasurer in certain cases.

Mr. GEORGE E. DOWNEY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1523, entitled:

An Act to add section one thousand four hundred and eight to article fourteen of the act approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto"; by defining the liability on the bond of the city treasurer in certain cases.

Mr. GEORGE E. DOWNEY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1524, entitled:

An Act defining the liability on the bond of the treasurer of poor districts in certain cases.

Mr. GEORGE E. DOWNEY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1525, entitled:

An Act to add section two hundred and eighty-eight to the act, approved the fourteenth day of July, one thousand nine hundred and seventeen (P. L. 840), entitled "An act concerning townships; and revising, amending, and consolidating the law relating thereto," by defining the liability on the bond of the township treasurer in townships of the second class in certain cases.

Mr. GEORGE E. DOWNEY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1526, entitled:

An Act to add section fifty-four and one-tenth to the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto." by defining the liability on the bonds of county officers given to the Commonwealth and to the county, in certain cases.

Mr. GEORGE E. DOWNEY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1527, entitled:

An Act defining the liability on the bond of the treasurer of cities of the second class A in certain cases.

Mr. QUINN, from the Committee on Legislative Apportionment, reported as committed, House Bill No. 1873, entitled:

An Act to amend that portion of section one relating to Luzerne County of the act, approved the tenth day of May, one thousand nine hundred and twenty-one (P. L. 455), entitled "An act to fix the number of Representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution," rearranging the legislative districts in Luzerne County.

Mr. PETERS, from the Committee on Highways, reported as committed, House Bill No. 1833, entitled:

An Act providing for the taking over of certain roads in townships of the first class as State highways and providing for their construction, improvement and maintenance by the Commonwealth, including certain bridges thereon and drainage facilities connected therewith, and conferring powers upon township and county commissioners.

Mr. PETERS, from the Committee on Highways, reported as committed, House Bill No. 1949, entitled:

An Act providing for the designation as State highways of certain existing township roads in townships of the second class by the Secretary and chief engineer of the Department of Highways; providing for their construction and maintenance at the expense of the Commonwealth under certain terms and conditions and subject to certain limitations and making an appropriation from the Motor License Fund for the purposes of this act.

Mr. NOTHNAGLE, from the Committee on Education, reported as committed, House Bill No. 1606, entitled:

An Act to further amend section ten of the act, approved the nineteenth day of March, one thousand nine hundred nine (Pamphlet Laws forty-six), entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of asteopaths in this State; and to provide penalties for the violation of this act," by permitting preliminary educational requirements, prescribed by the act, to be acquired at any time prior to examination by the State Board of Osteopathic Examiners.

Mr. NOTHNAGLE, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1636, entitled:

An Act to validate certain municipal liens in the several cities of the third class to the Commonwealth of Pennsylvania; and providing the proceedings for the revival and collection thereof.

Mr. QUINN, from the Committee on Aeronautics, reported as amended, House Bill No. 1848, entitled:

An Act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Internal Affairs in respect thereto; providing for the licensing and registration of airmen and aircraft; establishing the legal status of air navigation; providing for sovereignty in and ownership of space; providing for the lawfulness of flights; regulating civil cases of action arising out of operation of aircraft; fixing the status of contracts, crimes and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition, and repealing certain existing laws.

REPORT FROM COMMITTEE

Mr. PETERS, from the Committee on Highways, reported as committed, House Bill No. 2152 (Senate Bill No. 717), entitled:

An Act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth.

BILL RE-REFERRED

Mr. BRENNAN returned from the Committee on Education with the recommendation that it be re-referred to the Committee on Ways and Means, House Bill No. 1015, entitled:

An Act to amend sections five hundred and twenty-four and five hundred and thirty-seven of the act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," as amended, by restricting the taxing power of school districts.

The SPEAKER. The bill is now re-referred to the Committee on Ways and Means.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 106.

An Act to amend section ten as amended of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Com-

missioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" by providing for the construction reconstruction and maintenance of certain bridges forming parts of State Highways in boroughs and incorporated towns by the Department of Highways

SENATE BILL No. 138.

An Act to amend section sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (P. L. 468), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defiining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the state line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commisioner decides to work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injury or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended, fixing the time within which proceedings to assess damages for land taken for the changing, widening, or relocation of highways.

SENATE BILL No. 398.

An Act to amend section 1 of, and to add section 2 to, the act approved the twenty-fifth day of June, one thousand nine hundred and thirty-one (P. L. 1364), entitled "An act prohibiting the use of counterfeit or spurious coins in automatic instruments or machines; and providing a penalty," by including devices or substances other than metal, and by providing penalties for the manufacture for sale, or sale or gift of counterfeit or spurious coins for the fraudulent operation of automatic instruments or machines.

SENATE BILL No. 435.

An Act to amend section sixteen of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be use in the improvement providing for payment of cost of improvement and repairs providing penaltiy for injuring or destroying State Highways making appropraltions to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended by providing for payment by the Commonwealth out of the Motor License Fund damages for land or property taken injured or destroyed by the change of width lines and locations of State highways and the cost of the removal of structures where the county does not agree to such changes or removals requiring approval of the court of quarter sessions to all agreements relating to damages made by the county commissioners with property owners and fixing the time when the Secretary of Highways may begin work

SENATE BILL No. 591.

An Act to further amend section one of an act, approved the thirty-first day of May, one thousand eight hundred ninety-three (P. L. 188), entitled "An act designating the days and half days to be observed as legal holidays, and for the payment acceptance and protesting of bills, notes, drafts, checks and other negotiable paper on such days," by authorizing bank holidays during State and national financial crises.

SENATE BILL No. 598.

An Act to amend sections one hundred and sixty-four, one hundred and sixty-five, and one hundred and sixty-six of the act, approved the thirty-first day of March, one thousand eight hundred and sixty (P. L. 382), entitled "An act to consolidate, revise and amend the penal laws of this Commonwealth," by making unlawful the counterfeiting, altering and uttering of scrip and possession of materials for falsely making the same.

SENATE BILL No. 682.

An Act authorizing and regulating the issue and sale of preferred stock by banks and trust companies

SENATE BILL No. 619.

An Act authorizing courts of common pleas to stay and adjourn the execution of certain writs in the hands of sheriffs ratifying confirming and validating the actions of courts in staying and adjourning the execution of such writs and of sheriffs in obeying orders and decrees of courts in accordance with a resolution of the General Assembly and dispensing with the necessity of re-advertising and reposting such writs

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RESOLUTION

RECALLING HOUSE BILL NO. 192 FROM THE GOVERNOR

Mr. PHILIP STERLING asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, April 6, 1933.

Resolved (if the Senate concur), That House Bill No. 192, Printer's No. 317, entitled "An act to amend section two of the act approved the tenth day of April one thousand eight hundred and seventy-nine (Pamphlet Laws sixteen) entitled 'An act relating to mutual saving fund building and loan associations regulating the mode of charging premiums bonus or interest in advance of withdrawals of repayment and collection of loans also restricting the power to levy excessive fines and defining the rights and liabilities of married women stockholders and prescribing the non-application to these associations of the bonus tax and registry laws for corporations' by further regulating withdrawals," be recalled from the Governor for the purpose of amendment.

Ordered, That the clerk present the same to the Senate for concurrence.

BILL INTRODUCED

Mr. PHILIP STERLING. Mr. Speaker, in connection with the work of the Joint Legislative Committee it has from time to time been found that we need additional legislation to carry out some of the recommendations of the committee, accordingly I ask unanimous consent to introduce this bill at this time.

The SPEAKER. Will this complete the bills that are to be introduced, or are there others to follow.

Mr. STERLING. Mr. Speaker, I think probably there is one more bill that will have to come through.

The SPEAKER. Will the House give its unanimous consent to the introduction of the bill at this time? Are there objections? The Chair hears none and consent is granted.

The bill will be filed with the Bill Clerk.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 5, 1933.

Resolved (if the Senate concur), That House Bill 218, Printer's No. 81, entitled "An act to amend section twelve of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred forty-nine) entitled 'An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an apporation' by preventing suspension of permits without hearings and providing for appeals in case of suspension or revocation of permits," be recalled from the Governor for further consideration.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 365, entitled:

An Act restricting the right of married men to mortgage the homestead

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2065 (Senate Bill No. 388), entitled:

An Act providing for the appointment promotion reduction removal and reinstatement of paid officers firemen and employes of fire departments and of fire alarm operators and fire box inspectors in the bureaus of electricity in cities of the first second and third class defining the powers and duties of civil service commissions for such purposes and fixing penalties

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2083 (Senate Bill No. 3), entitled:

An Act authorizing cities of the first second and third classes to defray the expenses of National encampments of certain organizations of veterans.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1445 (Senate Bill No. 48), entitled:

An Act to amend sections nine hundred and one, and one thousand and eighty-one of the act approved the fourth day of May, one thousand nine hundred and twenty-seven, (P. L. 519), entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs"; providing for the appointment of the county treasurer as tax collector in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1489 (Senate Bill No. 210), entitled:

An Act fixing the compensation of assessors and registry or assistant assessors performing duties pertaining to the assessment and registration of voters in counties other than first class, and repealing existing acts relating thereto.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1459 (Senate Bill No. 458), entitled:

An Act to validate certain proceedings for municipal improvements, municipal assessments, municipal claims, and municipal liens, in the several cities of the third class of this Commonwealth, and validating such improvements, assessments, claims, and liens; providing for the filing of claims and liens therefor; and the proceedings for the collection of such assessments and claims.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1365 (Senate Bill No. 467), entitled:

An act relating to Trusts for Charitable or Benevolent Purposes and Providing for the Combining of the same under certain conditions

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2067 (Senate Bill No. 548), entitled:

A Supplement to act number four-A approved the fourteenth day of April one thousand nine hundred thirty-one (Appropria Acts of one thousand nine hundred thirty-one page five) entitled "An act providing for the investigation and study of the effect of the diversion of water for water supply purposes upon the lower Delaware River and the industries using water therefrom imposing certain duties upon the Sanitary Water Board and making an appropriation" making an appropriation to the Department of Health for the use of the Sanitary Water Board for the continuation of the investigation and study of the effect of the diversion of water for water supply purposes from the lower Delaware River and the industries using water therefrom and extending the scope of the investigation and study.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1443 (Senate Bill No. 386), entitled:

An Act to amend section one of the act approved the ninth day of July, one thousand nine hundred and nineteen (P. L. 795), entitled "An act to fix the salaries of district attorneys in counties having a population of less than one million inhabitants."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2063 (Senate Bill No. 385), entitled:

An Act providing for the fixing of salaries or compensation of all appointed officers, clerks and other employes paid from the county funds in counties of the third, fourth, fifth, sixth, seventh and eighth classes; and creating salary boards in certain counties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1457 (Senate Bill No. 397), entitled:

An Act amending the act approved the tenth day of July, one thousand nine hundred and one (Pamphlet Laws six hunred and fifty-one), entitled "An act making it a misdemeanor for any person connected with any line of telegraph or telephone within this State to use or cause to be used, or make known or cause to be made known, or in any manner divulge, the contents of any telegraphic or telephonic dispatch, and prescribing the punishment therefor," by adding thereto Section 3, making it a misdemeanor for any person to remove, injure or destroy any telegraph or telephone line, or property appurtenant thereto, or to cut or tap any telegraph or telephone line, or to take or make use of, or disclose any message passing over such lines, or to prevent or delay the sending or delivery of any message over any telegraph or telephone line, or to use any apparatus so as to do, permit or cause to be done any of the said acts, or to aid or conspire so to do, prescribing the punishment therefor and exempting employees and agents of such companies.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1211 (Senate Bill No. 345), entitled:

An Act prohibiting contractors, subcontractors and builders and their agents from paying out, using or appropriating moneys and funds received for the erection, construction, alteration, completion and repair of buildings and for additions thereto before first paying in full or pro rata all claims due to architects, surveyors, engineers, and persons furnishing labor and material.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1692 (Senate Bill No. 535), entitled:

An Act to amend section eight of the act approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances;" as amended, by further providing for the sales of seated lands for delinquent taxes assessed and levied for the year one thousand nine hundred and thirty, or any year prior thereto; where no sales have previously been made for delinquent taxes of that year.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1690 (Senate Bill No. 516), entitled:

An Act to amend section one of the act, approved the twenty fifth day of May, one thousand eight hundred and ninety-seve (P. L. 89), entitled "An act authorizing and requiring gran and petit juries to dispose of the costs in criminal prosecution for larceny, where the value of the goods alleged to be stole is less than ten dollars, and in the prosecutions for assault or assault and battery where felony is charged, and in which the prosecutor had no reasonable ground for making the charge of felong," by giving to juries jurisdiction over the costs in prosecutions for larceny and receiving stolen goods.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2100 (Senate Bill No. 640), entitled:

An Act to amend the first "Whereas" clause, the first paragraph of article one, clause (d) of article two, and article ten of section one, and section two as amended, of the act, approved the twenty-fifth day of June, one thousand nine hundred and thirty-one (P. L. 1352), entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration, operation, and maintenance of bridges over the Delaware River, and for the construction of additional bridge facilities across said river; authorizing the Governor, for these purposes, to enter into an agreement with the State of New Jersey; creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof, including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges; transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River; and making an appropriation," by providing for the appointment of an engineer by the commission, and for the repayment to the Commonwealth of appropriation herein made.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1685 (Senate Bill No. 187), entitled:

A Joint Resolution continuing the Senate Committee constituted to investigate charges against members of the Public Service Commission and related matters; defining the powers and duties of said committee, ratifying and confirming the filling of vacancies in the membership thereof; and making an appropriation for the payment of its past and future expenses.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 375 (Senate Bill No. 58), entitled:

An Act to amend section one of the act approved the twenty-fourth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred seventy-nine) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" as amended by changing the compensation of members of the General Assembly.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 1880, as follows:

n Act to amend section nine hundred and seven of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing that the Attorney General may retain and employ attorneys to represent the Commonwealth in criminal proceedings in the various districts of the Commonwealth if requested to do so by the court of the district having jurisdiction thereof and providing for the repeal of all acts inconsistent therewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section nine hundred and seven of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended to read as follows

Section 907 Special Attorneys in Criminal Cases When the [president judge] court in the district having jurisdiction of any criminal proceedings [before any court of oyer and terminer general jail delivery or quarter sessions in this Commonwealth] shall request the Attorney General to do so in writing setting forth that in [his] its judgment together with the reasons therefor the case is a proper one for the Commonwealth's intervention the Attorney General is hereby authorized and empowered if he deem such intervention proper to retain and employ a special attorney or attorneys as he may deem necessary [properly] to represent the Commonwealth in such proceedings and to investigate charges and prosecute the alleged offenders against the law Any attorney so retained and employed shall supersede the district attorney of the county in which the case or cases may arise and shall investigate prepare and bring to trial the case or cases to which he may be assigned He shall take the oath of office required by law to be taken by district attorneys and shall be clothed with all the powers and subject to all the liabilities imposed upon them by law The compensation for services rendered and necessary expenses incurred by such attorney or attorneys shall be fixed by the Attorney General

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 95, entitled:

An Act to amend section one of the act approved the twenty-fourth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred seventy-nine) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" as amended decreasing the compensation of members of the General Assembly and the amount they shall receive for postage and mileage

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-fourth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred seventy-nine) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" which was amended by the act approved the tenth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws eight hundred eighty) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the salary of the members of the General Assembly shall be [three thousand dollars ($3,000)] two thousand five hundred dollars ($2,500) for each biennial session and mileage to and from their homes at the rate of [five] four cents per mile circular for each week a member was in actual attendance at the session to be computed by the ordinary mail route between their homes and the capital of the State The salary of the members of the General Assembly shall be five hundred dollars ($500) and mileage as aforesaid for each special or extraordinary session and no other compensation shall be allowed whatever except one hundred [and fifty] dollars [($150)] ($100) in postage for each regular biennial session and fifty dollars ($50) for each special or extraordinary session

On the question,

Will the House agree to the section?

Mr. JOHN L. HOLMES. Mr. Speaker, I deside to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 2, line 15, by striking out the light-faced brackets before and after the word "five"

Amend section 1, page 2, line 15, by striking out the word "four"

Amend section 1, page 2, line 23, by striking out the light-faced bracket before the word "and" and following the word "fifty"

Amend section 1, page 2, line 23, by striking out the light-faced brackets before and after the figures "($150)"

Amend section 1, page 2, line 23, by striking out the figures "($100)"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section one of the act approved the twenty-fourth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred seventy-nine) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" as amended decreasing the compensation of members of the General Assembly and the amount they shall receive for postage and mileage

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 397 (Senate Bill No. 62), entitled:

An Act to amend section nine of the act approved the sixteenth day of May one thousand nine hundred and twenty-nine (P. L. 1780) entitled "An act to fix the salaries and compensation of the judges of Supreme Court, the judges of the Superior Court the judges of Supreme Court, the judges of the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County" as amended reducing the compensation of judges presiding in other districts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 1775, as follows:

An Act authorizing agreements between the Department of Highways and local authorities to provide for the construction and maintenance of streets and highways in cities counties boroughs towns and townships under certain conditions providing for assessments on abutting property owners and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever there is a division of responsibility between the Commonwealth and local authorities for the construction or maintenance of any portion of the width of a public highway which forms a part of a State highway route or the local authorities are responsible for the construction or maintenance of structures which form a part thereof it shall be lawful for the local authorities and the Department of Highways to provide by agreement that the Department of Highways may in the discretion of the Secretary of Highways construct or maintain with its own forces the entire width of such highway or any structures forming a part thereof which are the responsibility of the local authorities Such agreements shall provide for the reimbursement of the Commonwealth by the local authorities for any and all moneys expended by the Department of Highways in the construction and maintenance of any structures or portions of the width of the highway for which the local authorities are responsible

Section 2 It shall also be lawful for the local authorities and the Department of Highways to provide by agreement that the Department of Highways may advertise and receive bids for the construction of any part or portion of a highway or any structure forming part thereof whenever in the judgment of the Secretary of Highways such construction may be done

in conjunction with construction by the Department of Highways Such advertising when done in accordance with the laws applicable to advertising for bids by the Department of Highways shall be the only advertising necessary any law to the contrary notwithstanding

Section 3 When any work is to be done by contract as provided by this act the Department of Highways may receive bids and award the contract for and on behalf of the local authorities and thereafter may supervise the performance of the work provided for by the contract and forward estimates to the local authorities for payment

Section 4 Any agreement for maintenance entered into under the provisions of this act may be terminated by either party upon three months' written notice to the other provided that such termination shall not affect any liability incurred under the agreement up to the effective date of its termination

Section 5 Any sum or sums which are expended by local authorities as provided by this act may be assessed and collected from the abutting property owners as provided by law

Section 6 The term local authorities as used in this act shall mean any city borough incorporated town county or township within the Commonwealth

Section 7 All moneys received on agreements made under the provisions of this act shall be deposited in the Motor License Fund and so much of the money in the Motor License Fund from time to time as may be necessary is hereby specifically appropriated to the Department of Highways for carrying out the provisions of this act

Section 8 This act shall become effective upon its approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1774, as follows:

An Act establishing portions of certain highways lying partially within the corporate limits of cities boroughs or incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where the boundary line of any city borough or incorporated town is located within the legal limits of a highway established as a State highway the portion of the highway within the corporate limits of the city borough or incorporated town is hereby established as a State highway and shall be constructed and maintained by the Department of Highways in accordance with the provisions of existing laws governing State highways in cities or boroughs

Section 2 As much of the money in the Motor License Fund as may be necessary to carry out the provisions of this act is hereby specifically appropriated to the Department of Highways for the purpose of this act

Section 3 All acts or parts of acts inconsistent with this act be and the same are hereby repealed

Section 4 This act shall become effective upon its approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1615, as follows:

An Act denying a right of action or right to recover to the Commonwealth to collect certain claims from boroughs for the maintenance of State highways

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where the Commonwealth through the Department of Highways shall have heretofore in accordance with law expended moneys for the maintenance of any State highway located in any borough and in accordance with law shall have charged a portion of the cost of such maintenance to the borough the Commonwealth shall hereafter have no right of action or right to recover against any borough to collect such portion of the cost of such maintenance unless such State highway within such borough was maintained by and with the consent of the council of such borough Provided That nothing contained in this act shall be construed to relieve any borough from the payment of any claim as the result of any order of the Public Service Commission

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 911, as follows:

An Act to amend sections four and five of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred eighty) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on non-payment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" by providing for the extension of the period during which such taxes shall remain liens on real estate and authorizing the filing of such liens in the prothonotary's office

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections four and five of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred eighty) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" are hereby amended to read as follows

Section 4 All taxes unpaid and so returned and docketed as aforesaid shall be a first lien subject as hereinafter stated on said real estate liable for the payment thereof together with all charges interest expenses and fees added thereto for failure to pay promptly and such liens shall have priority to and be fully paid and satisfied out of the proceeds of any judicial sale of said property before any mortgage obligation claim lien or estate with which said property may have or shall become charged or for which it may become liable save and except only the costs of the sale and of the writ upon which it is made and liens in favor of the Commonwealth of Pennsylvania which shall have priority to such tax liens It is the purpose of this and the following section of this act to make all taxes returned under this or any previous statute supplied hereby first liens as herein provided for a period of five years from the date of the entry of their return in the return docket unless unless sooner discharged or extended as hereinafter provided

Section 5 Such tax so returned and filed and entered upon said docket shall remain a lien upon said property until fully paid and satisfied or until the property shall be sold in accord-

ance with provisions hereof Provided however That no such lien shall continue for a longer period than five years from the date of the entry of such return in said return docket unless within such period of five years such lien is extended as herein provided

If for any reason any property subject to such lien has not been sold during a period of five years from the date of the entry of the return of the taxes in the return docket the county treasurer may before the expiration of such period file such taxes as liens in the office of the prothonotary whereupon the lien thereof shall continue for another period of five years from the date of such filing in the prothonotary's office and shall be proceeded upon by scire facias suggestion of nonpayment to revive said lien reduction to judgment and sale in like manner and with the same effect as tax liens originally filed under the provisions of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (Pamphlet Laws two hundred seven) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" and its amendments or any subsequent reenactment thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1698, entitled:

An Act supplementing the act approved the first day of June one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by providing for the return of tax imposed on premiums received by foreign companies writing motor vehicles insurance to municipalities for payments into police pension funds

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the first day of July one thousand nine hundred and thirty-three and annually thereafter all moneys paid into the State Treasury by foreign insurance companies and associations doing what is commonly known as automobile or motor vehicle insurance business and issuing policies of insurance covering loss suffered by the owners thereof on account of theft or by reason of damage caused by the use or operation thereof as a tax on the amount of premiums and assessments received by such companies or associations imposed under the provisions of twenty-fifth section as amended of the act to which this is a supplement shall be paid by the State Treasurer to the treasurers of the several cities boroughs incorporated towns and townships within this Commonwealth

The amount to be paid to each of the treasurers the several cities boroughs incorporated towns and townships shall be based upon the return of tax upon premiums received from foreign insurance companies doing such business within the said cities boroughs incorporated towns and townships as shown by the Insurance Commissioner's report

Warrants for the above purpose shall be drawn by the Auditor General payable to the treasurers of the several cities boroughs incorporated towns and townships in accordance with this act whenever there are sufficient funds in the State Treasury to pay for same

Each city borough incorporated town or township receiving any payment from the State Treasury hereunder shall forthwith pay the amount received to the police pension fund association of the police department of such city borough incorporated town or township

On the question,

Will the House agree to the section?

Mr. ROOT. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Section 1, page 2, line 1, by striking out the words "of fire or theft"

Amend Section 1, page 2, line 2, by inserting after the word "damage" the following: "to persons or property"

Amend Section 1, page 2, line 2, by striking out the word "thereof" and inserting in lieu thereof: "of such motor vehicle"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section and title were separately read and agreed to as follows:

Section 2 This act shall become effective immediately upon final enactment

An Act supplementing the act, approved the first day of June, one thousand eight hundred and eighty-nine (P. L. 420), entitled, "A further supplement to an act entitled, 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by providing for the return of tax imposed on premiums received by foreign companies writing motor vehicle insurance, to municipalities for payment into police pension funds.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. WADE. Mr. Speaker, I move that his bill be recommitted to the Committee on Pensions and Gratuities for the purpose of further study.

On the question,

Will the House agree to the motion?

Mr. ROOT. Mr. Speaker and members of the House, I ask you to defeat this motion to recommit this bill, because this bill has been introduced in one form or another in the early part of January, and it has been studied by the Committee on Insurance and has been reported out this week. This bill has been studied by the Committee since the early part of January, it has been discussed with the members of the House, and amendments have been offered this morning to eliminate the objections, and if there is anything wrong with the bill, the place and the time to discuss it or debate it is tomorrow or next week on third reading, and to recommit the bill to the Committee on Pensions and Gratuities, which has nothing whatever to do with the matter, is merely an effort to prevent discussion and kill the bill.

Mr. WADE. Mr. Speaker and members of the House, answering the argument voiced by the gentleman from Philadelphia, Mr. Root, opposing the motion to send this bill

back to the Committee or to recommit to the Committee on Pensions and Gratuities, let me say that the bill, while I realize the fact that the bill may not be discussed under a motion to recommit, that the bill embodies pensions features, which should be studied by the Commitee on Pensions and Gratuities and the fact that the gentleman from Philadelphia acknowledges that the bill has been introduced in three different forms would indicate that it touches on a matter around which there is cosiderable contention. Therefore, I ask you in defense of the Firemen's Relief Fund of Pennsylvania to vote to recommit this bill to the Committee on Pensions and Gratuities, where I assure the gentleman from Philadelphia, knowing as he does the chairman of that committee, Mr. Wike, who unfortunately is not in his seat, but I have been assured the bill will have every consideration.

Mr. SOWERS. Mr. Speaker and members of the House, the bill before you is House Bill No. 1698, and without going into the merits of the bill, but just referring to its history, the bill was offered on January 21, and was referred to the Insurance Committee. It was reported out of the Insurance Committee and came up today for second reading, and now the motion is to send it back to the Committee on Pensions and Gratuities. Why should a bill of such minor importance as this be first referred to the Insurance Committee and then thrown out to the cemetery committee, the Committee on Pensions and Gratuites. If the bill has merit, let us vote on it, and if the bill has no merit let us have the courage to say "no." If you will examine the bill, you will find that it has plenty of merits. I think the police are entitled to what the bill gives them, and I ask you to vote "no."

Mr. ZIMMERMAN. Mr. Speaker and members of the House, in the interest of the fire companies of Pennsylvania who are most vitally interested in this bill, I ask the House to return this bill to the Committee on Pensions and Gratuities for further study.

Mr. SCHWARTZ. Mr. Speaker, I desire to interrogate the gentleman from Cumberland, Mr. Wade.

The SPEAKER. Will the gentleman from Cumberland, Mr. Wade, permit himself to be interrogated?

Mr. WADE. I will, Mr Speaker.

Mr. SCHWARTZ. Mr. Speaker, I desire to ask the gentleman if he is not a member of the Insurance Committee?

Mr. WADE. I am, Mr. Speaker.

Mr. SCHWARTZ. Have we had this bill in committee, and on the motion of one of the members was it submitted by the committee to a sub-committee to study?

Mr. WADE. I acknowledge that to be the truth, Mr. Speaker.

Mr. SCHWARTZ. As chairman of that committee, have I not called a meeting to report to the entire committee that the sub-committee had reported this to be considered by our entire committee with a favorable recommendation?

Mr. WADE. I would answer the gentleman from Philadelphia by stating that the bill met with considerable opposition in the committee, much as I regret to divulge any secrets of the committee.

Mr. SCHWARTZ. You have attended those meetings, have you not?

Mr. WADE. I endeavor to attend all of the meetings, yes sir.

Mr. SCHWARTZ. Why didn't you in that committee offer this very suggestion you are offering before this House this morning?

Mr. WADE. Mr. Speaker, I answer the gentleman by saying that I voiced every objection to this bill in committee, further stating that I do not care to divulge the business matters that take place in a committee.

The SPEAKER. The Chair at this time wants to make it very clear that any proceedings in committee cannot be brought before the House.

Mr. SCHWARTZ. If you wanted this to go the Committee on Pensions and Gratuities, why didn't you recommend that to the Chairman of the Committee?

Mr. WADE. Mr. Speaker, I answer the gentleman from Philadelphia by stating that I emphatically voiced my opposition to the bill being reported out.

POINT OF ORDER

Mr. ANDREWS. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Cambria, Mr. Andrews, will state his point of order.

Mr. ANDREWS. Mr. Speaker, the discussion is entirely irregular regarding the proceeding in committees, and the whys and the wherefores of committee positions.

The SPEAKER. The point or order is well taken. The merits of the bill and the proceedings in committee cannot be discussed on a motion to recommit.

PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Cambria, Mr. Andrews, will state his question of parliamentary inquiry.

Mr. ANDREWS. Mr. Speaker, is this the bill that takes part of the fund of the volunteer firemen and gives it to the policemen?

The SPEAKER. Unfortunately the Chair does not have time to read all of the bills. Does the gentleman from Cambria, Mr. Andrews, desire to interrogate the gentleman who is sponsor of the bill?

Mr. ANDREWS. I would like to, Mr. Speaker.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Root, permit himself to be interrogated?

Mr. ROOT. I will, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, I desire to ask the gentleman of the intent of this bill is to take the money from the volunteer firemen and give it to the policemen?

Mr. ROOT. Mr. Speaker and members of the House, this bill as it was amended this morning does not take one cent from the firemen.

Mr. BLUMBERG. Mr. Speaker and members of the House, were the session not so near to its final adjournment I would be agreeable to the motion if it meant further consideration of this bill, or any other bill which had not been previously considered. But we are approaching the closing day, and it now seems possible this House may finally adjourn at the end of next week, or certainly not later than the week following. This is a House bill, and the recommitting of it to a committee means that it will not be considered until next week, and can only mean the death of the bill.

As the sponsor of this bill explained in his interrogation, the amendments offered on the floor of this House today amend the bill so that not one cent is taken from the Volunteer Firemen's Association Fund. While it is not in order to discuss the merits of the bill, may I say merely this, that at the present time as this bill reads the contributions that would go to this fund would come only from casualty policies and not from fire and theft policies written by foreign insurance companies. The firemen receive their contributions only from

the fire policies. Insofar as theft policies are concerned, as the bill now stands and as it has been amended, it relates only to casualty policies in which the firemen have no interest. Unless the motion is made purely for the purpose of actually defeating the bill, I can see no reason for the motion. The bill was very thoroughly discussed by a committee of the House and it was discussed by a sub-committee and finally acted on in committee. The urge of the sponsor of this bill is merely that the bill, as its sponsor has amended it, should have an airing and discussion on the floor of this House. A recommitment of this bill means its defeat. The courtesy of the House to the sponsor of this bill at least would mean that this bill should have discussion on the floor of the House, and particularly since he states that the Volunteer Firemen of Pennsylvania are not in any way affected by the provisions of the bill. I therefore would urge that the motion to recommit be defeated.

Mr. WADE. Mr. Speaker and members of the House, much as I regret to continue this debate, and to violate the rules of this House, which forbid, as I understand, a discussion of the merits of a bill under a motion to recommit, let me say in answer to the statement of the gentleman from Philadelphia, Mr. Blumberg, that the passage of this bill would affect greatly the Volunteer Firemen's Relief Fund.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

RESOLUTION

RECALLING HOUSE BILL No. 963 FROM THE GOVERNOOR

Mr. McCLURE asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, April 5, 1933.

Resolved (if the Senate concur), That House Bill No. 963, Printer's No. 101, entitled "An act to amend section two of the act approved the twenty-second day of April one thousand eight hundred and seventy-four (Pamphlet Laws one hundred nine) entitled 'An act to provide for the submission of civil cases to the decision of the court and to dispense with trial by jury' providing that upon request of counsel the decision of the court in such cases shall state separately the facts found the answers to points submitted and the conclusions of law," be recalled from the Governor for the purpose of amendment.

Ordered, That the clerk present the same to the Senate for concurrence.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1504, as follows:

An Act to amend the title section ten and sections two hundred and two hundred and two as amended of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred sixty-two) entitled "An act concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth except in counties of the first and second class and revising amending consolidating and changing the law relating thereto" extending the provisions of said act to counties of the first and second classes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred sixty-two) entitled "An act concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth except in counties of the first and second class and revising amending consolidating and changing the law relating thereto" is hereby amended to read as follows

AN ACT

Concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth [except in counties of the first and second class] and revising amending consolidating and changing the law relating thereto

Section 2 That section ten of said act is hereby amended to read as follows

Section 10 DEFINITIONS The following are defined within the meaning of this act

(a) "A poor person" is one who is unable to maintain himself or those dependent upon him

(b) "Directors" shall be taken to include and mean unless obviously otherwise directors of the poor county commissioners acting as directors of the poor guardians of the poor directors of the home for the destitute overseers overseers of the poor or any other public officer by whatever title designated chargeable with the duty of maintenance of paupers or the granting of poor relief or having the administration of the laws relating to the poor and poor relief

(c) "District" means and includes any political subdivision of the State operating as a separate unit or quasi-municipal corporation in caring for the poor

(d) "Almshouse" shall include and mean the county home poorhouse home for the destitute or any other building or place by whatever title designated where poor persons are maintained at the public expense

(e) A "settlement" of a person shall be his right under the provisions of this act to relief in any particular poor district

(f) The word "may" shall be construed to be permissive

(g) The masculine noun or pronoun shall include the feminine

(h) "Public charge" shall mean a person to whom poor relief from public funds is necessary for his maintenance a pauper

Section 3 That section two hundred of said act as amended by section one of the act approved the twenty-eighth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred eight) is hereby further amended to read as follows

Section 200 Each County Made a District with [Five] Exceptions For the purpose of furnishing relief to poor persons giving them employment and carrying out the provisions of this act each county of this Commonwealth is hereby created a district to be known as "..... County Poor District" Provided however

(a) The several poor districts within the county of Philadelphia shall remain as at present fixed and administered and shall not become subject to any of the provisions of this act but said poor districts shall nevertheless be subject to the provisions of this act

(b) The poor districts within the county of Allegheny shall remain as at present fixed and administered [and shall not become subject to any of the provisions of this act] but said poor districts and all others in counties of the second class shall nevertheless be otherwise subject to the provisions of this act

(c) The counties of Carbon Fulton Cameron Luzerne Centre Columbia Montour Northumberland Susquehanna Wayne and Lackawanna shall be excepted herefrom so far as relates to the territorial subdivision thereof into districts

(d) The poor district in Westmoreland County whose corporate name is the Directors of a Home for the Destitute of the County of Westmoreland shall retain its name and be administered as at present

Section 4 That section two hundred and two of said act as amended by section two of said amending act approved the twenty-eighth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred eight) is hereby further amended to read as follows

Section 202 Poor District System Preserved in Excepted Territory In the counties of Allegheny Carbon Fulton Cameron Centre Columbia Lackawanna Montour Luzerne Northumberland Philadelphia Susquehanna and Wayne the number of directors overseers and authorities in charge of said districts the manner of their election or appointment and the administrative system of giving poor relief shall continue as now vested by law but all of said poor districts shall for all other purposes be subject to the provisions of this act

Section 5 All acts and parts of acts general local and special inconsistent herewith are hereby repealed

Section 6 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 548, as follows:

An Act to amend section one of the act approved the seventeenth day of March onethousand nine hundred and twenty-one (Pamphlet Laws thirty-two) entitled "An act fixing the salaries of court criers and tipstaves in counties of the third class" authorizing the judges to fix the salaries of court criers and tipstaves within certain limits

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and its is hereby enacted by the authority of the same That section one of the act approved the seventeenth day of March one thousand nine hundred and twenty-one (Pamphlet Laws thirty-two) entitled "An act fixing the salaries of court criers and tipstaves in counties of the third class" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the salaries of the court criers of the several courts in counties of the third class [is hereby fixed at sixteen hundred and fifty] shall be fixed by the judges of the several courts and shall not exceed eighteen hundred dollars per annum and the salaries of the tipstaves in said counties [is fixed at] to be fixed by the said judges shall not exceed fifteen hundred dollars per annum Such salaries shall be paid out of the county treasury in the usual manner

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1254, as follows:

An Act to amend section one of the act approved July ninth one thousand nine hundred and nineteen (Pamphlet Laws seven hundred ninety-five) entitled "An act to fix the salaries of district attorneys in counties having a population of less than one million inhabitants" by striking out the provisions thereof that relate to counties having a population of less than fifty thousand inhabitants and making certain changes in relation to counties having a population of fifty thousand or more and less than one hundred thousand inhabitants

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the ninth day of July Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws seven hundred ninty-five) entitled "An act to fix the salaries of district attorneys in counties having a population of less than one million inhabitants" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the salary of the district attorney [in counties whose population does not exceed ten thousand inhabitants shall be five hundred dollars per year the salary of the district attorneys in counties whose population is more than ten thousand and does not exceed twenty thousand inhabitants shall be five hundred dollars per year the salary of the district attorney in counties whose population is more than twenty thousand and does not exceed thirty thousand inhabitants shall be six hundred and twenty-five dollars per year the salary of the district attorney in counties whose population is more than thirty thousand and does not exceed forty thousand inhabitants shall be one thousand dollars per year the salary of the district attorney in counties whose population is more than forty thousand and does not exceed fifty thousand inhabitants shall be twelve hundred and fifty dollars per year the salary of the district attorney] in counties whose population is [more than] fifty thousand or more and does not exceed sixty thousand inhabitants shall be fifteen hundred and sixty-two dollars and fifty cents per year the salaray of the district attorney in counties whose population is more than sixty thousand and does not exceed seventy thousand inhabitants shall be eighteen hundred and seventy-five dollars per year the salary of the district attorney in counties whose population is more than seventy thousand and does not exceed eighty thousand inhabitants shall be twenty-five hundred dollars per year the salary of the district attorney in counties whose population is more than eighty thousand [and does not exceed ninety] but less than one hundred thousand inhabitants shall be thirty-one hundred and twenty-five dollars per year the salary of the district attorney in counties whose population is [more than ninety] one hundred thousand or more and does not exceed two hundred and fifty thousand inhabitants shall be five thousand dollars per year and the salary of the district attorney in counties whose population is more than two hundred and fifty thousand and does not exceed one million inhabitants shall be six thousand dollars per year

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2010, entitled:

An Act establishing courts of record in second class counties for control care and treatment of delinquent neglected and dependent children under eighteen years of age defining their jurisdiction powers and duties and regulating procedure therein providing for the transfer of certain powers functions and duties from other courts providing for the election of judges thereof the appointment of referees probation officers other necessary staff officials and assistants providing for housing of same and providing for detention facilities

The first to the eighteenth sections inclusive were separately read and agreed to as follows:

ARTICLE I

ESTABLISHMENT JURISDICTION

Section 1 ESTABLISHMENT OF CHILDREN'S COURTS Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there shall be and hereby is established in each county of the second class of the Commonwealth a court of record to be known as the children's court having such jurisdiction as may be necessary to carry out the provisions of this act and the provisions of any other law of general application concerning the care treatment and control of delinquent neglected and dependent children

Section 2 CONSTRUCTION OF ACT This act shall be liberally constructed to accomplish the purpose herein sought

Section 3 DEFINITIONS 1 Whenever the words "the court" are used in this act they shall refer to the children's court established by this act the term "judge" shall refer to the judge of that court the word "child" shall mean a person less than eighteen years of age the word "adult" shall mean a person eighteen years of age or over and the words "child" or "children" may be held to mean one or more children and the words "parent" or "parents" may be held to mean one or more parents when consistent with the intent of this act

2 The words "delinquent child" shall mean a child (a) who violates any law of the State or any ordinance or regulation of any subdivision thereof or (b) who is habitually disobedient or beyond the control of his parents or other lawful authority or (c) who so deports himself as to injure or endanger the morals health or general welfare of himself or others

The words "neglected child" shall mean a child (a) who is abandoned by his parents guardian or custodian or (b) who is without proper parental care or guardianship or (c) whose parent guardian or custodian neglects or refuses to provide necessary food clothing shelter medical surgical or other care necessary for the health morals or well-being of such child or (d) who is found in any disreputable place or who associates with vagrant vicious or immoral persons or (e) who is in a condition or who engages in an occupation dangerous to the life or limb or injurious to the health morals or general welfare of himself or others

4 The words "dependent child" shall mean a child (a) who is homeless or destitute or dependent on the public for support or (b) who is without a parent or guardian able to provide for his support training and education or (c) who is otherwise in need of personal guardianship

Section 4 JURISDICTION 1 Children (a) Except as hereinunder provided the court shall have original and exclusive jurisdiction of all cases involving (1) a child found within the county who is delinquent neglected or dependent or (2) a child found within the county who is mentally defective or mentally disordered or (3) a child found within the county whose custody or the guardianship of whose person is subject to controversy or is to be determined except in such cases where jurisdiction has previously been acquired by a court of concurrent jurisdiction

The court shall have concurrent jurisdiction in all cases referred to in subdivision (a) of this section in which the child involved is at the time actually within the county but is not residing therein

(b) When once jurisdiction shall have been obtained by the court in the case of any child such child shall continue for the purposes of this act under the jurisdiction of the court until he becomes twenty-one years of age unless discharged prior thereto by the court

2 Adults The court shall have original and exclusive jurisdiction to examine all cases which may arise within the county of adults who are charged with contributing to encouraging or tending to cause by any act or omission the delinquency neglect or dependency of any child or who are charged with any act or omission with respect to any child which act or omission is a violation of any law or ordinance and of any case of an adult who deserts abandons or fails to provide for the proper maintenance of any child for whose maintenance such adult is legally responsible and to try and determine all such cases where offense is less than the grade of felony or where the alleged offense is of such nature that the defendant if found guilty would not be liable to incarceration in a penitentiary

ARTICLE II

PROCEDURE IN CHILDREN'S CASES

Section 5 INFORMATION INVESTIGATION PETITION Any person having knowledge or information that a child is within the provisions of this act may and any peace officer having such knowledge or information shall report to the court such knowledge or information Upon receipt of such report the judge or a duly authorized probation officer or other agent of the court shall inquire into the case and determine whether the public interests or the interests of the child will be subserved by the court's acquiring jurisdiction in the case Whenever practicable such inquiry shall include a preliminary investigation of the home and environment conditions of the child his previous history and the facts and circumstances of the condition alleged and the results of the inquiry shall be reported in writing If the court through the judge or duly authorized probation officer or other agent shall determine that jurisdiction should be acquired it shall cause a petition to be made and filed by a person having such knowledge or information Provided That whenever a child is taken into custody a petition shall be filed forthwith unless the parent or guardian consents in writing to detention to such time as is necessary to make an investigation or unless a duly authorized officer or agent of the court consents to the child's release pending the disposition of the case And provided further That nothing in this act shall be construed to prevent any person having knowledge that a child is within the provisions of the act from making and presenting a petition to the court

The petition shall be verified under oath alleging the facts as briefly as may be which bring said child within the provisions of this act The petition shall also state (1) The name age and residence of the child (2) the names and residences of his parents (3) the name and residence of his legal guardian if the child is under guardianship and (4) the name and residence of the person or persons in whose custody or control the child is at the time of making the petition If any of the jurisdictional facts herein required are not known or cannot be ascertained by the petitioner the petition shall so state

Section 6 ISSUANCE OF SUMMONS NOTICE After a petition shall have been filed with the court and after the making of such further investigation as the court may direct unless the parties hereinafter named shall voluntarily appear or be in court the court shall issue summons reciting briefly the facts in the case and requiring the person or persons who have the custody or control of the child or in whose custody or control the child at the time is to personally appear and bring the child before the court at a time and place stated in the summons If the person so summoned shall be other than the parent or guardian of the child then the parent or guardian or both shall also be notified of the pendency of the case and of the time and place appointed by personal service at least twenty-four hours before the hearing except as hereinafter provided

Summons may be issued requiring the appearance of any other person whose presence in the discretion of the judge is necessary for the welfare of the child or for the proper hearing of the case Provided That if the whereabouts of any person whose presence in court may be desired shall be unknown the judge may determine what means shall be used to give such person notice to appear

Section 7 SERVICE OF SUMMONS TRAVELING EXPENSES Service of summons shall be made personally by the delivery of a true and attested copy thereof to the person summoned Provided That if the judge is satisfied that reasonable but unsuccessful efforts have been made to serve the summons or the notice required by the provisions of the preceding section personally upon any of the parties named therein or if it shall appear to the satisfaction of the judge that it is impractiable to serve such summons or notice personally upon any of them and the child is actually present in court the judge may make an order providing for the service of the summons or notice by registered mail addressed to their last known addresses or by publication thereof or both as may be ordered by the court It shall be sufficient to confer jurisdiction if service is effected at any time before the time fixed in the summons for the return thereof but the judge if requested by a parent or in case there is no parent by the person having the guardianship or custody of the child shall not proceed with the hearing earlier than three days after the service Failure to serve a summons upon any person shall not impair the jurisdiction of the court to proceed in cases of delinquent children if for good cause shown the judge shall have made an order dispensing with such service

Service of a summons process or notice required by this act may be made by any suitable person under the direction of the court The judge may in his dicretion authorize the payment of necessary travelling expenses incurred by any person summoned or otherwise required to appear at the hearing of any case coming within the provisions of this act Such expenses when approved by the judge shall be a charge upon the county

Section 8 FAILURE TO OBEY SUMMONS WARRANT If any person summoned as herein provided shall fail without reasonable cause to appear with the child in court and there abide the order of the court he may be proceeded against for contempt of court under and in accordance with the provisions of the general statutes In case the summons cannot

be served or the parties served fail to obey the same and in any case when it shall be made to appear to the judge that the service will be ineffectual or the welfare of the child requires that he shall be brought forthwith into the custody of the court a warrant may be issued on the order of the court either against the parent or guardian or other person having the custody or control of the child or against the child himself

Section 9 ARREST CUSTODY OF THE CHILD RELEASE Whenever any child is arrested or taken into custody such child shall be immediately taken to the place of detention designated by the court and the officer making the arrest shall immediately notify the court or duly authorized officer or agent thereof and shall file a petition when directed to do so by the court

In any case in which a petition has been filed if it appears from the petition that the child is delinquent or is in such condition or surroundings that the welfare of the child requires that its custody be immediately assumed by the court the judge may endorse or cause to be endorsed upon the summons an order that the officer serving the same shall at once take the child into custody In the case of any child whose custody has been assumed by the court and pending the final disposition of any case the child may be released in the custody of a parent guardian or other person having charge of the child or in the custody of a probation officer or other person appointed by the judge to be brought before the court at the time designated When not released as herein provided such child pending the hearing of the case shall be detained in such place of detention as shall be designated by the court subject to the order of the court

Nothing in this act shall be construed as forbidding any peace officer or probation officer from immediately taking into custody any child who is found committing an act of delinquency or who is reasonable believed to be a fugitive from his parents or from justice or whose surroundings are such as to endanger his health morals or general welfare unless immediate action is taken Provided that in every such case the officer taking the child into custody shall immediately report the fact to the court and the case shall then be proceeded with as provided for in this act

Section 10 TRANSFER FROM OTHER COURTS If during the pendency of any criminal case against any person in any court within any county of the second class it shall be ascertained that said person is under the age of eighteen years it shall be the duty of the court before whom such proceedings are pending to immediately transfer such case together with all of the papers documents and testimony connected therewith to the children's court having jurisdiction The court making such transfer shall order the child to be taken forthwith to the place of detention designated by the children's court or to that court itself but the court making such transfer may release such child in the custody of some suitable person to appear before the children's court at a time designated in said order The children's court shall thereupon proceed to hear and dispose of such case in the same manner as if it had been instituted in that court in the first instance causing a petition to be filed as provided in section five if such action is deemed necessary

Section 11 WAIVER OF JURISDICTION IN CERTAIN CASES If in the case of any child coming before the court upon petition it shall appear that the child is guilty of an offense which under the general statutes would be termed a felony and the child is sixteen years of age or older the judge of the court may after a full investigation and examination and after consultation with the prosecuting attorney of the county if he shall deem it to be for the public interests or the interests of the child waive jurisdiction thereof whereupon such child shall be tried in the court having general criminal jurisdiction of such offense provided however that such criminal court may in its discretion exercise the powers conferred on the children's court in this act in disposing of such case

Section 12 HEARING JUDGMENT Upon the return of the summons or other process or after any child has been taken into custody at the time set for the hearing the court shall proceed to hear and determine the case in a summary manner It may adjourn the hearing from time to time for the purpose of investigation and to enable the court to render such order or judgment as shall best conserve the welfare of the child and carry out the objects of this act During such adjournment the child may be released in the custody of his parents or guardian or may be placed under the supervision of a probation officer At any stage of the case the court may in its discretion appoint any suitable person to be the guardian ad litem of the child for the purposes of the proceedings

If the court shall find that the child is delinquent neglected dependent or otherwise within the provisions of this act it shall adjudge said child to be a ward of the court Thereupon the court may

1 Place the child on probation subject to the orders of the court or

2 Place the child in a suitable family home in the custody of a relative or other fit person upon such conditions as the court shall determine or

3 Commit the child to a suitable public agency or institution or to any suitable private institution society or association incorporated under the laws of the state and approved by the state department of welfare authorized to care for children or to place them in suitable family homes or

4 Render such further judgment or make such further order as the court may deem to be for the best interests of the child

Section 13 MODIFICATION OF JUDGMENT RETURN OF CHILD TO PARENTS Any order or commitment made by the court in the case of any child shall be subject to such modification or revocation from time to time as the court may deem to be for the welfare of such child except that a child committed to a public institution or agency may be released or discharged from custody only with the approval of such institution or agency

Any parent or guardian or if there be no parent or guardian the next friend of any child who has been or shall hereafter be committed by the court to the custody of an institution agency or person other than a public institution or agency may at any time file with the court a petition verified under oath stating that application for the release of the child has been made to and denied by such institution agency or person or that such institution agency or person has failed to act upon such application within a reasonable time A copy of such petition shall at once be served by the court upon such institution agency or person whose duty it shall be to file a reply to the same within five days If upon examination of the petition and reply the court is of the opinion that an investigation should be had it may upon due notice to all concerned proceed to hear the facts and determine the question at issue It may thereupon return such child to the custody of its parents or guardian or may retain the child in the custody of the institution agency or person and may direct such institution agency or person to make such other arrangements for the child's care and welfare as the circumstances of the case may require or the court may make such other order or commitment as it shall deem to be for the best interests of the child

Section 14 APPOINTMENT OF GUARDIANS Whenever in the course of a proceeding instituted in this act it shall appear to the court that the welfare of any child within its jurisdiction will be promoted by the appointment of an individual as general guardian of its person the court shall have jurisdiction to make such appointment Before making such appointment the court shall cause an order to be issued and served upon the parent or parents of such child in such manner and for such time prior to the hearing as the court may deem reasonable In the appointment of such guardians the court shall be governed by all the provisions of law relating to the appointment of guardians In any case arising under this act the court may determine as between parents or others whether the father or mather or what persons shall have the custody and control of said child

Section 15 SELECTION OF CUSTODIAL AGENCY In committing any child to any institution or other custodial agency other than a public institution or agency or in placing the child under the guardianship or custody of any person other than that of its parents the court shall when practicable select as the custodial agency an institution society or association governed by persons of like religious faith as the parents of such child or an individual of like religious faith

Section 16 SUPPORT OF CHILD COMMITTED TO A CUSTODIAL AGENCY Whenever any child is committed by the court to the custody of an institution agency association society or person other than its parent or guardian compensation for the care of such child when approved by order of the court shall be a charge upon the county or the appropriate subdivision thereof But the court may after giving the parent or other person having the duty under the law to support such child a reasonable opportunity to be heard adjudge that such parent or other person shall pay in such manner as the

court may direct such sum as will cover in whole or in part the support of such child and if such parent or other person shall wilfully fail or refuse to pay such sum he may be proceeded against as provided by law in cases of desertion or failure to provide

ARTICLE III
PROCEDURE IN CASES OF ADULTS

Section 17 PROCEDURE IN CONTRIBUTORY DELINQUENCY AND OTHER ADULT CASES In the examination trial or determination of cases of adults charged with contributing to the delinquency neglect or dependency of children or in other cases involving adults coming within the provisions of this act the proceedings shall be conducted in the same manner as is provided by law for the conduct of equity or criminal cases or special proceedings of similar character Proceedings may be instituted by an interested party or on the court's own motion and a reasonable opportunity to appear shall be afforded the respondent The court may issue a summons or in proper cases a warrant or other process in order to secure or to compel the attendance of any necessary person All provisions of the preceding sections of this act relative to procedure in cases of children in so far as such provisions are applicable shall be construed as applying to cases against adults also

Upon the trial of such cases the court is authorized and empowered to render judgment therein and if judgment be rendered sustaining the charge against any such adult the court shall have power to fix such punishment as the law provides or may in the discretion of the court suspend sentence and place on probation and by order impose upon such adult such duty as shall be deemed to be for the best interests of the child or other persons concerned

Section 18 PROCEEDINGS FOR THE SUPPORT OF DEPENDENTS In the case of an adult who deserts abandons or fails to provide for the proper maintenance or care of any person for whose maintenance or care such adult is legally responsible or in the case of any adult adjudged liable for the maintenance or care of any person the court may inquire into and determine the ability of such adult to provide for the maintenance or care of such person in whole or in part and if satisfied that such adult is able to contribute toward the maintenance or care of such person may order that such provision be made The court may direct when how and where money for such maintenance or care shall be paid and in the event that such adult so ordered to pay such money shall wilfully or without just excuse fail or refuse to pay the same in accordance with the court's order said adult shall be deemed guilty of a misdemeanor and shall be dealt with in accordance with the provisions of the law or such adult may be proceeded against as for contempt of court

The nineteenth section was read as follows:

ARTICLE IV
APPOINTMENT AND ELECTION OF JUDGES AND OTHER EMPLOYES PROBATION

Section 19 APPOINTMENT AND ELECTION OF JUDGES Judges of the children's court shall be learned in the law and shall have such other training experience and personality necessary to maintain in the court the highest standards of child welfare They shall be elected by the qualified electors of the county wherein such court is established shall hold office for a period of ten years if they shall so long behave themselves well and shall receive the salaries prescribed by law for judges of the court of common pleas The term of office of elected judges of the court shall begin on the first Monday of January following their election

The first judge of the children's court shall be appointed by the Governor within sixty days after the approval of this act and shall hold office until the first Monday in January following the next municipal election at which his successor shall be elected and which shall be the next following the appointment

Whenever a vacancy shall occur by death or otherwise in the office of judge the Governor shall fill such vacancy by appointing a properly qualified person to serve until a judge is elected and installed as the law provides

If for any reason the judge shall be temporarily absent from or incapacitated for service in the court and it shall become necessary to have another to act in his stead the presiding judge of the court of common pleas shall have the authority to meet such emergency either by serving in that capacity himself or by appointing another proper person to serve in the interim provided however that in such service or appointment the judge of the court of common pleas may be guided by the recommendations of the judge of the children's court when such are offered

On the question,

Will the House agree to the section?

Mr. SPANN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Section 19, page 18, line 3, by striking out the word "They" and inserting in lieu thereof: "Except as herein otherwise provided, they"

Amend Section 19, page 18, line 8, by striking out the words "court of common pleas" and inserting in lieu thereof: "county court"

Amend Section 19, page 18, line 13, by striking out the word "and" and inserting in lieu thereof: "from among the judges of the county court and he"

Amend Section 19, page 18, lines 13 to 16, both inclusive, by striking out all the words in said lines beginning with the word "first" in line 13, and ending with the word "appointment" in line 16, and inserting in lieu thereof the following: "expiration of the terms of office for which he was elected as a member of the county court, and his successor as judge of the children's court shall be elected at the municipal election preceding the expiration of such terms of office, as hereinabove provided. This shall not be construed as creating a vacancy among the judges of the county court, but is intended to hereafter limit such court to five judges."

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The twentieth to the thirty-third sections inclusive were separately read and agreed to as follows:

Section 20 APPOINTMENT OF PROBATION OFFICERS AND OTHER EMPLOYES The judge of each court shall appoint a chief probation officer and as many probation officers as he shall deem necessary All probation officers shall be appointed from an eligible list secured through competitive examination The examinations given for the purpose of establishing such eligible lists shall have reference to the education previous experience ability personality and character of the candidates All of such officers shall receive such compensation as shall be fixed by the salary board The judge of said court shall constiute a member of the salary board The judge may appoint other probation officers who shall when the salaries of such employes are to be fixed serve without compensation The chief probation officer the probation officers and other employes appointed to serve under the supervision of the chief probation officer shall constitute the probation department of the court The judge shall have power to appoint clerks stenographers and such other employes as he may deem necessary They shall be paid such salaries and expenses as the judge shall determine subject to the approval of the board of county commissioners All employes may be removed by the judge at any time

Section 21 DUTIES AND POWERS OF THE PROBATION DEPARTMENT The chief probation officer under the direction of the judge shall have charge of the work of the probation department and shall supervise the work of all probation officers It shall be the duty of the probation department to make investigations before during and after the hearing of any case or before or after the filing of any petition as the judge may direct and to keep a written record of all such investigations and to submit the same to the judge or as the judge may direct Upon the placing of any person on probation the probation department shall furnish to such

person a written statement of the conditions of probation and shall instruct him regarding the same Such department shall keep informed concerning the conduct and condition of each person on probation under its supervision and shall report thereon to the judge placing such person on probation at least once each month Each probation officer shall use all suitable methods to aid persons on probation and to bring about improvement in their conduct and condition The probation department shall keep full records of its work shall keep accurate and complete account of moneys collected from persons under its supervision shall give receipts therefor and shall make at least monthly returns thereon and shall perform such other duties as the court may direct Probation officers for the purposes of this act shall have the powers of police officers All other provisions of the laws of the state relating to probation so far as they are applicable and not inconsisent with this act shall apply to cases coming within the provisions of this act

Section 22 APPOINTMENT OF REFEREES The judge may appoint one or more probation officers or other suitable persons as referees of the court to hear cases coming within the provisions of this act Such referees shall hold office during the pleasure of the judge The hearing of any case may be referred to such referees by an order of the court or the judge may direct that all or certain cases coming within the provisions of this act of a certain class or within a district to be designated by him shall be initiated before and heard in the first instances by such referee in the manner provided for the initiation and hearing of cases by the court In all cases coming before him a referee shall comply with all the requirements of and conform to the procedure provided for the hearing of such cases by the court Upon the conclusion of the hearing of such case the referee shall transmit to the court all papers relating to the case together with his conclusions and recommendations in writing In case no hearing by the court is requested as hereinafter provided for the conclusions and recommendations of the referee when confirmed by an order of the court shall become the judgment of the court In the case of a child the parent guardian or custodian of such child or in the case of an adult the defendant shall be notified of the conclusions and recommendations of the referee A hearing by the court shall be allowed to any person or to the parent guardian custodian or next friend of any child whose case has been heard by a referee upon the filing by such person of a request for such hearing with the judge within five days after notice of the conclusions and recommendations of the referee

ARTICLE V
GENERAL PROVISIONS

Section 23 PLACE OF DETENTION No child coming within the provisions of this act shall be placed in or committed to any prison jail lock-up vehicle or other place where such child can come in contact at any time or in any manner with any adult convicted of crime or under arrest and charged with crime provided that a child sixteen years of age or older whose habits and conduct are deemed such as to constitute a menace to other children may by order of the court be restrained in a jail or other suitable place of detention but in a room or ward entirely separate and apart from adults Provision shall be made for the temporary detention of such children in a detention home to be conducted as an agency of the court for the purposes of this act or the judge may arrange for the boarding of such children temporarily in a private home or homes in the custody of some fit person or persons subject to the supervision of the court or the judge may arrange with any incorporated institution society or association maintaining a suitable place of detention for children to the end that such place of detention shall receive for temporary care any child within the jurisdiction of the court

In case a detention home has already been established in any county where a court is established by this act it shall become an agency of the court To that end all future appointments to the governing board of such detention home shall be made by the court

In case the judge shall arrange for the board of children temporarily detained in private homes a reasonable sum for the board of such children while temporarily detained in such homes shall be paid by the county

Section 24 EXAMINATION AND TREATMENT OF PERSONS FOUND TO BE MENTALLY DEFECTIVE OR IN NEED OF MEDICAL CARE The court in its discretion either before or after a hearing may cause any person within its jurisdiction to be examined by a physician psychiatrist or psychologist appointed or designated for the purpose of the court If it shall appear to the court that any child within its jurisdiction is mentally defective or mentally disordered it may cause such child to be examined by two qualified psychiatrists or two physicians or one of each and on the written statement of such examiners that such child is mentally defective of mentally disordered the court may commit such child to an appropriate institution authorized by law to receive and care for mentally defective or mentally disordered children In any such case the parents guardian or custodian of such child shall be given due notice of any proceedings hereinunder

Whenever a child within the jurisdiction of the court and under the provisions of this act appears to the court to be in need of mental medical or surgical care a suitable order may be made for the treatment of such child by a competent individual or in a hospital or otherwise and the expense thereof when approved by the court shall be a charge upon the county or the appropriate subdivision thereof but the court may adjudge that the person or persons having the duty under the law to support such child shall pay part or all of the expenses of such treatment as provided in Section 16 of this act

Section 25 COURT SESSIONS ATTENDANCE AND PUBLICITY QUARTERS Sessions of the court shall be held at such place or places throughout the county as the judge shall from time to time determine In the hearing of any cases coming within the provisions of this act the general public shall be excluded and only such persons admitted thereto as have a direct interest in the case

There shall not be published in any newspaper magazine or other periodical the name address or photograph of any child in connection with his or her relation to the court

All cases involving children shall be heard separately and apart from the trial of cases against adults Suitable quarters and physical equipment shall be provided by the board of county commissioners for the hearing of cases and for the use of the judge the probation officers and other employes of the court

Section 26 RECORDS FORMS The court shall maintain a complete record of all cases brought before it All records of investigations physical and mental examinations and supervision shall be deemed privileged and confidential records open to inspection in the discretion of the court but such records shall be open to inspection by the parents guardian or other authorized representative of the child concerned and in the discretion of the court to other persons having a legitimate interest in the case

The court shall devise and cause to be printed such forms for records and for the various petitions orders processes and other papers in the cases coming within this act as shall meet the requirements thereof and all expenses incurred in complying with the provisions of this act shall be a county charge

Section 27 RULES The court shall have power to devise and publish rules to regulate the procedure in cases coming within the provisions of this act and for the conduct of all officers of the court

Section 28 COOPERATION It is hereby made the duty of every county town or municipal official or department in such county to render such assistance and cooperation within his or its jurisdictional power to further the objects of this act All institutions or other agencies to which any child coming within the provisions of this act may be sent are hereby required to give such information concerning such child to the court or to any officer appointed by it as said court or officer may require for the purposes of this act The court is authorized to seek the cooperation of all socities or organizations public or private having for their object the protection or aid of children to the end that the court be assisted in every reasonable way to give each child within its jurisdiction such care protection and assistance as will best conserve its welfare

Police officers and courts not of record shall have no authority to conduct hearings or make dispositions in cases involving in any way the care and treatment of children except as herein provided

Section 29 CONTEMPT Any person who wilfully violates neglects or refuses to obey and perform any order of the court entered in pursuance of a regular hearing may be proceeded against by the court for contempt of court under the general statutes

Section 30 JURY TRIAL In all cases of children arising under the provisions of this act the court shall hear and determine such cases without a jury All cases of adults charged with offenses under this act where the defendants may be entitled to a trial by jury and do not waive that right shall be transferred to another proper court for trial

Section 31 APPEALS In the case of a child an appeal to the Superior Court may be taken by the party aggrieved in the manner provided by law or by rule of court for appeals in equity cases In any case against an adult an appeal may be taken to the Superior Court in the manner provided by law or by rule of court for appeals in criminal cases Written notice of such appeal shall be filed with the children's court within five days after the entering of the order An appeal with or without bail in the case of a child shall not suspend the order of the children's court nor shall it discharge the child from the custody of that court or of the person institution or agency to whose care such child shall have been committed unless that court shall so order If the Superior Court does not dismiss the proceedings and discharge the child it shall affirm or modify the order of the children's court and remand the child to the jurisdiction of the children's court for supervision and care and thereafter the child shall be and remain under the jurisdiction of the children's court in the same manner as if such court had made said order without an appeal having been taken

Section 32 TRANSFER OF CERTAIN FUNCTIONS FROM OTHER COURTS TO CHILDREN'S COURT When this act takes effect the various functions and services of other courts within the county having to do with care and protection of children as herein provided shall be transferred to the children's court All facilities and equipment such as records and files and persons employed by such other courts exclusively for such functions and services on behalf of children as herein provided shall also be surrendered or transferred to the children's court at the discretion of the judge of the children's court

Section 33 CONSTITUTIONALITY If any section subdivision or clause of this act shall be held to be unconstitutional or invalid such decision shall not effect the validity of the remaining portions of the act

The thirty-fourth section was read as follows:

Section 34 LAWS REPEALED Sub-section (g) of Section ten of an act approved the fifth day of May one thousand nine hundred and eleven entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" together with the amendments and supplements to said sub-section are hereby repealed

Any other act or any part of any other act inconsistent with any provision of this act is hereby repealed or made inactive for counties of the second class

On the question,

Will the House agree to the section?

Mr. SPANN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Section 34, page 27, lines 25 to 29, both inclusive, by striking out all of the words in said lines beginning with the word "Laws" in line 25, and ending with the word "procedure" in line 29.

Amend Section 34, page 28, lines 1 to 4, both inclusive, by striking out all the words in said lines beginning with the word "therein" in line 1, and ending with the word "act" as it last appears in line 4, and inserting in lieu thereof the following: "All acts and parts of acts"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The thirty-fifth section and preamble were separately read and agreed to as follows:

Section 35 TIME OF TAKING EFFECT This act shall take effect sixty days after date of final approval

WHEREAS The public welfare demands that children should be guarded from association and contact with crime and criminals and the ordinary process of the criminal law does not provide such treatment and care and

WHEREAS Experience has shown that children lacking proper parental care or guardianship are led into courses of life which may render them liable to the pains and penalties of the criminal law although in fact the real interest of such child or children requires that they be not incarcerated in penitentiary and jail as members of the criminal class and

WHEREAS It is important that the powers of the court in respect to the care treatment education and control of delinquent neglected and dependent children should be clearly distinguished from the powers exercised in the administration of the criminal law that those powers such as may secure for each child under its jurisdiction such care guidance education and control preferably in his own home as will conduce to the child's welfare and the best interests of the State and when such child is removed from his own family to secure for him the custody care education and discipline as nearly as possible equivalent to that which should have been given by his parents and that such powers be established in recognition of the principle that children under the jurisdiction of the court are wards of the State subject to the discipline and entitled to the protection of the State which may intervene to safeguard them from neglect or injury and to enforce the legal obligations due to them and from them and

WHEREAS In the more populous districts where the number of delinquent neglected and dependent children is large their interests can best be safeguarded and the public welfare more adequately promoted through a court that is presided over by a judge who is chosen for that particular position because of peculiar qualifications and who may in security serve in such capacity over a period of years therefore

The title was read as follows:

An Act establishing courts of record in second class counties for control, care and treatment of delinquent, neglected and dependent children under eighteen years of age; defining their jurisdiction, powers and duties, and regulating procedure therein; providing for the transfer of certain powers, functions and duties from other courts; providing for the election of judges thereof; the appointment of referees, probation officers, other necessary staff officers and assistants; providing for the housing of same; and providing for detention facilities.

On the question,

Will the House agree to the title?

Mr. SPANN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend title, page 1, line 6 of title, by inserting after the word "courts" the following: "and reducing the number of judges of the county court"

Amend title, page 1, line 7 of title, by inserting before the word "election" the following: "appointment of the first judge of the children's court by the Governor, and the"

Amend title, page 1, line 7 of title, by striking out the word "thereof" and inserting in lieu thereof: "thereafter"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1726, entitled:

An Act creating a commission to study the laws relating to poor districts and to draft such new laws as may be necessary to revise and codify such laws and establish State supervision over poor boards

The first and second sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a commission is hereby created to consist of two members of the Senate to be appointed by the President Pro Tempore of the Senate and three members of the House of Representatives to be appointed by the Speaker of the House of Representatives The commission shall select from its membership a chairman and shall elect a secretary who need not be a member of the commission It shall be the duty of the commission to study the laws of the Commonwealth relating to poor districts and to draft such new laws as may appear necessary for the purpose of revising and codifying the laws relating to the organization of poor boards and the administration of poor relief with the view of making the law uniform and granting power to the Department of Welfare or other department board or commission of the State government to coordinate and supervise the work of the poor boards

Section 2 The members of the commission shall not receive any compensation for their services but shall be reimbursed for all expenses incurred in the performance of their duties The commission shall have power to employ a secretary and such clerks and stenographers as may be deemed necessary

The commission shall make a report to the General Assembly not later than the first day of February one thousand nine hundred and thirty-five

The third section was read as follows:

Section 3 The sum of ..... or so much thereof as may be necessary is hereby specifically appropriated to the commission for the purpose of carrying out the provisions of this act and for the payment of expenses of the commission and the compensation and expenses of the secretary clerks and stenographers

Payments from said appropriation shall be made on requisition of the chairman of the commission by warrant of the Auditor General or the State Treasurer

The commission shall be furnished the necessary stationery and office supplies and have all necessary printing done by the proper departments upon requisition of the chairman of the commission

On the question,

Will the House agree to the section?

Mr. ROOT. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Section 3, page 2, line 15, by inserting after the words "sum of" the following: "seventy-five hundred dollars ($7,500)"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to thesection as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act creating a commission to study the laws relating to poor districts and to draft such new laws as may be necessary to revise and codify such laws and establish State supervision over poor boards.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2094 (Senate Bill No. 707), entitled:

An Act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates justices of the peace and aldermen unless names and addresses of prosecutors defendants and witnesses appear on the transcript thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1455 (Senate Bill No. 361), as follows:

An Act to amend section sixteen of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended providing that in awarding damages to abutting property owners for changing the width or existing lines

and location of State highways the benefits to such property may be considered in mitigation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section sixteen of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State County township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act which was amended by section four of the act approved the twenty-sixth day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand three hundred eighty-eight) is hereby further amended to read as follows

Section 16 Before the Secretary of Highways shall undertake the construction reconstruction or improvement of any State highway on the plan of the State highways wherein a change of width or of existing lines and location is necessary and damage is likely to result to abutting property he shall notify the county commissioners of the proper county in writing of the contemplated change in such existing width lines and location whereupon the county commissioners when possible shall enter into an agreement with the owner or owners of said property as to amount of damage if any to be paid to the said owner or owners which damage if agreed upon shall be paid by the county or in case an agreement satisfactory to the county commissioners and said owner or owners cannot be made the Secretary of Highways may proceed with the work of construction reconstruction or improvement and the owner or owners of said property damaged thereby or the commissioners of the proper county may present their petition to the court of quarter sessions for the appointment of viewers to ascertain and assess such damages The proceedings upon said petition and by the viewers shall be governed by existing laws relating to the ascertainment and assessment of damages for opening public highways and if the said property is and also specially benefited by the advance in the market value thereof resulting from the special facilities afforded to that particular property by the construction reconstruction or improvement beyond the general appreciation of property in the neighborhood resulting from the same damaged by such construction reconstruction or improvement the excess of damages over such benefits or nothing in case the damages and such benefits are equal shall be awarded to the owner or owners of said property The total assessment of such benefits shall not exceed the total damages awarded The county commissioners or any other party to such proceedings may appeal from the award of the viewers to the court of common pleas and shall be entitled to a trial by jury From the judgment of the court of common pleas an appeal may be had to the Supreme or Superior Court as in other cases Such damages when ascertained shall be paid by the county in which the State highway is located The county shall also be liable for any damages sustained by abutting property owners for a change of the width or lines or roads intersecting State highways where such damages are made necessary as a result of the changing of the width lines or location for the construction of a State highway such damages to be ascertained in the same manner as herein provided for damages occasioned as a result of the change of width or existing lines and location of State highways The county shall also provide for the removal of all structures within the lines of the highway as thus established unless otherwise provided by agreement between said county and the Secretary of Highways

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1210 (Senate Bill No. 325), entitled:

A Supplement to the act approved the third day of April one thousand nine hundred and three (Pamphlet Laws one hundred thirty-seven), entitled "An act regulating the confinement of children under the age of sixteen years awaiting trial," providing for the management of houses of detention for juveniles in counties of the second class imposing expense in connection therewith on the county and permitting and authorizing the county commissioners thereof to appropriate money or issue bonds for the purchase of lands or erecting constructing and equipping of buildings for such purpose.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1212 (Senate Bill No. 348), entitled:

An Act permitting sheriffs in counties of the third class to collect the cost of schedules of distribution on sheriff's sales of real estate.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1948. as follows:

An Act to amend section one of an act approved the eleventh day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred thirty-eight) entitled "An act to regulate and establish the fees to be charged and collected by the several clerks of the courts of over and terminer general jail delivery and quarter sessions of the peace in counties of this Commonwealth having a population of over eight hundred thousand inhabitants as computed by the last pre-

ceding United States census" as amended by extending said act to counties of the second class changing and further fixing the fees to be charged by said clerks

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the eleventh day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred thirty-eight) entitled "An act to regulate and establish the fees to be charged and collected by the several clerks of the courts of oyer and terminer general jail delivery and quarter sessions of the peace in counties of this Commonwealth having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants as computed by the last preceding United States census" which was amended by section one of the act approved the eighteenth day of March one thousand nine hundred and twenty-five (Pamphlet Laws forty-two) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in general assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the fees to be paid to and received and charged by the several clerks of the courts of oyer and terminer and general jail delivery and quarter sessions of the peace in counties of [this Commonwealth having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants as computed by the last preceding United States census] the second class shall be as follows

[Appeals from alderman twenty-five cents ($.25)]

Affidavits fifty cents ($.50)

Attachments or process on any cause one dollar ($1.00)

Bail-piece two dollars ($2.00)

Ballots preparing for jury per penal two dollars and fifty cents ($2.50)

Bail-bond one dollar ($1.00)

Bail-bond justification filing of twenty-five cents ($.25)

Bench warrants one dollar ($1.00)

Bonds for liquor license certificate and filing [frame and glass] two dollars and fifty cents ($2.50)

[Bonds for peddler's license one dollar and twenty-five cents ($1.25)]

Bonds for constables one dollar ($1.00)

Bonds for tax collectors (original) two dollars and seventy-five cents ($2.75) renewal each year one dollar ($1.00)

[Bonds for tax collectors (renewal each year) one dollar ($1.00)]

Certificate of election of municipal officers each fifty cents ($.50)

Commitments fifty cents ($.50)

[Commitments to county prisons fifty cents ($.50)]

[Commitment to eastern or western penitentiary fifty cents ($.50)]

[Commitment to house of refuge fifty cents ($.50)]

[Commitment to house of correction fifty cents ($.50)]

[Commitment to detention-room (juvenile) fifty cents ($.50)]

Certificate of incorporation of new municipalities to Superintendent of Public Instruction five dollars ($5.00)

Certificate to Secretary of Highways of conviction for violation of laws regulating use and operation of motor vehicles to be taxed as part of the costs of each case one dollar ($1.00)

Certificate for constables for election or appointment one dollar ($1.00)

Certificate of acknowledgement fifty cents ($.50)

Certificate for writ of habeas corpus one dollar ($1.00)

Certificate to county treasurer (each name paid by county) one dollar ($1.00)

Certificate for nolle prosequi one dollar ($1.00)

Certificate for payment of jurors (each name) one dollar ($1.00)

[Certificate for payment of road jurors fifty cents ($.50)]

Certificate for the sheriff to draw jurors petit grand or special venire one dollar and fifty cents ($1.50)

[Certificate for the sheriff to draw grand jurors one dollar and fifty cents ($1.50)]

[Certificate for the sheriff to draw special venire one dollar and fifty cents ($1.50)]

Certificate when judge acts as a magistrate affidavit warrant and service one dollar and fifty cents ($1.50)

Certificate for ignored bill one dollar ($1.00)

Certificate in breach of peace case fifty cents ($.50)

[Certificate in apprentice case fifty cents ($.50)]

Certificate of reconsideration of sentence fifty cents ($.50)

Commission on lunacy swearing commission filing and recording et cetera two dollars and fifty cents ($2.50)

Certified copy of record bill of indictment two dollars ($2.00)

Certified copy of minutes per page or fraction thereof three dollars and fifty cents ($3.50)

Certified copy of report of laying out or vacating public road five dollars ($5.00)

[Certified copy of record docket-entries (quarter sessions) one dollar ($1.00)]

Certified copy of record docket-entries [(oyer and terminer)] two dollars ($2.00)

Certified copy of record docket-entries in road cases five dollars ($5.00)

Certified copy of information two dollars ($2.00)

[Citations fifty cents ($.50)]

Constables' quarterly returns one dollar ($1.00)

Detective license filing application for [and advertisement twenty-five dollars ($25.00)] five dollars ($5.00)

[Dog register one dollar ($1.00)]

[Declaration of intention to become a citizen one dollar ($1.00)]

Discharge of ignored bill fifty cents ($.50)

Discharge on bail entered fifty cents ($.50)

[Discharge prisoner from dock twenty-five cents ($.25)]

[Desertion cases in lieu of all fees chargeable two dollars ($2.00)]

[Exemplification of the record homicide five dollars ($5.00)]

Fieri facias debt writ and docket entries [one dollar ($1.00)] ten dollars ($10.00)

Filing and entering reasons for new trial fifty cents ($.50)

Filing and entering motions in arrest of judgment fifty cents ($.50)

Filing and entering bail-bond or recognizance from magistrate fifty cents ($.50)

[Filing and issuing summons for recognizance seventy-five cents ($.75)

Filing and entering coroner's return (each inquisition) fifty cents ($.50)

Filing and entering petition for appointment of auditors tax collectors constables and all other municipal officers two dollars ($2.00)

Filing and entering auditors' reports one dollar ($1.00)

Filing and recording proceeding for redistricting or change of polling-place [proceedings] each district three dollars ($3.00)

Filing and entering opinions of court of common pleas Superior or Supreme Court two dollars ($2.00)

Filing and docket-entries true bill three dollars ($3.00)

Filing and entering certiorari or appeals to common pleas Superior or Supreme Court three dollars and fifty cents ($3.50)

Filing and entering remittur from Superior or Supreme Court three dollars ($3.00)

Filing and entering exceptions (road cases) two dollars and fifty cents ($2.50)

[Filing and entering petitions (juvenile) three dollars ($3.00)]

Filing and recording of increase of bonded indebtedness proceedings (per page or part thereof) three dollars and fifty cents ($3.50)

Filing recording and issuing receipt for expense accounts of candidates for political offices if fifty dollars ($50.00) or less fifty cents ($.50) each if over fifty dollars ($50.00) three dollars and fifty cents ($3.50) per page or part thereof

Filing recording and certifying appointments of election officers two dollars and fifty cents ($2.50)

Filing recording and certifying orders for transfer or release of prisoners two dollars and fifty cents ($2.50)

Filing recording and certifying miscellaneous orders of court two dollars and fifty cents ($2.50)

Filing recording and certifying detailments of visiting judges one dollar ($1.00)

Filing and certifying counsel fees one dollar ($1.00)

Filing recording and administering oaths of office fifty cents ($.50)

Filing and recording notary commission certifications fifty cents ($.50)

Filing and recording power of attorney one dollar ($1.00)

Filing financial statements one dollar ($1.00)

Ignoramus where bill is returned two dollars ($2.00)
Issuing change of costs notices to controller and sheriff fifty cents ($.50)
[Jurors defaulting issuing notices to one dollar ($1.00)]
[Jurors fieri facias against one dollar ($1.00)]
Liquor license filing application for five dollars ($5.00)
Liquor license filing and recording petition for revocation thereof three dollars ($3.00)
[License to loan money filing application for one hundred dollars ($100.00)]
Mandamus and proceedings thereon four dollars ($4.00)
Motion and rule other than elsewhere provided for twenty-five cents ($.25)
[Naturalization adults two dollars ($2.00)]
[Naturalization minors two dollars ($2.00)]
[Naturalization soldiers two dollars ($2.00)]
[Naturalization certificate or duplicate thereof each two dollars ($2.00)]
Petition and order for a view or a review of a road or bridge under seal orders to open filing report recording et cetera ten dollars ($10.00)
Petition filing of and entering proceedings in inebriate cases three dollars ($3.00)
Petition filing and proceedings for the removal of feeble-minded insane or criminal insane persons from any penal institution three dollars ($3.00)
Petition for parole fifty cents ($.50)
Petition for writ of habeas corpus three dollars ($3.00)
Petition to Governor for extradition papers one dollar ($1.00)
Preparing and certifying charity reports to the Department of Welfare twenty-five dollars ($25.00)
Preparing and trasmitting testimony to institution two dollars ($2.00)
Preparing records for institutions of prisoners committed fifty cents ($.50)
Preparing insanity reports to poor directors four dollars ($4.00)
Preparing insolvency proceedings for prisoners in jail paid by county one dollar ($1.00)
Release from any institution by order of court fifty cents ($.50)
Recording election returns each election district two dollars and fifty cents ($2.50)
Recognizance calling and entering forfeitures fifty cents ($.50)
Recognizance forfeited respited or discharged and motion therefor fifty cents ($.50)
Recognizance taking each one dollar ($1.00)
Return to writ of error one dollar ($1.00)
Services of clerk where true bill is found Quarter Sessions three dollars ($3.00) each additional day or part of day at trial two dollars ($2.00)
Services of clerk where true bill is found [in case of felony] oyer and terminer five dollars ($5.00) each additional day or part of a day at trial four dollar ($4.00)
Services of clerk plea of guilty one dollar ($1.00)
Search from judgment to docket single name forty cents ($.40)
Search from judgment to docket extra single name ten cents ($.10)
Search from judgment to docket two names extra and so on twenty-five cents ($.25)
Subpoenas and seal twenty-five cents ($.25)
Seal in every case twenty-five cents ($.25)
Summons on recognizance seventy-five cents ($.75)
Swearing grand jury four dollars ($4.00)
Swearing petit jury in each case four dollars ($4.00)
Taxing a bill of costs other than the clerk's of the sessions fifty cents ($.50)
Venire for grand jury one dollar and fifty cents ($.150)
Venire for petit jury one dollars and fifty cents ($1.50)
Venire for special jury one dollar and fifty cents ($1.50)
Venditiono exponas issuing writ seventy-five cents ($.75)
The fee for services not herein specifically provided for shall be the same as for similar services

Section 2 All acts and parts of acts general special or local inconsistent with or supplied by the provisions of this act are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1701, as follows:

An Act to amend section two hundred and twenty-two of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing a procedure to provide for the holding of two or more county offices in certain counties by the same person

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two hundred and twenty-two of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 222 Counties of Forty Thousand Inhabitants Created Separate Judicial Districts In each county containing forty thousand inhabitants accepting the provisions of this section or which has heretofore accepted the provisions of the act approved the seventh day of May one thousand nine hundred and twenty-three (Pamphlet Laws one hundred fifty-five) entitled "An act to amend section one of the act approved the twelfth day of June one thousand nine hundred and one (Pamphlet Laws five hundred fifty-nine) entitled 'An act to provide for the election of one person to fill the office of prothonotary one person to fill the office of clerk of the courts of general quarter sessions and oyer and terminer one person to fill the office of register of wills and clerk of the orphans' court and one person to fill the office of recorder of deeds in counties containing forty thousand inhabitants and hereafter created separate judicial districts under the Constitution' Providing that said act shall be in effect only upon the acceptance thereof" and which heretofore have been or hereafter may be created separate and independent judicial districts under section five article five of the Constitution there shall be elected one person to fill the office of prothonotary one person to fill the office of the clerk of the courts of general and quarter sessions and oyer and terminer one person to fill the office of register of wills and clerk of the orphans' court and one person to fill the office of recorder of deeds at the expiration of the terms of the persons then filling and exercising such offices in such counties

Such acceptance of the provisions of this section shall be exercised by a decree of the court of common pleas of the county accepting the provisions thereof upon petition of the commissioners of such county Such petition and decree shall be recorded in the office of the recorder of deeds of the county and in the office of the Secretary of the Commonwealth Any county which now elects the said county officers in accordance with the provisions of this section shall be presumed to have accepted the provisions thereof and in such counties no actual acceptance of the provisions hereof shall be necessary

Any such county which has heretofore accepted or shall hereafter accept the provisions of said section or act which desires to provide for the holding of two or more of said county offices by the same person may at any time hereafter renounce or modify said acceptance in whole or in part and provide for the holding of its county offices or any of them in the manner provided in section two hundred and twenty-one of this act for the class of counties to which it belongs The proceedings to renounce or modify such acceptance and to join its offices or any of them as provided in said section two hundred and twenty-one shall be in all respects as above provided for such acceptance Upon the expiration of the term of any county officer affected by such proceeding his office shall be joined to the other whose term still continues and no successor shall be elected or if the terms

of all officers affected expire at the same time then upon such expiration such offices shall be joined and occupied by one person elected at the preceding municipal election for such purpose

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1809, as follows: .

An Act to amend section forty of the act approved the second day of May one thousand nine hundred and twenty-five (Pamphlet Laws four hundred forty-eight) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as amended changing the number of trout allowed to be caught in one day

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section forty of the act approved the second day of May one thousand nine hundred and twenty-five (Pamphlet Laws four hundred forty-eight) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" which was amended by section three of the act approved the twenty-second day of April one thousand nine hundred and twenty-nine (Pamphlet Laws six hundred twenty-one) is hereby further amended to read as follows

Section 40 Numbers of Fish Which may be Caught No person except as in this article otherwise provided shall in any one day catch kill or have in possession more than the number of fish hereby designated for the respective species that is to say

(a) Charr or trout of the combined species [twenty-five] twenty
(b) White bass rock-bass crappie strawberry or calico bass fifteen
(c) Small or large mouth bass ten
(d) Pike-perch otherwise called wall-eyed pike or Susquehanna salmon ten
(e) Picherel fifteen
(f) Muscallonge western and northern pike three
(g) Yellow perch twenty-five
(h) Sunfish twenty-five
(i) Catfish twenty-five
(j) Suckers twenty-five
(k) Chubs twenty-five
(l) Fallfish twenty-five
(m) Rockfish or striped-bass five
(n) All other species of fish including bait fish not specifically mentioned in this section except eels fifty

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1209 (Senate Bill No. 2), entitled:

An Act relating to the collection of delinquent county taxes in counties of the second class repealing all acts or parts of acts general local or special inconsistent herewith.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

RESOLUTION

RECALLING HOUSE BILL No. 127 FROM THE GOVERNOR

Mr. ROOT asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted:

In the House of Representatives, April 6, 1933.

Resolved (if the Senate concur), That House Bill No. 127, Printer's No. 338, entitled "An act to amend section one thousand two hundred seven of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled 'An act [to amend the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act] relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth' ["] taking out of operation the Fiscal Code questions relating to the lien and payment of liquid fuel taxes and referring such questions to the provisions of the liquid fuels tax acts," be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 629 (Senate Bill No. 139), entitled:

An Act fixing the pay and mileage of jurors and witnesses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 792 (Senate Bill No. 194), entitled:

An Act to amend the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto"; by authorizing counties of the second class to levy and collect tolls on certain county bridges for the purpose of paying off the indebtedness incurred in locating, constructing and purchasing such bridges.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 627 (Senate Bill No. 102), as follows:

An Act authorizing county treasurers to make execute acknowledge and deliver deeds of seated lands sold by them for delinquent taxes under the provisions of an act of Assembly of the Commonwealth of Pennsylvania approved the ninth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand six hundred eighty-four) entitled "An act authorizing and empowering the county treasurers of the several counties of this Commonwealth to sell at public sale all seated lands upon which taxes assessed on such seated lands by authority of any county borough town township school district and poor district are delinquent and remain unpaid and fixing penalties for such delinquency authorizing county commissioners to purchase such lands under certain circumstances" prior to its repeal notwithstanding that said deeds were not made issued aknowledged or delivered and surplus bond not given prior to said repeal and authorizing the making execution acknowledgment and delivery of said deeds by said county treasurers after the expiration of term of office or by their successors in office and confirming the title to lands so sold where the deeds have been made executed and delivered and the surplus bonds filed since the repeal of said act and whether the said deeds were made executed or delivered by the county treasurer who made said sale during the term of his office or after its expiration or by his successor in office

Whereas Under the provisions of the act approved the ninth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand six hundred eighty-four) entitled "An act authorizing and empowering the county treasurers of the several counties of this Commonwealth to sell at public sale all seated lands upon which taxes assessed on such seated lands by authority of any county borough town township school district and poor district are delinquent and remain unpaid and fixing penalties for such delinquency authorizing county commissioners to purchase such lands under certain circumstances" the procedure was prescribed for the taking of the bond of the purhaser at said tax sale after confirmation of said sale by the court where the bid exceeded the taxes and costs and declaring it the duty of the county treasurer to make the purchaser a deed in fee simple for the lands so sold to be duly acknowledged in the court of common pleas and

Whereas By the provisions of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred eighty) the said act approved the ninth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand six hundred eighty-four) was repealed and prior to the repeal thereof the county treasurers of divers counties in the Commonwealth of Pennsylvania had sold seated lands for payment of delinquent taxes under the terms of said act and the purchaser had paid the amount of taxes and costs but said sales owing to exceptions or other reasons not attributable to any fault on the part of the purchaser had not been fully consummated by the execution acknowledgment and delivery of deeds to the purchasers thereof and in certain instances the purchaser had not executed and delivered to the county treasurer the prescribed bond for surplus moneys bid above said taxes and costs and the term of office of some of said county treasurers has expired therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in any and all cases where the county treasurer of any county of this Commonwealth under the provisions of said act of Assembly approved the ninth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand six hundred eighty-four) entitled "An act authorizing and empowering the county treasurers of the several counties of this Commonwealth to sell at public sale all seated lands upon which taxes assessed on such seated lands by authority of any county borough town township school district and poor district are delinquent and remain unpaid and fixing penalties for such delinquency authorizing county commissioners to purchase such lands under certain circumstances" did prior to the repeal thereof expose to public sale and sold any seated lands in this Commonwealth for said delinquent taxes and the purchaser or purchasers paid to the county treasurer the amount of said delinquent taxes and costs for which the same was sold but the county treasurer failed for any reason to make executive acknowledge and deliver to the said purchaser or purchasers a deed for said lands prior to the repeal of said act approved the ninth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand six hundred eighty-four) then and in such case either the county treasurer who made said sale whether remaining in office or after the expiration of the term of his office or the successor in office to said county treasurer may within a period of six months after the approval of this act the said purchaser or purchasers having first executed and delivered a proper bond for said surplus moneys as prescribed by the terms of said act make execute acknowledge and deliver a good and sufficient deed for said lands so sold for delinquent taxes as aforesaid to the said purchaser or purchasers as fully and to all intents and purposes as though said surplus bond had been given and said deed or deeds made executed acknowledged and delivered prior to the repeal of said act

Section 2 In all cases in which the county treasurer of any county within this Commonwealth may have sold seated lands for payment of delinquent taxes under the provisions of the said act approved the ninth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand six hundred eighty-four) and the purchaser or purchasers paid the amount of his her or their bid or the amount of taxes and costs to the said treasurer but said county treasurer failed for any reason to make or execute or acknowledge or deliver a deed to the purchaser or purchasers for said lands prior to the repeal of said act approved the ninth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand six hundred eighty-four) but a deed for said seated lands has since been made executed acknowledged and delivered to the purchaser or purchasers by the county treasurer who held the same whether his term of office had expired or he remained in office at the time of said making executing acknowledging and delivery thereof or the said deed was made executed acknowledged and delivered by his successor in office the purchaser or purchasers where the bid had exceeded the amount of taxes and costs having been made and executed a bond to the treasurer for the surplus money prior to the delivery of said deed then the same shall be fully confirmed and approved and the title of the purchaser or purchasers of said lands as valid to all intents and purposes as though the said deeds had been fully and regularly made executed acknowledged and delivered by the then county treasurer and the surplus bond executed and delivered prior to the repeal of said act approved the ninth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand six hundred eighty-four)

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2102 (Senate Bill No. 721), entitled:

An Act authorizing stock corporations, with certain exceptions, to make provisions for, and to issue, shares of capital stock of any class or classes, or to change shares of authorized or outstanding capital stock of any class into one or more classes, with or without nominal or par value, and with such designations, terms, relative rights, powers, privileges, preferences, limitations, restrictions and qualifications as may be specified; regulating such corporations and the liabilities of their directors; making other provisions relating to the capital and capital stock of such corporations; and repealing all acts or parts of acts inconsistent herewith.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2101 (Senate Bill No. 720), entitled:

An Act to authorize certain corporations organized under the laws of Pennsylvania, including railroad corporations organized under the laws of Pennsylvania and of any other state or states, to increase or decrease the par value of the shares of their capital stock; providing that such change of par value of shares may reduce the aggregate par value of outstanding capital stock, or alter or affect the division of authorized capital stock as between outstanding stock and authorized stock unissued; prescribing the manner in which such change shall be made; and repealing all acts and parts of acts inconsistent herewith.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1490 (Senate Bill No. 460), entitled:

An Act providing for the appointment of township police in townships of the second class; defining their powers and duties; providing for their compensation; requiring the keepers or persons in charge of jails, lockups or station houses to receive persons arrested by such policemen; and prohibiting such policemen from charging or accepting additional compensation.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1640, as follows:

An Act to amend section forty-five of the act approved the fifteenth day of June one thousand nine hundred and twenty-three (Phamplet Laws eight hundred nine) entitled "An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing The Banking Department Act of nineteen hundred and nineteen with table of contents" as amended requiring accounts filed by the Secretary of Banking in the office of the prothonotary to be recorded

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section forty-five of the act approved the fifteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred nine) entitled "An act relating to the organization maintenance and operation of the Department of Banking and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing The Banking Department Act of nineteen hundred and nineteen with table of contents" which amended by section six of the act approved the twenty-eighth day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred ninety-three) is hereby further amended to read as follows

Section 45 Partial or Final Account Objections At the expiration of the time fixed by the notice and advertisement for the presentation of claims prescribed in section forty-one of this act the secretary may file a partial or final account [consisting] in the office of the prothonotary which shall be recorded by the prothonotary and which shall consist of a statement of receipts and expenditures together with a list of the claims which have been allowed and separately a list of the claims which have been objected to or are disputed showing as to all claimants the names addresses and amounts

If no account is filed within a year from the time when the secretary takes possession any party interested may petition the court for an order on the secretary requiring the filing of an account

Any account filed by the secretary shall be duly verified by him under oath or affirmation Upon the filing thereof he shall give written or printed notice to all the depositors and other creditors known to him of such filing and that that unless objections shall be filed within thirty days from the date thereof the same will be confirmed absolutely He shall also at the same time advertise such notice in two newspapers once a week for four successive weeks

During such period of thirty days any depositor other creditor stockholder or anyone having any interest may file in the court objections in writing to said account or to the allowance of any of said claims a copy of which objections shall forthwith be served upon the claimant whose claim is objected to or his counsel and upon the secretary or his counsel or the special deputy appointed by him in such proceeding In the case of the liquidation of building and loan associations wherever in this act the word "creditors" is used it shall mean shareholders and/or creditors and in all other cases the word "creditors" wherever used in this act shall mean depositors and/or creditors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1403, as follows:

An Act authorizing the stay of eviction proceedings under certain circumstances

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever by legal process it becomes the duty of any public officer to evict a person from his or her residence such eviction shall not be proceeded with and no responsibility shall attach to the public officer for not proceeding with the eviction if a judge of the court of common pleas of the county in which the real estate involved in such proceeding is located shall upon petition stay such eviction

Section 2 The order staying the eviction shall limit the stay to not more than five days shall fix a time within such period for a hearing in the matter of which due notice shall be given to the party instituting the proceeding to evict such person or persons as the court shall direct

Section 3 Whenever at such hearing it shall be shown to the satisfaction of the judge that the person or persons about to be evicted is or are destitute because of the impossibility of procuring employment the judge may by further order stay such eviction for such additional period of time as to said judge seems reasonable

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1564, as follows:

An Act to amend Section One of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws eight hundred eighty-three) entitled "An act relating to proceedings where goods or chattels have

been levied upon or seized by the Sheriff and claimed to belong to others than the defendant in the execution or process and relieving the Sheriff from liability therefor" by prescribing the procedure upon Rules for Interpleaders

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws eight hundred eighty-three) entitled "An act relating to proceedings where goods or chattels have been levied upon or seized by the Sheriff and claimed to belong to others than the defendant in the execution or process and relieving the Sheriff from liability therefor" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever tangible goods or chattels have been levied upon or seized by the sheriff of any county under any execution or process except an attachment sur judgment issued out of any court of the Commonwealth and the sheriff has been notified that said goods and chattels or any part of them belong to any person or persons other than the defendant or defendants in said execution or process said sheriff or claimant may enter a rule in the court out of which the senior execution or process issued on the persons making adverse claims thereto to show cause why an issue should not be framed to determine the ownership of said goods and chattels notice of said rule shall be given to the plaintiff and defendant in said execution or process the claimant or sheriff and the person or persons found in possession of the goods and chattels levied upon or seized Such rule shall be returnable not less than one week from the date of entry except as hereinafter provided If both the claimant and the plaintiff fail to file an answer opposing an interpleader on or before the return day of a rule entered by the sheriff the prothonotary or Clerk of the Court shall mark the rule absolute on the docket without a hearing by the court If the plaintiff files an answer opposing an interpleader the claimant or person in possession of the goods or chattels claimed shall reply thereto within ten days after being served with a copy of such answer or the failure by either to reply shall be deemed a release of the sheriff from liability to him for further proceedings under said execution or process against the goods or chattels claimed without prejudice to any action the claimant or person in possession may have against the plaintiff by reason of such proceedings If the claimant or person in possession files an answer opposing an interpleader the failure of the plaintiff to reply thereto within ten days after being served with a copy of such answer shall be deemed an abandonment of said execution or process as respects the goods or chattels claimed In all other cases where an interpleader is opposed the court shall determine on a preliminary hearing on the petition answer and replies and any depositions taken respecting any facts alleged therein whether an interpleader should be denied and the sheriff directed to proceed with said execution or process or to abandon the same as respects the goods or chattels claimed [The hearing on said rule shall be in the nature of a preliminary hearing to determine the right of the sheriff or claimant to have an interpleader If either the plaintiff or claimant fails to show cause why an issue should be framed such failure shall be considered an abandonment of his claim as respects said execution or process on the goods or chattels claimed] If an interpleader is granted on pleadings which are adequate to raise issues to be tried no further pleadings shall be required to frame the interpleader In such case if the claimant fails to file a bond as hereinafter provided he shall not be considered in default in filing a statement of title under any other section of this act and the sheriff may require a certified copy of all the docket entries relative to any petition or rule for an interpleader before proceeding to sell any goods or chattels claimed or to deliver them to the claimant as hereinafter provided If the defendant cannot be found in the county where the goods or chattels are levied upon or seized an interpleader may be granted without prejudice to his rights

If the claimant or his agent enters a rule as aforesaid upon a petition showing a prima facie title and right of possession to the goods or chattels claimed at the time of levy or attachment was made and the source of claimant's title and attaches an inventory of said goods and chattels the court or judge thereof may make said rule absolute forthwith upon condition that the claimant shall file a bond as [hereupon] hereinafter provided without a hearing on said rule In such case the claimant's petition shall be considered a sufficient statement of his title in accord with the provisions of sections ten eleven and twelve hereof and he may rule the plaintiff and other parties defendant in the interpleader to file their affidavits of defense thereto within fifteen days after notice of such rule under penalty of having judgment entered against them for want of same as provided under section ten hereof all the provisions of which shall apply to such proceedings as well as to an issue framed on petition of the sheriff

Section 2 This amendment shall take effect on the first day of July one thousand nine hundred and thirty-three and shall not affect pending rules or interpleaders

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1134 (Senate Bill No. 363), as follows:

An Act to amend sections one two four five six and seven of the act approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws six hundred seventy-eight) entitled "An act to regulate the sale for agricultural purpose of crushed limestone lime gypsum and related products defining said products and prescribing penalties for the violation of this act" extending the provisions of said act so as to regulate the sale of all "liming materials for agricultural purposes" defining said term and giving the Secretary of Agriculture power in certain cases to revoke licenses issued under this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections one two four five six seven of the act approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws six hundred seventy-eight) entitled "An act to regulate the sale for agricultural purpose of crushed limestone lime gypsum and related products defining said products and prescribing penalties for the violation of this act" are hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That [every bag barrel or other package or quantity of any pulverized limestone ground oyster shells artificial carbonate of lime ground lime spraying lime slaked-lime hydrated lime hydrated spraying lime marl gypsum or landplaster] all liming materials for agricultural purposes sold offered or exposed for sale within this Commonwealth [for use as a soil amendment or as an ingredient or reagent in the preparation of any fungicide or insecticide] shall have attached to it or be accompanied in the manner provided in section three hereof by a plainly printed statement giving [the] name and address of the manufacturer or importer and his place of business the brand or trade-name of said material the net weight of the contents of the package when sold in package and a statement declaring with respect to pulverized limestone ground oyster shells and artificial carbonate of lime (a) The degree of fineness of the material in terms of the minimum sievemesh expressed in fractions of an inch through which the coarsest particles of said material can pass and (b) the minimum percentages contained of available oxides of calcium and magnesium respectively combined as carbonates with respect to lime] [ground lime spraying lime slaked-lime hydrated lime hydrated spraying lime and marl the minimum percentages contained of the available oxids of calcium and magnesium respectively and with respect to gypsum or landplaster the minimum percentages contained of available calcium oxide and sulphur trioxide or sulphuric acid (SO_3) respectively which] the following information

(a) The name of the manufacturer or importer and the address of his principal office

(b) The name of the place where manufactured
(c) The brand or trade name of the material
(d) The name of the form of the material
(e) The net weight when the material is sold in packages
(f) The fineness of the material if in a ground or powdered form showing the percentage passing the twenty mesh sieve the sixty mesh sieve and the one hundred mesh sieve
(g) The minimum percent contained of in terms of oxides of calcium and oxides of magnesium
(h) With respect to all burned forms of liming materials including mixtures of burned and unburned liming materials statement of the total maximum percent contained of oxides of calcium and oxides of magnesium which are combined as carbonates The information given in the said statement shall be held to be the guaranty of the manufacturer or importer that the goods to which said statement refers are of the kind and quality or composition and fineness so set forth [The provisions of this act] [shall not however apply to air-slaked lime kiln-slaks gas-house lime or tanners' lime when sold as such]

Section 2 For the purpose of this act [materials named] in the foregoing section are defined as follows

(1) Limestone is the rock commonly known by that name and consisting chiefly of calcium carbonate or of said carbonate with a smaller molecular proportion of magnetism carbonate

(2) Pulverized limestone is limestone reduced by mechanical means to a fine powder

(3) Artificial carbonate of lime is carbonate of lime artificially produced by any method other than the exposure of lime ground lime slaked-lime hydrated lime or spraying lime to the action of the atmosphere

(4) Lime is the product obtained by the complete burning of limestone in a kiln and capable of being reduced by slaking to a fine powder

(5) Ground lime is lime reduced to a fine powder by grinding

(6) Spraying lime is lime of high purity containing not less than ninety-three per centum of calcium oxide and not more than five per centum of magnesium oxide not more than five per centum of carbon dioxide nor more than five per centum of acid insoluble matters iron and aluminum oxids collectively

(7) Slaked-lime is the dry finely divided product obtained by the addition of water to lime

(8) Hydrated lime is slaked-lime prepared by the aid] [of stirring or of stirring grinding and screening machinery and is free from hard lumps

(9) Hydrated spraying lime is dry finely divided hydrated lime of purity not less after taking the water of hydration into account than that herein required in the case of spraying lime and of such fineness that all shall pass a standard sieve of one hundred meshes to the inch

(10) Air-slaked lime is the more or less finely divided product obtained when lime slaked-lime hydrated lime or spraying is exposed for a considerable time to the action of the air

(11) Marl is clay highly charged with carbonate of lime Shell marl is marl in which the carbonate of lime is present chiefly in the form of molluscan shells

(12) Gypsum or land-plaster is the finely divided mineral commonly known by that name and consisting chiefly of calcium sulphate

(13) Kiln-slake is refuse lime mixed with ashes and "core" or imperfectly burned limestone

(14) Gas-house lime is spent lime that has been used as a purifier in the manufacture of illuminating gas

(15) Tanner's lime is spent that has been used in the curing of hides]

expression "liming materials for agricultural purposes" means any substances containing calcium or magnesium or both for use as soil amendments or in soil treatment or as ingredients or reagents in the preparation of any fungicide or insectcide

Section 4 Every manufacturer or importer of [one or more of the materials named in section one of this act for either or both of the purposes therein stated] liming materials for agricultural purposes shall on or before the first day of January of each year or before offering them for sale in this Commonwealth [for either of said purposes] file annually with the Secretary of Agriculture a statement of the names and number of brands of such materials having distinct trade-names that he shall offer for sale [for either or both of said purposes] during the next ensuing calendar year or remainder thereof together with a copy of the statement declaring the composition of these several brands of said materials as required by section one of this act

Section 5 In addition to the statement required by section four of this act every manufacturer or importer of any of the materials [named in] covered by section one of this act shall on or before the first day of January of each year or before offering them for sale within this Commonwealth file annually with the Secretary of Agriculture an affidavit showing as nearly as practicable the weight of each brand of said materials sold by him or if the producer or vendor be a firm or corporation by its managers officers and agents within the Commonwealth [for either or both of the purposes named in section one of this act] during the last preceding year and for each brand so sold he shall pay to the Secretary of Agriculture a license fee according to the weight sold as follows For an amount [exceeding one] [hundred tons but] not exceeding one thousand tons five dollars for an amount exceeding one thousand tons but not exceeding five thousand tons ten dollars and for an amount exceeding five thousand tons twenty dollars and when said fees shall have been paid and the statements required by section four of this act have been filed with the Secretary of Agriculture the party or parties who have made such payment and otherwise complied with the provisions of this act shall be entitled to sell within the Commonwealth the goods specified in said statement and covered by said fees during the year or fraction of a year immediately following said statement If the manufacturer or importer shall not have made during the preceding year any sales within the Commonwealth [for the aforesaid purposes] of the aforesaid material of any brand to be offered for sale during the year for which the fee is to be paid he shall pay for each such brand a fee of five dollars All moneys so received shall be immediately paid by the Secretary of Agriculture into the State Treasury for the use of the Commonwealth

Section 6 Any person or persons selling offering or exposing for sale [for either of the purposes stated in section one of this act] any of the materials [named therein] covered by section one or brand of the same unless accompanied by the statement required by section one of this act or when so accompanied if the said statements shall be false in any particular or without having complied with all the foregoing provisions of this act shall be guilty of a misdemeanor and on conviction shall be sentenced to pay a fine of not less than ten nor more than fifty dollars for the first offense and not less than one hundred dollars for each subsequent offense It shall be the duty of the Secretary of Agriculture to enforce the provisions of this act and all penalties costs and fines recovered shall be paid to him or his duly authorized agent and by him shall be immediately paid into the State Treasury for the use of the Commonwealth The Secretary of Agriculture is hereby authorized to revoke any license where it shall be properly ascertained that the license has wilfully given false information in its statements relative to the kind quality compensation or fineness of the liming materials sold or offered for sale under the provisions of this act

Section 7 The Secretary of Agriculture is hereby empowered to collect samples of the materials [named in] covered by section one of this act either in person or by his duly qualified agent or representative to have them analyzed and [to] shall publish the results for the information of the public and for this purpose the said Secretary of Agriculture such assistants agents experts chemists detectives and counsel as he shall duly authorize shall have full access ingress and egress to and from all places of business quarries kilns factories barns buildings carriages cars and vessels used in the manufacture storage transporation or sale of any of the said materials They shall also have power to open any package or vessel containing or supposed to contain any of the said materials and to take therefrom samples for analysis upon tendering the value of said samples Any manufacturer or producer of any of the materials [named in] covered by section one of this act located in the Commonwealth shall be entitled to have a single sample of any distinct brand for the sale of which he has paid the fee required by section five of this act analyzed by the Department of Agriculture under such regulations as the Secretary of Agriculture may prescribe with respect to the points of composition specified in said section one upon sending sample properly sealed and carriage prepaid together with a fee of five dollars for each such analysis but not more than two brands shall be analyzed under the priviliege conferred by this proviso for one manufacturer or

producer in a single year None of the provisions of this act shall apply to sales of limestone or limestone products or marl when such sales are made at the quarry or pit in bulk and delivered to the wagons of the users who are presumed to be acquainted with the qualities of the local products

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 264, as follows:

An Act permitting licensing regulating and controlling horse racing and betting and wagering on such races creating a State Racing Commission with jurisdiction over the same defining its powers and duties imposing certain license fees and State taxes and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That State Racing Commission A State Racing Commission is hereby created as departmental administrative commission in the Department of Agriculture Said commission shall be subject to and shall have and possess all the powers conferred by the provisions of the Administrative Code of one thousand nine hundred and twenty-nine relating generally to departmental administrative boards and commissions

The commission shall consist of three persons to be appointed by the Governor for terms of four years each and until their sucessors are appointed and qualified Two members shall constitute a quorum to do business No person shall be eligible to the office of commissioner or hold any position under the commission who holds any official relation to any person association or corporation engaged in or conducting racing within the State or who holds stocks or bonds therein or has any pecuniary interest therein

The members of the commission shall appoint and fix the salary of a secretary whose duty it shall be to keep a full and faithful record of its proceedings preserve all books documents and papers intrusted to his care and perform such other duties as the commission may prescribe

The salary of the members of the commission shall be three thousand dollars ($3,000) per annum except the chairman whose salary shall be three thousand six hundred dollars ($3,600) The salary of the secretary and of the inspectors clerks and other employes who shall be appointed in the manner provided by the Administrative Code for the appointment of employes of departmental administrative boards and commissions and the rental of offices and other expenses except the salaries of the commissioners shall not exceed twenty-five thousand dollars ($25,000) per annum

The commission shall meet at such times and places within the State as it may determine

Section 2 Licenses to Conduct Racing Application For License No person association or corporation shall hereafter hold or conduct any meeting whereat horse racing shall be permitted for any stake prize purse or award except such person association or corporation has first been licensed by the State Racing Commission

Any person association or corporation desiring to conduct racing within this Commonwealth during any calendar year shall apply to the State Racing Commission for a license so to do

The application for a license shall be filed with the commission on or before the day fixed by the commission and shall specify the days on which it is desired to conduct racing The application shall be in such form and contain such other information as the commission may require

Section 3 Award of Racing Dates Number of Tracks Limited The State Racing Commission shall as early as practicable each year award all dates for racing but the dates so awarded shall not exceed one hundred days in the aggregate nor more than thirty days in one year to any one person association or corporation nor shall more than two meetings with an aggregate of thirty days be held on any one track

The award of dates made by the commission shall be final The commission shall have power to reject any application for a license for any cause it deems sufficient and its action shall be final The commission may vary the dates for racing requested by any person association or corporation

The commission may subsequent to its award of dates for the year award other dates not conflicting with those already awarded if the dates so awarded do not exceed the aggregate number of days or the number of days for any one track or licensee provided for by this section

The commission shall not issue license for racing on more than five tracks in any one year

Section 4 License Fees Bond Before any license shall issue to any person association or corporation authorizing it to hold and conduct meetings at which racing shall be permitted the commisison shall require the applicant to pay to the State Treasurer through the Department of Revenue a license fee of five thousand dollars ($5,000) for each racing day awarded to such person association or corporation Such person association or corporation shall also before the license issues file with the Department of Revenue a bond to the Commonwealth with corporate surety conditioned for the payment of the taxes imposed by this act and for the faithful compliance with the provisions of this act and the rules regulations and conditions of the commission The amount of such bonds shall be fixed by the Department of Revenue

If by reason of any cause beyond the control of the licensee it shall become impossible for such licensee to hold or conduct racing upon any date for which a license was issued by the commission the licensee shall after approval by the commission be entitled to receive a credit on the taxes payable under the provisions of this act for the amount of license fee paid for such day when no racing was conducted

Section 5 State Tax Report A State tax of five per centum (5%) of the total amount bet or wagered on such races through the use of pari-mutual machines or other devices is hereby imposed upon the person association or corporation licensed to conduct racing shall be liable to pay such taxes

Each licensee shall within ten days after the conclusion of any meeting at which racing was conducted make report to the Department of Revenue on forms supplied by that department showing the daily total amount bet or wagered on such races and such other information as the department may require and shall at the same time pay to the State Treasurer through the Department of Revenue the taxes imposed by this act

Section 6 Adjustment of Taxes Recovery on Bond The said taxes imposed by this act shall be settled resettled and otherwise imposed and adjusted by the Department of Revenue in the same manner and subject to the same penalties interest and right of resettlement review appeal and refund as provided by law in the case of taxes on gross receipts In case of the default in the payment of such taxes interest or penalties in whole or in part recovery may be had for the amount due the Commonwealth on the bond filed with the department

Section 7 General Powers of Commission The State Racing Commission shall have power to prescribe rules regulations and conditions under which all horse races shall be conducted It may make rules and regulations governing restricting or regulating betting on such races and may fix or regulate the rate of charge by the licensee for admission or for the performance of any service including the percentage retained by any licensee for the operation of betting machines or devices or the sale of any article on the premises of the licensee and may regulate the size of the purse prize stake or reward to be offered for the conduct of such races and the profits to be derived by any licensee All contracts and agreements for the payment of money and all salaries fees and compensation paid by any licensee and all proposed extensions additions or improvements to the buildings stables improvements or tracks upon property owned or leased by such licensee shall be subject to the approval of the commission

The commission shall also have power to require that the books and financial or other statements of any licensee shall be kept in such manner as it may require

The commission or the Department of Revenue may at all times visit and investigate the offices tracks and business of each licensee and may place employes experts and accountants at tracks for the purpose of ascertaining that the commission's rules regulations and conditions are being complied with and to ascertain the amount paid in admissions and bet or wagered on pari-mutual machines in order that the full amount of taxes may be received by the Commonewalth and no excessive percentages are retained by any licensee

The commission shall have power to suspend or revoke the license issued to any person association or corporation for any period whatever and for any reason it deems sufficient In any such case the license fees paid to the Commonwealth shall be forfeited by the licensee

Section 8 Betting and Wagering Legalized Betting or wagering upon the result of horse races conducted under the provisions of this act when done within the grounds where and on the day when a horse race is so lawfully conducted is hereby declared lawful if such betting or wagering is done through the use and by means of machines commonly known as pari-mutual machines or other devices approved by the commission and in accordance with rules and regulations and conditions adopted by the commission It shall be lawful for any person association or corporation licensed to conduct racing to operate such pari-mutual machines or other devices and to retain for its own use such amount of the receipts as may be fixed by the rules and regulations of the commission

Section 9 Minors Employment and Attending Races No person under the age of sixteen years shall be permitted to attend any racing meet unless accompanied by his or her parent or guardian No minor under eighteen years of age shall be employed in about or in connection with any establishment at any race track No minor shall knowingly be permitted by any licensee or his or its employes to bet or wager on the result of horse races

Section 10 Penalty Any person association or corporation conducting any meeting or aiding or abetting in the conduct of any meet at which the racing of horses shall be permitted for any stake prize purse or award except in accordance with a license duly issued and unsuspended or unrevoked as provided in this act or who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than five hundred dollars ($500) or more than ten thousand dollars ($10,000) for each day of such unauthorized meeting or to suffer imprisonment not exceeding two years or both

Section 11 County Fairs Nothing contained in this act shall be construed to affect or apply to county fairs and exhibitions conducted by incorporated agricultural associations and societies or to authorize or legalize betting or wagering on races conducted at such fairs

Section 12 Purpose of Revenues The Department of Revenue shall biennially make report to the Legislature showing the total amount of revenue derived from license fees and taxes under the provisions of this act during the preceding biennium in order that the Legislature may take such added revenues into consideration for appropriations to mothers' assistance and hospitals and to lessen the amount needed for appropriation from the General Fund

Section 13 Effective Date This act shall become effective one thousand nine hundred and thirty-three

Section 14 Repeal All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Messrs. PETERS and BALDI. Mr. Speaker, we move that this bill be recommitted to the Committee on Ways and Means for the purpose of a hearing on Tuesday next.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1340, as follows:

An Act to amend clause (d) as amended of section fifty-nine of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred forty-seven) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decendents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recordings and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by providing for the action by the natural guardian or the person by whom the minor is maintained for the minor upon leave of court and without formal appointment in matters relating to real estate in which the share of the minor does not exceed two hundred dollars

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause (d) of section fifty-nine of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred forty-seven) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estates for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" as amended by the act approved the nineteenth day of March one thousand nine hundred and twenty-five (Pamphlet Laws fifty-three) is hereby further amended to read as follows

(d) The orphans' court shall not appoint the father or the mother of a minor as guardian of the estate of said minor Provided That nothing herein contained shall be construed to extend to the case of a testamentary guardian And provided further That where the estate of the minor shall be of the value of two hundred dollars or less the court may in its discretion authorize payment or delivery thereof to the natural guardian of the minor or the person by whom the minor is maintained or to the minor without the appointment of a guardian by the court or the entry of security

And provided further That when the estate of the minor shall consist of an interest in real property to the value of not more than two hundred dollars the orphans' court may authorize the natural guardian of the minor or the person by whom the minor is maintained to act for and in behalf of said minor in the disposition of such real property without formal appointment by the court or the entry of security

And said bill having been read at length the second time and agreed to,

Orederd, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1563, as follows:

An Act to amend section one of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws eight hundred eighty-three) entitled "An act relating to proceedings where goods or chattels have been levied upon or seized by the sheriff and claimed to be long to others than the defendant in the execution or process and relieving the sheriff from liability therefor" by further prescribing procedure upon rules for interpleaders

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws eight hundred eighty-three) entitled "An act relating to proceedings where goods or chattels have been levied upon or seized by the sheriff and claimed to belong to others than the defandant in the execution or process and relieving the sheriff from liability therefor" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever tangible goods or chattels have been levied upon or seized by the sheriff of any county under any execution or process except an attachment sur judgment issued out of any court of this Commonwealth and the sheriff has been notified that said goods and chattels or any part of them belong to any person or persons firm or corporation other than the defendant or defendants in said execution or process the said sheriff shall cause a notice of said claim to be served upon the plaintiff in the execution or his attorney of record and file said notice in the office of the pronthonotary of said court together with proof of service thereof Said notice shall be as follows To Plaintiff in the above execution You are hereby notified that has claimed the goods and chattels named in the schedule hereto attached and unless you file an answer in the form of a demand for an interpleader within fifteen days from service hereof I will abandon said execution or levy upon said goods so claimed

Sheriff And if the said plaintiff or his attorney shall fail or neglect to file an answer in the form of a demand for an interpleader within fifteen days after service of said notice the said sheriff shall abandon said levy on said goods so claimed and if the said plaintiff shall within fifteen days file an answer demanding an interpleader then said sheriff [or claimant may] shall enter a rule as of course in the court of the county in which said goods and chattels so claimed are located [out of which the senior execution or process issued] Said rule shall be on the persons making adverse claims thereto to show cause why an issue should not be [framed] granted to determine the ownership of said goods and chattels notice of said rule shall be given to the plaintiff and defendant in said execution or process the claimant [or sheriff] and the person or persons found in possession of the goods and chattels levied upon or seized said rule shall be returnable not less than one week from the date of entry except as hereinafter provided If both the plaintiff in the execution and the claimant or person or persons found in possession of said goods fail to file an answer opposing an interpleader on or before the return day of the said rule entered by the sheriff the prothonotary shall mark the rule absolute on the docket without a hearing If the plaintiff in the execution files an answer opposing an interpleader the claimant or person or persons in possession of the goods and chattels claimed shall reply thereto within fifteen days after being served with a copy of such answer the failure by either the claimant or person or persons in possession of the goods or chattels claimed to reply shall be deemed an abandonment of said claim and the sheriff shall be released from all liability for further proceedings under said execution or process against the goods and chattels claimed without prejudice to any action the claimant or persons or persons in possession may have against the plaintiff in the execution by reason of such proceeding If the claimant or person or persons in possession files an answer opposing an interpleader the failure of the plaintiff in the execution to reply thereto within fifteen days after being served with a copy of such answer shall be deemed an abandonment of said execution or process as respects the goods and chattels claimed In all cases where an interpleader is opposed and answers and replies filed the matter shall be placed on the earliest argument or motion list and the court or a judge thereof shall hear the parties and if the claimant or person or persons in possession makes out a prima facie case showing a prima facie title and right of possession in said goods and chattels claimed at the time the levy or attachment was made then the court shall make said rule absolute [The bearing on said rule shall be in the nature of a preliminary hearing to determine the right of the sheriff or claimant to have an interpleader If either the plaintiff or claimant fails to show cause why an issue should be framed such failure shall be considered an abandonment of his claim as respects said execution or process on the goods or chattels claimed] If the said rule is made absolute either by the court or as of course the claimant or person or persons in possession of said goods and chattels shall within fifteen days thereafter file a concise statement of claim setting forth a prima facie title and right of possession to the goods and chattels claimed at the time the levy or attachment was made and the source of claimant's title and attach an inventory of the said goods and chattels to said statement and the plaintiff in the execution shall within fifteen days after the service of a copy of said concise statement upon him file an affidavit of defense under penalty of having judgment entered against him for want of same as provided under section ten hereof and the claimant or person or persons in possession shall also file a bond as herein provided If the defendant in the execution cannot be found in the county where the goods and chattels are levied upon or seized an interpleader may be granted without prejudice to his rights

If the claimant or his agent enters a rule as aforesaid upon a petition showing a prima facie title and right of possession to the goods of chattels claimed at the time the levy or attachment was made and the source of claimant's title and attaches and inventory of said goods and chattels the court or judge thereof may make said rule absolute forthwith upon condition that the claimant shall file a bond as [hereupon] hereinafter provided without a hearing on said rule

Section 2 This act shall become effective on the first day of July one thousand nine hundred and thirty-three and shall not affect pending rules or interpleaders

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 571, as follows:

An Act to amend section one hundred and seventy-one of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by decreasing and limiting the compensation of the members of the board of viewers in counties of the fourth fifth and sixth classes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one hundred and seventy-one of the act

approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by section one of the act approved the ninth day of June one thousand nine hundred and thirty-one (Pamphlet Laws four hundred one) is hereby further amended to read as follows

Section 171 Number of Members Qualifications Compensation There is hereby established in each county a board of viewers The board of viewers in counties of the second class shall consist of not less than six nor more than nine members one-third of whom may be learned in the law and members of the bar of the county In each county of the third fourth fifth sixth seventh and eighth classes said board shall consist of not less than three nor more than nine members one-third of whom may be surveyors or members of the bar of the county The judges of the court of common pleas shall in each case determine within the aforesaid limits the total number of members of which the board shall be composed fixing and determining such number as shall be deemed necessary for the proper performance of the duties imposed upon the board The court may also from time to time change the total number of members within the above limits

In counties of the second class each member of the board of viewers shall receive an annual salary of six thousand five hundred dollars ($6,500)

In counties of the third class each member of the board of viewers shall receive the sum of twelve dollars ($12.00) and in counties of the fourth class each member shall receive seven dollars and fifty cents ($7.50) per day for each day actually and necessarily spent by him in the performance of the duties of his office and ten (10) cents per mile for each mile actually and necessarily traveled by him in the performance of the duties of his office [Provided however That the amount so received by any member of the board of viewers in counties of the third class shall not exceed exclusive of traveling expenses the sum of two thousand dollars ($2,000) for any calendar year]

[In counties of the fifth and sixth classes each member of the board of county viewers shall receive the sum of ten dollars ($10.00) per day for each day actually and necessarily spent by him in the performance of the duties of his office and the sum of five (5) cents per mile for each mile actually and necessarily traveled by him in the performance of the duties of his office]

In counties of the fifth sixth seventh and eighth classes each member of the board of viewers shall receive the sum of seven dollars and fifty cents ($7.50) per day for each day actually and necessarily spent by him in the performance of the duties of his office and five (5) cents per mile for each mile actually and necessarily traveled by him in the performance of the duties of his office

All per diem compensation shall be for a full day's work regardless of the number of properties viewed or the number of proceedings heard on such day Where a number of properties are involved in connection with the same public improvement and they can all be viewed in one day compensation for one day only shall be allowed for such view

The compensation of said viewers shall be paid monthly by the respective counties under such conditions as to the verification of the time of employment as may be prescribed by rules and regulations which shall be made by the courts of the respective counties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1233, as follows:

An Act to regulate commerce and prevent unfair competition defining fair prices prescribing remedies to uphold the same and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person copartnership or corporation to sell barter or trade or to offer sell barter or trade or to offer sell barter or trade any commodity or service involving the use of labor or capital at a price that cannot be maintained [over a period of one year by the average person co-partnership or cororation in the same business and yield] without destroying competition and preventing the average person copartnership or corporation from earning a fair profit based on a fair wage and a fair price for materials

Section 2 It shall be unlawful for any person co-partnership or corporation to sell barter or trade or offer for sale barter or trade any commodity or service at a price that is discriminatory and cannot be maintained to all of the purchasers in the same purchasing class

This section shall not be construed to prevent a producer from selling in retail quantities or a wholesaler from selling in retail quantities so long as the retail price level is maintained

Section 3 Retail price shall apply to goods delivered in retail quantities even though they be delivered to the same purchaser Wholesale price shall apply to goods delivered in wholesale quantities Producers price shall apply to goods purchased by a wholesaler at the point of production Any additional service rendered the purchaser at additional cost shall be added to the producers price so that the standard price shall be maintained

Section 4 What constitutes a fair price shall be determined by the court of common pleas of the county wherein the controversy arises The said court shall be and is hereby empowered to issue subpoenas summoning any person corporation or copartnership or the members or officers of any copartnership or corporation to appear before the court and give evidence involving the price regulating factors of the commodity which they sell and shall be and is hereby empowered to issue subpoenas for the production of any records papers or documents of any person copartnership or corporation which the court may consider necessary for the consideration of the case so that it may arrive at a fair and equitable decision both from the standpoint of the seller and the buying public

Section 5 It shall be lawful for any person copartnership or corporation engaged in any business not hereinafter excepted who shall allege that any competing person copartnership or corporation is violating the provisions of sections one and two of this act to proceed by a bill in equity in the court of common pleas wherein the alleged violation occurred and the court shall after hearing the evidence of the people engaged in the same business as herein set forth in section four determine what the fair and equitable price of the commodity or commodities in question shall be

Section 6 The records of the proceedings and the findings of the court in such cases shall be recorded in the office of the prothonotary of the county wherein the case is heard

The bill in equity filed by the complainant shall set forth in clear concise terms the alleged violation or violations

The defendant shall be served with a copy of the bill by the sheriff of the county in the same manner as is now provided for the service of a bill in equity

The defendant shall file an answer to the bill in fifteen days not including the day of service

The court shall designate a day to hear the case with due regards for the rights of all parties is interest

The burden of proof in such cases shall rest on the complainant

The finding of the court shall be binding on all persons engaged in the same business within the jurisdiction of the court until such a time that it shall be proven to the satisfaction of the court that conditions in the industry have changed justifying a change in price

The court shall be and is hereby empowered to appoint a special master in such cases who shall be learned in the law to take testimony and make return to the court of his findings and his recommendations The masters shall act with the same force and authority as the court itself A master so appointed shall be compensated at the rate of twenty-five dollars per day and each fraction thereof and shall be compensated for any legitimate expense incurred by him The compensation shall be taxed as a part of the costs in the case and

shall be paid by the party defendant if he is violating the act and by the complainant if he shall fail to maintain his case

Section 7 The court of common pleas of any county in this Commonwealth sitting in equity may on its own motion institute an investigation into the unfair practices of any business within its jurisdiction and appoint a master as herein set forth to make an investigation and report to the court

Section 8 An appeal from the findings of the common pleas court may be taken to the Superior Court of Pennsylvania whose decision shall be absolute except where a constitutional question is involved or an award of damages made in which cases an appeal may be taken from the Superior to the Supreme Court as now provided by law in such cases

Section 9 Any person copartnership or corporation who or which shall allege that they have been damaged by the violation of the provisions of this act and shall bring suit for the recovery of damages in the common pleas court may recover treble damages such damages collectible in the same manner as is now provided for the collection of damages in actions of trespass

Section 10 This act shall not affect the sale of any goods pursuant to and in accordance with the order of any court having jurisdiction in this Commonwealth or affect any industry subject to regulation by the Public Service Commission or to the sale of goods that are obsolete or antiquated or to goods that are second hand or to goods sold in the legitimate closing out of a business or to the sale of stocks bonds or mortgages or to securities or real estate

Section 11 This act shall not be construed to invalidate any contract entered into before its passage unless such contract shall be determined to be in restraint of trade

Section 12 The provisions of this act are severable and if any provisions is held unconstitutional the decision so holding shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 13 Any person copartnership or corporation who shall fail to maintain the price found to be the fair and equitable price by the court shall be adjudged in contempt of court and upon conviction thereof shall be sentenced to pay a fine of five hundred dollars ($500.00) for the first offense and for each succeeding offense he shall be sentenced to pay a fine of not less than one thousand dollars ($1,000.00) or more than five thousand dollars ($5,000.00) and shall be sentenced to serve not less than one year or more than two years in the county jail or either or both

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. TURNER. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General for the purpose of further study.

On the question,

Will the House agree to the motion?

Mr. HOUGH. Mr. Speaker, I would like to ask the gentlemen the purposes in sending this bill back to the committee. This bill has been in committee since the first month of the meeting of this House.

The SPEAKER. Are the gentleman from Allegheny and the gentleman from Delaware holding a private conversation or are they addressing the House?

Mr. BEECH. Mr. Speaker——

The SPEAKER. The gentleman from Allegheny, Mr. Beech is informed that the gentleman from Allegheny, Mr. Hough, has the floor.

Mr. HOUGH. Mr. Speaker, I will yield to my colleague, Mr. Beech.

Mr. BEECH. Mr. Speaker, I move that the remarks passed between the two gentlemen in front of us be spread on the minutes.

The SPEAKER. Does the gentleman think it would look well in print?

POINT OF ORDER

Mr. HUTTON. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. HUTTON. Mr. Speaker, the gentleman from Delaware was not in his seat at the time.

The SPEAKER. The point of order is well taken.

Mr. TURNER. Being an advocate of open diplomacy secretly arrived at, I am perfectly willing to lay the cards on the table and give the gentleman from Allegheny, Mr. Beech, and Mr. Hutton and anyone else whose ears are open to hear the remarks that passed between us.

I simply remarked to the gentleman from Allegheny, Mr. Hough, that the understanding was that the bill was to be returned to the Committee after the second reading, and on that subject I might say that the gentleman had asked for the bill to be reported out, as he was anxious to serve his constituents and to do everything he could, and I would like to allow him to leave the bill on the calendar, but I cannot break faith with the members of the committee, to whom I put this proposition, therefore I made the motion this morning.

Mr. HOUGH. Mr. Speaker, in view of the fact that such a statement was made by the gentleman from Delaware, Mr. Turner, I feel I will have to acquiesce in his motion. However, it seems that since it has been in committee so long that it simply will die in committee instead of dying on the floor of the House. I will ask the members of the House to get the bill and read what it is, and see if it is not possible to give it some consideration. The day may come when we will all be glad to carry out that bill. I will acquiesce in the motion.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Mr. SCHWARTZ. Mr. Speaker, I note that House Bill No. 1550 appears under my name as sponsor. In looking up the history of the bill, I find I have not sponsored such a bill interfering with Luzerne County. I think that the printer has made a mistake and created a new baby for me in the name of "Schwartz" instead of "Shortz."

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2095 (Senate Bill No. 466), entitled:

An Act to amend sections seven and eight of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1229), entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption; conferring powers and imposing duties on the Secretary of Health, and the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties," by regulating the pasteurization of milk and milk used for certain purposes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2069 (Senate Bill No. 629), entitled:

An Act to prohibit the employment by the Commonwealth and by counties, cities, boroughs, towns, townships, departments, boards, commissions, and by certain corporations, hospitals, homes and institutions, of aliens who entered the United States unlawfully; and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

RECONSIDERATION OF VOTE

Mr. SPANN. Mr. Speaker, I move that the vote by which House Bill No. 2101 (Senate Bill No. 720), Printer's No. 228, entitled

An Act to authorize certain corporations organized under the laws of Pennsylvania including railroad corporations organized under the laws of Pennsylvania and of any other state or states to ncrease or decrease the par value of the shares of their capital stock providing that such change of par value of shares may reduce the aggregate par value of outstanding capital stock or alter or affect the division of authorized stock unissued prescribing the manner in which such change shall be made and repealing all acts and parts of acts inconsistent herewith

on page 20 of today's calendar, was ordered to be transcribed for a third reading be reconsidered.

The motion was agreed to.

Mr. SPANN. Mr. Speaker, I move that the vote by which this bill passed second reading be reconsidered.

The motion was agreed to.

Mr. SPANN. Mr. Speaker, I move that the vote by which the title, sections 6, 5, 4, 3 and 2 were separately read and agreed to be reconsidered.

The motion was agreed to.

The second section was read as follows:

Section 2 Every such change of par value shall be authorized by a vote of a majority of the stockholders of such corporation who are lawfully entitled to vote present in person or by proxy at any annual meeting or any special meeting duly called and any change of par value which shall be accompanied by any such reduction of the aggregate par value of outstanding capital stock or by any such change or alteration of the division of authorized capital stock as between outstanding stock and authorized stock unissued shall be authorized in the same manner and by the same stock vote as may now or may hereafter be prescribed by law for reducing the capital stock of such corporation

On the question

Will the House agree to the section?

Mr. SPANN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amndment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 2, on page 2, by adding the following in line 24, after the word "corporation"; "Provided That no such change or alteration in the value of the aggregate par value of the outstanding stock shall be valid in law unless notices to all persons interested shall be given as now required by law where it is proposed to increase or reduce the capital stock of any corporation."

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third, fourth, fifth and sixth sections and title were separately read and agreed to as follows:

Section 3 In any and every case in which the stockholders of any such corporation shall authorize any such change as aforesaid it shall be the duty of the proper officers of such corporation to file a certificate of that fact in the office of the Secretary of the Commonwealth under the seal of the corporation and thereupon the proper officers of such corporation shall issue to the stockholders the proper number of shares of capital stock of the new par value in exchange for outstanding shares of the former par value upon surrender of such outstanding shares by the respective holders and upon the cancellation thereof

Section 4 The provisions of this act are severable and if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 5 The act approved the sixth day of June one thousand eight hundred and ninety-three (Pamphlet Laws three hundred thirty-one) entitled "An act authorizing railroad companies organized under the laws of Pennsylvania and operating railroad either in whole within or partly within and partly without the State to increase or diminish the par value of the shares of their capital stock" and all other acts or parts of acts inconsistent with this act are hereby repealed

Section 6 This act shall become effective immediately upon its passage by the General Assembly and its approval by the Governor

An Act to authorize certain corporations organized under the laws of Pennsylvania, including railroad corporations organized under the laws of Pennsylvania and of any other state or states, to increase or decrease the par value of the shares of their capital stock; providing that such change of par value of shares may reduce the aggregate par value of outstanding capital stock, or alter or affect the division of authorized capital stock as between outstanding stock and authorized stock unissued; prescribing the manner in which such change shall be made; and repealing all acts and parts of acts inconsistent herewith.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

RECONSIDERATION OF VOTE

Mr. SPANN. Mr. Speaker, I move that the vote by which House Bill No. 2102 (Senate Bill No. 721), Printer's No. 229, entitled

An Act authorizing stock corporations with certain exceptions to make provisions for and to issue shares of capital stock of any class or classes or to change shares of authorized or outstanding capital stock of any class into one or more classes with or without nominal or par value and with such designations terms relative rights powers privileges preferences limitations restrictions and qualifications as may be specified regulating such corporations and the liabilities of their directors making other provisions relating to the capital and capital stock of such corporations and repealing all acts or parts of acts inconsistent herewith

was ordered to be transcribed for a third reading be reconsidered.

The motion was agreed to.

Mr. SPANN. Mr. Speaker, I move that the vote by which this bill passed second reading be reconsidered.

The motion was agreed to.

Mr. SPANN. Mr. Speaker, I move that the vote by which the title, Sections 16, 15, 14, 13, 12, 11, 10, 9, 8, 7, 6, 5, 4, 3 and Section 2 were separately read and agreed to be reconsidered.

The motion was agreed to.

The second section was read as follows:

Section 2 Any such corporation heretofore or hereafter created by incorporation reorganization or consolidation having a capital stock consisting of shares either with or without nominal or par value or both may at any time authorize and issue capital stock of any class or kind with or without nominal or par value or change or convert any or all of the shares of its authorized or outstanding capital stock into one or more classes and kinds either with or without nominal or par value with such designations terms relative rights privileges limitations preferences and voting powers or prohibitions restrictions or qualifications of the voting and other rights and powers as may be specified as to the shares of any given class or kind in the same manner and by the same stock vote as may now or may hereafter be prescribed by law for increasing the capital stock of such corporation Provided however That in any case where shares without nominal or par value shall be provided for a stated capital shall be fixed the amount of which shall be set forth in such proceedings which stated capital shall be governed by and be subject to the provisions of this act Such proceedings may as an incident to such change or conversion increase or decrease the capital stock which such corporation is authorized to issue or the aggregate par value of or stated capital applicable to its outstanding shares of stock may alter or adjust the division of its authorized capital stock as between outstanding stock and authorized stock unissued or make any similar adjustment of the capital structure or share structure of such corporation

On the question,

Will the House agree to the section?

Mr. SPANN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 2, on page 4, by adding the following in line 12, after the word "corporation": "Provided That no such change or alteration in the value of the aggregate par value of the outstanding stock shall be valid in law unless notices to all persons interested shall be given as now required by law where it is proposed to increase or reduce the capital stock of any corporation."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third to the sixteenth sections inclusive and title were separately read and agreed to as follows:

Section 3 No corporation authorized to issue shares of stock without nominal or par value in pursuance of the provisions of the first section of this act shall begin to carry on business or shall incur any indebtedness until the amount of its capital stated in pursuance of said section shall have been fully paid in cash or in property taken at its actual value.

Section 4 For the purposes of this act the "stated capital" of a corporation issuing shares without nominal or par value shall be the capital with which the corporation will begin business as stated in the certificate of incorporation or reorganization or the joint agreement of merger of consolidation or the amount fixed and set forth as "stated capital" in the proceedings referred to in the second section of this act plus any net additions thereto or minus any net deductions therefrom Provided That "stated capital" shall not include any net profits or surplus earnings so long and during such period as the same may be paid out in the form of dividends under the provisions of section nine of this act And provided further That "stated capital" shall not be larger in amount than the excess as shown by the books of the corporation of its assets over and above its liabilities other than liabilities on account of shares of stock issued or to be issued by such corporation In the case of a corporation having outstanding shares with a nominal or par value as well as shares without a nominal or par value for the purpose of this act the portion of "stated capital" applicable to the shares without a nominal or par value shall be the excess of "stated capital" over and above the total par value of outstanding shares having a nominal or pa value

Section 5 Preferences rights limitations privileges and restrictions authorized by the Constitution and laws of this Commonwealth may be stated in dollars or cents per share in respect to shares of stock without nominal or par value issued in pursuance of the provisions of this act

Section 6 Any such corporation may issue and may dispose of its authorized shares having no nominal or par value from time to time for such consideration as may be prescribed in the certificate of incorporation or reorganization or the joint agreement of merger or consolidation or the proceedings referred to in the second section of this act or determined by the stockholders at any annual or special meeting duly called and held for that purpose or determined by the board of directors acting under authority conferred by the stockholders or by the certificate of incorporation or reorganization by the joint agreement of merger or consolidation or by the proceedings referred to in the second section of this act

Section 7 Any and all shares without nominal or par value issued for the consideration prescribed or fixed in accordance with the provisions of section six hereof shall be deemed fully paid and nonassessable and the holder of such shares shall not be liable thereon to the corporation or to its creditors except for the liability of stockholders in their individual capacity now imposed by law for work or labor done to carry on the operations of the corporation or for debts due laborers mechanics and clerks.

Section 8 Every certificate for shares of stock without any nominal or par value shall have plainly stated upon its face the number of shares which it represents and no certificate shall express any par value for such shares or any rate of dividend to which it shall be entitled in terms of percentage of any par or other value

Section 9 No corporation having shares without nominal or par value issued under the provisions of this act shall declare or pay any dividend out of capital or out of anything except net profits or surplus earnings In case any such dividend shall be declared or paid other than from net profits or surplus earnings the directors in whose administration the same shall have been declared or paid except those who may have caused their dissent therefrom to be entered upon the minutes of such directors' meetings at the time or who being absent therefrom when such action was taken shall have filed their objections with the secretary of the corporation upon learning of such action shall be liable jointly and severally to such corporation and to the creditors thereof to the full amount of any loss sustained by such corporation or by its creditors by reason of such dividend.

Section 10 Any corporation authorized to have shares without any nominal or par value under the provisions of this act or of any prior act or acts may increase or reduce the number of shares which it may issue or the "stated capital" applicable thereto may alter or adjust the division of its authorized capital stock as between outstanding stock and authorized stock unissued and may make any similar adjustment of its capital structure or share structure in the manner and by the same stock vote as may now or may hereafter be prescribed by law for increasing the capital stock of such corporation

Section 11 Except as to any preferences rights limitations privileges and restrictions lawfully granted or imposed with respect to any stock or class thereof shares of stock without nominal or par value shall be deemed to be an aliquot part of the aggregate capital of the corporation issuing the same and equal to every other share of stock of the same class

Section 12 For the purpose of computing any tax or taxes the determination of which is based on the par value of shares of stock and not on the number of shares or the actual or ascertained value thereof and for the purpose of determining the amount of the liability of stockholders in their individual capacity for work or labor done to carry on the operations of a corporation or for debts due laborers mechanics and clerks each share of stock without any nominal or par value issued under the provisions of this act shall be considered the equivalent of a share having a nominal or par value of an amount equal to the "stated capital" applicable to such share

Nothing in this act contained shall be construed as excepting or relieving any such corporation from any requirement of law as to the payment of bonus but bonus shall be imposed computed collected and paid at the rate and in the manner now or hereafter provided by law

For the purpose of any certificate of notification report return or similar instrument wherein the amount or par value of stock or capital or capital stock paid in outstanding or retired is required to be stated in the case of shares without nominal or par value and with respect to such shares the amount or par value thereof outstanding or paid in prior to the date of such certificate report return or similar instrument shall be considered as the amount of "stated capital" in excess of the total par value of outstanding shares having a par value if any and the amount or par value thereof retired shall be considered as the amount of decrease if any of "stated capital" due to such retirement In the case of shares without nominal or par value presently to be issued in lieu of stating the amount or par value thereof in any such certificate report return or similar instrument an accurate and detailed description of the consideration received or to be received therefor or of the assets received or to be received for which the proceeds from the disposition of the said shares are to be used to pay or reimburse the treasury of the company and the net changes if any in the corporation's "stated capital" due to the receipt of such consideration shall be stated In the case of shares without nominal or par value authorized but unissued and not presently to be issued it shall not be necessary in such certificate report return or similar instrument to show the amount or par value thereof and only the number thereof need be stated

For the purpose of any stautory provisions limiting the amount of capital stock which a corporation may have or the relation between indebtedness and capital stock or prescribing the portion or amount or par value of stock or capital which must be paid in cash or otherwise whether at the time of formation before commencing to do business or from time to time subsequent thereto the "stated capital" of a corporation having shares without nominal or par value shall be deemed to be its capital stock or the amount thereof

Nothing in this act contained shall be construed as excepting or relieving a corporation from any requirement of law as to the amount in dollars of paid in capital in cash or otherwise which it must have at any time

In any investigation or proceeding by the Commonwealth of Pennsylvania or any agency thereof to determine the value of the property assets or capital stock of a corporation having shares without nominal or par value under the provisions of this act neither the stated capital of such corporation nor the number of shares of its outstanding stock without nominal or par value shall be controlling but the same may be disregarded or considered only to such extent as the Commonwealth or its agency shall deem necessary or proper for the purpose of such investigation or proceeding

Section 13 Except as otherwise provided by this act corporations issuing shares without any nominal or par value under the provisions hereof shall be and remain subject to the laws of this Commonwealth now or hereafter in force relating to the formation regulation reorganization consolidation or merger rights powers and privileges of such corporations and all other laws applicable thereto

Section 14 The act approved the twelfth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred fourteen) entitled "An act authorizing stock corporations other than building and loan associations and corporations authorized by law to transact a banking or insurance business to make provision upon formation reorganization merger or consolidation for the issue of either or both preferred or common shares without nominal or par value regulating the same and such corporations and prescribing the method of determining the number of shares and capital of corporations issuing shares in such manner" and sections one and two of the act approved the twenty-first day of May one thousand nine hundred and twenty-three (Pamphlet Laws two hundred eighty-eight) entitled "An act authorizing certain corporations to authorize create and issue capital stock of any class or kind without nominal or par value and to change or convert their authorized or outstanding capital stock of any class or kind into shares of any class or kind either with or without nominal or par value and validating the creations and issues of stock heretofore made by corporations in accordance with the provisions hereof" and all other acts or parts of acts inconsistent with this act are hereby repealed

Section 15 The provisions of this act are severable and if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 16 This act shall become effective immediately upon its passage by the General Assembly and approval by the Governor

An Act authorizing stock corporations with certain exceptions, to make provisions for, and to issue, shares of capital stock of any class or classes, or to change shares of authorized or outstanding capital stock of any class into one or more classes, with or without nominal or par value, and with such designations, terms, relative rights, powers, privileges, preferences, limitations, restrictions and qualifications as may be specified; regulating such corporations and the liabilities of their directors; making other provisions relating to the capital stock of such corporations; and repealing all acts or parts of acts inconsistent herewith.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 374.

An Act to authorize the purchase by the Commonwealth of historical works relative to the services of Pennsylvania volunteers.

HOUSE BILL No. 1500.

An Act for the development and use of unredeemed seated and unseated lands purchased by county commissioners at tax sales providing for the holding and permanent retention of such lands by the county for forest or recreational uses beneficial to the local community or for their transfer to the State under suitable restrictions for similar uses subject to certain annual charges providing for the use of revenues derived from such lands providing a procedure for the discharge of liens of record against such lands by sale after notice to owners and lien creditors providing for the sale by counties of such lands as are retained by the county providing for the appointment by local State forest advisory councils and conferring powers upon the Department of Forests and Waters and the Board of Game Commissioners with respect to the acquisition and exchange of such lands their proper organization and development and the acceptance of gifts of lands.

HOUSE BILL No. 300.

An Act to amend section two of the act approved the thirteenth day of March one thousand eight hundred and fifteen (Pamphlet Laws one hundred seventy-seven) entitled "An act to amend the act entitled 'An act directing the mode of selling unseated lands for taxes and for other purposes'" authorizing and directing county treasurers to execute deeds for unseated lands sold by their predecessors in office and validating deeds heretofore so executed

HOUSE BILL No. 747.

An Act to amend section five hundred and three of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and liens of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds

of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as amended providing for appeals from refusals of the Board of Finance and Revenue to allow refunds.

HOUSE BILL No. 256.

An Act to validate acts done by corporations before the recording of their charters.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

BILL RECOMMITTED

Mr. SIMON. Mr. Speaker, I move that House Bill No. 1457 (Senate Bill No. 397), Printer's No. 331, entitled

An Act amending the act approved the tenth day of July one thousand nine hundred and one (Pamphlet Laws six hundred fifty-one) entitled "An act making it a misdemeanor for any person connected with any line of telegraph or telephone within this State to use or cause to be used or make known or cause to be made known or in any manner divulge the contents of any telegraphic or telephonic dispatch and prescribing the punishtment therefor" by adding thereto Section 3 making it a misdemeanor for any person except employes and agents of telegraph or telephone companies and certain public officers and agents to remove injure or destroy any telegraph or telephone line property appurtenant thereto or to cut or tap any telegraph or telephone line or to take or make use of or disclose any message passing over such lines or to prevent or delay the sending or delivery of any message over any telegraph or telephone line or to use any apparatus so as to do permit or cause to be done any of the said acts or to aid or conspire so to do prescribing the punishment therefor

be recommitted to the Committee on Public Utilities for the purpose of further study.

The motion was agreed to.

LEAVE OF ABSENCE

Mr. BECHTEL asked and obtained leave of absence for Mr. Scott for today.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1106, as follows:

An Act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock and defining the limitations powers and duties of such associations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That cooperative agricultural credit associations having capital stock may be formed under the provisions of this act by any number of persons not less than five all of whom are members of associations organized under the provisions of the act approved the twelfth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred sixty-five) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising beekeeping and horticulture" as amended and the act approved the thirtieth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred eighty-five) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising floriculture mushroom growing beekeeping horticulture and other allied occupations and providing penalties" as amended

Section 2 (a) Associations incorporated under the provisions of this act are empowered to act as an agency to enable associations and members and stockholders thereof which associations are members or stockholders of such associations to obtain loans from the Federal Intermediate Credit Banks under and pursuant to an Act of Congress approved the fourth day of March one thousand nine hundred and twenty-three same being Chapter eight of Title twelve of the Code of Laws of the United States as adopted by Congress the thirtieth dav of June one thousand nine hundred and twenty-six and amendments thereto and from the Reconstruction Finance Corporation created by an Act of Congress approved the twenty-second day of January one thousand nine hundred and thirty-two and known as the "Reconstruction Finance Corporation Act" and the amendments extensions and supplements thereto

(b) Associations incorporated under the provisions of this act are empowered to make loans to members of stockholders of an agricultural cooperative association which is the owner in whole or in part of the stock of the association and no loans shall be made except to such person or to such agricultural cooperative association No loan shall be made for more than three years nor for other than agricultural dairy poultry or horticultural purposes of the borrower and in all cases there shall be a written statement by the borrower in the note collateral agreement if any or signed application for the loan to the effect that the loan will be used only for such purposes and such statement shall be relied upon by the association An association organized under this act may discount or pledge such notes with a Federal Intermediate Credit Bank and/or with the reconstruction Finance Corporation with its guaranty or endorsement An association may invest its capital funds in bonds or obligations of the United States of the Commonwealth of Pennsylvania of any municipality therein or in Federal Intermediate Credit Bank and Reconstruction Finance Corporation obligations and may deposit or hypothecate such securities with a Federal Intermediate Credit Bank or the Reconstruction Finance Corporation as security for notes discounted by either

Section 3 The articles of association of an intended association must be subscribed by five or more persons three of whom must be citizens of this Commonwealth and shall set forth

I The name of the association which shall include the words "cooperative credit"

II The class of services to be performed by the association which services shall be one or more of those enumerated in section two of this act

III The principal place where its business is to be transacted which shall be within this Commonwealth

IV The term for which it is to exist

V The amount of its capital stock and the number and par value of shares into which it is divided the names and post-office addresses of the subscribers the number of shares subscribed by each and the amount of capital actually paid into the treasury which shall not be less than ten per centum of the capital stock

VI The number of its directors for the first year not less than five the names and residences of those who are chosen for directors for the first year and the name and residence of the treasurer

Section 4 Notice of the intention to apply for any such charter shall be inserted in one newspaper of general circulation

and the legal newspaper if any defined by the Newspaper Advertising Act of May sixteenth one thousand nine hundred and twenty-nine (Pamphlet Laws page one thousand seven hundred eighty-four) printed in the county where the principal place of business is situated for one insertion setting forth briefly the character and purpose of said corporation and the kind of service to be performed by it such advertisement shall be at least three days before the application is laid before the Governor

The articles of association shall be acknowledged by not less than five of the subscribers thereto before any officer authorized to take acknowledgments and administer oaths and affirmations in this Commonwealth and they shall also make and subscribe an oath or affirmation before said officer that the statements contained therein are true

Said articles of association accompanied with proof of publication of the notice as defined by the Newspaper Advertising Act of May sixteenth one thousand nine hundred and twenty-nine (Pamphlet Laws page one thousand seven hundred eighty-four) hereinbefore provided to be given shall then be presented to the Governor of this Commonwealth who shall examine the same and if he finds it in proper form and within the purpose mentioned in this act he shall indorse his approval thereon and direct letters patent to issue in form similar to those issued to corporations of the second class in this Commonwealth which letters patent shall incorporate the subscribers and their associates and successors into a body politic and corporate in deed and in law by the name chosen Said articles of association shall be recorded in the office of the Secretary of the Commonwealth in a book to be by him kept for the purpose

The original articles of association together with all indorsements shall be recorded in the office of the recorder of deeds in and for the county where the principal place of business is situate From thenceforth the subscribers thereto their associates and successors shall be a body politic and corporate for the purposes and upon the terms named in the said article of association Certified copies of the records thereof shall be competent evidence for all purposes in the courts of this Commonwealth

Section 5 Each association so formed under the provisions of this act and when so formed by virtue of its existence as such shall have the following powers

1 To have succession for the period limited in its articles of association and when no period is limited thereby to exist perpetually subject to the power of the General Assembly under the Constitution of the Commonwealth and unless sooner dissolved by operation of law or under the provisions of this act

2 To maintain and defend judicial proceedings by the name specified in the articles of association

3 To adopt and use a common seal and alter the same at pleasure

4 To hold purchase and transfer such real and personal property as the purposes of the corporation require

5 To elect a board of directors which shall have power to appoint a president vice-president secretary treasurer and other officers agents and employes which may be deemed necessary to prescribe their duties to require bonds of them and to dismiss them and any of them in accordance with the by-laws of said association

6 To make by-laws not inconsistent with the law for the management of its property the regulation of its affairs and the conduct and management of the association

7 To perform for stockholders and members and stockholders of such stockholders the service described in the articles of association and authorized by this act

8 To make contracts necessary in the conduct of its operation and the transaction of its affairs

9 To borrow money necessary to the conduct of its operations and to issue notes bonds and other evidences of indebtedness therefor and to give security in the form of mortgage or otherwise for the payment thereof

10 To cooperate with any other such association or corporation whether formed under this act or otherwise for the purpose of promoting the objects for which it was incorporated or to objects for which any other similar association was formed Any such association may upon resolution adopted by its board of directors enter into all necessary and proper contracts and agreements and make all necessary and proper stipulations agreements contracts and arrangements with any other cooperative corporation association or associations formed under the provisions of this act or otherwise for the cooperative and more economical carrying on of its business or any part or parts thereof or any two or more cooperative associations formed under the provisions of this act or otherwise may upon resolutions adopted by their respective boards of directors for the purpose of more economically carrying on their respective businesses by agreement between them unite in employing and using or several such associations may separately employ and use the same methods means and agencies which agencies may be another such association or associations for carrying on and conducting their respective business

11 To exercise such incidental powers as may be necessary in the conduct of its operations

12 To issue and sell its preferred and common stock

Section 6 Any association may issue and sell its preferred stock to any person copartnership association or corporation and it may be redeemable or retirable by the association on such terms and conditions as may be provided for in its articles under the provisions of the act approved the twelfth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred sixty-six) entitled "An act to provide for the incorportion and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising beekeeping and horticulture" and its amendments or oranized and existing under the provisions of the act approved the thirtieth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred eighty-five) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising floriculture mushroom growing beekeeping horticulture and other allied occupations and providing penalties" and its amendments Dividends on preferred stock shall be not greater than six per centum per annum and shall be cumulative

At any time as specified in the by-laws except when its capital is impaired thereby and the debts of the association exceed fifty per centum of the assets thereof the association may purchase its preferred stock at the book value thereof as conclusively determined by its board of directors and pay for the same in cash within one year thereafter Preferred stock shall be non-voting

Section 7 An association organized under the provisions of this act may purchase stock or property or any interest in any property of any person copartnership association or corporation and may discharge the obligations so incurred wholly or in part by exchanging for the acquired interest shares of its preferred stock to an amount which at par value would equal the fair market value of the stock or interest so purchased as determined by the board of directors

Such association shall have the right to hold own and exercise all rights of ownership in and to sell transfer or pledge shares of capital stock or bonds of any corporation engaged in any related activity to the purposes and operations of said association including but not thereby limiting such powers the warehousing handling or marketing in whole or in part of any of the products handled by the corporation

Section 8 Within thirty days after the recording of the articles of association in the office of the recorder of deeds as described in section four of this act and the publication of a notice one time in a newspaper of general circulation and the legal newspaper if any briefly reciting the matters set forth in the articles of incorporation and the volume and page where the same is recorded in the Recorder's Office and after Proof of Publication of said notice has been noted on the margin of record in the Recorder's Office a call signed by not less than a majority of the directors shall be issued for a meeting of the common stockholders At such meeting or any adjourned session or sessions thereof by-laws regulating and conducting the management of the association shall be adopted Such by-laws shall within the limits of this act prescribe

1 The time place and manner of calling and holding meetings

2 The number of directors the time and manner of their election and their powers and duties and the number not less than a majority necessary to the exercise of their powers and the method of fixing their compensation if any

3 The officers their terms of office the time and manner of their appointment and removal their powers and duties and the method of fixing their compensation if any

4 Regulations governing the sale transfer and redemption of common stock

5 Any other provisions proper and necessary to carry out the purposes for which the association was formed

6 Such by-laws shall provide the method or methods by which the by-laws may from time to time be amended Provided however That notice of all proposed amendments shall be given to each stockholder in writing at least twenty days before action shall be taken on the contemplated change

Section 9 The board of directors of each association shall consist of not less than five members The directors shall be members or stockholders of one or more of the cooperative associations which own the common stock At the first regular meeting of the association a quorum as specified by the by-laws being present the common stockholders shall elect directors Cooperative associations owning stock may vote such stock at corporate meetings of associations organized under the provisions of this act by proxy Directors shall hold office until their successors have been elected and qualified and until their successors shall enter upon the discharge of their duties Vacancies shall be filled for the unexpired terms by the board of directors at any regular meeting or at any special meeting called for the purpose The board of directors shall manage the affairs of the association and shall perform such other duties as may be specifically imposed upon the board by this act The board of directors shall be a continuing body the term of one-third or as near as may be of whom shall expire each year and the by-laws of the association shall so regulate the terms of directors including the terms of additional directors that may be authorized from time to time as to make effective this principle

Section 10 Any director of the association may for cause at any regular meeting or any special meeting called for the purpose be removed from office by vote of not less than two-thirds of the stock voted Ten days' written notice of the time place and object of any such meeting shall be given in the manner prescribed in the by-laws to all the common stockholders and to the directors against whom charges are to be presented Such directors shall at the same time be informed of the nature of the charges to be preferred against them and at such meeting shall have an opportunity to be heard in person or by counsel and by witnesses in regard thereto

Section 11 The officers of every association shall include a president vice-president secretary and treasurer who shall be appointed annually by the board of directors The president and vice-presdent shall be appointed from among the directors The secretary and treasurer may be non-stockholders The office of secretary and treasurer may be combined and one individual appointed thereto Vacancies in said offices shall be filled for the unexpired term by the board of directors in the manner provided for the original appointment of officers Such officers shall hold their offices until their successors are appointed and qualified and shall have entered upon the discharge of their duties The board of directors shall require the treasurer and may require such other officers agents and employes charged by the association with responsibility for the custody of funds or property to give bond with sufficient surety for the faithful performance of their duties as such the premium on such bond to be paid by the association

Section 12 At the close of each fiscal year a complete audit of the operations of the association shall be made by a qualified accountant or accountants employed by the board of directors the written report of whom shall include statements of services rendered by the association the balance sheet the receipts and disbursements and the assets and liabilities the total number of stockholders and other proper information and shall be submitted to the members at the next regular meeting Within three months after the expiration of the fiscal year for which made the secretary of said association shall file one copy of said report of the audit with the Secretary of Agriculture of this Commonwealth and one copy with the Dean of the School of Agriculture of the Pennsylvania State College No person shall without consent of the association except in obedience to judicial process make or permit any disclosure whereby any information contained in said report may be identified as having been furnished by said association Abstract summaries under regulations of the Secretary of Agriculture of this Commonwealth of the report and the annual audit of said association shall be made immediately upon the completion of the audit in one newspaper of general circulation as defined by the Newspaper Advertising Act of May sixteenth one thousand nine hundred and twenty-nine (Pamphlet Laws page one thousand seven hundred eighty-four) and the legal newspaper if any of the proper county defined by said Newspaper Act at least one time and Proof of Publication as defined by the Newspaper Advertising Act aforesaid of such notice shall be immediately forwarded with the report of the audit to the Secretary of the Commonwealth

Section 13 The articles of association may be amended pursuant to an affirmative vote of two-thirds of all the common stock voted at any regular meeting or at a special meeting called for the purpose due notice of the time place and object of which regular or special meeting shall have been given as prescribed in the by-laws A copy of such amendment signed and acknowledged by not less than three of the directors shall be presented to the Governor of the State of Pennsylvania who shall examine the same and if he finds it in proper form he shall indorse his approval thereon Said amendment shall then be recorded in the office of the Secretary of the Commonwealth in a book to be by him kept for the purpose The said amendment together with the indorsements thereon shall then be recorded in the office for the recording of deeds in the county where the principal place of business is situate

Section 14 Any association may cease to do business and be dissolved in the same manner as corporations are dissolved under the general corporation laws of the Commonwealth

Section 15 No association organized under the provisions of this act shall be liable for the payment of any State tax upon its capital stock or upon any scrip bonds certificates or other evidences of indebtedness issued by such corporation and all stocks bonds et cetera issued by such associations shall be exempt from all State taxation and such associations shall not be required to file with the Auditor General of this Commonwealth the reports relative to such taxes as are or may be by law required of corporations not exempt from the payment of such taxes

Section 16 If any clause sentence paragraph or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid such judgment shall not affect impair or invalidate the remainder thereof but shall be confined in its operation to the clause sentence paragraph or part thereof directly involved in the controversy in which said judgment shall have been rendered

Section 17 All acts or parts of acts inconsistent herewith are hereby repealed

Section 18 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—183

Andrews,	Green,	McGinnis,	Shettel,
Baker,	Greenstein,	McGrail,	Shortz,
Baldi,	Griffith,	McGregor,	Shreiner,
Barnhardt,	Habbyshaw,	McHenry,	Shugarts,
Bechtel,	Haines,	McKay,	Simon,
Beech,	Hamilton,	McKinney,	Sinwell,
Bennett,	Harmuth,	Melchiorre,	Sowers,
Bernhard,	Harris,	Merrell,	Spann,
Blumberg,	Hart,	Metzler,	Stank,
Boyd,	Heffernan,	Mohn,	Steedle,
Brancato,	Hefferon,	Moore,	Sterling, R. B.,
Brown, J. E.,	Heffner,	Mumford,	Stevens,
Brown, W. L.,	Hester,	Munley,	Stiteler,
Brownfield,	Hewitt,	Myers,	Stone,
Cannon,	Hoffman,	Negley,	Storb,
Caputo,	Holmes, J. L.,	O'Connor,	Stott,
Carey,	Hoopes,	O'Keefe,	Surface,
Carson,	Horst,	O'Neill,	Tahl,
Chervenak,	Hough,	O'Rourke,	Turner,
Cohen,	Howard,	Patterson,	Wade,
Conner,	Hutton,	Peelor,	Wagner,
Cooke,	Jaffe,	Pennock,	Walker, G. E.,
Cordier,	Jones,	Perry, D. R.,	Walker, W. A.,
Craig,	Kane, J. J.,	Peters,	Wall,
Cramer,	Kane, L. P.,	Powell,	Wasserman,
Dane,	King,	Price,	Way,
DeFrehn,	Kinney,	Raub,	Weidemann,
Denning,	Lane,	Rectenwald,	Welsh,
Downey, G. E.,	Laubach,	Reed,	Westrick,

Duffy,	Lenahan,	Reilly,	White,
Dunmire,	Lewis,	Rice,	Wike,
Dwyer,	Long,	Roan,	Williams, G. W.
Ederer,	Lord,	Root,	Williams, J. J.,
Emhardt,	Lose,	Roth,	Wilson, L. M.,
Eroe,	Lovett, J. E.,	Ruby,	Wilson, T. B.,
Evans,	Lynch, J. R.	Ruth,	Witkin,
Fitzgerald,	Lynch, M.,	Sarig,	Wood,
Flanagan,	Malina,	Sautter,	Woodside,
Fleisher,	Maloney,	Schrock,	Wright,
Flinchbaugh	Marcks,	Schrope,	Yeakel,
Flynn,	Mason,	Schwab,	Yourishin,
Forrest,	McBride,	Schwartz,	Zimmerman,
Furman,	McCandless,	Scorza,	Talbot,
Gallagher,	McClure,	Sheffer,	Speaker.
Gillette,	McCreary,	Shellenberger,	
Gorman,	McElwee,	Shenkel,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. His Excellency the Governor, has made arrangements for a meeting in Washington with the R. F. C., which necessitates the Speaker leaving this body today. Under the rules he can appoint a speaker to finish the day.

The Chair before leaving the rostrum desires to announce to the members that it is the hope of the Chair that while we take a recess to give time for lunch, we may clear the calendar before we leave this week.

The Chair is appointing as the Speaker pro tem the gentleman from Franklin, Mr. Hutton, and asks him to approach the rostrum and preside over the deliberations of the body.

The Speaker before leaving the chair has one announcement to make. It is unfortunate that the Chairman of the Law and Order Committee, the gentleman from Armstrong Mr. Himes, is ill. The gentleman from Allegheny, Mr. Steedle, has arranged for a meeting of that committee immediately after the morning session, and the Chair believes that an announcement should be made to that effect. The Chair only makes the announcement because the Chairman of that committee is ill and the gentleman from Allegheny, Mr. Steedle, is the ranking officer of the Law and Order Committee.

The Chair turns the gavel over to Mr. Hutton.

(MR. HUTTON IN THE CHAIR)

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1655, entitled:

An Act to amend the act approved the eleventh day of May, one thousand nine hundred and twenty-one (Pamphlet Laws five hundred twenty-two), entitled "An act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof, and providing penalties" by transferring certain duties imposed by the Act upon the Department of Agriculture to the Department of Revenue and the Pennsylvania State Police and repealing certain sections of the act.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. PHILIP STERLING. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1654, entitled:

An Act to further amend Section 7 of the act approved the fourteenth day of April, one thousand nine hundred and three (Pamphlet Laws, one hundred eighty), entitled "An act to establish a Department of Mines in Pennsylvania; defining its purposes and authority; providing for the appointment of a chief of said department, and assistants, and fixing their salaries and expenses" by increasing fees to be paid by applicants to the Department of Mines for certificates of qualification as mine foremen and assistant mine foremen in the anthracite mines and providing for the disposition of the fees received by the Department.

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—12

Emhardt,	Hutton,	Steedle,	Turner,
Flynn,	McGrail,	Sterling, P.,	Weidemann,
Hoffman,	Shreiner,	Terry,	Wike,

NAYS—96

Andrews,	Furman,	Lynch, M.,	Sautter,
Baker,	Gallagher,	Male,	Schrock,
Barnhardt,	Gorman,	Mason,	Schrope,
Bechtel,	Griffith,	McBride,	Sheffer,
Beech,	Habbyshaw,	McCandless,	Shellenberger,
Bernhard,	Haines,	Melchicrre,	Shortz,
Blumberg,	Hartman,	Meredith,	Shugarts,
Boyd,	Heffner,	Merrell,	Sinwell,
Brennan,	Hermansen,	Moore,	Stank,
Brown, J. E.,	Hester,	Myers,	Sterling, R. B.,
Brown, W. L.,	Hewitt,	Negley,	Stevens,
Brownfield,	Himes, L. R.,	O'Connor,	Tahl,
Cannon,	Holmes, J. B.,	O'Keefe,	Wade,
Carey,	Hoopes,	Patterson,	Wagner,
Carson,	Howard,	Peelor,	Walker, G. E.,
Chervenak,	Jones,	Perry, D. R.,	Wall,
Cordier,	Kane, J. J.,	Perry, J. J.,	Welsh,
Dane,	Kinney,	Powers,	Westrick,
Davies,	Lane,	Quinn,	Williams, J. J.,
Downey, G. E.	Lord,	Reed,	Wilson, L. M.,
Dunmire,	Lose,	Rhodes,	Woodside,
Evans,	Lovett, J. E.,	Roan,	Wright,
Fitzgerald,	Lovett, W. S.,	Roth,	Yourishin,
Forrest,	Lynch, J. R.,	Ruth,	Zimmerman,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1650, entitled:

An Act to amend the act approved the fifteenth day of April, one thousand eight hundred and seventy-three (Pamphlet Laws, seventy-five) entitled "An act relating to the fees

of the surveyor general" by prescribing certain fees to be charged by the Department of Internal Affairs for services rendered by the Land Office.

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—189

Andrews,	Harmuth,	McGrail,	Shortz,
Baker,	Harris,	McGregor,	Shreiner,
Barnhardt,	Hart,	McKay,	Shugarts,
Bechtel,	Hartman,	McKinney,	Simon,
Bennett,	Heffernan,	Melchiorre,	Sinwell,
Blumberg,	Hefferon,	Meredith,	Snyder,
Boyd,	Heffner,	Merrell,	Sowers,
Brennan,	Hermansen,	Mohn,	Spann,
Brown, J. E.,	Hester,	Moore,	Stank,
Brown, W. L.,	Hewitt,	Mumford,	Steedle,
Brownfield,	Himes, L. R.,	Munley,	Sterling, P.,
Caputo,	Hoffman,	Myers,	Sterling, R. B.,
Carey,	Holmes, J. B.,	Negley,	Stevens,
Carson,	Holmes, J. L.,	Nothnagle,	Stiteler,
Chervenak,	Hoopes,	O'Connor,	Stone,
Cohen,	Horst,	O'Keefe,	Storb,
Conner,	Hough,	O'Neill,	Stott,
Cordier,	Howard,	O'Rourke,	Surface,
Cramer,	Hutton,	Patterson,	Tahl,
Davies,	Jaffe,	Peelor,	Terry,
DeFrehn,	Jones,	Pennock,	Turner,
Denning,	Kane, J. J.,	Perry, D. R.,	Wade,
Downey, J.,	Kane, L. P.,	Peters,	Wagner,
Duffy,	King,	Powell,	Walker, G. E.,
Dunmire,	Kinney,	Price,	Walker, W. A.,
Dwyer,	Labar,	Quinn,	Wall,
Ederer,	Lane,	Rectenwald,	Wasserman,
Emhardt,	Laubach,	Reed,	Way,
Eroe,	Lenahan,	Reilly,	Weidemann,
Evans,	Lewis,	Rhodes,	Welsh,
Fitzgerald,	Long,	Rice,	Westrick,
Flanagan,	Lose,	Roan,	White,
Fleisher,	Lovett, J. E.,	Root,	Wike,
Flinchbaugh,	Lovett, W. S.,	Roth,	Williams, G. W.,
Flynn,	Lynch, J. R.,	Royle,	Williams, J. J.,
Forrest,	Lynch, M.,	Ruby,	Wilson, L. M.,
Furman,	Male,	Sarig,	Wilson, T. B.,
Gallagher,	Malina,	Sautter,	Witkin,
Gartner,	Maloney,	Schrock,	Wood,
Gillette,	Marcks,	Schrope,	Woodside,
Gorman,	Mason,	Schwab,	Wright,
Green,	McBride,	Schwartz,	Yeakel,
Greenstein,	McCandless,	Sheffer,	Yourishin,
Griffith,	McClure,	Shellenberger,	Zimmerman,
Habbyshaw,	McCreary,	Shenkel,	Talbot,
Haines,	McElwee,	Shettel,	Speaker.
Hamilton,	McGinnis,		

NAYS—1

Powers,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1649, entitled:

An Act to reenact section one and to amend section six of the act approved the thirteenth day of June one thousand eight hundred and eighty-three (Pamphlet Laws one hundred nineteen) entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies" as amended by reestablishing the Anatomical Board of the State of Pennsylvania and making the board self-sustaining

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164

Andrews,	Haines,	McGrail,	Shettel,
Baker,	Hamilton,	McHenry,	Shortz,
Baldi,	Harmuth,	McKay,	Shreiner,
Bechtel,	Harris,	McKinney,	Shugarts,
Beech,	Hart,	Melchiorre,	Simon,
Bennett,	Hartman,	Merrell,	Sinwell,
Blumberg,	Hefferon,	Metzler,	Snyder,
Boyd,	Heffner,	Moore,	Sowers,
Brennan,	Hermansen,	Mumford,	Spann,
Brown, W. L.,	Hester,	Munley,	Steedle,
Brownfield,	Himes, L. R.,	Myers,	Sterling, P.,
Cannon,	Hoffman,	Negley,	Sterling, R. B.,
Carey,	Holmes, J. B.,	Nothnagle,	Stevens,
Carson,	Holmes, J. L.,	O'Connor,	Stiteler,
Chervenak,	Hoopes,	O'Keefe,	Stone,
Cohen,	Horst,	O'Neill,	Storb,
Conner,	Hough,	O'Rourke,	Stott,
Cooke,	Howard,	Peelor,	Surface,
Cordier,	Hutton,	Pennock,	Tahl,
Craig,	Jaffe,	Perry, D. R.,	Terry,
Cramer,	Jones,	Perry, J. J.,	Turner,
Dane,	Kane, J. J.,	Peters,	Wade,
Davies,	Kane, L. P.,	Powell,	Wagner,
DeFrehn,	King,	Powers,	Walker, G. E.,
Denning,	Kinney,	Price,	Walker, W. A.,
Downey, G. E.,	Labar,	Quinn,	Wall,
Downey, J.,	Lane,	Raub,	Wasserman,
Duffy,	Laubach,	Reed,	Way,
Dunmire,	Lenahan,	Reilly,	Weidemann,
Dwyer,	Lewis,	Rhodes,	Welsh,
Ederer,	Long,	Rice,	Westrick,
Emhardt,	Lord,	Roan,	White,
Evans,	Lose,	Root,	Wike,
Fitzgerald,	Lovett, J. E.,	Roth,	Williams, G. W.,
Flanagan,	Lovett, W. S.,	Ruby,	Williams, J. J.,
Fleisher,	Lynch, J. R.,	Ruth,	Wilson, L. M.,
Flinchbaugh,	Lynch, M.,	Sarig,	Wilson, T. B.,
Flynn,	Male,	Sautter,	Witkin,
Forrest,	Maloney,	Schrock,	Wood,
Furman,	Marcks,	Schrope,	Woodside,
Gartner,	Mason,	Schwab,	Wright,
Gillette,	McBride,	Schwartz,	Yeakel,
Gorman,	McCandless,	Scorza,	Yourishin,
Green,	McClure,	Sheffer,	Zimmerman,
Greenstein,	McCreary,	Shellenberger,	Talbot,
Griffith,	McElwee,	Shenkel,	Speaker.
Habbyshaw,	McGinnis,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration tion of House Bill No. 1651, entitled:

An Act to further amend section twenty-three of the act approved the first day of June, one thousand eight hundred and eighty-nine (Pamphlet Laws, four hundred twenty) entitled "An act to provide revenue by taxation approved the seventh day of June Anno Domini, one thousand eight hundred and seventy-nine" by extending the provisions of the act to include natural gas companies, artificial gas companies, water companies, steam heat companies, and limited partnerships, associations, joint-stock associations, copartnerships, and persons engaged in the natural gas, artificial gas, water, or steam heat business and appropriating part of the tax to the Public Service Commission of the Commonwealth.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. PHILIP STERLING. I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1652, entitled:

An Act to amend Sections 2 and 6 of the act approved the twelfth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, nine hundred forty-one) entitled "An act providing for the preparation, contents, style, printing, and binding of the Legislative Journal and its delivery and distribution; providing for the preparation, printing, and binding of the Journals of the Senate and House of Representatives; authorizing the appointment of official reporters, expert typewriters, clerks and other employes, and providing for their compensation and mileage; providing for the making of an appendix and index, the printing of wrappers or envelopes for mailing the Legislative Journal; and repealing all acts or parts of acts inconsistent herewith" by further prescribing the method of printing bills and joint resolutions in the Legislative Journal; changing the number of employes of the General Assembly, necessary for the preparation of the Legislative Journal, and repealing part of an inconsistent act.

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186

Andrews,	Greenstein,	McClure,	Schwartz,
Baker,	Griffith,	McCreary,	Scorza,
Baldi,	Habbyshaw,	McElwee,	Sheffer,
Barnhardt,	Haines,	McGinnis,	Shellenberger,
Bechtel,	Hamilton,	McGrail,	Shenkel,
Beech,	Harris,	McHenry,	Shettel,
Bennett,	Hart,	McKay,	Shortz,
Bernhard,	Hartman,	McKinney,	Shreiner,
Blumberg,	Heffernan,	Melchiorre,	Shugarts,
Boyd,	Hefferon,	Meredith,	Simon,
Brancato,	Heffner,	Merrell,	Sinwell,
Brennan,	Hermansen,	Metzler,	Snyder,
Brown, J. E.,	Hester,	Mohn,	Sowers,
Brown, W. L.,	Hewitt,	Moore,	Spann,
Brownfield,	Himes, L. R.,	Mumford,	Stank,
Caputo,	Hoffman,	Munley,	Steedle,
Carey,	Holmes, J. B.,	Myers,	Sterling, P.,
Carson,	Holmes, J. L.,	Negley,	Stevens,
Chervenak,	Hoopes,	Nothnagle,	Stiteler,
Cohen,	Horst,	O'Connor,	Stone,
Conner,	Hough,	O'Keefe,	Storb,
Cooke,	Howard,	O'Neill,	Stott,
Cordier,	Hutton,	Patterson,	Surface,
Craig,	Jaffe,	Peelor,	Tahl,
Cramer,	Kane, J. J.,	Pennock,	Terry,
Dane,	Kane, L. P.,	Perry, D. R.,	Turner,
Davies,	King,	Perry, J. J.,	Wade,
DeFrehn,	Kinney,	Peters,	Wagner,
Denning,	Labar,	Powell,	Walker, G. E.,
Downey, G. E.,	Lane,	Powers,	Walker, W. A.,
Duffy,	Laubach,	Quinn,	Wall,
Dunmire,	Lenahan,	Reed,	Wasserman,
Dwyer,	Lewis,	Reilly,	Weidemann,
Ederer,	Long,	Rhodes,	Welsh,
Emhardt,	Lord,	Rice,	White,
Eroe,	Lose,	Roan,	Wike,
Evans,	Lovett, J. E.,	Root,	Williams, G. W.
Fitzgerald,	Lovett, W. S.,	Roth,	Williams, J. J.,
Fleisher,	Lynch, J. R.,	Royle,	Wilson, L. M.,
Flinchbaugh,	Lynch, M.,	Ruby,	Witkin,
Flynn,	Male,	Ruth,	Wood,
Forrest,	Malina,	Sarig,	Woodside,
Furman,	Maloney,	Sautter,	Wright,
Gallagher,	Marcks,	Schrock,	Yeakel,
Gartner,	Mason,	Schrope,	Yourishin,
Gillette,	McBride,	Schwab,	Zimmerman,
Gorman,	McCandless,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1647, entitled:

An Act to amend Sections 8 and 15 of the act approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (Pamphlet Laws, four hundred sixty-five) entitled "An act to provide for the safety of persons employed, housed, or assembled in certain buildings and structures not in cities of the first class, second class, and second class A, by requiring certain construction, and ways of egress, equipment, and maintenance; providing for the licensing of projectionists; requiring the submission of plans for examination and approval; providing for the promulgation of rules and regulations for the enforcement of this act; providing for the enforcement of this act by the Department of Labor and Industry and, in certain cases, by the chiefs of fire departments in cities of the third class; providing penalties for violations of the provisions of this act; and repealing certain acts" as amended by authorizing the Department of Labor and Industry to charge for the cost of making examinations of plans and eliminating duplicating and overlapping inspections of plans in certain cases.

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186

Andrews,	Gorman,	McCreary,	Schrock,
Baker,	Green,	McElwee,	Schrope,
Baldi,	Greenstein,	McGinnis,	Schwab,
Barnhardt,	Griffith,	McGrail,	Schwartz,
Bechtel,	Habbyshaw,	McHenry,	Scorza,
Beech,	Haines,	McKay,	Sheffer,
Bennett,	Hamilton,	McKinney,	Shellenberger,
Bernhard,	Harmuth,	Melchiorre,	Shenkel,
Blumberg,	Hartman,	Meredith,	Shortz,
Boyd,	Heffernan,	Merrell,	Shreiner,
Brancato,	Hefferon,	Metzler,	Shugarts,
Brennan,	Heffner,	Mohn,	Simon,
Brown, J. E.,	Hermansen,	Moore,	Sinwell,
Brown, W. L.,	Hester,	Mumford,	Snyder,
Brownfield,	Hewitt,	Munley,	Sowers,
Cannon,	Hoffman,	Myers,	Spann,
Caputo,	Holmes, J. B.,	Negley,	Stank,
Carey,	Holmes, J. L.,	Nothnagle,	Steedle,
Carson,	Hoopes,	O'Connor,	Sterling, P.,
Chervenak,	Horst,	O'Keefe,	Stevens,
Cohen,	Hough,	O'Neill,	Stiteler,
Conner,	Howard,	O'Rourke,	Stone,
Cooke,	Hutton,	Patterson,	Storb,
Cordier,	Jaffe,	Peelor,	Surface,
Craig,	Jones,	Pennock,	Tahl,
Cramer,	Kane, J. J.,	Perry, D. R.,	Terry,
Dane,	King,	Perry, J. J.,	Turner,
Davies,	Kinney,	Peters,	Wade,
DeFrehn,	Labar,	Powell,	Wagner,
Denning,	Lane,	Powers,	Walker, G. E.,
Downey, G. E.,	Laubach,	Price,	Walker, W. A.,
Downey, J.,	Lenahan,	Quinn,	Wall,
Duffy,	Lewis,	Raub,	Wasserman,
Dunmire,	Long,	Rectenwald,	Way,
Dwyer,	Lord,	Reed,	Welsh,
Emhardt,	Lose,	Reilly,	White,

Eroe,	Lovett, J. E.,	Rhodes,	Wike,
Evans,	Lovett, W. S.,	Rice,	Williams, G. W.
Fitzgerald,	Lynch, J. R.,	Roan,	Williams, J. J.,
Flanagan,	Lynch, M.,	Root,	Wilson, L. M.,
Fleisher,	Male,	Roth,	Wilson, T. B.,
Flinchbaugh,	Malina,	Royle,	Witkin,
Flynn,	Maloney,	Ruby,	Wood,
Forrest,	Mason,	Ruth,	Woodside,
Gallagher,	McBride,	Sarig,	Wright,
Gartner,	McCandless,	Sautter,	Yourishin,
Gillette,	McClure,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1648, entitled:

An Act to amend Section 4 of the act approved the twelfth day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, five hundred ten) entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals; conferring certain powers and duties upon the Department of Welfare; and providing penalties" by increasing the license fee to be collected by the Department of Welfare.

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—179

Andrews,	Green,	Mason,	Schrope,
Baker,	Greenstein,	McCandless,	Schwab,
Baldi,	Griffith,	McClure,	Schwartz,
Barnhardt,	Habbyshaw,	McCreary,	Scorza,
Bechtel,	Haines,	McElwee,	Sheffer,
Beech,	Hamilton,	McGinnis,	Shellenberger,
Bennett,	Harris,	McGrail,	Shenkel,
Blumberg,	Hart,	McGregor,	Shettel,
Boyd,	Hartman,	McHenry,	Shortz,
Brancato,	Heffernan,	McKay,	Shreiner,
Brennan,	Hefferon,	Melchiorre,	Shugarts,
Brown, J. E.,	Heffner,	Meredith,	Simon,
Brown, W. L.,	Hermansen,	Merrell,	Sinwell,
Brownfield,	Hester,	Metzler,	Snyder,
Cannon,	Hewitt,	Mohn,	Sowers,
Caputo,	Himes, L. R.,	Moore,	Spann,
Carey,	Hoffman,	Mumford,	Stank,
Carson,	Holmes, J. B.,	Munley,	Steedle,
Cohen,	Holmes, J. L.,	Negley,	Sterling, P.,
Conner,	Hoopes,	Nothnagle,	Stevens,
Cooke,	Horst,	O'Connor,	Stevenson,
Cordier,	Hough,	O'Keefe,	Stiteler,
Craig,	Howard,	O'Rourke,	Stone,
Dane,	Hutton,	Patterson,	Storb,
Davies,	Jaffe,	Pennock,	Stott,
DeFrehn,	Jones,	Perry, D. R.,	Surface,
Denning,	Kane, J. J.,	Perry, J. J.,	Tahl,
Downey, G. E.,	Kane, L. P.,	Peters,	Turner,
Downey, J.,	King,	Powell,	Wagner,
Duffy,	Kinney,	Powers,	Walker, G. E.,
Dunmire,	Labar,	Price,	Walker, W. A.,
Dwyer,	Laubach,	Reed,	Wasserman,
Ederer,	Lenahan,	Reilly,	Weidemann,
Emhardt,	Lewis,	Rhodes,	Westrick,
Eroe,	Long,	Rice,	White,
Evans,	Lord,	Roan,	Wike,
Flanagan,	Lose,	Root,	Williams, J. J.,
Fleisher,	Lovett, J. E.,	Roth,	Wilson, L. M.,
Flinchbaugh,	Lovett, W. S.,	Royle,	Witkin,
Flynn,	Lynch, J. R.,	Ruby,	Wood,
Forrest,	Lynch, M.,	Ruth,	Woodside,
Furman,	Male,	Sarig,	Wright,
Gallagher,	Malina,	Sautter,	Yeakel,
Gillette,	Maloney,	Schrock,	Yourishin,
Gorman,	Marcks,		

NAYS—8

Chervenak,	O'Neill,	Wall,	Welsh,
Fitzgerald,	Peelor,	Way,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

STATEMENT BY MR. STERLING

Mr. PHILIP STERLING. Mr. Speaker, it so happens that I have been asked to go with the delegation to Washington to confer with the R. F. C. on behalf of the Commonwealth this afternoon. In order to keep that appointment, we must leave here about 12.15 or 12.30.

There are a number of bills coming from the Legislative Committee which are to be postponed, and I should like at this time to have the privilege to call up those bills out of order, in order to make a motion to put them on the postponed calendar.

The SPEAKER. Will the House give its unanimous consent to calling out of order certain bills on the third reading calendar? Are their objections? The Chair hears none and consent is granted.

BILL ON THIRD READING

Mr. PHILIP STERLING. Mr. Speaker, I desire to call up out of order House Bill No. 1784, Printer's No. 386, on page 30 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1784, entitled:

An Act prescribing fees to be charged by the Secretary of the Commonwealth for filing nomination papers and nomination petitions.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. PHILIP STERLING. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON THIRD READING

Mr. PHILIP STERLING. Mr. Speaker, I desire to call up out of order House Bill No. 1661, Printer's No. 400, on page 32 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1661, entitled:

An Act to amend section 309 of the act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred thirty-six), entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder," as amended, by prescribing the method of determining the weekly wages of claimants in certain cases.

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

BILL POSTPONED

Mr. PHILIP STERLING. Mr. Speaker, I move that this bill be placed upon the postponed calendar.
The motion was agreed to.

Mr. PEELOR. Mr. Speaker, the bills that are being postponed, does that mean that they are postponed until next week?

The SPEAKER. For the information of the gentleman from Indiana, the Chair will state that these bills are postponed until they are called up, but it may be possible that the gentleman from Philadelphia, Mr. Sterling, might wish to make an announcement in reference to the situation.

Mr. PHILIP STERLING. Mr. Speaker and members of the House, it is the purpose of the subcommittee of the State Government Committee and the members of the committee to formulate a plan concerning all these bills, which present controversial matters, to place them upon the postponed calendar and during the coming week there will be a definite program with respect to all of these bills.

Mr. PEELOR. Mr. Speaker, my purpose in asking that question is to know whether we shall be obliged to stay over the rest of the week?

The SPEAKER. For the information of the gentleman from Indiana, the Chair informs him that it will not be necessary.

Mr. PEELOR. That is all I wanted to know, Mr. Speaker. I presume there are others in the same position.

BILL ON THIRD READING

Mr. PHILIP STERLING. Mr. Speaker, I desire to call up out of order House Bill No. 1660, Printer's No. 401, on page 32 of today's calendar, bills on third reading.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1660, entitled:

An Act to amend sections 1, 2, 15 and 19 of the act approved the sixth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, seven hundred eighty-eight) entitled "An act to protect the health of the persons employed in bakeries by requiring the ventilation, drainage, sanitation, and purity of bakeries, the cleanliness of persons employed therein and of all bakery products, tools, implements, ingredients, and other things used in connection with their manufacture, delivery, and sale; by regulating and, in certain cases restricting, the use of such bakeries; by regulating the manufacture, sale, and delivery of such products; by requiring all persons employed or permitted to work therein to be certified as free from certain diseases and skin infections; by prohibiting the presence of all animals; by requiring a certificate of compliance, and regulating the issuance of same; by providing for the enforcement of this act; and by providing penalties for violations thereof," by reenacting and changing definitions in the act and transferring the duties imposed by the act upon the Department of Labor and Industry to the Department of Health.

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

BILL POSTPONED

Mr. PHILIP STERLING. Mr. Speaker, I move that this bill be placed upon the postponed calendar.
The motion was agreed to.

LEAVES OF ABSENCE

Mr. RICE asked and obtained leaves of absence for the Speaker and Messrs. Sarig, Wade, Rhodes, Philip Sterling and himself.

BILL ON THIRD READING

Mr. PHILIP STERLING. Mr. Speaker, I desire to call up out of order House Bill No. 2104, Printer's No. 483, on page 48 of today's calendar, bills on third reading.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 2104, entitled:

An Act to amend paragraph 2 of Section 4 and Section 8 of the act approved the eighteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, one thousand forty-three) entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes; defining the uses and purposes thereof, and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties" as amended, by creating an administration expense account in the School Employes' Retirement Fund and providing for the payment of the cost of administering the account from interest earnings of investments of said account in excess of four per centum.

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

BILL POSTPONED

Mr. PHILIP STERLING. Mr. Speaker, I move that this bill be placed upon the postponed calendar.
The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 406, entitled:

An Act for the protection of human life by regulating the business of exterminating germs vermin insects and rodents by the use of certain gases fumes sprays vapors or bait creating a State Board of Exterminators and providing for the licensing of persons engaged in such business imposing duties upon the Department of Health of the Commonwealth and providing penalties

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

BILL POSTPONED

Mr. McGINNIS. Mr. Speaker, I move that this bill be placed upon the postponed calendar.
The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1671, entitled:

An Act to further amend section 21 of the act approved the seventh day of June, one thousand nine hundred and fifteen (Pamphlet Laws nine hundred), entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics, as required to be established by the State Department of Health; and, in order, to secure prompt and faithful registration of births, marriages, deaths and diseases, of practitioners of medicine and surgery, of midwives, nurses, and undertakers, and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages and diseases throughout the State, as provided in section ten of an act, entitled 'An act creating the Department of Health and defining its powers and duties,' approved the twenty-seventh day of April, nineteen hundred and five, and providing penalties for violations of this act," by increasing the fee to be charged by the Department of Health for certified copies of records of births, deaths or marriages.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TAHL. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Sterling.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Sterling, permit himself to be interogated?

Mr. PHILIP STERLING. I will, Mr. Speaker.

Mr. TAHL. Mr. Speaker, I would like to have the sponsor of this bill explain its provisions.

Mr. PHILIP STERLING. Mr. Speaker and members of the House, the Joint Legislative Committee, in its study of the amount of money received for state services rendered, considered not only those cases where services were rendered without compensation, but they also considered cases where services were not being paid for. They determined that in many cases the cost of the service was not covered by the amount of fees paid. This bill presents just such a situation. Heretofore death certificates that were issued by the Department of Health, Bureau of Vital Statistics, have cost the person that requested them fifty cents. This bill increases that amount to one dollar.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—147

Andrews,	Greenstein,	Mason,	Schwab,
Baker,	Griffith,	McBride,	Scorza,
Baldi,	Haines,	McCandless,	Sheffer,
Barnhardt,	Hamilton,	McClure,	Shellenberger,
Bechtel,	Harmuth,	McCreary,	Shenkel,
Bennett,	Hart,	McElwee,	Shettel,
Boyd,	Hartman,	McGrail,	Shreiner,
Brennan,	Heffernan,	McGregor,	Shugarts,
Brownfield,	Hefferon,	McHenry,	Simon,
Cannon,	Heffner,	McKay,	Snyder,
Caputo,	Hermansen,	McKinney,	Sowers,
Carey,	Hester,	Meredith,	Spann,
Carson,	Hewitt,	Merrell,	Steedle,
Chervenak,	Himes, L. R.,	Metzler,	Stevens,
Cooke,	Hoffman,	Mohn,	Stone,
Cordier,	Holmes, J. L.,	Moore,	Storb,
Craig,	Hoopes,	Mumford,	Stott,
Dane,	Horst,	Munley,	Surface,
Davies,	Hough,	Myers,	Tahl,
DeFrehn,	Hutton,	Negley,	Terry,
Denning,	Jaffe,	Nothnagle,	Turner,
Downey, G. E.,	Jones,	O'Neill,	Walker, G. E.,
Duffy,	Kane, J. J.,	Pennock,	Walker, W. A.,
Dunmire,	Kane, L. P.,	Perry, D. R.,	Wall,
Dwyer,	King,	Perry, J. J.,	Wasserman,
Ederer,	Kinney,	Peters,	Weidemann,
Emhardt,	Labar,	Powell,	White,
Eroe,	Lane,	Price,	Wike,
Evans,	Laubach,	Quinn,	Williams, G. W.,
Fitzgerald,	Lenahan,	Raub,	Williams, J. J.,
Fleisher,	Lewis,	Reed,	Wilson, L. M.,
Flinchbaugh,	Long,	Roan,	Wilson, T. B.,
Flynn,	Lose,	Root,	Witkin,
Furman,	Lovett, J. E.,	Ruby,	Wood,
Gallagher,	Lovett, W. S.,	Ruth,	Woodside,
Gartner,	Lynch, J. R.,	Sautter,	Wright,
Gillette,	Male,	Schrock,	Yeakel,
Gorman,	Malina,	Schwartz,	Yourishin,
Green,	Marcks,	Schrope,	Zimmerman,

NAYS—11

Beech,	Howard,	Patterson,	Way,
Brown, J. E.,	Lynch, M.,	Peelor,	Westrick,
Habbyshaw,	O'Connor,	Sinwell,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1670, entitled:

An Act to amend section 7 of the act approved the thirty-first day of May, one thousand nine hundred and twenty-three (Pamphlet Laws four hundred eighty-one), entitled "An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen, assistant mine foremen, and fire bosses in the bituminous coal mines of this Commonwealth; prescribing the qualifications; defining the powers and duties, and fixing the compensation of such examiners; authorizing the Chief of the Department of Mines to determine the district in which boards of examiners shall hold examinations, and to designate the boards before whom applicants in the various inspection districts shall appear; providing for the issuance of certificates of qualification to successful applicants; fixing the fees to be paid by applicants, and providing for their disposition; forbidding the employment of unqualified persons as mine foremen, assistant mine foremen and fire bosses, providing a penalty for forging or making false statements regarding certificates" by increasing the fees to be paid to the Department of Mines by applicants for certificates of qualification as mine foremen, assistant mine foremen and fire bosses in the bituminous mines and providing for the disposition of the fees received by the department.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. PHILIP STERLING. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1786, entitled:

An Act to further amend section 11 of the act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred sixty-two), entitled "An act providing for the creation and administration of a State

Fund for the insurance of compensation for injuries to employes of subscribers thereto; declaring false oaths by the subscribers to be misdemeanors; and providing penalties for the violation thereof," by making the moneys in the State Workmen's Insurance Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TERRY. Mr. Speaker, I would like to ask the sponsor of this bill to explain to us its purpose in detail.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Sterling, explain the purpose of this measure to the gentleman?

Mr. PHILIP STERLING. Mr. Speaker and members of the House, this is the last of that group of bills which seeks to place upon the special funds the cost of the maintenance of those funds. This bill refers to the State Workmen's Compensation Insurance Fund, and completes the program with respect to the principles involved.

It simply imposes upon the State Workmen's Insurance Fund the cost now borne by the General Fund for audits, State treasury disbursement service, rent, light, heat and powers. The general fund receives no benefit from the State Workmen's Insurance Fund activities.

As a matter of fact, Mr. Speaker and members of the House, the State Workmen's Insurance Fund by two or three opinions rendered by the Attorney General in years past has been determined to be not a state agency. It is a separate and distinct business conducted by the policy holders in the State Workmen's Insurance Fund. Unhappily, I believe unhappily, the Commonwealth is the moral guarantor of the obligations represented by these contracts, but whether that be so or not, in my opinion, and it was the opinion of the committee, this is a separate and distinct agency out of which the General Fund receives no benefit, and should not burden the General Fund with the expenses involved in auditing, in treasury service, and for rent, light, heat and power.

Mr. BECHTEL. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Sterling.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Sterling, permit himself to be interrogated?

Mr. PHILIP STERLING. Mr. Speaker, I will.

Mr. BECHTEL. Mr. Speaker, I understand the State Workmens' Insurance Fund recently was operating in the red. Does the gentleman from Philadelphia have any knowledge of that?

Mr. PHILIP STERLING. Mr. Speaker, the gentleman from Schuylkill, Mr. Bechtel, asks me the question whether or not the State Workmen's Insurance Fund is operating in the red. My answer to that is, I fear that it is operating in the red, but I believe that results altogether from management. I am of the opinion that if His Excellency the Governor would place in that fund a manager who is trained in the insurance field that that fund would soon be placed in a better position.

I should like to point out to the House, also, that the Insurance Legislative Committee on State Finances has recommended that the management of this Fund be placed in the hands of the policy holders, so that it will be completely divorced from the political life of the Commonwealth. We are hopeful that the bill, which we will present shortly, will accomplish this end and will meet with your favorable approval but whether or not it does, this bill should be passed.

Mr. BECHTEL. Mr. Speaker, may I ask the gentleman from Philadelphia, is it not possible, in view of his answer to the first question, that if the State Workmens' Insurance Fund is burdened with the expenditures which will be necessitated by this bill, that there is a possibility ultimately of its affecting the soundness of the contracts for widows and payments to children, that is compensation payments, for which the fund is already responsible?

Mr. PHILIP STERLING. Mr. Speaker, not in the least.

Mr. BECHTEL. Mr. Speaker, it would not have a tendency to destroy and run that fund toward the bankruptcy end?

Mr. PHILIP STERLING. Absolutely not, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156

Andrews,	Haines,	McGinnis,	Shortz,
Baker,	Harmuth,	McGrail,	Shreiner,
Baldi,	Harris,	McGregor,	Shugarts,
Barnhardt,	Hart,	McHenry,	Simon,
Beech,	Hartman,	McKay,	Sinwell,
Bennett,	Heffernan,	McKinney,	Snyder,
Boyd,	Hefferon,	Meredith,	Sowers,
Brennan,	Heffner,	Merrell,	Spann,
Brown, J. E.,	Hester,	Metzler,	Stank,
Brownfield,	Hewitt,	Moore,	Steedle,
Caputo,	Himes, L. R.,	Mumford,	Sterling, R. B.,
Carey,	Hoffman,	Myers,	Stevens,
Carson,	Holmes, J. L.,	Negley,	Stiteler,
Chervenak,	Hoopes,	Nothnagle,	Storb,
Cohen,	Horst,	O'Connor,	Stott,
Conner,	Hough,	O'Keefe,	Tahl,
Cooke,	Howard,	O'Rourke,	Turner,
Cramer,	Hutton,	Peelor,	Wagner,
Davies,	Kane, J. J.,	Pennock,	Walker, G. E.,
DeFrehn,	King,	Perry, D. E.,	Walker, W. A.,
Denning,	Kinney,	Perry, J. J.,	Wall,
Downey, J.,	Labar,	Peters,	Wasserman,
Dunmire,	Lane,	Powell,	Way,
Dwyer,	Laubach,	Powers,	Weidemann,
Ederer,	Lewis,	Price,	Welsh,
Emhardt,	Long,	Raub,	Westrick,
Eroe,	Lose,	Rectenwald,	White,
Evans,	Lovett, J. E.,	Reed,	Wike,
Flanagan,	Lovett, W. S.,	Reilly,	Williams, G. W.,
Fleisher,	Lynch, J. R.,	Roan,	Williams, J. J.,
Flynn,	Male,	Root,	Wilson, L. M.,
Forrest,	Malina,	Royle,	Wilson, T. B.,
Furman,	Maloney,	Ruby,	Witkin,
Gallagher,	Mason,	Ruth,	Wood,
Gartner,	McBride,	Sautter,	Woodside,
Gillette,	McCandless,	Schrock,	Wright,
Green,	McClure,	Schwartz,	Yeakel,
Greenstein,	McCreary,	Shellenberger,	Yourishin,
Griffith,	McElwee,	Shettel,	Zimmerman,
Habbyshaw,			

NAYS—11

Bechtel,	Cordier,	Jones,	Lynch, M.,
Bernhard,	Fitzgerald,	Kane, L. P.,	Schrope,
Brown, W. L.,	Hermansen,	Lenahan,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1666, entitled:

An Act to amend section 9 of the act approved the thirteenth day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, six hundred forty-four) entitled "An act relating to and regulating the solicitation of moneys and

property for charitable, religious, benevolent, humane, and patriotic purposes" by increasing the fee to be charged by the Department of Welfare for certificates of registration.

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186

Baker,	Griffith,	McClure,	Schwartz,
Baldi,	Habbyshaw,	McCreary,	Scorza,
Barnhardt,	Haines,	McElwee,	Sheffer,
Bechtel,	Hamilton,	McGinnis,	Shellenberger,
Beech,	Harmuth,	McGrail,	Shenkel,
Bennett,	Harris,	McGregor,	Shettel,
Bernhard,	Hart,	McHenry,	Shortz,
Blumberg,	Heffernan,	McKay,	Shreiner,
Boyd,	Hefferon,	Melchiorre,	Shugarts,
Brennan,	Heffner,	Meredith,	Simon,
Brown, J. E.,	Hermansen,	Merrell,	Sinwell,
Brown, W. L.,	Hester,	Metzler,	Snyder,
Brownfield,	Hewitt,	Mohn,	Sowers,
Cannon,	Himes, L. R.,	Moore,	Spann,
Caputo,	Hoffman,	Mumford,	Stank,
Carey,	Holmes, J. B.,	Munley,	Steedle,
Carson,	Holmes, J. L.,	Myers,	Sterling, R. P.,
Cohen,	Hoopes,	Negley,	Stevens,
Conner,	Horst,	Nothnagle,	Stiteler,
Cooke,	Hough,	O'Connor,	Stone,
Cordier,	Howard,	O'Keefe,	Storb,
Craig,	Hutton,	O'Neill,	Stott,
Cramer,	Jaffe,	O'Rourke,	Surface,
Dane,	Jones,	Patterson,	Tahl,
Davies,	Kane, J. J.,	Peelor,	Terry,
DeFrehn,	Kane, L. P.,	Pennock,	Turner,
Denning,	King,	Perry, D. R.,	Wagner,
Downey, G. E.,	Kinney,	Perry, J. J.,	Walker, G. E.,
Downey, J.,	Labar,	Peters,	Walker, W. A.,
Duffy,	Lane,	Powell,	Wall,
Dunmire,	Laubach,	Powers,	Wasserman,
Dwyer,	Lenahan,	Price,	Way,
Ederer,	Lewis,	Raub,	Weidemann,
Emhardt,	Long,	Rectenwald,	Welsh,
Eroe,	Lord,	Reed,	Westrick,
Evans,	Lose,	Reilly,	White,
Fitzgerald,	Lovett, J. E.,	Roan,	Wike,
Flanagan,	Lovett, W. S.,	Root,	Williams, G. W.,
Flinchbaugh,	Lynch, J. R.,	Roth,	Wilson, L. M.,
Flynn,	Male,	Royle,	Witkin,
Forrest,	Malina,	Ruby,	Wood,
Furman,	Maloney,	Ruth,	Woodside,
Gartner,	Marcks,	Sautter,	Wright,
Gillette,	Mason,	Schrock,	Yeakel,
Gorman,	McBride,	Schrope,	Yourishin,
Green,	McCandless,	Schwab,	Zimmerman,
Greenstein,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1741, entitled:

An Act to amend section ten as amended of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligations and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commisisoner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township, or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated town with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," by providing for the construction and maintenance of certain bridges in boroughs by the Commonwealth.

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—185

Andrews,	Green,	McClure,	Scorza,
Baker,	Greenstein,	McCreary,	Sheffer,
Baldi,	Griffith,	McElwee,	Shellenberger,
Barnhardt,	Habbyshaw,	McGinnis,	Shenkel,
Bechtel,	Haines,	McGrail,	Shettel,
Beech,	Hamilton,	McGregor,	Shortz,
Bennett,	Harris,	McHenry,	Shreiner,
Bernhard,	Hart,	McKay,	Shugarts,
Boyd,	Heffernan,	McKinney,	Simon,
Brancato,	Hefferon,	Melchiorre,	Sinwell,
Brennan,	Heffner,	Meredith,	Snyder,
Brown, J. E.,	Hermansen,	Merrell,	Sowers,
Brown, W. L.,	Hester,	Mohn,	Spann,
Brownfield,	Hewitt,	Moore,	Stank,
Cannon,	Himes, L. R.,	Mumford,	Steedle,
Caputo,	Hoffman,	Munley,	Sterling, R. B.,
Carey,	Holmes, J. B.,	Myers,	Stevens,
Carson,	Holmes, J. L.,	Negley,	Stiteler,
Chervenak,	Hoopes,	Nothnagle,	Stone,
Cohen,	Horst,	O'Connor,	Stott,
Conner,	Hough,	O'Keefe,	Surface,
Cooke,	Howard,	O'Neill,	Tahl,
Cordier,	Hutton,	O'Rourke,	Terry,
Craig,	Jaffe,	Patterson,	Turner,
Cramer,	Jones,	Peelor,	Wagner,
Dane,	Kane, J. J.,	Pennock,	Walker, G. E.,
DeFrehn,	Kane, L. P.,	Perry, D. R.,	Walker, W. A.,
Denning,	King,	Perry, J. J.,	Wall,
Downey, G. E.,	Kinney,	Peters,	Wasserman,
Duffy,	Lane,	Powell,	Way,
Dunmire,	Laubach,	Powers,	Weidemann,
Dwyer,	Lenahan,	Price,	Welsh,
Ederer,	Lewis,	Quinn,	Westrick,

Emhardt,	Long,	Rectenwald,	White,
Eroe,	Lord,	Reed,	Wike,
Evans,	Lose,	Reilly,	Williams, G. W.,
Fitzgerald,	Lovett, J. E.,	Roan,	Williams, J. J.,
Flanagan,	Lovett, W. S.,	Root,	Wilson, L. M.,
Fleisher,	Lynch, J. R.,	Roth,	Wilson, T. B.,
Flinchbaugh,	Lynch, M.,	Ruby,	Witkin,
Flynn,	Male,	Ruth,	Wood,
Forrest,	Malina,	Sautter,	Woodside,
Furman,	Marcks,	Schrock,	Wright,
Gallagher,	Mason,	Schrope,	Yeakel,
Gartner,	McBride,	Schwab,	Yourishin,
Gillette,	McCandless,	Schwartz,	Zimmerman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1111, entitled:

An Act providing for the protection of persons employed in the anthracite coal mines by requiring attendants at certain ventilating fans; and providing penalties.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. HERMANSEN. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1128, entitled:

An Act to amend the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as amended by authorizing council to designate a depository for borough funds and setting forth the effect thereof to secure indemnity bonds and insurance policies and to invest borough funds allowing compensation to president of council while acting as burgess permitting the payment of bond premiums for borough officials altering the requirement for the levying of taxes defining the effect of nonnotice of tax levies altering the provisions relating to tax abatements and penalties altering the expense allowance of tax collectors fixing the status of land acquired by the borough and providing for the disposition thereof under certain circumstances limiting the requirements of assessment ordinances in sewer construction proceedings permitting the acquisition of land for park purposes in adjacent boroughs and cities and authorizing condemnation proceedings to secure land for airports

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Andrews,	Greenstein,	McCreary,	Sheffer,
Baker,	Habbyshaw,	McElwee,	Shellenberger,
Baldi,	Haines,	McGinnis,	Shenkel,
Bechtel,	Hamilton,	McGrail,	Shettel,
Bennett,	Harmuth,	McGregor,	Shortz,
Bernhard,	Harris,	McHenry,	Shreiner,
Blumberg,	Hart,	McKay,	Shugarts,
Boyd,	Hartman,	McKinney,	Simon,
Brancato,	Heffernan,	Melchiorre,	Sinwell,
Brennan,	Hefferon,	Meredith,	Snyder,
Brown, J. E.,	Heffner,	Merrell,	Sowers,
Brown, W. L.,	Hermansen,	Metzler,	Spann,
Cannon,	Hester,	Mohn,	Stank,
Caputo,	Hewitt,	Mumford,	Steedle,
Carey,	Hoffman,	Myers,	Stevens,
Carson,	Holmes, J. L.,	Negley,	Stiteler,
Chervenak,	Hoopes,	Nothnagle,	Stone,
Conner,	Horst,	O'Connor,	Storb,
Cooke,	Hough,	O'Keefe,	Stott,
Cordier,	Howard,	O'Neill,	Surface,
Craig,	Hutton,	O'Rourke,	Tahl,
Cramer,	Jaffe,	Patterson,	Terry,
Dane,	Jones,	Peelor,	Turner,
Davies,	Kane, J. J.,	Pennock,	Wagner,
DeFrehn,	Kane, L. P.,	Perry, D. R.,	Walker, G. E.,
Denning,	King,	Perry, J. J.,	Walker, W. A.,
Downey, G. E.,	Kinney,	Peters,	Wall,
Downey, J.,	Lane,	Powell,	Wasserman,
Duffy,	Laubach,	Powers,	Way,
Dunmire,	Lenahan,	Price,	Weidemann,
Dwyer,	Lewis,	Quinn,	Welsh,
Ederer,	Long,	Raub,	Westrick,
Emhardt,	Lord,	Rectenwald,	White,
Eroe,	Lose,	Reed,	Wike,
Evans,	Lovett, J. E.,	Reilly,	Williams, G. W.,
Fitzgerald,	Lovett, W. S.,	Roan,	Williams, J. J.,
Flanagan,	Lynch, J. R.,	Root,	Wilson, L. M.,
Flinchbaugh,	Lynch, M.,	Roth,	Wilson, T. B.,
Flynn,	Male,	Royle,	Witkin,
Forrest,	Malina,	Ruby,	Wood,
Furman,	Maloney,	Ruth,	Woodside,
Gallagher,	Marcks,	Sautter,	Wright,
Gartner,	Mason,	Schrope,	Yeakel,
Gillette,	McBride,	Schwab,	Yourishin,
Gorman,	McCandless,	Schwartz,	Zimmerman,
Green,	McClure,	Scorza,	

NAYS—4

Barnhardt,	Beech,	Griffith,	Schrock,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1444, entitled:

An Act to amend section one hundred and forty-three of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto;" changing the condition of the county treasurer's bond.

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—190

Andrews,	Gorman,	McCandless,	Scorza,
Baker,	Green,	McClure,	Sheffer,
Baldi,	Greenstein,	McCreary,	Shellenberger,
Barnhardt,	Griffith,	McElwee,	Shenkel,
Bechtel,	Habbyshaw,	McGrail,	Shettel,
Beech,	Hamilton,	McGregor,	Shortz,
Bennett,	Harmuth,	McHenry,	Shreiner,
Bernhard,	Harris,	McKay,	Shugarts,
Blumberg,	Hart,	McKinney,	Simon,
Boyd,	Hartman,	Melchiorre,	Sinwell,
Brancato,	Heffernan,	Meredith,	Snyder,

Brennan,	Hefferon,	Merrell,	Sowers,
Brown, J. E.,	Heffner,	Metzler,	Spann,
Brown, W. L.,	Hermansen,	Mohn,	Stank,
Brownfield,	Hester,	Moore,	Steedle,
Cannon,	Hewitt,	Mumford,	Sterling, R. B.,
Caputo,	Himes, L. R.,	Myers,	Stevens,
Carey,	Hoffman,	Negley,	Stiteler,
Carson,	Holmes, J. B.,	Nothnagle,	Stone,
Chervenak,	Holmes, J. L.,	O'Connor,	Storb,
Cohen,	Hoopes,	O'Keefe,	Stott,
Conner,	Horst,	O'Neill,	Surface,
Cooke,	Hough,	O'Rourke,	Tahl,
Cordier,	Howard,	Patterson,	Terry,
Cramer,	Hutton,	Peelor,	Turner,
Dane,	Jaffe,	Pennock,	Wagner,
Davies,	Jones,	Perry, D. R.,	Walker, G. E.,
DeFrehn,	Kane, J. J.,	Perry, J. J.,	Walker, W. A.,
Denning,	Kane, L. P.,	Peters,	Wall,
Downey, G. E.,	King,	Powell,	Wasserman,
Downey, J.,	Kinney,	Powers,	Way,
Duffy,	Labar,	Price,	Weidemann,
Dunmire,	Lane,	Quinn,	Welsh,
Dwyer,	Laubach,	Raub,	Westrick,
Ederer,	Lenahan,	Rectenwald,	White,
Emhardt,	Lewis,	Reed,	Wike,
Eroe,	Long,	Reilly,	Williams, G. W.,
Evans,	Lord,	Roan,	Williams, J. J.,
Fitzgerald,	Lose,	Root,	Wilson, L. M.,
Flanagan,	Lovett, J. E.,	Roth,	Wilson, T. B.,
Fleisher,	Lovett, W. S.,	Ruby,	Witkin,
Flinchbaugh,	Lynch, J. R.,	Ruth,	Wood,
Flynn,	Male,	Sautter,	Woodside,
Forrest,	Malina,	Schrock,	Wright,
Furman,	Maloney,	Schrope,	Yeakel,
Gallagher,	Marcks,	Schwab,	Yourishin,
Gartner,	Mason,	Schwartz,	Zimmerman,
Gillette,	McBride,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1442 (Senate Bill No. 37), entitled:

An Act to amend section two of the act approved the twenty-eighth day of June one thousand eight hundred and ninety-five (P. L. 408) entitled "A supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth" as amended providing for additional payments to relief fund associations of fire departments and fire companies of cities boroughs and townships which afford fire protection to adjoining boroughs and townships providing that the burgess of boroughs and secretaries of boards of supervisors shall certify that such fire protection is afforded.

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—189

Andrews,	Gorman,	McClure,	Scorza,
Baker,	Green,	McCreary,	Sheffer,
Baldi,	Greenstein,	McElwee,	Shellenberger,
Barnhardt,	Griffith,	McGinnis,	Shenkel,
Bechtel,	Habbyshaw,	McGregor,	Shettel,
Beech,	Haines,	McKay,	Shortz,
Bennett,	Hamilton,	McKinney,	Shreiner,
Bernhard,	Harmuth,	Melchiorre,	Shugarts,
Blumberg,	Harris,	Meredith,	Simon,
Boyd,	Hart,	Merrell,	Sinwell,
Brancato,	Hartman,	Metzler,	Snyder,
Brennan,	Heffernan,	Mohn,	Sowers,
Brown, J. E.,	Hefferon,	Moore,	Spann,
Brown, W. L.,	Heffner,	Mumford,	Stank,
Brownfield,	Hermansen,	Munley,	Steedle,
Cannon,	Hester,	Myers,	Sterling, R. B.,
Caputo,	Hewitt,	Negley,	Stevens,
Carey,	Hoffman,	Nothnagle,	Stiteler,
Carson,	Holmes, J. B.,	O'Connor,	Stone,
Chervenak,	Holmes, J. L.,	O'Keefe,	Storb,
Cohen,	Horst,	O'Neill,	Stott,
Conner,	Hough,	O'Rourke,	Surface,
Cooke,	Howard,	Patterson,	Tahl,
Cordier,	Hutton,	Peelor,	Terry,
Craig,	Jaffe,	Pennock,	Turner,
Cramer,	Jones,	Perry, D. R.,	Wagner,
Dane,	Kane, J. J.,	Perry, J. J.,	Walker, G. E.,
Davies,	Kane, L. P.,	Peters,	Walker, W. A.,
DeFrehn,	King,	Powell,	Wall,
Denning,	Kinney,	Powers,	Wasserman,
Downey, G. E.,	Labar,	Price,	Way,
Downey, J.,	Lane,	Quinn,	Weidemann,
Duffy,	Laubach,	Raub,	Welsh,
Dunmire,	Lenahan,	Rectenwald,	Westrick,
Dwyer,	Lewis,	Reed,	White,
Ederer,	Long,	Reilly,	Wike,
Emhardt,	Lord,	Roan,	Williams, G. W.,
Eroe,	Lose,	Root,	Williams, J. J.,
Evans,	Lovett, W. S.,	Roth,	Wilson, L. M.,
Fitzgerald,	Lynch, J. R.,	Royle,	Wilson, T. B.,
Fleisher,	Lynch, M.,	Ruby,	Witkin,
Flinchbaugh,	Male,	Ruth,	Wood,
Flynn,	Malina,	Sautter,	Woodside,
Forrest,	Maloney,	Schrock,	Wright,
Furman,	Marcks,	Schrope,	Yeakel,
Gallagher,	Mason,	Schwab,	Yourishin,
Gartner,	McBride,	Schwartz,	Zimmerman,
Gillette,	McCandless,		

NAYS—1

Hoopes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

The SPEAKER. The Chair wishes to announce that the next bill, House Bill No. 1357 (Senate Bill No. 356) Printer's No. 291, is not on the files and will be passed over for the present.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1073 (Senate Bill No. 369), entitled:

An Act to amend section one of the act approved the twenty-first day of March, one thousand nine hundred and twenty-nine (P. L. 37), entitled "An act for the compensation by counties of persons detained as material witnesses in criminal prosecutions;" reducing the compensation of detained witnesses.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker and members of the House, this is a bad bill. It provides that when any person is detained as a material witness by order of the court or of the District Attorney or of a magistrate, alderman or justice of the peace compensation for being so detained shall be reduced from five to three dollars. Material witnesses are frequently

detained through no fault of their own, very frequently mistakenly detained and it is worth five dollars a day to be detained in jail.

Mr. HOUGH. Mr. Speaker, I desire to interrogate the gentleman from Cambria, Mr. Andrews.

The SPEAKER. Will the gentleman from Cambria, Mr. Andrews, permit himself to be interrogated?

Mr. ANDREWS. Mr. Speaker, I will.

Mr. HOUGH. Mr. Speaker, the gentleman from Cambria, Mr. Andrews, in his statement said that it was worth five dollars a day to be detained in jail. May I ask where the gentleman from Cambria got the information?

Mr. ANDREWS. Mr. Speaker, through serving a term for contempt of court.

Mr. TURNER. Mr. Speaker and members of the House, Senate Bill No. 369, introduced by Senator Scott, as I understand it reduces the compensation from five to three dollars a day. It is one of a series of bills introduced by Senator Scott in the relief of local taxes, and which if enacted will save many thousands of dollars to a great number of counties in the State. I, therefore, think pursuant to the general policy of the reduction of fees and of wages in this House, in an effort to reduce the cost of government, that this bill ought to be passed.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—119

Baker,	Griffith,	McClure,	Shettel,
Baldi,	Habbyshaw,	McCreary,	Shreiner,
Bennett,	Hamilton,	McElwee,	Shugarts,
Blumberg,	Harmuth,	McGinnis,	Simon,
Boyd,	Harris,	McGregor,	Snyder,
Brennan,	Hartman,	McKay,	Spann,
Brown, J. E.,	Heffernan,	Merrell,	Steedle,
Brownfield,	Hefferon,	Metzler,	Sterling, R. B.,
Caputo,	Heffner,	Moore,	Stevens,
Carey,	Hester,	Munley,	Stone,
Carson,	Hewitt,	Negley,	Storb,
Conner,	Himes, T. R.,	O'Connor,	Stott,
Cooke,	Holmes, J. L.,	O'Neill,	Surface,
Cordier,	Horst,	Peelor,	Tahl,
Craig,	Hough,	Pennock,	Terry,
Dane,	Hutton,	Perry, D. R.,	Turner,
Davies,	King,	Perry, J. J.,	Wall,
Duffy,	Kinney,	Peters,	Way,
Dunmire,	Laubach,	Powers,	Weidemann,
Ederer,	Lenahan,	Price,	Westrick,
Emhardt,	Long,	Raub,	Wike,
Eroe,	Lose,	Rectenwald,	Williams, G. W.
Evans,	Lovett, W. S.,	Reed,	Wilson, T. B.,
Flinchbaugh,	Lynch, M.,	Roan,	Witkin,
Flynn,	Male,	Ruby,	Wood,
Furman,	Maloney,	Ruth,	Woodside,
Gartner,	Marcks,	Schrock,	Wright,
Gillette,	Mason,	Schwab,	Yeakel,
Green,	McBride,	Shellenberger,	Zimmerman,
Greenstein,			

NAYS—26

Andrews,	Downey, J.,	McGrail,	Sowers,
Barnhardt,	Hermansen,	Melchiorre,	Stank,
Bechtel,	Hoopes,	O'Rourke,	Wagner,
Bernhard,	Howard,	Powell,	Welsh,
Chervenak,	Kane, J. J.,	Sautter,	Wilson, L. M.,
Cohen,	Lane,	Schrope,	Yourishin,
Denning,	Lovett, J. E.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1072 (Senate Bill No. 360), entitled:

An Act to validate sheriff's deeds acknowledged previous to the return day of the writ by virtue of which the real estate was sold or acknowledged defectively.

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186

Andrews,	Gillette,	McBride,	Schrope,
Baker,	Gorman,	McCandless,	Schwab,
Baldi,	Green,	McClure,	Schwartz,
Barnhardt,	Greenstein,	McCreary,	Scorza,
Bechtel,	Griffith,	McElwee,	Sheffer,
Beech,	Habbyshaw,	McGinnis,	Shellenberger,
Bennett,	Haines,	McGregor,	Shenkel,
Bernhard,	Hamilton,	McHenry,	Shettel,
Blumberg,	Harris,	McKay,	Shortz,
Boyd,	Hart,	McKinney,	Shreiner,
Brancato,	Hartman,	Melchiorre,	Shugarts,
Brennan,	Heffernan,	Meredith,	Simon,
Brown, J. E.,	Hefferon,	Merrell,	Sinwell,
Brown, W. L.,	Heffner,	Metzler,	Snyder,
Brownfield,	Hermansen,	Mohn,	Sowers,
Cannon,	Hester,	Moore,	Spann,
Caputo,	Hewitt,	Mumford,	Stank,
Carey,	Himes, L. R.,	Muncy,	Steedle,
Carson,	Hoffman,	Negley,	Stevens,
Chervenak,	Holmes, J. B.,	Nothnagle,	Stiteler,
Cohen,	Holmes, J. L.,	O'Connor,	Stone,
Conner,	Hoopes,	O'Keefe,	Storb,
Cooke,	Horst,	O'Neill,	Stott,
Cordier,	Hough,	O'Rourke,	Surface,
Craig,	Howard,	Patterson,	Tahl,
Cramer,	Hutton,	Peelor,	Terry,
Dane,	Jaffe,	Pennock,	Turner,
Davies,	Jones,	Perry, D. R.,	Wagner,
DeFrehn,	Kane, J. J.,	Perry, J. J.,	Walker, G. E.,
Denning,	Kane, L. P.,	Peters,	Walker, W. A.,
Downey, G. E.,	King,	Powell,	Wall,
Downey, J.,	Kinney,	Powers,	Wasserman,
Duffy,	Lane,	Price,	Way,
Dunmire,	Laubach,	Quinn,	Weidemann,
Dwyer,	Lenahan,	Raub,	Welsh,
Ederer,	Lewis,	Rectenwald,	Westrick,
Emhardt,	Long,	Reed,	White,
Eroe,	Lord,	Reilly,	Wike,
Evans,	Lose,	Roan,	Williams, G. W.,
Flanagan,	Lovett, J. E.,	Root,	Williams, J. J.,
Fleisher,	Lovett, W. S.,	Roth,	Wilson, L. M.,
Flinchbaugh,	Lynch, J. R.,	Royle,	Wilson, T. B.,
Flynn,	Lynch, M.,	Ruby,	Witkin,
Forrest,	Male,	Ruth,	Wood,
Furman,	Malina,	Sautter,	Wright,
Gallagher,	Maloney,	Schrock,	Yeakel,
Gartner,	Mason,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1843 (Senate Bill No. 638), entitled:

An Act providing for the appointment by the court of quarter sessions of the directors of the poor of the Erie County Poor District and abolishing the elected directors providing

for the appointment and compensation of a director of welfare investigators assistants experts and employes and for the employment and compensation of elected directors whose terms have not expired and repealing existing laws.

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

BILL POSTPONED

Mr. KING. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

On the question,
Will the House agree to the motion?

Mr. FITZGERALD. Mr. Speaker and members of the House, I arise to oppose the motion to place this bill on the postponed calendar. It has been carried on the calendar for three or four days.

I regret that the parliamentary status forbids me from speaking on the merits of the bill, but I ask you to vote against a postponement.

On the question recurring,
Will the House agree to the motion?

The SPEAKER declared the ayes appear to have it, whereupon a division was called for, eighty-one members having voted in the affirmative and fifty-four in the negative, the question was determined in the affirmative and the motion was agreed to.

BILL ON THIRD READING

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1456 (Senate Bill No. 375), entitled:

An Act fixing and regulating the fees, commissions, mileage and other costs chargeable by sheriffs for their official acts and the services of their deputies, watchmen, appraisers and other agents; requiring prepayment of same, unless secured or chargeable to the county, and delivery fo itemized receipts therefor; requiring certain payments by the counties, including the compensation of special deputies; providing for the taxation and collection of fees, commissions, mileage and other costs; requiring salaried sheriffs to account to their counties for certain fees and commissions collected and repealing inconsistent laws, general, special or local

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

BILL POSTPONED

Mr. MASON. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 796 (Senate Bill No. 252), entitled:

An Act to amend section fifty-four of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto;" providing that counties shall also pay the premiums on bonds of county officers given to the Commonwealth.

And said bill having been read at length the third time considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—34

Baldi,	Denning,	Kinney,	Ruth,
Barnhardt,	Dunmire,	Long,	Sautter,
Blumberg,	Emhardt,	Lord,	Shreiner,
Caputo,	Green,	Marcks,	Shugarts,
Carey,	Harris,	Mason,	Sowers,
Conner,	Hart,	O'Neill,	Spann,
Cooke,	Hefferon,	Pennock,	Steedle,
Craig,	Hoopes,	Powers,	Westrick,
Cramer,	Jaffe,	Root,	Wilson, L. M.

NAYS—106

Andrews,	Habbyshaw,	McGinnis,	Roan,
Baker,	Haines,	McGrail,	Ruby,
Bechtel,	Harmuth,	McHenry,	Schrock,
Beech,	Hartman,	McKay,	Schwab,
Bernhard,	Hermansen,	McKinney,	Shellenberger,
Boyd,	Himes, L. R.,	Melchiorre,	Shortz,
Brennan,	Holmes, J. B.,	Merrell,	Snyder,
Brown, J. E.,	Holmes, J. L.,	Mohn,	Stank,
Brown, W. L.,	Horst,	Mumford,	Sterling, R. B.,
Brownfield,	Hough,	Munley,	Stevens,
Cannon,	Howard,	Myers,	Surface,
Carson,	Hutton,	Nothnagle,	Tahl,
Chervenak,	Jones,	O'Connor,	Terry,
Cohen,	Kane, J. J.,	O'Keefe,	Turner,
Cordier,	Kane, L. P.,	O'Rourke,	Wagner,
Dane,	King,	Patterson,	Way,
Downey, G. E.,	Lane,	Peelor,	Weidemann,
Downey, J.,	Lenahan,	Perry, D. R.,	Welsh,
Duffy,	Lose,	Perry, J. J.,	Williams, G. W.,
Ederer,	Lovett, J. E.,	Powell,	Wilson, T. B.,
Eroe,	Lovett, W. S.,	Quinn,	Wood,
Fitzgerald,	Lynch, M.,	Raub,	Wright,
Flinchbaugh,	Male,	Rectenwald,	Yeakel,
Gallagher,	McBride,	Reed,	Yourishin,
Gartner,	McCreary,	Reilly,	Zimmerman,
Griffith,	McElwee,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL INTRODUCED

Mr. WILSON. Mr. Speaker, I ask the unanimous consent of the House to introduce a bill. May I say to the House, that my reason for doing this is that we have developed a situation in my county by which we are going to have forced on us a controller.

We do not want him, it will cost us six or seven thousand dollars. All the bill does is to give the court discretion as to whether or not they shall make the order. It is now mandatory The court has no discretion in the matter.

All this bill does is to give the court the discretion. It will save my county six or seven thousand dollars, and I ask the indulgence and unanimous consent of the House to introduce the bill at this time.

The SPEAKER. Will the House give its unanimous consent to the introduction of the bill at this time? Are there objections? The Chair hears none and consent is granted.

The bill will be filed with the Bill Clerk.

TIME EXTENDED ON BILL

Mr. BLUMBERG. Mr. Speaker, I move that the time on House Bill No. 1188, Printer's No. 171, entitled

An Act exempting shoe repairing machinery and tools and the appurtenances thereto, leased, loaned, hired or conditionally sold, from levy or sale on execution or distress for rent.

on page 57 of today's calendar, bills on third reading postponed, be extended five days.

The motion was agreed to.

REPORTS FROM COMMITTEES

Mr. McBRIDE, from the Committee on Education, reported as amended, House Bill No. 1945, entitled:

An Act to amend paragraph two of section four as amended and paragraph two of section six as amended and paragraph one and five of section eight as amended and to add paragraph nine to section eight of the act approved the eighteenth day of July one thousand nine hundred seventeen (Pamphlet Laws one thousand forty-three) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for the payment of administrative expenses from excess interest earnings making an appropriation therefor and providing for the reduction in the rate of payment to State Annuity Reserve Account Number Two.

Mr. STEEDLE, from the Committee on Appropriations, reported as amended, House Bill No. 254, entitled:

An Act making an appropriation to the Abington Memorial Hospital, Montgomery County, Pennsylvania.

Mr. STEEDLE, from the Committee on Appropriations, reported as amended, House Bill No. 484, entitled:

An Act making an appropriation to the St. Francis Hospital of the City of Pittsburgh, Pennsylvania.

Mr. STEEDLE, from the Committee on Appropriations, reported as amended, House Bill No. 1532, entitled:

An Act making an appropriation to the Sacred Heart Hospital, of Allentown, Pennsylvania.

Mr. STEEDLE, from the Committee on Appropriations, reported as committed, House Bill No. 1969, entitled:

An Act making an appropriation to the Department of Public Instruction for payment to certain school districts of the fourth class, of moneys due under the School Code for closed school buildings.

Mr. CONNER, from the Committee on Appropriations, reported as amended, House Bill No. 128, entitled:

An Act making an appropriation to the Margaret Henry Children's Home, New Castle, Pennsylvania.

Mr. CONNER, from the Committee on Appropriations, reported as committed, House Bill No. 2042, entitled:

An Act mking an appropriation to the Milton Wright Memorial Home of Franklin County, Pennsylvania.

Mr. CONNER, from the Committee on Appropriations, reported as amended, House Bill No. 982, entitled:

An Act making an appropriation to the Home for Aged Couples of the City of Philadelphia, located at seventeen hundred and twenty-three Francis Street, Philadelphia, Pennsylvania.

Mr. CONNER, from the Committee on Appropriations, reported as committed, House Bill No. 1063, entitled:

An Act making an appropriation to the Friendship Home, nineteen hundred thirty-nine North Twenty-second Street, Philadelphia.

Mr. STEEDLE, from the Committee on Appropriations, reported as amended, House Bill No. 1989, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Property and Supplies to assist in the development of aeronautics.

Mr. STEEDLE, from the Committee on Appropriations, reported as committed, House Bill No. 1990, entitled:

An Act making an appropriation to the Department of Internal Affairs for administration of the Aeronautical Code.

Mr. HOUGH, from the Committee on Appropriations, reported as amended, House Bill No. 1879, entitled:

An Act making an appropriation to the Visiting Nurse Society of Philadelphia.

Mr. HOUGH, from the Committee on Appropriations, reported as amended, House Bill No. 1313, entitled:

An Act making an appropriation to the Colored Children's Bureau located at seven hundred twenty-two North Forty-third street, Philadelphia, Pennsylvania.

Mr. HOUGH, from the Committee on Appropriations, reported as amended, House Bill No. 1733, entitled:

An Act making an appropriation to Willow Crest for Convalescents, Philadelphia, Pennsylvania.

Mr. HOUGH, from the Committee on Appropriations, reported as amended, House Bill No. 1424, entitled:

An Act making an appropriation to the Burd and Rogers Memorial Home at Herndon, Northumberland County.

Mr. HOUGH, from the Committee on Appropriations, reported as amended, House Bill No. 670, entitled:

An Act making an appropriation to the New Future Association, located on Sherman Avenue, North Side, Pittsburgh, Pennsylvania.

Mr. McELWEE, from the Committee on Boroughs and Townships, reported as committed, House Bill No. 417, entitled:

An Act to amend section one thousand and nine of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising amending, and consolidating the law relating to boroughs," by providing that all borough records shall be open to the inspection of any taxpayer.

Mr. GILLETTE, from the Committee on Highways, reported as committed, House Bill No. 1752, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, nine hundred five), entitled "For the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their

motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the dispostion of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing or refunds," by further regulating the registration and titling of motor vehicles, trailers, and semi-trailers, their operation on the highway, limiting the number of hours of operation of certain operators; changing certain penalties and procedures for enforcement; increasing revocation period of operators' license for second or subsequent offenses; imposing certain duties on magistrates; and further regulating the powers, duties, and rights of political subdivisions of the Commonwealth, and their officers; the courts and the clerks thereof the Department of Highways; and the Department of Revenue.

Mr. BAKER, from the Committee on Fisheries, reported as committed, House Bill No. 1567, entitled:

An Act to amend section 11, sections 20, 30 and 40 as amended, sections 50, 71, 72, 98 and 102, sections 220 and 224 as amended, and sections 226, 228, 240, 255 and 272 of the act, approved the second day of May one thousand nine hundred and twenty-five (P. L. 448), entitled, "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," defining bait-fish; changing closed seasons, legal sizes and creel limits; regulating minnow traps; prohibiting the possession of certain fillets; regulating the issuance of resident fishing licenses; providing for monthly returns by county treasurers and the revocation of fishing licenses; authorizing the Commissioner of Fisheries to accord special fishing privileges to unnaturalized foreign born persons; empowering the board to create nursery waters; providing for the payment over of fines and for refunds; generally regulating fishing; and providing penalties.

Mr. McELWEE, from the Committee on Boroughs and Townships, reported as committed, House Bill No. 575, entitled:

An Act to amend section one thousand and thirty-eight of the act approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," as amended, extending the time within which appeals from auditors' reports may be taken.

Mr. CHERVENAK, from the Committee on Education, reported as committed, House Bill No. 1551, entitled:

An Act to amend section one thousand two hundred and seven of the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith;" empowering two-thirds of the membership of a school board to elect a teacher who is related to a member of the board.

Mr. STEEDLE, from the Committee on Appropriations, reported as amended, House Bill No. 2106, entitled:

An Act making an appropriation to the National Farm School, at Doylestown, Pennsylvania.

Mr. STEEDLE, from the Committee on Appropriations, reported as amended, House Bill No. 752, entitled:

An Act making an appropriation to the Northern Tier Home, Harrison Valley, Potter County, Pennsylvania.

Mr. GREENSTEIN, from the Committee on Counties, reported as committed, House Bill No. 1355 (Senate Bill No. 67), entitled:

An Act increasing the discretionary powers of the county commissioners in counties of the third class, with reference to the assessment, levy and collection of taxes.

Mr. CAREY, from the Committee on Aeronautics, reported as committed, House Bill No. 2009 (Senate Bill No. 727), entitled:

An Act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Revenue in respect thereto; providing for the licensing and registration of airmen and aircraft; establishing the legal status of air navigation; providing, for sovereignty in and ownership of space; providing for lawfulness of flights; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws.

Mr. RUBY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 2090 (Senate Bill No. 561), entitled:

An Act to amend section one of the act, approved the first day of May, one thousand nine hundred and thirteen (P. L. 155), entitled "An act regulating the letting of certain contracts for the erection, construction, and alteration of public buildings," providing that in such cases separate contracts shall be awarded for the structural steel work.

Mr. RUBY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 2089 (Senate Bill No. 560), entitled:

An Act to amend section one thousand eight hundred and five of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto"; providing that in awarding certain contracts for the erection, construction and alteration of public buildings, separate bids shall be received for the structural steel work.

Mr. RUBY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 2087 (Senate Bill No. 558), entitled:

An Act to amend section five hundred and sixty-three of the act, approved the twenty-first day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh, and eighth classes; and revising, amending and consolidating the laws relating thereto"; providing that in awarding certain contracts for the erection, construction and alteration of public buildings, separate bids shall be received for the structural steel work.

Mr. RUBY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 2086 (Senate Bill No. 557), entitled:

An Act to amend section two thousand five hundred and eleven of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," providing that in awarding certain contracts for the erection, construction and alteration of public buildings separate bids shall be received for the structural steel work.

Mr. RUBY, from the Committee on Municipal Corporations, reported as amended, House Bill No. 2088 (Senate Bill No. 559), entitled:

An Act to amend section one thousand nine hundred and six of the act approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto"; providing that in awarding certain contracts for the erection, construction, and alteration of public buildings, separate bids shall be received for the structural steel work.

Mr. WEIDEMANN, from the Committee on Counties, re-reported as committed, House Bill No. 1071 (Senate Bill No. 302), entitled:

An Act to amend section one of the act approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," as amended, by excluding interest bearing bank accounts from the provisions thereof.

Mr. BLUMBERG, from the Committee on Municipal Corporations, re-reported as committed, House Bill No. 329, entitled:

An Act to amend sections twenty-nine and thirty-one of the act, approved the sixteenth day of May, one thousand nine hundred and twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessd, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," by providing that under certain circumstances a municipality may purchase for the record, costs, subject to the lien of taxes and municipal claims, property sold to satisfy a judgment on a tax or municipal claim, and that a judicial sale on a tax or municipal claim shall discharge all mortgages, ground-rents and other charges on or estates in the land included in the lien, and repealing certain acts or parts of acts so far as they may be inconsistent with this amendment.

Mr. STEEDLE, from the Committee on Appropriaions, re-reported as committed, House Bill No. 1412, entitled:

An Act making an appropriation to the committee created to investigate the affairs of the special poor districts of Philadelphia, and to make report thereon.

Mr. STEVENS, from the Committee on Game, reported as amended, House Bill No. 196, entitled:

An Act to amend section seven hundred and one, and sections seven hundred and four and seven hundred and twenty-five, as amended, of the act approved the twenty-fourth day of May, one thousand nine hundred and twenty-three (P. L. 359), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto"; further regulating lawful possession of game; permitting the use of plugged automatic guns and firearms; and providing penalties.

Mr. NOTHNAGLE, from the Committee on Education, reported as committed, House Bill No. 814, entitled:

An Act to amend section three of the act, approved the tenth day of June, one thousand nine hundred and thirty-one (P. L. 485), entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure, and registration of persons, and registration of corporations, engaging in the care, preparation, and disposition of the bodies of deceased persons; and providing penalties:" by exempting certain applicants for examination from educational qualifications imposed after their applications were filed and accepted.

Mr. NOTHNAGLE, from the Committee on Education, reported as committed, House Bill No. 924, entitled:

An Act to amend section eight of the act, approved the tenth day of June, one thousand nine hundred and thirty-one (P. L. 485), entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure, and registration of persons and registration of corporations, engaging in the care, preparation and disposition of the bodies of deceased persons; and providing penalties."

Mr. NOTHNAGLE, from the Committee on Education, reported as committed, House Bill No. 1871, entitled:

An Act to amend section ten of the act approved the tenth day of June, one thousand nine hundred thirty-one (Pamphlet Laws four hundred eighty-five), entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure and registration of persons, and registration of corporations, engaging in the care, preparation and disposition of the bodies of deceased persons; and providing penalties," by providing the procedure on appeal from decisions of the board refusing licenses or suspending or revoking licenses.

Mr. NOTHNAGLE, from the Committee on Education, reported as committed, House Bill No. 922, entitled:

An Act to amend section two of the act approved the tenth day of June, one thousand nine hundred and thirty-one (P. L. 485), entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure, and registration of persons and registration of corporations, engaging in the care, preparation and disposition of the bodies of deceased persons; and providing penalties;" granting licenses by the Board without examination to certain persons having had at least three years' practical experience as embalmer or undertaker under certain conditions.

Mr. NOTHNAGLE, from the Committee on Education, reported as committed, House Bill No. 923, entitled:

An Act to amend sections one and twelve of the act, approved the tenth day of June, one thousand nine hundred and thirty-one (P. L. 485), entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure and registration of persons, and registration of corporations, engaging in the care, preparation and disposition of the bodies of deceased persons; and providing penalties," by excepting embalmers from the terms of said act,

Mr. NOTHNAGLE, from the Committee on Education, reported as committed, House Bill No. 455, entitled:

An Act to amend section three of the act approved the tenth day of June, one thousand nine hundred and thirty-one (P. L. 485), entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure and registration of persons and registration of corporations, engaging in the care, preparation and disposition of the bodies of deceased persons; and providing penalties."

Mr. NOTHNAGLE, from the Committee on Education, reported as committed, House Bill No. 1018, entitled:

An Act to amend section three of the act approved the tenth day of June, one thousand nine hundred and thirty-one (P. L. 485), entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure and registration of persons, and registration of corporations, engaging in the care, preparation and disposition of the bodies of deceased persons; and providing penalties"; by permitting the licensing of the spouse of a deceased licensed undertaker without necessity of certain educational qualifications .

Mr. WILSON, from the Committee on Education, reported as committed, House Bill No. 2128 (Senate Bill No. 454), entitled:

An Act authorizing school districts to issue and sell bonds for certain purposes and for a certain period of time; providing for a trust fund and a sinking fund for the payment thereof; and defining the duties of the officers and members of the school board in relation to said funds, and fixing a penalty for the violation thereof.

Mr. DAVID R. PERRY, from the Committee on Public Utilities, reported as committed, House Bill No. 2124 (Senate Bill No. 413), entitled:

An Act approved the twenty-sixth day of July, one thousand nine hundred thirteen (Phamphlet Laws, one thousand three hundred seventy-four), entitled "An act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining and limiting their powers, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries and compensation of the members of the Commission, its officers, counsel and employes; prescribing and regulating the practice and procedure before such Commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the Commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said Commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals;' and an act, entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act, by regulating the issuance of securities by public service companies; by giving the Commission authority to suspend proposed changes in rates and making provision for reparations in connection therewith; by requiring public service companies to carry proper and reasonable depreciation accounts; by giving the Commission jurisdiction over the holders of the voting capital stock of public service companies; by giving the Commission jurisdiction over transactions and contracts between holding companies and affiliated interests and public service companies defining holding companies; affiliated interests and parties in interest to such contract by regulating the business of manufacture sale or lease of appliances and equipment by public service companies by giving the Commission jurisdiction to prescribe minimum rates by striking out the provisions relating to Certificates of Notification and certificates of valuation, and by imposing penalties.

Mr. TURNER, from the Committee on Banking, re-reported as committed, House Bill No. 1131, entitled:

An Act to provide for the organization incorporation operation and supervision of cooperative savings and credit associations to be termed credit unions designating such credit unions as corporations and defining their powers and duties conferring certain powers and duties on the Department of Banking and providing penalties.

Mr. RUTH, from the Committee on Game, reported as committed, House Bill No. 1152, entitled:

An Act to amend section seven hundred and eighteen of the act approved the twenty-fourth day of May, one thousand nine hundred and twenty-three (P. L. 359), entitled, "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," as amended, by permitting dogs to work on liberated or native wild animals in field meets.

Mr. WILSON, from the Committee on Education, reported as committed, House Bill No. 1888, entitled:

An Act to amend an act approved the eighteenth day of May, on thousand nine hundred and eleven (P. L. 309), entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith"; extending the time within which school districts of the second class may levy their taxes; conferring jurisdiction upon certain courts to review the budgets of school districts of second, third and fourth classes and relating to the effect of the institution of such proceedings upon contracts, agreements, undertakings, and the tax levy made during their pendency.

Mr. FLANAGAN, from the Committee on Corporations, reported as amended, House Bill No. 2153 (Senate Bill No. 729), entitled:

An Act requiring corporations of the second class to furnish reports to shareholders, to file such reports with the Secretary of the Commonwealth, giving the Secretary power to prescribe forms and make regulations, prescribing penalties, providing for certain exemptions and repealing inconsistent acts and parts of acts.

Mr. SCHWAB, from the Committee on Corporations, reported as committed, House Bill No. 2130 (Senate Bill No. 537), entitled:

An Act to amend section one of the act, approved the twenty-fifth day of June, one thousand eight hundred and ninety-five (P. L. 310), entitled "A further supplement to 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four," by providing that all corporations organized not for profit, shall have authority to issue capital stock to an amount not exceeding five hundred thousand dollars.

BILL RE-REFERRED

Mr. SURFACE returned from the Committee on Boroughs and Townships, with the recommendation that it be re-referred to the Committee on Ways and Means, House Bill No. 1238, entitled:

An Act to amend paragraph one of section four hundred and twenty-one of the act, approved the fourteenth day of

July, one thousand nine hundred and seventeen (P. L. 840), entitled "An act concerning townships; and revising, amending, and consolidating the law relating thereto," as amended, by reducing the millage of tax for road purposes permitted to be levied in townships of the second class without leave of court, and limiting the use to which taxes resulting from additional millage may be put.

The SPEAKER. The bill is now re-referred to the Committee on Ways and Means.

BILLS ON FIRST READING

Mr. PERRY asked and obtained unanimous consent to have House Bill No. 2124 (Senate Bill No. 413) read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2124 (Senate Bill No. 413), entitled:

An Act to amend an act approved the twenty-sixth day of July, one thousand nine hundred thirteen (Pamphlet Laws, one thousand three hundred seventy-four), entitled "An act defining public service companies; and providing for their regulation by prescribing and defining their powers, and regulating their incorporation, and, to a lmited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corprations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers, counsel, and employes; prescribing and regulating the practice and procedure before such commisison, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandaums, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Serivce Commission to enforce the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act appoved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the ePnnsylvania State Railroad Commission and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals'; and an act, entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act" regulating the issuance of securities by public service companies; by giving the commission authority to suspend proposed changes in rates and making provision for reparations in connection therewith; by requiring public service companies to carry proper and reasonable depreciation accounts; by giving the commission jurisdiction over the holders of the voting capital stock of public service companies; by giving the commission jurisdiction over transactions and contracts between holding companies and affiliated interests and public service companies defining holding companies; affiliated interests and parties in interest to such contract by regulating the business of manufacture sale or lease of appliances and equipment by public service companies by giving the Commission jurisdiction to prescribe minimum rates by striking out the provisions relating to Certificates of Notification and certficates of valuation, and by imposing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. BAKER asked and obtained unanimous consent to have House Bill No. 1567 read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1567, entitled:

An Act to amend section 11, sections 20, 30 and 40 as amended, sections 50, 71, 72, 98 and 202, sections 220 and 224 as amended, and sections 226, 228, 240, 255 and 272 of the act, approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448) entitled "An act relating to fish; and amending, revising, consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," defining bait-fish; changing closed seasons, legal sizes and creel limits; regulating minnow traps; prohibiting the possession of certain fillets; regulating the issuing of resident fishing licenses; providing for monthly returns by county treasurers and the revocation of fishing licenses; authorizing the Commissioner of Fisheries to accord special fishing privileges to unnaturalized foreign-born persons; empowering the board to create nursery waters; providing for the payment over of fines and for refunds; generally regulating fishing; and providing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. GILLETTE asked and obtained unanimous consent to have House Bill No. 1752 read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1752, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses bicycles, pedestrians and the riding of animals upon the highways of this Commonwealth; providing for the titling including liens, encumbrances and legal claims; registration of certain vehicles and licensing of operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing

for the disposition of fines forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds;" by further regulating the registration and titling of motor vehicles, trailers and semitrailers, their operation on the highway; limiting the number of hours of operation of certain operators; changing certain penalties and procedures for enforcements; increasing revocation period of operators' licenses for second or subsequent offenses; imposing certain duties on magistrates; and further regulating the powers, duties and rights of political subdivisions of the Commonwealth, and their officers; the courts and the clerks thereof, the Department of Highways; and the Department of Revenue.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

REPORT OF SLATE COMMITTEE

Mr. STEEDLE offered the following resolution which was twice read, considered and adopted.

In the House of Representatves, April 6, 1933

Resolved That Mr. John Ringler, of Blairsville, Pennsylvania, be declared elected transcribing clerk of the House of Representatives, Session of 1933, vice Griffith Ellis, of Indiana, Pennsylvania, deceased.

STATEMENT BY MR. STEEDLE

Mr. STEEDLE. Mr. Speaker and members of the House, I desire to make this statement: It is necessary that we return here at 2.30 o'clock, so that a Constitutional majority will be present. There are important bills that will come out immediately upon the reconvening of the House that affect every member of this body. Your hospital bills, your home bills and the general appropriation bill will be out immediately after we reconvene, and I ask every member who is interested in these bills to be present, so that we may get them on first reading today and on second reading on Monday. In order that the mechanics and procedure of the House will not be stifled, I ask you to be back here at 2.30 o'clock.

RECESS

The SPEAKER. If there are no objections the Chair will declare a recess until 2.30 P. M. Are there objections? The Chair hears none, and (at 1.25 P. M.) declares a recess until 2.30 P. M.

AFTER RECESS

The House reconvened at 2.30 P. M.

The SPEAKER PRO TEMPORE (Mr. A. J. White Hutton) in the Chair.

BILLS INTRODUCED AND REFERRED

By Messrs. P. STERLING, FLYNN, STEEDLE and McCLURE (By request of Joint Legislative Committee on the Finances). HOUSE BILL No. 2155.

An Act to amend section twenty of the act, approved the eleventh day of May, one thousand nine hundred and twenty-one (P. L. 522), entitled "An act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties," by abolishing the fee payable to police officers for killing and disposing of unlicensed dogs.

Referred to the Committee on State Government.

By Mr. WILSON. HOUSE BILL No. 2156.

An Act to amend section one hundred thirty-six of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," changing the procedure to create the office of county controller, including procedures where decrees have heretofore been entered.

Referred to the Committee on Counties.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 876. (HOUSE BILL No. 2157).

An Act to amend clause (a) of section four hundred and eleven of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing of operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds;" by providing for transfer of registration from husband and wife to either spouse.

Referred to the Committee on Highways.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 445

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 445, entitled:

Ann Act to amend sections 703 1015 1406 1902 2103 2403 Cl 53 2559 2562 2563 2564 2566 2567 2601 2620 2621 2706 2955 2978 3206 3211 3212 3501 3801 and 3803 of and to add sections 1913 and 2990 to the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" providing for vacancies in office and the filling thereof where persons elected fail to qualify for the publication of ordinances for the deposit of funds by the city treasurer for exemption from advertisement of contracts with the Commonwealth for a platoon system for paid men of volunteer fire departments for group insurance for the exoneration of tax collectors and the settlement of their duplicates for penalties and interest on taxs for the collection

of delinquent taxes for the licensing of transient merchants and business for the acquisition of unobstructed views for detours for the construction of sewage treatment works and the acquisition of property therefor for the collection of a frontage tax for water mains and certain license taxes that the powers of the Shade Tree Commission may be exercised by council for the advertisement of contracts in trade journals and for the improvement of boundary streets

And has appointed Messrs. Scott, Bell and Baumer a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 948.

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue to meet interest and Sinking Fund requirements on the State debt.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 6, 1933.

Resolved (if the Senate concur), That House Bill 192, Printer's No. 317, entitled "An act to amend section two of the act approved the tenth day of April, one thousand eight hundred and seventy-nine (Pamphlet Laws sixteen) entitled 'An act relating to mutual saving fund building and loan associations regulating the mode of charging premiums bonus or interest in advance of withdrawals of repayment and collection of loans also restricting the power to levy excessive fines and defining the rights and liabilities of married women stockholders and prescribing the non-application to these associations of the bonus tax and registry laws for corporations' by further regulating withdrawals," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 6, 1933.

Resolved (if the Senate concur), That House Bill No. 127, Printer's No. 338, entitled "An act to amend section one thousand two hundred seven of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled 'An act [to amend the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act] relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth' ["] taking out of operation the Fiscal Code questions relating to the lien and payment of liquid fuel taxes and referring such questions to the provisions of the liquid fuels tax acts," be recalled from the Governor for further consideration.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 5, 1933.

Resolved (if the Senate concur), That House Bill No. 963, Printer's No. 101, entitled "An act to amend section two of the act approved the twenty-second day of April, one thousand eight hundred and seventy-four (Pamphlet Laws one hundred nine) entitled 'An act to provide for the submission of civil cases to the decision of the court and to dispense with trial of jury' providing that upon request of counsel the decision of the court in such cases shall state separately the facts found the answers to point submitted and the conclusions of laws," be recalled from the Governor for the purpose of amendment.

CONSENT REQUESTED TO READ APPROPRIATION BILLS THE FIRST TIME

Mr. STEEDLE. Mr. Speaker, I report the various hospital and home bills from the Appropriations Committee. Each one of these bills bears other than my name on the report, but to expedite matters and not tie the House up for a long time, in passing the bill from one man to another, I ask that these reports be accepted as coming from me. The bills when placed on the calendar should bear the man's name that appears on them. Therefore, I report from the Appropriations Committee the various hospital and home bills and ask unanimous consent for them to be read the first time.

The SPEAKER. Will the House give its unanimous consent for these bills to be read for the first time? Are there objections?

Mr. HOOPES. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and the bills will be reported from Committee.

Mr. STEEDLE. Mr. Speaker, may I state to the gentleman from Berks County, who is objecting to these bills being read for the first time, that this is important procedure.

These bills are in the heart of every member of this House. I can see no reason why the gentleman should tarry the progress of these bills. I am only appealing to his sense of human kindness toward the institutions, that they may not be dragged out for an additional week. Not to let these bills be read for the first time now may make it possible that instead of adjourning next Wednesday, Thursday or Friday, if you please, would probably delay the passage of these bills to the extent that we would have to return here the following week.

I hope the gentleman from Berks will kindly withdraw his objection.

Mr. HOOPES. Mr. Speaker and members of the House, in answer to the gentleman from Allegheny County, I deliberately objected to these bills because I insist that they shall be printed and brought before the House so that we may know what we are voting on.

I object for the additional reason that I have a number of bills in this House which are near to my heart and which I have been unable to get out of committee and I think it is time some of us have a chance to get some of our bills before this House.

I am not at all anxious that this House adjourn next week without having considered a solitary labor measure. I think it is time that some of those measures be brought out of committee and that we be given a chance to considere them. For that reason I am objecting to consideration of these bills at this time. As I understand it, they are appropriation bills for the next biennium, and that they will not hold up the appropriations to the hospitals for this biennium. That biennium, as I understand it, does not begin until June 1st.

The SPEAKER. The gentleman from Berks insists upon his objection. The bills will be merely read as to their titles.

Mr. BALDI, from the Committee on Appropriations, reported as amended, House Bill No. 80, entitled:

An Act making an appropriation to the Kittanning General Hospital, Kittanning, Pennsylvania.

Mr. BALDI, from the Committee on Appropriations, reported as amended, House Bill No. 118, entitled:

An Act making an appropriation to the Nason Hospital Association of Roaring Spring, Blair County, Pennsylvania.

Mr. BALDI, from the Committee on Appropriations, reported as amended, House Bill No. 167, entitled:

An Act making an appropriation to the Miners' Hospital of Northern Cambria at Spangler, Cambria County, Pennsylvania.

Mr. BALDI, from the Committee on Appropriations, reported as amended, House Bill No. 252, entitled:

An Act making an appropriation to the Westmoreland Hospital Association of Greensburg, Pennsylvania.

Mr. BLUMBERG, from the Committee on Appropriations, reported as amended, House Bill No. 266, entitled:

An Act making an appropriation to the Hospital of the Women's Medical College of Pennsylvania, located at Henry Avenue and Abbotsford Road, East Falls, Philadelphia, Pennsylvania.

Mr. BLUMBERG, from the Committee on Appropriations, reported as amended, House Bill No. 275, entitled:

An Act making an appropriation to the Mount Siani Hospital, of Philadelphia, Pennsylvania.

Mr. STEEDLE, from the Committee on Appropriations, reported as amended, House Bill No. 276, entitled:

An Act making an appropriation to the Elwyn Training School, at Elwyn, in the County of Delaware, Commonwealth of Pennsylvania.

Mr. BALDI, from the Committee on Appropriations, reported as amended, House Bill No. 283, entitled:

An Act making an appropriation to the Westmoreland Children's Aid Society at Greensburg, Pennsylvania.

Mr. BLUMBERG, from the Committee on Appropriations, reported as amended, House Bill No. 294, entitled:

An Act making an appropriation to the Latrobe Hospital, Latrobe, Pennsylvania.

Mr. BLUMBERG, from the Committee on Appropriations, reported as amended, House Bill No. 295, entitled:

An Act making an appropriation to the York Hospital, West College Avenue, York, Pennsylvania.

Mr. BLUMBERG, from the Committee on Appropriations, reported as amended, House Bill No. 301, entitled:

An Act making an appropriation to the Christian H. Buhl Hospital, Sharon, Pennsylvania.

Mr. CONNER, from the Committee on Appropriations, reported as amended, House Bill No. 302, entitled:

An Act making an appropriation to the Brookville Hospital, Brookville, Pennsylvania.

Mr. BALDI, from the Committee on Appropriations, reported as amended, House Bill No. 303, entitled:

An Act making an appropriation to the Pennsylvania Memorial Home of Brookville, Pennsylvania.

Mr. CONNER, from the Committee on Appropriations, reported as amended, House Bill No. 304, entitled:

An Act making an appropriation to the Adrain Hospital Association of Punxsutawney, Jefferson County, Pennsylvania.

Mr. BALDI, from the Committee on Appropriations, reported as amended, House Bill No. 322, entitled:

An Act making an appropriation to the Baby Welfare Association of Philadelphia.

Mr. CONNER, from the Committee on Appropriations, reported as amended, House Bill No. 323, entitled :

An Act making an appropriation to the Uniontown Hospital, Uniontown, Pennsylvania.

Mr. CONNER, from the Committee on Appropriations, reported as amended, House Bill No. 349, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia, Pennsylvania.

Mr. BALDI, from the Committee on Appropriations, reported as amended, House Bill No. 356, entitled:

An Act making an appropriation to the Pennsylvania Home Teaching Society and Free Circulating Library for the Blind at Philadelphia.

Mr. CONNER, from the Committee on Appropriations, reported as amended, House Bill No. 373, entitled:

An Act making an appropriation to the Brownsville General Hospital, Brownsville, Pennsylvania.

Mr. BLUMBERG, from the Committee on Approriations, reported as amended, House Bill No. 377, entitled:

An Act making an appropriation to the Florence Crittenton Home of Erie, Pennsylvania.

Mr. COOKE, from the Committee on Appropriations, reported as amended, House Bill No. 378, entitled:

An Act making an appropriation to the Zem Zem Hospital for Crippled Children of Erie, Pennsylvania.

Mr. COOKE, from the Committee on Appropriations, reported as committed, House Bill No. 381, entitled:

An Act making an appropriation to the Erie Home for the Friendless of the City of Erie, Pennsylvania.

Mr. COOKE, from the Committee on Appropriations, reported as amended, House Bill No. 391, entitled:

An Act making an appropriation to the Erie Infants' Home and Hospital of Erie, Pennsylvania.

Mr. COOKE, from the Committee on Appropriations, reported as amended, House Bill No. 404,entitled:

An Act making an appropriation to the Ellwood City Hospital, Ellwood City, Pennsylvania.

Mr. COOKE, from the Committee on Appropriations, reported as amended, House Bill No. 409, entitled:

An Act making an appropriation to the Wyoming Valley Homeopathic Hospital, at Wilkes-Barre, Pennsylvania.

Mr. TURNER, from the Committee on Appropriations, reported as amended, House Bill No. 412, entitled:

An Act making an appropriation to the Chester Day Nursery and Children's Home at Chester, Pennsylvania.

Mr. COOKE, from the Committee on Appropriations, rereported as amended, House Bill No. 414, entitled:

An Act making an appropriation to the Suburban General Hospital, of Bellevue, Allegheny County, Pennsylvania.

Mr. COOKE, from the Committee on Appropriations, reported as amended, House Bill No. 418, entitled:

An Act making an appropriation to the Hamot Hospital Association, of Erie, Pennsylvania.

Mr. BLUMBERG, from the Committee on Appropriations, reported as amended, House Bill No. 458, entitled:

An Act making an appropriation to the Home for the Veterans of the Grand Army of the Republic and Wives, Philadelphia, Pennsylvania.

Mr. DWYER, from the Committee on Appropriations, reported as amended, House Bill No. 453, entitled:

An Act making an appropriation to the Coatesville Hospital, Coatesville, Pennsylvania.

Mr. DWYER, from the Committee on Appropriations, reported as amended, House Bill No. 466, entitled:

An Act making an appropriation to the Centre County Hospital, located at Bellefonte, Centre County, Pennsylvania.

Mr. DWYER, from the Committee on Appropriations, reported as amended, House Bill No. 467, entitled:

An Act making an appropriation to the Indiana Hospital, of Indiana County, Pennsylvania.

Mr. DWYER, from the Committee on Appropriations, reported as amended, House Bill No. 471, entitled:

An Act making an appropriation to the Homeopathic Hospital, West Chester, Chester County, Pennsylvania.

Mr. DWYER, from the Committee on Appropriations, reported as amended, House Bill No. 472, entitled:

An Act making an appropriation to the Phoenixville Hospital, Phoenixville, Chester County, Pennsylvania.

Mr. WOOD, from the Committee on Appropriations, reported as amended, House Bill No. 474, entitled:

An Act making an appropriation to the Corry Hospital Association, of Corry, Pennsylvania.

Mr. STEEDLE, from the Committee on Appropriations, reported as amended, House Bill No. 485, entitled:

An Act making an appropriation to the Home for the Friendless of Harrisburg, Pennsylvania.

Mr. WOOD, from the Committee on Appropriations, reported as amended, House Bill No. 486, entitled:

An Act making an appropriation to the Harrisburg Polyclinic Hospital of Harrisburg, Pennsylvania.

Mr. WOOD, from the Committee on Appropriations, reported as amended, House Bill No. 493, entitled:

An Act making an appropriation to the Henry Clay Frick Memorial Hospital at Mount Pleasant, Pennsylvania.

Mr. WOOD, from the Committee on Appropriations, reported as amended, House Bill No. 497, entitled:

An Act making an appropriation to the Pittsburgh Hospital Association, Pittsburgh, Pennsylvania.

Mr. WOOD, from the Committee on Appropriations, reported as amended, House Bill No. 498, entitled:

An Act making an appropriation to the Belvedere General Hospital of Pittsburgh Allegheny County, Pennsylvania.

Mr. WOOD, from the Committee on Appropriations, reported as amended, House Bill No. 507, entitled:

An Act making an appropriation to the Sewickley Valley Hospital Association, Incorporated, of Allegheny County, Pennsylvania.

Mr. GARTNER, from the Committee on Appropriations, reported as amended, House Bill No. 509, entitled:

An Act making an appropriation to the Home for the Friendless Children of Lancaster, Pennsylvania.

Mr. GARTNER, from the Committee on Appropriations, reported as amended, House Bill No. 510, entitled:

An Act making an appropriation to the Lancaster County Tuberculosis Society.

Mr. GARTNER, from the Committee on Appropriations, reported as amended, House Bill No. 513, entitled:

An Act making an appropriation to the Wayne County Memorial Hospital, at Honesdale, Pennsylvania.

Mr. GARTNER, from the Committee on Appropriations, reported as amended, House Bill No. 516, entitled:

An Act making an appropriation to the Saint Vincent's Hospital Association of the City of Erie, Pennsylvania.

Mr. GARTNER, from the Committee on Appropriations, reported as amended, House Bill No. 519, entitled:

An Act making an appropriation to the Quakertown Hospital Association, Quakertown, Pennsylvania.

Mr. GARTNER, from the Committee on Appropriations, reported as amended, House Bill No. 520, entitled:

An Act making an appropriation to the Grand View Hospital, located near Sellersville, Bucks County, Pennsylvania.

Mr. JOHN L. HOLMES, from the Committee on Appropriations, reported as amended, House Bill No. 521, entitled:

An Act making an appropriation to the Tabor Home for Children, Doylestown, Bucks County, Pennsylvania.

Mr. GILLETTE, from the Committee on Appropriations reported as amended, House Bill No. 533, entitled:

An act making an appropriation to the Mary M. Packer Hospital, Sunbury, Pennsylvania.

Mr. GILLETTE, from the Committee on Appropriations, reported as amended, House Bill No. 538, entitled:

An act making an appropriation to the Allegheny Valley Hospital, at Tarentum, Pennsylvania.

Mr. GILLETTE, from the Committee on Appropriations, reported as amended, House Bill No. 540, entitled:

An Act making an appropriation to the Jamison Memorial Hospital Association, New Castle, Pennsylvania.

Mr. GILLETTE, from the Committee on Appropriations, reported as amended, House Bill No. 542, entitled:

An Act making an appropriation to the Women's Homeopathic Hospital, Philadelphia, Pennsylvania (now known as Broad Street Hospital) Philadelphia, Pennsylvania.

Mr. BALDI, from the Committee on Appropriations, reported as amended, House Bill No. 543, entitled:

An Act making an appropriation to the Pennsylvania Seamen's Friend Society of Philadelphia, Pennsylvania.

Mr. GILLETTE, from the Committee on Appropriations, reported as amended, House Bill No. 545, entitled:

An Act making an appropriation to the Lock Haven Hospital, Lock Haven, Pennsylvania.

Mr. GREENSTEIN, from the Committee on Appropriations, reported as amended, House Bill No. 546, entitled:

An Act making an appropriation to the Renovo Hospital, Renovo, Pennsylvania.

Mr. GREENSTEIN, from the Committee on Appropriations, reported as amended, House Bill No. 547, entitled:

An Act making an appropriation to the Mercy Hospital Philadelphia, Pennsylvania.

Mr. HOUGH, from the Committee on Appropriations, reported as amended, House Bill No. 551, entitled:

An Act making an appropriation to the York Society to Protect Children and Aged Persons, of York, Pennsylvania.

Mr. HOUGH, from the Committee on Appropriations, reported as amended, House Bill No. 552, entitled:

An Act making an appropriation to the Children's Home of the City of York, Pennsylvania.

Mr. GREENSTEIN, from the Committee on Appropriations, reported as amended, House Bill No. 556, entitled:

An Act making an appropriation to the J. C. Blair Memorial Hospital of Huntingdon, Pennsylvania.

Mr. GREENSTEIN, from the Committee on Appropriations, reported as amended, House Bill No. 557, entitled:

An Act making an appropriation to the Homestead Hospital, Homestead, Pennsylvania.

Mr. GREENSTEIN, from the Committee on Appropriations, reported as amended, House Bill No. 560, entitled:

An Act making an appropriation to the Providence Hospital, Beaver Falls, Pennsylvania.

Mr. HAINES, from the Committee on Appropriations, reported as amended, House Bill No. 561, entitled

An Act making an appropriation to the Rochester General Hospital of Rochester, Beaver County, Pennsylvania.

Mr. HAINES, from the Committee on Appropriations, reported as amended, House Bill No. 562, entitled:

An Act making an appropriation to the Beaver Valley General Hospital at New Brighton, Pennsylvania.

Mr. POWELL, from the Committee on Appropriations, reported as amended, House Bill No. 563, entitled:

An Act making an appropriation to the Beaver County Children's Home of New Brighton, Pennsylvania.

Mr. HAINES, from the Committee on Appropriations, reported as amended, House Bill No. 577, entitled:

An Act making an appropriation to the Mercy Hospital of Altoona, Pennsylvania.

Mr. DWYER, from the Committee on Appropriations, reported as amended, House Bill No. 581, entitled:

An Act making an appropriation to the Children's Home of Harrisburg, Pennsylvania.

Mr. HAINES, from the Committee on Appropriations, reported as amended, House Bill No. 582, entitled:

An Act making an appropriation to the Harrisburg Hospital, Harrisburg, Pennsylvania.

Mr. HAINES, from the Committee on Appropriations, reported as amended, House Bill No. 584, entitled:

An Act making an appropriation to the Altoona Hospital, of Altoona, Pennsylvania.

Mr. HEFFERON, from the Committee on Appropriations, reported as amended, House Bill No. 621, entitled:

An Act making an appropriation to the Hahnemann Hospital, city of Scranton, Pennsylvania.

Mr. HEFFERON, from the Committee on Appropriations, reported as amended, House Bill No. 622, entitled:

An Act making an appropriation to the Frederick Douglass Memorial Hospital and Training School, at Philadelphia, Pennsylvania.

Mr. HEFFERON, from the Committee on Appropriations, reported as amended, House Bill No. 633, entitled:

An Act making an appropriation to the Pottstown Homeopathic Hospital, Pottstown, Pennsylvania.

Mr. HEFFERON, from the Committee on Appropriations, reported as amended, House Bill No. 634, entitled:

An Act making an appropriation to the Pottstown Hospital, Pottstown, Pennsylvania.

Mr. BLUMBERG, from the Committee on Appropriations, reported as amended, House Bill No. 636, entitled:

An Act making an appropriation to the Philadelphia Association for the Protection of Colored Women, Philadelphia, Pennsylvania.

Mr. FLYNN, from the Committee on Appropriations, reported as amended, House Bill No. 638, entitled:

An act making an appropriation to the Pennsylvania Working Home for Blind Men, Philadelphia, Pennsylvania.

Mr. HEFFERON, from the Committee on Appropriations, reported as amended, House Bill No. 646, entitled:

An Act making an appropriation to the McKeesport Hospital, Pennsylvania.

Mr. HOLMES, from the Committee on Appropritaions, reported as amended, House Bill No. 653, entitled:

An Act making an appropriation to the Pottsville Hospital, Pottsville, Pennsylvania.

Mr. JOHN L. HOLMES, from the Committee on Appropriations, reported as amended, House Bill No. 661, entitled:

An Act making an appropriation to the Children's Hospital, Bainbridge Street, Philadelphia, Pennsylvania.

Mr. FLYNN, from the Committee on Appropriations, reported as amended, House Bill No. 662, entitled:

An Act making an appropriation to the Bethel Orphanage, located at Osceola, Tioga County, Pennsylvania.

Mr. JOHN L. HOLMES, from the Committee on Appropriations, reported as amended, House Bill No. 665, entitled:

An Act making an appropriation to the Taylor Hospital Association of the Borough of Taylor, Lackawanna County, Pennsylvania.

Mr. STEEDLE, from the Committee on Appropriations, reported as committed, House Bill No. 667, entitled:

An Act making an appropriation to the Pittsburgh and Allegheny Home for the Friendless, Pittsburgh, Pennsylvania.

Mr. JOHN L. HOLMES, from the Committee on Appropriations, reported as amended, House Bill No. 668, entitled:

An Act making an appropriation to the Presbyterian Hospital of Pittsburgh, Pennsylvania.

Mr. JOHN L. HOLMES, from the Committee on Appropriations, reported as amended, House Bill No. 682, entitled:

An Act making an appropriation to the Mercy Hospital, Wilkes-Barre, Pennsylvania.

Mr. PHILIP STERLING, from the Committee on Appropriations, reported as amended, House Bill No. 685, entitled:

An Act making an appropriation to the Northern Home for Friendless Children of Philadelphia, Pennsylvania.

Mr. HOFFMAN, from the Committee on Appropriations, reported as amended, House Bill No. 686, entitled:

An Act making an appropriation to the Memorial Hospital at Roxborough, Philadelphia, Pennsylvania.

Mr. HOFFMAN, from the Committee on Appropriations, reported as amended, House Bill No. 707, entitled:

An Act making an appropriation to the Carbondale General Hospital, Carbondale, Pennsylvania.

Mr. TURNER, from the Committee on Appropriations, reported as amended, House Bill No. 708, entitled:

An Act making an appropriation to the Mid-Valley Hospital Association at Blakely, Pennsylvania.

Mr. WILSON, from the Committee on Appropriations, reported as amended, House Bill No. 709, entitled:

An Act making an appropriation to the Saint Joseph's Hospital, Carbondale, Pennsylvania.

Mr. WILSON, from the Committee on Appropriations, reported as amended, House Bill No. 710, entitled:

An Act making an appropriation to the Robert Packer Hospital of Sayre, Pennsylvania.

Mr. WILSON, from the Committee on Appropriations, reported as amended, House Bill No. 714, entitled:

An Act making an appropriation to the Tuberculosis League of Pittsburgh, Pennsylvania.

Mr. WILSON, from the Committee on Appropriations, reported as amended, House Bill No. 715, entitled:

An Act making an appropriation to the Passavant Hospital of Pittsburgh, Pennsylvania.

Mr. WILSON, from the Committee on Appropriations, reported as amended, House Bill No. 719, entitled:

An act making an appropriation to the Grove City Hospital of Grove City, Pennsylvania.

Mr. HOFFMAN, from the Committee on Appropriations, reported as amended, House Bill No. 735, entitled:

An Act making an appropriation to the Taylor Hospital, Ridley Park, Delaware County, Pennsylvania.

Mr. HOFFMAN, from the Committee on Appropriations, reported as amended, House Bill No. 741, entitled:

An Act making an appropriation to the General Hospital, East Stroudsburg, Monroe County, Pennsylvania.

Mr. JOHN L. HOLMES, from the Committee on Appropriations, reported as amended, House Bill No. 745, entitled:

An Act making an appropriation to the Pittston Hospital Association of the City of Pittston, Pennsylvania.

Mr. MALONEY, from the Committee on Appropriations, reported as amended, House Bill No. 754, entitled:

An Act making an appropriation to the George Junior Republic Association of Western Pennsylvania.

Mr. JOHN J. WILLIAMS, from the Committee on Appropriations, reported as amended, House Bill No. 766, entitled:

An Act making an appropriation to the Lewistown Hospital, Lewistown, Pennsylvania.

Mr. HOFFMAN, from the Committee on Appropriations, reported as amended, House Bill No. 770, entitled:

An Act making an appropriation to the Benevolent Association's Home for Children, Pottsville, Pennsylvania.

Mr. JOHN J. WILLIAMS, from the Committee on Appropriations, reported as amended, House Bill No. 809, entitled:

An Act making an appropriation to the Temple University Garretson Hospital, Philadelphia, Pennsylvania.

Mr. JOSEPH R. LYNCH, from the Committee on Appropriations, reported as amended, House Bill No. 820, entitled:

An Act making an appropriation to the Home for Aged of Westmoreland County.

Mr. McKAY, from the Committee on Appropriations, reported as amended, House Bill No. 853, entitled:

An Act making an appropriation to the Children's Home of Easton, Pennsylvania (formerly the Easton Home for Friendless Children).

Mr. ROAN, from the Committee on Appropriations, reported as amended, House Bill No. 854, entitled:

An Act making an appropriation to the Home for Aged and Infirm Women of Easton, Pennsylvania.

Mr. JOHN J. WILLIAMS, from the Committee on Appropriations, reported as amended, House Bill No. 863, entitled:

An Act making an appropriation to the Northern Liberties Hospital, Philadelphia, Pennsylvania.

Mr. JOHN J. WILLIAMS, from the Committee on Appropriations, reported as amended, House Bill No. 865, entitled:

An Act making an appropriation to the Trustees of the A. C. Millikin Hospital, Pottsville, Pennsylvania, (formerly the Anthracite Hospital).

Mr. LAUBACH, from the Committee on Appropriations, reported as amended, House Bill No. 867, entitled:

An Act making an appropriation to the Chambersburg Hospital, at Chambersburg, Pennsylvania.

Mr. LAUBACH, from the Committee on Appropriations, reported as amended, House Bill No. 868, entitled:

An Act making an appropriation to the Waynesboro Hospital, Waynesboro, Pennsylvania.

Mr. FLYNN, from the Committee on Appropriations, reported as amended, House Bill No. 874, entitled:

An Act making an appropriation to the Children's Aid Society of Franklin County, Pennsylvania.

Mr. LAUBACH, from the Committee on Appropriations, reported as amended, House Bill No. 901, entitled:

An Act making an appropriation to the West Side Hospital Association of Scranton, Lackawanna County, Pennsylvania.

Mr. LAUBACH, from the Committee on Appropriations, reported as amended, House Bill No. 907, entitled:

An Act making an appropriation to the Simon H. Barnes Memorial Hospital, of Susquehanna, Pennsylvania.

Mr. LAUBACH, from the Committee on Appropriations, reported as amended, House Bill No. 934, entitled:

An Act making an appropriation to the Braddock General Hospital, Braddock, Pennsylvania.

Mr. HOUGH, from the Committee on Appropriations, reported as amended, House Bill No. 951, entitled:

An Act making an appropriation to the Western Pennsylvania Hospital, Pittsburgh, Pennsylvania.

Mr. HOUGH, from the Committee on Appropriations, reported as amended, House Bill No. 978, entitled:

An Act making an appropriation to the Philadelphia College of Osteopathy and Osteopathic Hospital of Philadelphia.

Mr. PHILIP STERLING, from the Committee on Appropriations, reported as amended, House Bill No. 980, entitled:

An Act making an appropriation to the Saint Christopher's Hospital for Children, Philadelphia, Pennsylvania.

Mr. PHILIP STERLING, from the Committee on Appropriations, reported as amended, House Bill No. 983, entitled:

An Act making an appropriation to the Saint John's General Hospital of Pittsburgh, Pennsylvania.

Mr. J. R. LYNCH, from the Committee on Appropriations, reported as amended, House Bill No. 994, entitled:

An Act making an appropriation to the Christian Home of Johnstown, Pennsylvania.

Mr. PHILIP STERLING, from the Committee on Appropriations, reported as amended, House Bill No. 1003, entitled:

An Act making an appropriation to the Butler County Memorial Hospital, Butler, Butler County, Pennsylvania.

Mr. PHILIP STERLING, from the Committee on Appropriations, reported as amended, House Bill No. 1006, entitled:

An Act making an appropriation to the Oil Citv Hospital, Oil City, Pennsylvania.

Mr. PHILIP STERLING, from the Committee on Appropriations, reported as amended, House Bill No. 1007, entitled:

An Act making an appropriation to the Franklin Hospital, Franklin, Pennsylvania.

Mr. SPANN, from the Committee on Appropriations, reported as amended, House Bill No. 1012, entitled:

An Act making an appropriation to The United Charities of Hazleton, Pennsylvania.

Mr. HOUGH, from the Committee on Appropriations, reported as amended, House Bill No. 1016, entitled:

An Act making an appropriation to the Pittsburgh Homeopathic Medical and Surgical Hospital, Pittsburgh, Pennsylvania.

Mr. HOUGH, from the Committee on Appropriations, reported as amended, House Bill No. 1024, entitled:

An Act making an appropriation to the Delaware County Hospital, Lansdowne Avenue and Garrett Road, Upper Darby, Delaware County, Pennsylvania.

Mr. PHILIP STERLING, from the Committee on Appropriations, reported as amended, House Bill No. 1055, entitled:

An Act making an appropriation to the Nazarene Home for the Aged, at Philadelphia, Pennsylvania.

Mr. HOUGH, from the Committee on Appropriations, reported as amended, House Bill No. 1060, entitled:

An Act making an appropriation to the Maple Avenue Hospital Association of DuBois, at DuBois, Pennsylvania.

Mrs. PENNOCK, from the Committee on Appropriations, reported as amended, House Bill No. 1113, entitled:

An Act making an appropriation to the Warren General Hospital of Warren, Pennsylvania.

Mrs. PENNOCK, from the Committee on Appropriations, reported as amended, House Bill No. 1129, entitled:

An Act making an appropriation to the Eagleville Sanatorium for Consumptives, located at Eagleville, Montgomery County, Pennsylvania.

Mrs. PENNOCK, from the Committee on Appropriations, reported as amended, House Bill No. 1132, entitled:

An Act making an appropriation to the Northwestern General Hospital of Philadelphia, Pennsylvania.

Mrs. PENNOCK, from the Committee on Appropriations, reported as amended, House Bill No. 1141, entitled:

An Act making an appropriation to the Stetson Hospital of Philadelphia, Pennsylvania.

Mrs. PENNOCK, from the Committee on Appropriations, reported as amended, House Bill No. 1144, entitled:

An Act making an appropriation to the Women's Homeopathic Hospital of Philadelphia, Pennsylvania.

Mr. MALONEY, from the Committee on Appropriations, reported as amended, House Bill No. 1174, entitled:

An Act making an appropriation to the Kensington Hospital for Women, Philadelphia, Pennsylvania.

Mr. MALONEY, from the Committee on Appropriations, reported as amended, House Bill No. 1181 entitled:

An Act making an appropriation to the Frankford Hospital, located at Frankford, Philadelphia, Pennsylvania.

Mr. MALONEY, from the Committee on Appropriations, reported as amended, House Bill No. 1328, entitled:

An Act making an appropriation to the Community Hospital of Kane, Pennsylvania.

Mr. MALONEY, from the Committee on Appropriations, reported as amended, House Bill No. 1329, entitled:

An Act making an appropriation to the Kane Summit Hospital Association of Kane, McKean County, Pennsylvania.

Mr. COOKE, from the Committee on Appropriations, reported as amended, House Bill No. 1332, entitled:

An Act making an appropriation to the Home for the Friendless for the City of Scranton.

Mr. MALONEY, from the Committee on Appropriations, reported as amended, House Bill No. 1341, entitled:

An Act making an appropriation to the Hanover General Hospital, of Hanover, York County, Pennsylvania.

Mr. SCHWARTZ, from the Committee on Appropriations, reported as amended, House Bill No. 1388, entitled:

An Act making an appropriation to the Good Samaritan Hospital, of Lebanon, Pennsylvania.

Mr. COOKE, from the Committee on Appropriations, reported as amended, House Bill No. 1464, entitled:

An Act making an appropriation to the Meadville Children's Aid Society and Home for the Aged, Meadville, Crawford County, Pennsylvania.

Mr. SCHWARTZ, from the Commitee on Appropriations, reported as amended, House Bill No. 1465, entitled:

An Act making an appropriation to the Spencer Hospital, Meadville, Pennsylvania.

Mr. SCHWARTZ, from the Commitee on Appropriations, reported as amended, House Bill No. 1466, entitled:

An Act making an appropriation to the Meadville City Hospital, Meadville, Pennsylvania.

Mr. SCHWARTZ, from the Commitee on Appropriations, reported as amended, House Bill No. 1467, entitled:

An Act making an appropriation to the Titusville Hospital, at Titusville, Pennsylvania.

Mr. CONNER, from the Commitete on Appropriations, reported as amended, House Bill No. 1481, entitled:

An Act making an appropriation to the Berean Manual Manual Training and Industrial School.

Mr. HAINES, from the Committee on Appropriations, reported as amended, House Bill No. 1484, entitled:

An Act making an appropriation to the Working Men's Home for the Aged, located at Warrington, Bucks County, Pennsylvania.

Mr. HART, from the Committee on Appropriations, reported as amended, House Bill No. 1503, entitled:

An Act making an appropriation to the Julia White Priscilla Home for Aged Colored People located at LaMott, Montgomery County, Pennsylvania.

Mr. SCHWARTZ, from the Committee on Appropriations, reported as amended, House Bill No. 1510, entitled:

An Act making an appropriation to the Montgomery Hospital at Norristown, Montgomery County, Pennsylvania.

Mr. ROYLE, from the Committee on Appropriations, reported as amended, House Bill No. 1533, entitled:

An Act making an appropriation to the Bradford Hospital, Bradford, Pennsylvania.

Mr. FLYNN, from the Committee on Appropriations, reported as amended, House Bill No. 1534, entitled:

An Act making an appropriation to the Beacon Light Mission near the City of Bradford, Pennsylvania.

Mr. RICE, from the Committee on Appropriations, reported as amended, House Bill No. 1555, entitled:

An Act making an appropriation to the Children's Home Society of Pennsylvania.

Mr. ROYLE, from the Committee on Appropriations, reported as amended, House Bill No. 1724, entitled:

An Act making an appropriation to the Ohio Valley General Hospital at McKees Rocks, Pennsylvania.

Mr. BALDI, from the Committee on Appropriations, reported as amended, House Bill No. 2105, entitled:

An Act making an appropriation to the Elk County General Hospital, Ridgway, Pennsylvania.

PARLIAMENTARY INQUIRY

Mr. STEEDLE. Mr. Speaker, may I have the floor to raise a question of parliamentary inquiry?

The SPEAKER. The gentleman from Allegheny is recognized for the purpose of raising a parliamentary inquiry. The gentleman will proceed.

Mr. STEEDLE. Mr. Speaker, is it possible by a vote of the members present to suspend the rule that may govern this procedure?

The SPEAKER. In answer to the question of the gentleman from Allegheny, Mr. Steedle, and also the members of the House, the Chair will read Rule 88, as follows: "Any rule of the House may be suspended at any time for a specific purpose by a majority vote of the members elect; after the accomplishment of which purpose the rule shall remain in force as before."

The rule under consideration would be Rule 43, which reads as follows: "When bills on first reading are in order, the Speaker shall take up the calendar, and announce each bill in the order in which it appears on the calendar. They shall severally be read at length, and agreed to without amendments or debate, and journalized accordingly."

The Chair also calls to the attention of the House, Article III, section 4 of the Pennsylvania Constitution, which reads as follows: "Every bill shall be read at length on three different days in each House; all amendments made thereto shall be printed for the use of the members before the final vote is taken on the bill, and no bill shall become a law, unless on its final passage the vote be taken by yeas and nays, the names of the persons voting for and against the same be entered on the journal and a majority of the members elected to each House be recorded thereon as voting in its favor."

Does that answer the parliamentary inquiry of the gentleman from Allegheny, Mr. Steedle?

Mr. STEEDLE. It does, Mr. Speaker. Therefore, I move you that rule No. 88, be suspended.

The SPEAKER. Rule No. 88, is the rule, the Chair will inform the gentleman from Allegheny, which gives power to suspend. Rule 43 is the second rule which the Chair read.

RULE No. 43 SUSPENDED

Mr. STEEDLE. Then, Mr. Speaker, I move that Rule No. 43 be suspended for the present for the purpose of giving the hospital and home bills first reading.

On the question,

Will the House agree to the motion?

Mr. HOOPES. Mr. Speaker and members of the House, I ask you to vote down this motion for the reasons that I stated a moment ago.

There are plenty of bills that are held up in this House, that we are unable to get out and consider.

There is no reason why we should jam through the appropriation bills and then adjourn without considering those measures. Certainly you will not be hurting your hospitals by holding up these bills, because they are appropriations for the next biennium, which does not begin until June 1st. We have plenty of time to have these bills properly printed and considered, so we may know what we are voting on. It is a very bad precedent to pass these bills on first reading, without their being printed and having no way of knowing what they are. When they get to second reading we haven't a chance to consider them, and going at the pace we have been going this week, we do not have a chance to read them until they come up on third reading. Therefore, in order to try and get some other bills out of the committees, I ask you to vote against this motion to suspend, and I ask for a roll call.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Hoopes and Mrs. Wilson were as follows:

YEAS—122

Andrews,	Heffernan,	McGinnis,	Schrock,
Baker,	Hefferon,	McGregor,	Scorza,
Baldi,	Heffner,	McHenry,	Sheffer,
Barnhardt,	Hermansen,	McKay,	Shellenberger,
Brennan,	Hewitt,	McKinney,	Shettel,
Brown, W. L.,	Himes, L. R.,	Merrell,	Shortz,
Carey,	Hoffman,	Metzler,	Shreiner,
Cohen,	Holmes, J. B.,	Mumford,	Sinwell,
Conner,	Holmes, J. L.,	Munley,	Sowers,
Cooke,	Horst,	Myers,	Spann,
Cordier,	Hough,	Negley,	Stank,
Craig,	Hutton,	Nothnagle,	Steedle,
Dane,	Jaffe,	O'Connor,	Sterling, R. B.,
Davies,	Jones,	O'Neill,	Surface,
Denning,	Kane, L. P.,	Patterson,	Tahl,
Downey, G. E.,	King,	Peelor,	Terry,
Downey, J.,	Kinney,	Pennock,	Turner,
Duffy,	Laubach,	Perry, D. R.,	Wagner,
Ederer,	Lenahan,	Perry, J. J.,	Walker, W. A.,
Emhardt,	Long,	Powell,	Wall,
Eroe,	Lord,	Powers,	Way,
Evans,	Lose,	Price,	Weidemann,
Fitzgerald,	Lovett, W. S.,	Raub,	Westrick,
Flanagan,	Lynch, J. R.,	Rectenwald,	Wike,
Flinchbaugh,	Maloney,	Reilly,	Williams, J. J.,
Green,	Mason,	Roan,	Wilson, T. B.,
Griffith,	McBride,	Root,	Wood,
Habbyshaw,	McCandless,	Ruby,	Woodside,
Haines,	McClure,	Ruth,	Yeakel,
Harris,	McElwee,	Sautter,	Yourishin,
Hart,			

NAYS—31

Beech,	Dunmire,	Lane,	Quinn,
Boyd,	Gallagher,	Lovett, J. E.,	Schwab,
Brown, J. E.,	Harmuth,	Lynch, M.,	Shugarts,
Brownfield,	Hartman,	Male,	Stevens,
Cannon,	Hester,	Malina,	Walker, G. E.,
Caputo,	Hoopes,	McCreary,	Welsh,
Carson,	Howard,	McGrail,	Wilson, L. M.,
Chervenak,	Kane, J. J.,	O'Keefe,	

So the question was determined in the affirmative and the motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 80, entitled:

An Act making an appropriation to the Kittanning General Hospital, Kittanning, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 118, entitled:

An Act making an appropriation to the Nason Hospital Association of Roaring Spring, Blair County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 167, entitled:

An Act making an appropriation to the Miners' Hospital of Northern Cambria at Spangler, Cambria County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 252, entitled:

An Act making an appropriation to the Westmoreland Hospital Association of Greensburg, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 266, entitled:

An Act making an appropriation to the Hospital of the Woman's Medical College of Pennsylvania, located at Henry Avenue and Abbotsford Road, East Falls, Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 275, entitled:

An Act making an appropriation to the Mount Sinai Hospital, of Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 276, entitled:

An Act making an appropriation to the Elwyn Training School, at Elwyn, in the County of Delaware, Commonwealth of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 283, entitled:

An Act making an appropriation to the Westmoreland Children's Aid Society at Greensburg, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 294, entitled:

An Act making an appropriation to the Latrobe Hospital, Latrobe, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 295, entitled:

An Act making an appropriation to the York Hospital, West College Avenue, York, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 301, entitled:

An Act making an appropriation to the Christian H. Buhl Hospital, Sharon, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 302, entitled:

An Act making an appropriation to the Brookville Hospital, Brookville, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 303, entitled:

An Act making an appropriation to the Pennsylvania Memorial Home of Brookville, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 304, entitled:

An Act making an appropriation to the Adrian Hospital, Association of Punxsutawney, Jefferson County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 322, entitled:

An Act making an appropriation to the Baby Welfare Association of Philadelphia.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 323, entitled:

An Act making an appropriation to the Uniontown Hospital, Uniontown, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 349, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 356, entitled:

An Act making and appropriation to the Pennsylvania Home Teaching Society and Free Circulating Library for the Blind at Philadelphia.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 373, entitled:

An Act making an appropriation to the Brownsville General Hospital, Brownsville, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 377, entitled:

An Act making an appropriation to the Florence Crittenton Home of Erie, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 378, entitled:

An Act making an appropriation to the Zem Zem Hospital for Crippled Children of Erie, Pennsylvania.

And said bill having been read at length the first time,
Ordered. To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 381, entitled:

An Act making an appropriation to the Erie Home for the Friendless of the City of Erie, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 391, entitled:

An Act making an appropriation to the Erie Infants' Home and Hospital of Erie, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 404, entitled:

An Act making an appropriation to the Ellwood City Hospital, of Ellwood City, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 409, entitled:

An Act making an appropriation to the Wyoming-Valley Homeopathic Hospital, at Wilkes-Barre, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 412, entitled:

An Act making an appropriation to the Chester Day Nursery and Children's Home at Chester, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 414, entitled:

An Act making an appropriation to the Suburban General Hospital, of Bellevue, Allegheny County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 418, entitled:

An Act making an appropriation to the Hamot Hospital Association, of Erie, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 458, entitled:

An Act making an appropriation to the Home for Veterans of Grand Army of the Republic and Wives, Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 453, entitled:

An Act making an appropriation to the Coatesville Hospital, Coatesville, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 466, entitled:

An Act making an appropriation to the Centre Hospital, located at Bellefonte, Centre County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 467, entitled:

An Act making an appropriation to the Indiana Hospital, of Indiana County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 471, entitled:

An Act making an appropriation to the Homeopathic Hospital, West Chester, Chester County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 472, entitled:

An Act making an appropriation to the Phoenixville Hospital, Phoenixville, Chester County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 474, entitled:

An Act making an appropriation to the Corry Hospital Association, of Corry, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 485, entitled:

An Act making an appropriation to the Home for the Friendless of Harrisburg, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 486, entitled:

An Act making an appropriation to the Harrisburg Polyclinic Hospital of Harrisburg, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 493, entitled:

An Act making an appropriation to the Henry Clay Frick Memorial Hospital at Mount Pleasant, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 497, entitled:

An Act making an appropriation to the Pittsburgh Hospital Association, Pittsburgh, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 498, entitled:

An Act making an appropriation to the Belvedere General Hospital of Pittsburgh, Alleheny County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 507, entitled:

An Act making an appropriation to the Sewickley Valley Hospital Association, Incorporated, of Allegheny County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 509, entitled:

An Act making an appropriation to the Home for Friendless Children of Lancaster, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 510, entitled:

An Act making an appropriation to the Lancaster County Tuberculosis Society.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 513, entitled:

An Act making an appropriation to the Wayne County Memorial Hospital, at Honesdale, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 516, entitled:

An Act making an appropriation to the Saint Vincent's Hospital Association of Erie, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 519, entitled:

An Act making an appropriation to the Quakertown Hospital Association, Quakertown, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 520, entitled:

An Act making an appropriation to the Grand View Hospital, located near Sellersville, Bucks County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 521, entitled:

An Act making an appropriation to the Tabor Home for Children, Doylestown, Bucks County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 533, entitled:

An Act making an appropriation to the Mary M. Packer Hospital, Sunbury, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 538, entitled:

An Act making an appropriation to the Allegheny Valley Hospital, at Tarentum, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 540, entitled:

An Act making an appropriation to the Jamison Memorial Hospital Association, New Castle, Pa.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 542, entitled:

An Act making an appropriation to the Women's Homeopathic Hospital, Philadelphia (now known as Broad Street Hospital), Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 543, entitled:

An Act making an appropriation to the Pennsylvania Seamen's Friend Society of Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 545, entitled:

An Act making an appropriation to the Lock Haven Hospital, Lock Haven, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 546, entitled:

An Act making an appropriation to the Renovo Hospital, Renovo, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 547, entitled:

An Act making an appropriation to the Mercy Hospital of Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 551, entitled:

An Act making an appropriation to the York Society to Protect Children and Aged Persons, of York, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 552, entitled:

An Act making an appropriation to the Children's Home of the City of York, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 556, entitled:

An Act making an appropriation to the J. C. Blair Memorial Hospital of Huntingdon, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 557, entitled:

An Act making an appropriation to the Homestead Hospital, Homestead, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.
The House proceeded to the first reading and consideration of House Bill No. 560, entitled:

An Act making an appropriation to the Providence Hospital, Beaver Falls, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 561, entitled:

An Act making an appropriation to the Rochester General Hospital of Rochester, Beaver County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 562, entitled:

An Act making an appropriation to the Beaver Valley General Hospital, at New Brighton, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order
The House proceeded to the first reading and consideration of House Bill No. 563, entitled:

An Act making an appropriation to the Beaver County Children's Home, at New Brighton, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order
The House proceeded to the first reading and consideration of House Bill No. 577, entitled:

An Act making an appropriation to the Mercy Hospital of Altoona, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order
The House proceeded to the first reading and consideration of House Bill No. 581, entitled:

An Act making an appropriation to the Children's Home of Harrisburg, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 582, entitled:

An Act making an appropriation to the Harrisburg Hospital, Harrisburg, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 584, entitled:

An Act making an appropriation to the Altoona Hospital, of Altoona, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 621, entitled:

An Act making an appropriation to the Hahnemann Hospital, City of Scranton, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 622, entitled:

An Act making an appropriation to the Frederick Douglass Memorial Hospital and Training School, at Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 633, entitled:

An Act making an appropriation to the Pottstown Homeopathic Hospital, Pottstown, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 634, entitled:

An Act making an appropriation to the Pottstown Hospital, Pottstown, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 636, entitled:

An Act making an appropriation to the Philadelphia Association for the Protection of Colored Women, Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 638, entitled:

An Act making an appropriation to the Pennsylvania Working Home for Blind Men, Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 646, entitled:

An Act making an appropriation to the McKeesport Hospital, McKeesport, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 653, entitled:

An Act making an appropriation to the Pottsville Hospital, Pottsville, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 661, entitled:

An Act making an appropriation to the Children's Hospital, Bainbridge Street, Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bille No. 662, entitled:

An Act making an appropriation to the Bethel Orphanage, located at Osceola, Tioga County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 665, entitled:

An Act making an appropriation to the Taylor Hospital Association of the Borough of Taylor, Lackawanna County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 667, entitled:

An Act making an appropriation to the Pittsburgh and Allegheny Home for the Friendless, Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 668, entitled:

An Act making an appropriation to the Presbyterian Hospital of Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 682, entitled:

An Act making an appropriation to the Mercy Hospital, Wilkes-Barre, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 685, entitled:

An Act making an appropriation to the Northern Home for Friendless Children of Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 686, entitled:

An Act making an appropriation to the Memorial Hospital at Roxborough, Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 707, entitled:

An Act making an appropriation to the Carbondale General Hospital, Carbondale, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 708, entitled:

An Act making an appropriation to the Mid-Valley Hospital Association at Blakely, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 709, entitled:

An Act making an appropriation to the Saint Joseph's Hospital, Carbondale, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 710, entitled:

An Act making an appropriation to the Robert Packer Hospital of Sayre, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 714, entitled:

An Act making an appropriation to the Tuberculosis League of Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 715, entitled:

An Act making an appropriation to the Passavant Hospital of Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 719, entitled:

An Act making an appropriation to the Grove City Hospital, in the Borough of Grove City, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 735, entitled:

An Act making an appropriation to the Taylor Hospital, Ridley Park, Delaware County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 741, entitled:

An Act making an appropriation to the General Hospital, East Stroudsburg, Monroe County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 745, entitled:

An Act making an appropriation to the Pittston Hospital Association of the City of Pittston, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 754, entitled:

An Act making an appropriation to the George Junior Republic Association of Western Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 766, entitled:

An Act making an appropriation to the Lewistown Hospital, Lewistown, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 770, entitled:

An Act making an appropriation to the Benevolent Association's Home for Children, Pottsville, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 809, entitled:

An Act making an appropriation to the Temple University Garretson Hospital, Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 820, entitled:

An Act making an appropriation to the Home for Aged of Westmoreland County.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 853, entitled:

An Act making an appropriation to the Children's Home of Easton, Pennsylvania (formerly the Easton Home for Friendless Children).

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 854, entitled:

An Act making an appropriation to the Home for Aged and Infirm Women of Easton, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 863, entitled:

An Act making an appropriation to the Northern Liberties Hospital, Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 865, entitled:

An Act making an appropriation to the Trustees of the A. C. Millikin Hospital, Pottsville, Pennsylvania (formerly the Anthracite Hospital).

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 867, entitled:

An Act making an appropriation to the Chambersburg Hospital, at Chambersburg, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 868, entitled:

An Act making an appropriation to the Waynesboro Hospital, Waynesboro, Pennsylvania.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 874, entitled:

An Act making an appropriation to the Children's Aid Society of Franklin County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 901, entitled:

An Act making an appropriation to the West Side Hospital Association of Scranton, Lackawanna County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 907, entitled:

An Act making an appropriation to the Simon H. Barnes Memorial Hospital, of Susquehanna, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 934, entitled:

An Act making an appropriation to the Braddock General Hospital, Braddock, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 951, entitled:

An Act making an appropriation to the Western Pennsylvania Hospital, Pittsburgh, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 978, entitled:

An Act making an appropriation to the Philadelphia College of Osteopathy and Osteopathic Hospital of Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 980, entitled:

An Act making an appropriation to the Saint Christopher's Hospital for Children, Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 983, entitled:

An Act making an appropriation to the Saint John's General Hospital at Pittsburgh, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 994, entitled:

An Act making an appropriation to the Christian Home of Johnstown, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1003, entitled:

An Act making an appropriation to the Butler County Memorial Hospital, Butler, Butler County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1006, entitled:

An Act making an appropriation to the Oil City Hospital, Oil City, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1007, entitled:

An Act making an appropriation to the Franklin Hospital, Franklin, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1012, entitled:

An Act making an appropriation to The United Charities of Hazleton, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1016, entitled:

An Act making an appropriation to the Pittsburgh Homeopathic Medical and Surgical Hospital, Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1024, entittled:

An Act making an appropriation to the Delaware County Hospital, Lansdowne Avenue and Garrett Road, Upper Darby, Delaware County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1055, entitled:

An Act making an appropriation to the Nazarene Home for the Aged, at Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1060, entitled:

An Act making an appropriation to the Maple Avenue Hospital Association of DuBois at DuBois, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1113, entitled:

An Act making an appropriation to the Warren General Hospital of Warren, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1129, entitled:

An Act making an appropriation to the Eagleville Sanatorium for Consumptives, located at Eagleville, Montgomery County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1132, entitled:

An Act making an appropriation to the Northwestern General Hospital of Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1141, entitled:

An Act making an appropriation to the Stetson Hospital of Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1144, entitled:

An Act making an appropriation to the Women's Homeopathic Hospital of Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1174, entitled:

An Act making an appropriation to the Kensington Hospital for Women, Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1181, entitled:

An Act making an appropriation to the Frankford Hospital located at Frankford, Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1328, entitled:

An Act making an appropriation to the Community Hospital of Kane, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1329, entitled:

An Act making an appropriation to the Kane Summit Hospital Association of Kane, McKean County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1332, entitled:

An Act making an appropriation to the Home for the Friendless for the city of Scranton.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1341, entitled:

An Act making an appropriation to the Hanover General Hospital, of Hanover, York County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1388, entitled:

An Act making an appropriation to the Good Samaratan Hospital, Lebanon, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1464, entitled:

An Act making an appropriation to the Meadville Children's Aid Society and Home for the Aged, Meadville, Crawford County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1465, entitled:

An Act making an appropriation to the Spencer Hospital Meadville, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1466, entitled:

An Act making an appropriation to the Meadville City Hospital, Meadville, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1467, entitled:

An Act making an appropriation to the Titusville Hospital, at Titusville, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1481, entitled:

An Act making an appropriation to the Berean Manual Training Industrial School.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1484, entitled:

An Act making an appropriation to the Working Men's Home for the Aged, located at Warrington, Bucks County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1503, entitled:

An Act making an appropriation to the Julia White Priscilla Home for Aged Colored People located at LaMott, Montgomery County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1510, entitled:

An Act making an appropriation to the Montgomery Hospital at Norristown, Montgomery County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1533, entitled:

An Act making an appropriation to Bradford Hospital, Bradford, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1534, entitled:

An Act making an appropriation to the Beacon Light Mission near the city of Bradford, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1555, entitled:

An Act making an appropriation to the Children's Home Society of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1724, entitled:

An Act making an appropriation to the Ohio Valley General Hospital at McKees Rocks, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2105, entitled:

An Act making an appropriation to the Elk County General Hospital, Ridgway, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

RECESS

Mr. STEEDLE. Mr. Speaker, I move that this House do now take a recess for fifteen minutes, or until 3.50 P. M. in order that the Committee on Appropriations may meet in the House Caucus Room.

The motion was agreed to, and (at 3.27 P. M.) the House took a recess until 3.50 P. M.

AFTER RECESS

The House reconvened at 3.50 P. M.

The SPEAKER PRO TEMPORE (A. J. White Hutton) in the Chair.

BILL ON THIRD READING

Mr. TAHL asked and obtained unanimous consent to call up out of order House Bill No. 1102 (Senate Bill No. 60) Printer's No. 14, on page 49 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1102 (Senate Bill No. 60), entitled:

An Act to amend sections two and three four as amended five, seven and eight of the act approved the sixteenth day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand seven hundred eighty) entitled "An act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County" by reducing the salaries of judges learned in the law.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. TAHL. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

STATEMENT BY Mr. STEEDLE

Mr. STEEDLE. Mr. Speaker, and ladies and gentlemen of the House, before I proceed to report House Bill No. 260 I wish to rise and ask the floor on a question of personal privilege.

The SPEAKER. Does the gentleman wish to make a statement or is he speaking for a special purpose?

Mr. STEEDLE. To make a statement, Mr. Speaker.

The SPEAKER. The gentleman from Allegheny will proceed.

Mr. STEEDLE. Mr. Speaker and ladies and gentlemen of the House, in yesterday's publication of the "Harrisburg Telegraph" and many newspapers within the State, Governor Pinchot, of the State of Pennsylvania, saw fit to criticize this body with language to the effect that we are a lot of bums, to which I sincerely object and resent.

I wish to make the following statement in answer to the publications as of yesterday and of today in the various newspapers throughout the State:

"The general appropriation bill providing for a total expenditure of $127,060,083.03 for the coming biennium as reported to the House today is primarily an economy measure. Indeed, it is by far the most drastic measure of this kind ever presented to the Legislature. It is the result of weeks of intensive work and study of every phase of governmental activity. A sincere effort has been made to preserve the essential services of government and at the same time to save millions of dollars to the taxpayers.

The extent of the committee's work in this direction and its understanding of the needs of the emergency are indicated by the fact that the total expenditures as proposed by the general appropriation bill are about $13,000,000 less than the budget recommendations of the Governor.

As I said, our bill is primarily an economy measure. Every penny saved by the economies we propose will help to provide not only funds for unemployment relief, but for those other agencies for indirect relief for which the State has assumed large financial responsibilities—namely, the State-aided Hospitals and Homes.

For these the committee has felt that the critical situation in which they find themselves warrants increases all along the line. As is well known, the depression has greatly increased the expenses of the hospitals which have been compelled to provide free service on an enlarged scale to people out of work with no other means of procuring much needed medical and surgical aid. At the same time they have seen their usual revenues greatly reduced by reason of the reduced incomes of those private sources which ordinarily contribute generously to the hospitals and homes.

These hospitals now must look to the State for assistance or must close for lack of money with which to operate. It would be a terrible calamity for any community if its hospital service were to be cut off now. So the committee has felt that the hospitals must be materially helped and it has recommended to the Legislature that State-aided hospitals be increased 20 per cent. over the amount allocated to them in the 1931-33 biennium.

This is an increase of 29 per cent. over the budget allocations of Governor Pinchot, who recommends that the State-aided hospitals be reduced a little more than 9 per cent. below the total allocations for the past two years, the Governor's budget providing only $6,500,000.00 for this purpose.

The savings made possible by provisions of House Bill No. 22, known as the Turner economy measure, passed by the House this week, warrant us in recommending these increases for the hospitals and that the needs of the public demand it.

For the same reasons a ten per cent. increase is recommended for State-aided Homes.

I deeply resent the inference, just now brought to my attention, that members of this committee would countenance threats of hospital reductions in the districts of members of the Legislature not favorable to certain bills recently before the House. This is utterly false. The committee has been actuated only by the highest motives. The appropriation bill is proof positive that all such talk is utterly without foundation in truth. Every State-aided Hospital and Home in Pennsylvania has been increased. It is outrageous for anybody to insinuate that this committee, or the Legislature as a whole, would tolerate for a moment, such flagrant violation of public trust. The insinuation has not a vestige of truth in it.

The SPEAKER. The remarks of the gentlemen from Allegheny will be noted in the Journal and spread upon the Legislative Journal.

REPORT FROM COMMITTEE

Mr. STEEDLE from the Committee on Appropriations, re-reported as amended, House Bill No. 260, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-three.

REPORT FROM COMMITTEE

Mr. STEEDLE. Mr. Speaker, I desire to report from the Committee on Appropriations Concurrent Resolution of the Senate, known as the Howell Resolution, as amended.

ADJOURNMENT

Mr. TURNER. Mr. Speaker, I move that this House do now adjourn until Monday evening, April 10, 1933, at 9.00 o'clock.

The motion was agreed to, and (at 4.07 P. M.) the House adjourned until Monday, April 10, 1933, at 9.00 o'clock P. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1933 — 130th of the General Assembly

Vol. 15 — HARRISBURG, PA., MONDAY, APRIL 10, 1933. — No. 45

SENATE

MONDAY, April 10, 1933.

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

PRAYER

The Chaplain, Rev. George P. Donehoo, offered the following prayer:

Thou Great Governor of the Universe, we again thank Thee for this glorious day and this beautiful night, for the bursting buds of springtime and the flowers; and we pray Thee that we may meet all of the battles and struggles of life cheerfully because nothing can take from us God's sunshine and these beautiful mountains and flowers and the ability to manfully meet all the struggles of life. Give unto us true heroism so that whether in war or in peace we may live like men. Be with every member of the Senate tonight, and help everybody here to meet all of the struggles and temptations and anxieties of life cheerfully. We ask in Thy name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the proceeding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PETHICK, the further reading was dispensed with, and the Journal was approved.

PETITION

PROTESTING AGAINST PROPOSED ELIMINATION OF CALIFORNIA STATE TEACHERS COLLEGE

Mr. PARKINSON presented petitions from

Members of Methodist Episcopal Church, Speers,
Members of Free Methodist Church, of Belle Vernon,
Members of Methodist Episcopal Church, of Belle Vernon,
Members of First Presbyterian Church, of Belle Vernon,
Members of St. Sebastion Church, of Belle Vernon,
Members of the Pricedale Union Church, of Pricedale,
Members of the First Christian Church, of Belle Vernon,

protesting against the proposed elimination of California State Teachers College.

Which were referred to the Committee on Education.

FAVORING BEER CONTROL AND REPEAL CONVENTION PLANS

Mr. PRINCE presented petition from The Cumberland County Unit of the Society of Allied Citizens of the United States favoring beer control and repeal convention plans.

Which was referred to the Committee on Finance.

PROTESTING AGAINST PUBLIC SERVICE COMMISSION'S GENERAL ORDER No. 29.

Mr. SCOTT presented petitions from numerous citizens throughout Center and Clearfield Counties protesting against Public Service Commission's General Order No. 29.

Which were referred to the Committee on Public Roads and Highways.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 1128 (Senate Bill No. 974) entitled:

An Act to amend the act approved the fourth day May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "General Borough Act," as amended by authorizing council to designate a depository for borough funds, and setting forth the effect thereof to secure indemnity bonds, and insurance policies and to invest borough funds; permitting the payment of bond premiums for borough officials; redefining requirefor contracts for work or purchase; altering the requirement for the levying of taxes; defining the effect of non-notice of tax levies; increasing the expense alowance of tax collectors: fixing the status of land acquired by the borough, and providing for the disposition thereof under certain circumstances: limiting the requirements of assessment ordinances in sewer construction proceedings: permitting the acquisition of land for park purposes in adjacent boroughs; and authorizing condemnation proceeding to secure land for airports.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1647 (Senate Bill No. 975), entitled:

An Act to amend Sections 8 and 15 of the act approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (P. L. 466), entitled "Fire Safety Building Regulation Law." as amended by authorizing the Department of Labor and Industry to charge for the cost of making examinations of plans and eliminating duplicating and overlapping inspections of plans in certain cases.

Which was committed to the Committee on Finance.

House Bill No. 1648 (Senate Bill No. 976), entitled:

An Act to amend Section 4 of the act approved the twelfth day of June, one thousand nine hundred and thirty-one (P. L. 510), entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals; conferring certain powers and duties upon the Department of Welfare; and providing penalties," by increasing the license fee to be collected by the Department of Welfare.

Which was committed to the Committee on Finance.

House Bill No. 1650 (Senate Bill No. 977), entitled:

An Act to amend the act approved the fifteenth day of April, one thousand eight hundred and seventy-three (P. L. 75) en-

titled "An act relating to the fees of the surveyor general" by prescribing certain fees to be charged by the Department of Internal Affairs for services rendered by the Land Office.

Which was committed to the Committee on Finance.

House Bill No. 1652 (Senate Bill No. 978), entitled:

An Act to amend Section 2 and 6 of the act approved the twelfth day of July, one thousand nine hundred and nineteen and its delivery and distribution; providing for the preparation, contents, style, printing and binding of the Legislative Journal and its delivery and distribution; providing for the preparation, contents, style, printing and binding of the Legislative Journal and its delivery and distribution; providing for the preparation, printing and binding of the Journals of the Senate and House of Representatives; authorizing the appointment of official reporters, expert typewriters, clerks and other employes, and providing for their compensation and mileage; providing for the making of an appendix and index, the printing of wrappers or envelopes for mailing the Legislative Journals; and repealing all acts or parts of acts inconsistent herewith" by further prescribing the method of printing bills and joint resolutions in the Legislative Journal; changing the number of employes of the General Assembly, necessary for the preparation of the Legislative Journal, and repealing part of an inconsistent act.

Which was committed to the Committee on Appropriations.

House Bill No. 1665, (Senate Bill No. 979), entitled:

An Act to repeal section six and eigth and to amend sections two, four, and eleven of the act approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (P. L. 450), entitled "State Fire Marshal Law" by requiring only reports of incendiary fires to be filed with the Pennsylvania State Police and eliminating the compiling of statistics of fires and fire losses by the Pennsylvania State Police.

Which was committed to the Committee on Finance.

House bill No. 1666, (Senate Bill No. 980), entitled:

An Act to amend section nine of the act approved the thirteenth day of May, one thousand nine hundred and twenty-five (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes" by increasing the fees to be charged by the Department of Welfare for certificates of registration.

Which was committed to the Committee on Finance.

House Bill No. 1671, (Senate Bill No. 981), entitled:

An Act to further amend section twenty-one of the act approved the seventh day of June, one thousand nine hundred and fifteen, (P. L. 900), entitled "Vital Statistics Law" by increasing the fee to be charged by the Department of Health for certified copies of records of births, deaths or marriages.

Which was committed to the Committee on Finances.

House Bill No. 1741, (Senate Bill No. 982), entitled:

An Act to amend section ten as amended of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468), entitled "Sproul State Highway Law," by providing for the construction and maintenance of certain bridge in boroughs by the Commonwealth.

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 1786, (Senate Bill No. 983), entitled:

An Act to further amend section eleven of the act approved the second day of June, one thousand nine hundred and fifteen, (P. L. 772), entitled "State Workmen's Insurance Fund Law," by making the moneys in the State Workmen's Insurance Fund available for the reimbursement of the General Fund for certain services rendered or supplied by certain departments.

Which was committed to the Committee on Finance.

House Bill No. 1106, (Senate Bill No. 984), entitled:

An Act to provide for the incorporation and regulation of cooperative agricultural credit associations having capital stock; and defining the limitations, powers and duties of such associations.

Which was committed to the Committee on Corporations.

HOUSE CONCURS IN SENATE BILL No. 37

He also returned to the Senate, Senate Bill No. 37, entitled:

An Act to amend section two of the act, approved the twenty-eighth day of June, one thousand eight hundred and ninety-five (P. L. 408), entitled "A supplement to the twenty-fourth section of an act, entitled 'An act to provide revenue by taxation, approved the seventh day of June, one thousand eight hundred and seventy-nine,' approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section, by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign insurance companies to the treasurers of the several cities and boroughs within this Commonwealth," as amended; providing for additional payments to relief fund associations of fire departments and fire companies of cities, boroughs and townships which afford fire protection to adjoining boroughs and townships; providing that the burgess of boroughs and secretaries of boards of supervisors shall certify that such fire protection is afforded.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 47

He also returned to the Senate, Senate Bill No. 47, entitled:

An Act to amend section one hundred and forty-three of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto"; changing the condition of the county treasurer's bond.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 360

He also returned to the Senate, Senate Bill No. 360, entitled:

An Act to validate sheriffs' deeds acknowledged previous to the return day of the writ by virtue of which the real estate was sold or acknowledged defectively.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 369

He also returned to the Senate, Senate Bill No. 369, entitled:

An Act to amend section one of the act approved the twenty-first day of March, one thousand nine hundred and twenty-nine, (P. L. 37), entitled "An act for the compensation by counties of persons detained as material witnesses in criminal prosecutions;" reducing the compensation of detained witnesses.

with the information that the House has passed the same without amendment.

INVITATION TO ATTEND ANNUAL CONVENTION OF PENNSYLVANIA FEDERATION OF LABOR

The Chair cleared his table and laid before the Senate the following communication:

PENNSYLVANIA FEDERATION OF LABOR
430 North Street, Harrisburg, Penna.

April 7, 1933.

To the President of the Senate and the Members of the Senate of Pennsylvania:

The Pennsylvania Federation of Labor, meeting in annual convention, and the Pennsylvania Labor Standards Committee, hereby invite the President and the Members of the Senate to meet with us at 8 o'clock on Wednesday evening, April 12th, in the Forum of the Pennsylvania Education Building.

Frances Perkins, Secretary of Labor in the Cabinet of President Roosevelt, will address the meeting on the subject of the unemployment crisis. Problems of universal concern will be discussed by the Secretary, by Governor Gifford Pinchot, John A. Phillips, President of the Pennsylvania Federation of Labor, Dr. A. M. Northrup, Secretary of Labor and Industry, and other speakers.

If the President and the Members of the Senate shall indicate their desire to attend the meeting, a sufficient number of seats will be set aside for them. Action of the Senate is requested that arrangements may be made.

Respectfully,

JOHN A. PHILLIPS,
President.

REPORTS FROM COMMITTEES

Mr. OWLETT from the Committee on Judiciary General, reported as committed, Senate Bill No. 969, entitled:

An Act providing for the payment of damages caused by the change of grade where the property was improved on the natural surface of the ground without conforming to the established grade regulation where said regulation had been established for more than three years prior to the improvement.

Mr. KRAUSE, from the Committee on Game and Fisheries, reported as committed, Senate Bill No. 662 (House Bill No. 1035), entitled:

An act to amend section three hundred and two of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred fifty-nine) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" providing for the identification of persons applying for licenses.

Mr. HOWELL, from the Committee on Finance, reported as committed, Senate Bill No. 806 (House Bill No. 179), entitled:

An Act to amend section two hundred and twelve of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred sixty-two) entitled "An act concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth except in counties of the first and second class and revising amending consolidating and changing the law relating thereto" by providing for depositories for funds of poor districts coterminus with counties of the third class.

Mr. SCOTT, from the Committee on Appropriations, reported as committed, Senate Bill No. 836, entitled:

An Act making an appropriation to the Department of Welfare for the payment of claims against the Commonwealth for the erection and construction of railroad tracks and trestles at the Danville State Hospital.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 972, entitled:

An Act making an appropriation to the Zoar Home for Mothers, Babies and Convalescents, of Allison Park, Allegheny County.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 897, entitled:

An Act authorizing the issuance of scrip certificates for relief purposes by political subdivisions of this Commonwealth; providing for the printing and issuance of scrip and stamps by the Commonwealth, for the creation of a scrip redemption fund in the State Treasury and for the redemption of scrip therefrom; imposing duties on the State Emergency Relief Board and the State Treasurer; appropriating the moneys in the scrip redemption fund; imposing penalties; and making an appropriation.

Mr. WILLIAMSON, from the Committee on Education, reported as committed, or as amended, Senate Bill No. 817 (House Bill No. 1185), entitled:

An Act creating borough and township poor districts in the County of Wyoming, to be administered by overseers of the poor; and abolishing the county poor district.

BILL RECOMMITTED

Mr. WILLIAMSON. Mr. President, I move that Senate Bill No. 817 (House Bill No. 1185), the bill just reported from committee be recommitted to the Committe on Judiciary General.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEES

Mr. WILLIAMSON, from the Committee on Judiciary General, reported as committed, Senate Bill No. 472 (House Bill No. 647), entitled:

An Act to amend section three of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 415) entitled "An act relating to the qualification jurisdiction powers and duties of registers of wills and regulating proceedings before said registers and the costs thereof the effects of their acts and appeals therefrom" by requiring registers of wills to notify charitable institutions of devises and bequests to them

Mr. REED, from the Committee on Judiciary General, reported as committed, Senate Bill No. 654 (House Bill No. 738), entitled:

An Act authorizing and directing the Secretary of Property and Supplies to convey in behalf of the Commonwealth certain lands to the City of Harrisburg and setting forth the conditions under which such conveyance shall be made.

Mr. SONES, from the Committee on Judiciary General, reported as amended, Senate Bill No. 308, entitled:

An Act to amend section one of the act approved the twenty-second day of July, one thousand nine hundred and nineteen (P. L. 1089), entitled "An act regulating the advertising of the sales of real estate by the sheriffs in the several counties of this Commonwealth; and repealing all acts and parts of acts general and inconsistent therewith," by reducing the number of newspapers in which publication shall be made.

Mr. PARKINSON, from the Committee on Public Health and Sanitation, re-reported as amended, Senate Bill No. 641 (House Bill No. 534), entitled:

An Act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Health and providing penalties.

Mr. PARKINSON, from the Committee on Executive Nominations, reported with a favorable recommendation the follow-

ing nominations made by His Excellency the Governor of the Commonwealth:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

SCHUYLKILL COUNTY

Frank A. Leinheiser, St. Clair, April 7, 1933.

MERCER COUNTY

John J. Donaldson, Greenville, April 13, 1933.

PHILADELPHIA COUNTY

Joseph L. McDermott, Philadelphia, April 15, 1933.
Thos. V. Houlihan, Philadelphia, April 16, 1933.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

George S. Hochendoner, Jr., Pittsburgh.
J. C. Lappe, Pittsburgh.

CAMBRIA COUNTY

Vincent A. Huber, Patton.

CHESTER COUNTY

Miss Catharine Armstrong, Berwyn.

DELAWARE COUNTY

Mrs. Margaret M. Hurley, Upper Darby.

LACKAWANNA COUNTY

Daniel J. Mezick, Olyphant.

LANCASTER COUNTY

Miss Marguerite C. Straub, Lancaster.

LAWRENCE COUNTY

J. E. Van Gorder, Ellwood City.

LUZERNE COUNTY

Sister Mary Loretta McGill, Dallas.

SCHUYLKILL COUNTY

Mrs. Mary D. Barrow, Pottsville.

GIFFORD PINCHOT.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harisburg, January 9, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation.

Mrs. Stellt K. Simendinger, of Summerhill, Cambria County, as Justice of the Peace in the Borough of Summerhill, Cambria County, vice her husband, C. W. Simendinger, deceased, until the first Monday in January, 1934.

MEMBER OF THE BOARD OF TRUSTEES OF MANSFIELD STATE TEACHERS COLLEGE

Edward R. Imes, of Canton, Bradford County, as a member of the Board of Trustees, of Mansfield State Teachers College, vice I. M. Palmer, deceased for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF THE MOTHERS ASSISTANCE FUND

SOMERSET COUNTY

(Mrs.) Frances P. Colvin, Somerset, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Ida Dougan, Somerset, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Fanny S. Hartman, Windber, from August 20, 1932, until June 1, 1935, and until her successor is duly appointed and qualified.

(Mrs.) Harriet G. Shaw, Berlin, from August 20, 1832, until June 1, 1935, and until her successor is duly appointed and qualified.

(Miss) Nellie Kooser, Somerset, from August 20, 1932, until June 1, 1937, and until her successor is duly appointed and qualified.

JUSTICE OF THE PEACE

John W. Rose, of Gray, Somerset County, as Justice of the Peace in the Township of Jenner, Somerset County, vice O. M. Griffith, resigned, until the first Monday in January, 1934.

GIFFORD PINCHOT

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38, which requires reports of committees on nominations made by the Governor to lie on the table one day, be dispensed with, and the Senate do now resolve itself into Executive Session for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Batchelor,	Fay,	McClure,	Salus,
Baumer,	Frazier,	Miller,	Scott,
Bell,	Gelder,	Norton,	Shapiro,
Bennett,	Graff,	Owlett,	Snyder,
Boyd,	Harris,	Parkinson,	Snes,
Brandt,	Harvey,	Pethick,	Sordoni,
Buckman,	Homsher,	Pierson,	Staudenmeier,
Chapman,	Howell,	Prince,	Thompson,
Clark,	Hunsicker,	Quigley,	Trainer,
Coyne,	Krause,	Reed,	Williamson,
Ealy,	Lanius,	Rice,	Woodward,
			Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Governor be informed accordingly.

Mr. EINSTEIN. Mr. President, I move that the Executive Session do now rise.

Mr. FRAZIER. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGE

SENATE BILL No. 65, RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced returned to the Senate, Senate Bill No. 65, entitled:

An Act concerning townships of the second class; and amending, revising, consolidating and changing the law relating thereto.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. REED, Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. KRAUSE. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend page 1, line 12, by striking out in heavy brackets "225-229" and insert in lieu thereof "225-226"; also page 2, line 10, by striking out the word "Supervisors" and insert in lieu thereof the word "Treasurer"; also line 24, by striking out "901-915" and insert in lieu thereof "901-916"; also page 6, line 15, by striking out "1901-1916" and insert in lieu thereof "1901-1917"; also page 6, line 29, by striking out after the word "thirty-one" and insert in lieu thereof "thirty-two"; also page 10, line 19, by striking out the following: "or lists of delinquent taxpayers"; also page 13, line 8, by inserting after the word "petition" the following: "or map or plot amendable it may permit either the petition or the map or plot or both to be amended and when so amended it shall confirm the same absolutely but it shall deem the same"; also line 9, by striking out after the word "petition" the following: "otherwise it shall confirm the same absolutely after any amendments permitted by the court have been made"; also page 14, line 3 by striking out the words "written or"; also by inserting after the word "handbills" the following: "the reasons for the creation division or consolidation of such township or townships as set forth in the petition presented to the court," and insert in lieu thereof: "a statement of the township or townships to be affected thereby whether it is proposed to make a division or a consolidation or create a new township and the court may prescribe the form of the notice and include therein such other matters as the circumstances of the individual case may render desirable"; also section 212, page 15, by striking out "The court shall when considered necessary cause the lines of any such township to be marked with stone monuments placed at intervals not exceeding fifteen hundred feet the cost thereof to be paid by the new township," and inserting in lieu thereof the following: "All angles and corners in the lines of any such new township not fixed by public highways natural boundaries or monuments shall be marked by stone monuments placed at such angles or corners unless it is impractical to do so in which case the court shall direct how the same shall be marked and for cause shown the court may direct other monuments to be placed on said lines The cost of such monuments and the placing thereof shall be paid by the new township and it shall be the duty of the supervisors thereof to cause said monuments to be put in place not later than one year after then ew township is formed"; also pages 18, 19, and 20, by striking out all of sections 225 and 226 and insert in lieu thereof the following: "Because of Loss of Population" Townships of the first class no longer having a population of three hundred to the square mile may be reestablished as townships of the second class in the manner provided by laws governing townships of the first class"; also page 20, line 6, by striking out "227" and insert in lieu thereof "226"; section 415, page 27, line 17, by striking out "thirty-one," and inserting in lieu thereof "thirty-three"; also line 19, by striking out "thirty-one" and inserting in lieu thereof "thirty-three"; also page 29, section 423, line 14, by striking out the word "qualify" and inserting in lieu thereof "give the required bond and take the required oath"; also lines 15 and 16 by striking out "court of quarter session shall"; and inserting in lieu thereof: "county commissioners upon"; also by inserting after the word "fill" in line 20, the following: also line 22, by striking out the word "court" and insert in lieu thereof "county commissioners"; also line 28 and 29 by striking out "court of quarter sessions" and inserting in lieu thereof "county commissioners"; also line 29, by striking out the article "a," and inserting in lieu thereof: "the county treasurer"; also page 30, lines 1 and 2, by striking out the following: "whereupon the court may appoint any citizen of the county to collect such taxes" and inserting in lieu thereof the following: "Where the county treasurer is so appointed he shall have authority to appoint a deputy to assist in the collection of the taxes set forth in the duplicates delivered to him The county treasurer shall be entitled to retain for his own use the commissions payable for the collection of said taxes and for the payment of his deputy and shall not be required to pay the same over to the county If the county treasurer so appointed shall fail to file bond the county commissioners upon petition may appoint any suitable resident of the county to perform the duties of tax collector for the unexpired term"; also page 32, line 1, by striking out "and not more than twice"; also line 3, by inserting after the word "board" the following: "but they shall not be paid for more than sixteen meeting in any one year"; also line 27 by inserting after the word "paid" the word "either"; also by inserting after the word "hour" the following: "per day per week semi-monthly or monthly"; also page 33 by inserting after line 4, the following: "No roadmaster or superintendent shall be the husband father brother son stepson father-in-law or son-in-law of a township supervisor"; also page 33, by striking out all of lines 25, 26, and 27; also page 34, lines 8, 9, and 10, by striking out the following: "or at such other times as the board of supervisors of superintendent may direct"; also line 14 by inserting after the word "persons" the following: "not disqualified for being roadmaster or superintendent"; also page 35, by striking out all of lines 4, 5 and 6; also line 7, by striking out "(i)" and inserting in lieu thereof "(h)"; also line 9, by striking out "(j)"; and inserting in lieu thereof "(i)"; also by inserting after line 11, the following: "The roadmaster or superintendent or supervisors acting in either capacity shall (j) Report monthly to the board of supervisors which report shall contain the matter in the form to be prescribed by the Department of Highways. (k) Inspect all highways and bridges at such times as the township supervisors shall direct except during the months of April and October (l) When authorized to do so by general or special order of the township supervisors to do or cause to be done all work necessary to carry out the responsibilities imposed upon the township supervisors by sub-sections (a) (b) (e) except the hiring of persons of persons teams and/or implements (f)

(g) and (i) of this section"; also page 40, by striking out lines 12 to 21 inclusive; also page 48, by inserting after line 15, the following: "Where the county treasurer is appointed as tax collector if the condition of his bond as county treasurer does not secure the payment over and accounting of moneys other than county moneys the county commissioners shall fix the amount of the special bond to be given by the county treasurer for payment over and accounting of other than county taxes"; also lines 23 and 24 by striking out the following "adjacent municipalities and townships or"; also by inserting after the word "township" in line 25, the following: "To enter into contracts with the proper authorities of near or adjacent cities boroughs or townships for the furnishing to such townships of fire protection by the fire department of such near or adjacent cities boroughs or townships and to make appropriations therefor Provided That such contracts before being entered into by township supervisors shall be first approved by the township auditors"; also page 69, by striking out lines 6 to 22 inclusive and inserting in lieu thereof the following: "One An annual road tax not later than the fourth Monday of March of each year not exceeding seven mills except where necessary to pay existing indebtedness and interest thereon in which case two additional mills may be levied where the board of supervisors by a majority action upon due cause shown may petition the court of quarter session for the right to levy additional millage and after such public notice as the court may direct and hearing the court may order a greater rate than nine mills but not exceeding seven additional mills to be levied Such annual road tax shall include all levies for road purposes and for the payment of bonds and certificates of indebtedness issued and all other debts incurred for road purposes Not less than ten per centum of the annual road tax shall be set aside by the respective townships and used for the payment of existing indebtedness incurred for road purposes for the payment of which indebtedness no provision has been made All road tax shall be collected in cash"; also page 72 by inserting after line 7, the following: "Section 908 Appeals to Court to Reduce Budget and Tax Rate (a) Taxpayers whose property valuation as assessed for taxable purposes within the township shall amount to twenty-five per centum or over of the total valuation as assessed for taxable purposes within the township may within fifteen days after the board of township supervisors have completed the formation of the budget and determined the amount of the tax levy for the district petition the court of common pleas of the county in which such township is located to examine into the necessity therefor and the reasonableness of the valuation items in the budget of the township and to reduce the proposed tax levy Each such petition shall be accompanied by the affidavit of one of the petitioners that the proceedings have not been instituted for the purpose of delay and that the facts set forth in the petition are true and correct to the best of their knowledge and belief The petitioner shall also file bond in the amount of five hundred dollars ($500) with good and sufficient surety to be approved by the court conditioned upon the payment of the costs if the court shall assess the costs upon the petitioners Immediately upon the filing of such petition the petitioners shall serve a copy of the petition and the specifications of objections upon the president or secretary of the board of township supervisors (b) Upon the filing of such petition the court shall fix a day for a hearing not less than fifteen (15) nor more than thirty (30) days after such petition has been filed Notice of such hearing shall be given to all interested parties in such manner as the court shall direct On such hearing it shall be the duty of the court to examine into the necessity for and the reasonableness of the various items of the budget and the amount of the proposed levy The court shall thereupon make an order approving the budget and levy or reducing or eliminating any one or more of the items of the budget and reducing the levy If no appeal shall be taken from such order as herein provided the budget and levy shall remain as constituted by the court (c) The board of township supervisors of such township or any freeholders who shall have signed the petition may appeal to the Supreme Court within thirty (30) days after the entry of the order by the court of common pleas Such appeal shall be taken and prosecuted in the same manner and form and with the same effect as is provided in other cases of appeal to the Supreme Court The record which shall be certified to the Supreme Court shall contain all that was before the court of common pleas (d) Neither the filing of any such petition nor the taking of such appeal shall act as a supersedeas However any contract agreement or undertaking which relates to or is dependent upon an item of the budget which has been attacked in the petition and which shall be entered into by the township during the pendency of such proceedings shall be subject to such reduction or cancellation as shall become necessary as the result of the order of the court of common pleas or the Supreme Court Each levy of taxes which shall be made during the pendency of such proceedings shall likewise be subject to revision in accordance with such order (e) The budget and tax levy as approved or revised by the court of common pleas or if an appeal shall have been taken by the Supreme Court shall be the budget and tax levy for such township Any contract agreement or undertaking which relates to an item of the budget which has been attacked in the petition and which shall be entered into during the pendency of such proceedings shall be cancelled or made to conform to such budget If such final order reduces the levy the supervisors shall revise the tax duplicates in conformity with such order"; also page 73, line 10, by striking out "909" and inserting in lieu thereof "910"; also line 18, by striking out "910" and inserting in lieu thereof "911"; also page 74, line 4 by striking out "911' and inserting in lieu thereof "912"; also line 9, by striking out "912" and inserting in lieu thereof "913"; also page 75, line 8, by striking out "913", and inserting in lieu thereof "914"; also line 16, by striking out "914" and inserting in lieu thereof "915"; also line 27, by striking out "915" and inserting in lieu thereof "916"; also page 160 by inserting after line 14, the following: "Section 1917 Approval of Electors for Acquisition of Land The township supervisors hereby are authorized on behalf of the township to accept the title to lands which may be donated to the township for any of the purposes mentioned in this article of this act but none of the other powers conferred upon them by sections one thousand nine hundred and one to one thousand nine hundred and sixteen inclusive shall be exercised by them except after the approval thereof by the electors of said township at an election for the purpose held on a regular municipal election day of which election notice was given by publication in a newspaper of general circulation in the county in which the township is located and by at least twenty hand bills posted in as many public places in the township said publication and posting to be at least ten days before the day of the election"; also on page 179, line 23, by inserting after the word "herein" the following: "nor any law relating to the Board of Commissioners of Navigation for the River Delaware and its navigable tributaries."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—0

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—50

Less than a majority of the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Clerk inform the House of Representatives accordingly

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency the Governor of the Commonwealth, which were read as follows:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harisburg, April 10, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Frank F. Ley, Pittsburgh.
Miss Josephine C. Weisner, Pittsburgh.

CAMBRIA COUNTY

Miss Jennie S. Boyer, Johnstown.

LUZERNE COUNTY

Samuel M. Wolfe, Jr., Wilkes-Barre.

PHILADELPHIA COUNTY

Miss Beatrice Ennis, Philadelphia.
Vincent J. Girard, Philadelphia.
Miss Catherine C. McKenna, Philadelphia.
Kermit O. Miller, Philadelphia.
Jospeh P. Parker, Philadelphia.

TIOGA COUNTY

Floyd L. Bostwick, Lawrenceville.

VENANGO COUNTY

Thomas H. Bines, Oil City.

WASHINGTON COUNTY

Charles F. Polacci, Charleroi.
Mrs. Alma Wagner, Cecil.

GIFFORD PINCHOT.

Comonwealth of Pennsylvania,
Governor's Office, Harisburg, April 10, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Elsie T. Paige, Pittsburgh.
Herman Stratman, Pittsburgh.

GREENE COUNTY

Mrs. Daisy M. Cole, Waynesburg.

LACKAWANNA COUNTY

Miss Mary Adelaide Meighan, Scranton.

WYOMING COUNTY

John E. Coyne, Hoban Heights.

GIFFORD PINCHOT.

Comonwealth of Pennsylvania,
Governor's Office, Harisburg, April 10, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for re-appointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

ALLEGHENY COUNTY

Duane S. Junker, McKeesport, April 14, 1933.

BUCKS COUNTY

Miss Kate M. Battye, New Hope, April 17, 1933.

YORK COUNTY

J. F. Buser, Mount Wolf, April 23, 1933.

SCHUYLKILL COUNTY

Richard L. Jones, Pottsville, April 27, 1933.

GIFFORD PINCHOT.

The PRESIDENT. The nominations are referred to the Committee on Executive Nominations.

VETO OF SENATE BILL No. 455

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 7, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I return herewith, without my approval, Senate Bill No. 455, Printer's No. 172, entitled "An Act to provide for a Convention to ratify or reject an amendment to the Constitution of the United States proposed by both Houses of Congress for the Repeal of the Eighteenth Amendment to the said Constitution and for the prohibition of the transportation importation delivery or use of intoxicating liquors in violation of the laws of states territories or possessions of the United States and to provide for the election of delegates to such Convention."

This bill provides for a convention to ratify or reject the proposed amendment to the Constitution of the United States repealing the Eighteenth Amendment.

The people have a right to pass upon this question in the manner prescribed by Congress I am ready to approve a fair and proper bill for calling such a convention. But this is not a fair bill.

It proposes to put in operation at the same time two contradictory methods of choosing delegates. It proposes to allow the electors of each Congressional District to choose a delegate to the convention who would be pledged either to favor or oppose ratification of the proposed amendment. But it does not stop there.

After providing for the election of the district delegates, the bill immediately sets up machinery to nullify the will of the voters who choose them. It provides also for the election of seventeen delegates at large who, like other delegates, would be pledged either for or against ratification.

If, of the thirty-four district delegates, twenty were elected as wets and the delegates at large were dry, the seventeen dry delegates at large would nullify the will of the voters of the twenty districts; the result would be dictated by the fourteen dry districts plus the dry delegates at large. Likewise, if twenty districts voted dry, seventeen wet delegates at large would, with the fourteen wet district delegates, control the convention.

I am opposed to any bill that would make such a result possible.

To reach a fair representation of public opinion the delegates should be either all district delegates or all delegates at large. Any mixture of the two systems would result in a convention not fairly representative of the will of the people.

In view of the large amount of cheating at elections known to occur in certain parts of the State, the choice of all delegates at large would result in discrimination against those parts of the State in which elections are commonly conducted without fraud.

On the other hand, it is objected that the choice of delegates by Legislative Districts would result in discrimination in favor of the less densely settled parts of the Commonwealth. Congressional Districts also are properly objected to because the last reapportionment made in 1931 created some districts with more than twice the population of other districts.

On the whole, I believe that a convention based on the fifty Senatorial Districts of the Commonwealth would secure the fairest representation of all the people. Accordingly, I am prepared to approve a convention bill based on Senatorial Districts.

I cannot, however, approve the present bill, which pretends to give to electors of districts of this State a voice on this question, but clearly provides a means for nullifying their wishes.

For these reasons the bill is not approved.

GIFFORD PINCHOT.

Mr. McCLURE. Mr. President, I move that the Governor's message be laid on the table.

Mr. KRAUSE. Mr. President, I second the motion.

The motion was agreed to.

VETO OF SENATE BILL No. 362

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 7, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I return herewith, without my approval, Senate Bill No. 362, Printer's No. 103, entitled "An Act Validating certain proceedings and elections of municipalities had and held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled 'An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof' and the amendments and supplements thereto and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections."

This bill would validate certain defective proceedings for the increase of municipal indebtedness and bonds issued thereunder.

The Act of March 31, 1927, P. L. 91, requires the Department of Internal Affairs to examine all proceedings for the increase of municipal indebtedness and forbids the issuance of any bonds without the approval of that Department. The supplement Act of April 11, 1929, P. L. 516, provides for an appeal to the courts from the action of the Department in approving or disapproving any such bond issue. It further provides that where a bond issue has been approved by the Department and no appeal has been taken within thirty days, or when such an issue is finally approved on appeal, it shall be a binding obligation of the municipality and shall not thereafter be subject to attack on any but constitutional grounds. It expressly declares that final approval of a bond issue by the Department of Internal Affairs or the courts shall validate and confirm the proceedings absolutely.

With that act in force there is no need for any further validating acts. If a bond issue has been finally approved in accordance with the Act of 1929, it has been validated. If it has not been approved, it should not be validated.

For these reasons the bill is not approved.

GIFFORD PINCHOT.

Mr. ZIESENHEIM. Mr. President, I move that the Governor's message be laid on the table.

Mr. KRAUSE. Mr. President, I second the motion.

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 392

Governor's Office, Harrisburg, April 7, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor Senate Bill No. 392, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

APPROVAL OF SENATE BILLS Nos. 11, 14 AND 374

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 7, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

Senate Bill No. 11, Printer's No. 32, entitled "An Act to amend sections four and seven of the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand forty-three) entitled 'An act to provide for the registration and enrollment of the voters of the State according to their respective party preferences fixing the compensation of assessors and registry assessors for making said registration and enrollment and prescribing penalties for false registration or enrollment and for voters voting or attempting to vote and for election officers wilfully permitting or conspiring to permit them to vote at a primary by or on any other than their own party ticket' eliminating one of the days required of the assessors and registry assessors sitting at the polling places."

Senate Bill No. 14, Printer's No. 35, entitled "An Act to repeal certain acts and parts of acts requiring assessors and registry assessors to attend at the places of holding elections and providing compensation therefor."

Senate Bill No. 374, Printer's No. 215, entitled, "An Act empowering counties cities boroughs towns and townships to borrow money from the Reconstruction Finance Corporation to finance certain projects and prescribing the manner of such borrowing."

GIFFORD PINCHOT.

APPROVAL OF RESOLUTIONS PROVIDING FOR THE PRINTING OF THE PROCEEDINGS OF THE MEMORIAL SERVICES HELD FOR THE LATE SENATORS AUGUSTUS F. DAIX, JR., AND FRED M. SPROUT.

Commonwealth of Pennsylvania,
Governor's Office, Harisburg, April 7, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

A resolution providing for the printing of five hundred copies of the proceedings of the memorial service recently held in honor of the late Senator Augustus F. Daix, Jr.

A resolution providing for the printing of five hundred copies of the proceedings of the memorial service recently held in honor of the late Senator Fred M. Sprout.

GIFFORD PINCHOT.

INFORMATION REGARDING THE STATE EMERGENCY RELIEF BOARD

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 10, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the request in House Resolution No. 9, approved February 10, 1933, I submit the attached information regarding the State Emergency Relief Board.

GIFFORD PINCHOT.

HOUSE RESOLUTION No. 9

JANUARY 23, 1933

SCHEDULE "A"

Amount of Federal funds which have been advanced for unemployment relief purposes by the Reconstruction Finance Corporation:

September, 1932	$1,250,000.00
October, 1932	4,592,183.00
November, 1932	5,462,265.00
December, 1932	1,531,090.00
January, 1933	6,934,954.00
Total	$19,770,492.00

SCHEDULE "B"

Amount of money allocated by the Governor from Federal funds to February 1, 1933:

Allocations to County Boards	*$9,960,443.83
Department of Health—Milk Fund	1,000,000.00
Work Relief—Department of Highways	5,433,603.00
Department of Forests and Waters—Pymatuming Dam Work Relief Project	150,000.00
Indiantown Military Reservation Work Relief	10,000.00
Gypsy Moth Infestation—Work Relief Project	**100,000.00
Clothing Fund	500,000.00
Glenolden Work Relief Project	749.80
Treasury Department—Postage	5,000.00
Department of Health—Postage	5,000.00
Field Representatives' Salary Fund	10,000.00
Contingent Fund	233,659.80
	$17,408,456.43

*Note a: These funds are allocated to Counties and may be used for direct relief or work relief. Work relief projects include work on borough and rural highways and for other public purpores, but these projects are not segregated as to amount of food orders applied to each project.

**Note b: Gyspy Moth Infestation work relief project is conducted by labor supplied in equal proportions by Luzerne and Lackawanna County Boards.

SCHEDULE "C"

Immediately upon receipt of all Federal funds they have been placed in the custody of the State Treasurer and deposited by him in the usual manner with State depositories. These funds draw interest at the regular rate paid on State deposits in all cases.

SCHEDULE "D"

Section 1b of Title I of the Reconstruction Finance Corporation Act as amended reads, in part, as follows:

> All amounts paid under this section shall bear interest at the rate of 3 per centum per annum, and, . . . shall be reimbursed to the corporation, with interest thereon at the rate of 3 per centum per annum, by making annual deductions, beginning with the fiscal year 1935, from regular apportionments made from future Federal authorizations in aid of the States and Territories for the construction of highways and rural post roads, of an amount equal to one-fifth of the share which such State or Territory would be entitled to receive under such apportionment, except for the provisions of this section, or of an amount equal to one-fifth of the amounts so paid to the Governor of such State or Territory pursuant to this section and all accrued interest thereon to the date of such deduction, whichever is the lesser, until the sum of such deductions equals the total amounts paid under this section and all accrued interest thereon.

SCHEDULE "E"

Amount of money expended in the administration of the State Emergency Relief Board to February 1, 1933:

Salaries	$16,198.73
Wages	44.50
Fees	500.00
Material and Supplies	25.00
Traveling Expense	2,889 52
Freight, Express and Cartage	166.07
Postage	1,841 30
Telephone and Telegraph	328.68
Total	$21,993 80

SCHEDULE "F"

Amount allocated to each county for Administration Expense to February 1, 1933: (See also Notes a and b of Schedule "B")

Adams	$ 140.00
Allegheny	96,179.48
Armstrong	180.00
Beaver	2,804.00
Bedford	595.00
Berks	.....
Blair	1,782.50
Bradford	1,210.50
Bucks	.....
Butler	230.00
Cambria	.....
Cameron	.....
Carbon	.....
Centre	50.00
Chester	325.00
Clarion	.....
Clearfield	1,035.00
Clinton	1,520.80
Columbia	.....
Crawford	832.50
Cumberland	500.00
Dauphin	810.00
Delaware	.....
Elk	663.24
Erie	.....
Fayette	4,890.50
Forest	.....
Franklin	395.00
Fulton	.....
Greene	846.00
Huntingdon	807.99
Indiana	1,975.00
Jefferson	1,046.00
Juniata	269.45
Lackawanna	867.50
Lancaster	50.00
Lawrence	.....
Lebanon	.....
Lehigh	.....
Luzerne	18,382.50
Lycoming	3,561.50
McKean	319.25
Mercer	.....
Mifflin	750.00
Monroe	230.00
Montgomery	491.66
Montour	.....
Northampton	285.00
Northumberland	216.00
Perry	.....
Philadelphia	255,116.00
Pike	.....
Potter	2,209.00
Schuylkill	1,810.11
Snyder	42.32
Somerset	.....
Sullivan	.....
Susquehanna	630.00
Tioga	920.00
Union	20.00
Venango	987.50
Warren	2,030.00

Washington	4,000.00
Wayne	410.00
Westmoreland	1,647.33
Wyoming	.....
York	.....
Totals	$ 414,063.63

HOUSE RESOLUTION No. 9

January 23, 1933

SCHEDULE "G"

Funds appropriated by the Legislature at the Special Session of 1932	$ 12,000,000.00
Of the above amount, there was allocated to County Boards to February 1, 1933, the sum of	8,500,000.00

HOUSE RESOLUTION No. 9

January 23, 1933

SCHEDULE "G"

Funds appropriated by the Legislature at the Special Session of 1932	$ 12,000,000.00
Of the above amount, there was allocated to County Boards to February 1, 1933, the sum of	8,500,000.00

HOUSE RESOLUTION No. 9

January 23, 1933

SCHEDULE "H"

Amount of money from Federal sources earmarked for borough and rural highways and for other public purposes in each county:

Adams	47,160
Allegheny	122,200
Armstrong	144,366
Beaver	66,273
Bedford	121,440
Berks	142,639
Blair	47,520
Bradford	225,600
Bucks	111,397
Butler	147,380
Cambria	87,120
Cameron	5,378
Carbon	33,002
Centre	45,724
Chester	151,021
Clarion	101,820
Clearfield	99,465
Clinton	29,210
Columbia	87,000
Crawford	89,390
Cumberland	52,408
Dauphin	69,174
Delaware	65,437
Elk	26,865
Erie	34,121
Fayette	105,021
Forest	17,180
Franklin	44,756
Fulton	45,900
Greene	78,042
Huntingdon	96,660
Indiana	161,700
Jefferson	98,460
Juniata	44,604
Lackawanna	50,000
Lancaster	169,354
Lawrence	54,134
Lebanon	41,170
Lehigh	68,355
Luzerne	101,800
Lycoming	105,500
McKean	38,104
Mercer	56,489
Mifflin	32,476
Monroe	52,281
Montgomery	105,187
Montour	24,100
Northampton	62,005
Northumberland	77,900
Perry	60,858
Philadelphia	.....
Pike	43,700
Potter	59,777
Schuylkill	84,297
Snyder	51,000
Somerset	184,837
Sullivan	33,000
Susquehanna	152,400
Tioga	111,000
Union	38,000
Venango	57,887
Warren	50,107
Washington	111,172
Wayne	113,600
Westmoreland	183,748
Wyoming	68,600
York	145,341
Total	$ 5,433,603

BILLS INTRODUCED

Mr. OWLETT read in his place and presented to the Chair Senate Bill No. 985 entitled:

An Act to amend clause nine of section one and clause two of section eleven, of the act approved the twenty-seventh day of June, one thousand nine hundred and twenty-three, (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," as amended, opening the system further for original members, and preserving the rights of certain retired State employes who re-enter State service.

Which was committed to the Committee on Judiciary General.

Mr. QUIGLEY read in his place and presented to the Chair Senate Bill No. 986, entitled:

An Act establishing a State highway in the county of Clinton, providing for its construction and maintenance by the Department of Highways at the expense of the Commonwealth.

Which was committed to the Committee on Public Roads and Highways.

Mr. SCOTT read in his place and presented to the Chair, Senate Bill No. 987, entitled:

An Act relating to unemployment relief; making an appropriation to the State Emergency Relief Board for direct relief and work relief; prescribing the powers and duties of the board with reference thereto; and conferring powers and imposing duties upon certain State departments.

Which was committed to the Committee on Appropriations.

Mr. FAY read in his place and presented to the Chair, Senate Bill No. 988, entitled:

An Act to amend section two of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one, (P. L. 720), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the

improvement, construction, reconstruction, resurfaceing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after the improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purpose of this act."

Which was committed to the Committee on Public Roads and Highways.

Mr. BUCKMAN read in his place and presented to the Chair, Senate Bill No. 989, entitled:

A Joint Resolution continuing the joint legislative committee created to study the production and marketing of milk; and making an appropriation.

Which was committed to the Committee on Appropriations.

Mr. SORDONI read in his place and presented to the Chair, Senate Bill No. 990, entitled:

An Act defining and regulating the sale, possession, transportation and storage of chemical munitions; imposing duties upon the Pennsylvania State Police in connection therewith; and providing penalties.

Which was committed to the Committee on Judiciary General.

Mr. CHAPMAN read in his place and presented to the Chair, Senate Bill No. 991, entitled:

A Supplement to the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," establishing an additional route in the County of Venango.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair, Senate Bill No. 992, entitled:

An Act to amend sections two, three and fifteen of article four of an act approved the twenty-sixth day of July, one thousand nine hundred thirteen (Pamphlet Laws, one thousand three hundred seventy-four), entitled "An act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining and limiting their powers, and regulating their incorporation, and, to a limited extent, regulating municipal corporations, engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers, counsel and employes; prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals;' and an act, entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may chargee and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved the twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act," by limiting the terms of public service commissioners now in office and providing for the election and removal of public service commissioners.

Which was committed to the Committee on Judiciary Genral.

Mr. SHAPIRO read in his place and presented to the Chair, Senate Bill No. 993, entitled:

An Act to further amend section two of the act approved the twenty-eighth day of June, one thousand eight hundred ninety-five (P. L. 408), entitled "A supplement to the twenty-fourth section of an act, entitled 'An act to provide revenue by taxation, approved the seventh day of June one thousand eight hundred and seventy-nine' approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section, by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth" as amended, by providing for the distribution of the two per centum tax paid by foreign insurance companies on premiums for what is commonly known as collision, liability and other accident insurance on motor vehicles, by the State Treasurer to the treasurers of the several cities, boroughs and townships within this Commonwealth for payment by them to the respective police pension associations of such cities, boroughs and townships.

Which was committed to the Committee on Finance.

Mr. REED read in his place and presented to the Chair, Senate Bill No. 994, entitled:

An Act to validate sales of mortgaged real estate made by sheriffs on writs of fieri facias without inquisitions where the sales were made under judgments upon the bonds, not containing waivers of inquisition, accompanying such mortgages.

Which was committed to the Committee on Judiciary General.

PETITION RELATIVE TO VACANCY IN OFFICE OF JUSTICE-OF-THE-PEACE IN LOYALSOCK TOWNSHIP

Mr. SONES presented the following petition, which was twice read and referred to the Committee on Judiciary General:

To the Honorable, the President and Members of the Senate of the General Assembly of the Commonwealth of Pennsylvania:

The petition of the undersigned, electors and taxpayers, of the Township of Loyalsock, County of Lycoming, Commonwealth of Pennsylvania, respectfully represents:

1. That one W. W. Scott was duly elected by the voters of Loyalsock Township, County of Lycoming, as a Justice of the Peace at the municipal election held in November, 1931.

2. That the said W. W. Scott was duly commissioned by His Excellency, the Governor, as a Justice of the Peace for the Township of Loyalsock, County of Lycoming, for a term of six years commencing the first Monday of January, 1932.

3. That on or about July 3, 1932, the said W. W. Scott disappeared from his home and community and has since failed to return thereto, nor are his present whereabouts known to the undersigned, your petitioners, nor to the other residents of the community.

4. That your petitioners verily believe that the said W. W. Scott is a fugitive from justice by virtue of certain warrants issued for his arrest, of which the said W. W. Scott had knowledge.

5. That your petitioners verily believe that the said W. W. Scott has no intention of returning to the community or of resuming his duties and authority as a Justice of the Peace.

6. That by reason of the absence of the said W. W. Scott, the citizens of the Township of Loyalsock are deprived of the services of a Justice of the Peace to their great inconvenience.

Wherefore, the undersigned respectfully petition your Honorable body to address the Governor as provided by the Constitution of Pennsylvania for the removal from office of the said W. W. Scott to the end that a vacancy may be declared to exist in the office of Justice of the Peace in Loyalsock now held by the said W. W. Scott, and a successor be appointed as provided by law.

And they will ever pray, etc.,

Raymond W. Wood, R. D. No. 1, Williamsport.
Chas. E. Stryker, 1800 E. 3rd Street.
Grover Stahkeeper, 405 Pierson Avenue, City.
Wilbur L. Seizero, 1201 Shiffler Avenue, Paxon.
Theodore F. Audet, 1332 Sheridan Street, Paxon.
Wm. M. Ault, R. D. No. 2, Montoursville.
Thomas B. Glosser, Williamsport.
John E. Keagle, 323 Russell Avenue, Williamsport.
Wm. H. Lukens, 328 Clayton Avenue, Williamsport.
Gordon B. Wilson, Montoursville.
Hiram Heller, 330 Clayton Avenue, Kenmar.
A. E. Eschenbach, 1732 E. 3rd Street, Williamsport.
A. Edgar Eshenbach, 1732 E. 3rd Street, Williamsport.
Raymond Harris, R. D. No. 2, Montoursville.
Frank D. Carpenter, R. D. No. 2, Montoursville.
G. I. Woodside, R. D. No. 2, Montoursville.
William F. Frick, R. D. No. 2, Montoursville.
Clyde C. Rathmell, R. D. No. 2, Montoursville.
Samuel W. Wise, R. D. No. 2, Montoursville.
Chester Wheeland, R. D. No. 2, Montoursville.
Fenton Hayes R. D. No. 2, Montoursville.
H. B. Foreman, Williamsport.
C. B. Bower, Williamsport.
Howard Eck, 1411 E. 3rd Street, Williamsport.
J. E. Knight, 319 Russell Avenue, Williamsport.
C. L. Reighard, 2056 Reed Street, Williamsport.

State of Pennsylvania } ss.
County of Lycoming }

Personally appeared before me, an Alderman in and for said County and State, Frank D. Carpenter, one of the signers of the foregoing petition, who, being duly sworn, according to law, depose and says that the signers to the above petition are bona fide residents and voters in the Township of Loyalsock, County of Lycoming, and that the facts set forth in said petition are true and correct to the best of his knowledge and belief.

FRANK D. CARPENTER.

(SEAL)
Harry C. Sweely, Alderman.

HOUSE MESSAGE

RESOLUTION RECALLING FROM THE SENATE REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House which was twice read, considered and agreed to:

In the House of Representatives, April 10, 1933.

Whereas, The Report of the Committee of Conference on House Bill No. 1, was adopted by the House of Representatives on the third day of April, one thousand nine hundred and thirty-three; and

Whereas, at the time of such adoption, printed copies of said conference report, being Printer's No. 473, had been placed upon the desks of the Members of the House of Representatives, upon which printed copies the words "and football" had been inadvertently omitted through a printer's error, in line 10 on page 4, after the word "baseball"; and

Whereas, There is doubt that the correct report of the Committee of Conference was thereby adopted; therefore be it

Resolved (if the Senate concur), That the Report of the Committee of Conference on House Bill No. 1, be recalled from the Senate for the purpose of reconsideration by, and resubmission to, the House of Representatives, as correctly printed.

Ordered, That the Clerk inform the House of Representatives, accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 51

Mr. BELL offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 10, 1933.

Resolved (if the House of Representatives concur), That Senate Bill No. 51, entitled "An act to amend the act approved the twenty-second day of April one thousand nine hundred and nine (Pamphlet Laws one hundred twenty-two) entitled 'An act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired and to validate the conveyance and other instruments of said corporations' as amended extending said validating provisions to January first one thousand nine hundred and thirty-three," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION ON THE DEATH OF HONORABLE MAX G. LESLIE

Mr. ARMSTRONG offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 10, 1933.

It is with profound sorrow that the members of the Senate of Pennsylvania learn of the death of former Senator M. G. Leslie, member of this body from the Thirty-eighth District for twelve years from 1918 to 1930 and one of the most active participants in the councils of Senate leaders.

Senator Leslie was a native of Westmoreland County but throughout his business life he was one of the most conspicuous of political strategists in Allegheny County and was devoted to the best interests of his home community and his State. In early manhood he became Deputy United States Internal Revenue Collector at Pittsburgh and began to take an active interest in politics. Senator Leslie served for years as a member of Pittsburgh Council

and was honored as its president. He was the recognized Republican leader in Allegheny County for many years, was chairman of the Republican City Executive Committee of Pittsburgh, member of the Republican State Committee, delegate to several National Conventions of the Republican party, and was delinquent tax collector of Allegheny County for four years.

Senator Leslie was devoted to the interests of his District, was recognized as one of the leaders of the Senate and was respected for his personal and party loyalty and the wisdom of his legislative judgment. It is, therefore,

Resolved, By the Senate of Pennsylvania that the sympathy of the members be conveyed to Senator Leslie's family, together with a copy of this minute, that the members of the Senate from Allegheny County be constituted an official delegation to attend the funeral and that when the Senate adjourns today it do so in honor of the memory of the distinguished Senator.

REPORTS FROM COMMITTEES

Mr. ARON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARON, from the Committee on Municipal Affairs, re-reported as amended, Senate Bill No. 373, entitled:

An Act empowering cities, boroughs, incorporated towns and townships to charge and collect annual rentals for the use of sewers, sewage systems and treatment works, including charges for operation, inspection, maintenance, repair, depreciation and the amortization of indebtedness and interest thereon.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Judiciary General reported as amended, Senate Bill No. 859 (House Bill No. 1086), entitled:

An Act to amend section one of the act, approved the twenty-eighth day of April, one thousand eight hundred and ninety-nine (P. L. 117), entitled, "An act making it unlawful for any person to hold himself out or advertise himself as a lawyer, attorney-at-law or counsellor-at-law in any county of the State of Pennsylvania, unless duly admitted to practice by a court of record of any county in this Commonwealth, and providing a penalty therefor," as amended, by defining and prohibiting certain acts related to the practice of law by persons, partnerships, associations and corporations not duly and regularly admitted to practice law.

Mr. GELDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER, from the Committee on Municipal Affairs reported as amended, Senate Bill No. 100, entitled:

An Act relating to the relief of the burden of local taxation; making an appropriation out of the Motor License Fund; providing for the allocation thereof to cities, towns, boroughs and townships; prescribing the time, manner, basis and purposes for and upon which such said money shall be allocated and paid; specifying the uses for which said moneys may be expended; and imposing powers and duties upon the Department of Highways, the Auditor General, State Treasurer and on cities, boroughs, towns and townships and officers thereof; and providing penalties.

The PRESIDENT PRO TEMPORE (Mr. James S. Boyd) in the Chair.

Mr. GELDER. Mr. President, I ask unanimous consent that Senate Bill No. 514 (House Bill No. 456), on final passage, entitled:

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring certain motor vehicles to be equipped with laminated safety glass fixing penalties and providing for the suspension or revocation by the Public Service Commission of certificates of public convenience of common carriers for violation of the provisions of this act.

go over in its order.

The PRESIDENT. Is there objection? The Chair hear none.

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 754, as follows:

An Act to further amend section five of the act approved the nineteenth day of April one thousand nine hundred and one (Pamphlet Laws eighty-eight) entitled "An act relating to replevin and regulating the practice in cases where the writ of replevin is issued" as amended providing that no affidavit of defense shall be required before the return day of the writ

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of the act approved the nineteenth day of April one thousand nine hundred and one (Pamphlet Laws eighty-eight) entitled "An act relating to replevin and regulating the practice in cases where the writ of replevin is issued" as amended by the act approved the nineteenth day of March one thousand nine hundred and twenty-three (Pamphlet Laws fourteen) is hereby amended to read as follows

Section 5 The defendant or party intervening shall within fifteen days after the filing of such declaration file an affidavit of defense thereto setting up the acts denying plaintiff's title and showing his own title to said goods and chattels and in event of his failure so to do upon proof that a copy of said declaration was served upon him of his attorney judgment may be entered for the plaintiff and against the defendant or party intervening which judgment shall operate to forfeit any counter bond given by him The court may enter judgment with like effect for want of a sufficient affidavit of defense or for such goods and chattels as may be admitted to be the property of the plaintiff in the affidavit of defense or may enter judgment with like effect for such goods and chattels as to which the court may adjudge the affidavit of defense insufficient And in the event of judgment being rendered in favor of the plaintiff for a portion of such goods and chattels replevied he may proceed to recover such goods and chattels by writ of retorno habendo or the value thereof after assessment of damages on a wirt of injury of damages issued and the case shall be proceeded in for recovery of the balance If the defendant has been duly summoned and does not appear at the return-day of the writ the plaintiff having filed his declaration may file a common appearance for the defendant and proceed in the cause as in other cases Where the writ has been returned nihil habet as to the defendant it shall

be lawful for the plaintiff at and after the third term of the court after the execution of the writ to take judgment against the defendant for default of appearance Provided That the plaintiff fifteen days prior to the entry of said judgment shall have filed his declaration And provided further That no affidavit of defense shall be required to be filed under the provisions of this act in any case before the return day of the writ

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and was are follows, viz:

YEAS—50

Armstrong,	Fay,	Miller,	Scott,
Aron,	Frazier,	Norton,	Shapiro,
Batchelor,	Gelder,	Owlett,	Snyder,
Baumer,	Graff,	Parkinson,	Sones,
Bell,	Harris,	Pethick,	Sordoni,
Bennett,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,	Salus,	Boyd,
Einstein,	McClure,		Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 834, as follows:

An Act empowering cities boroughs incorporated towns and townships to charge and collect annual rentals for the use of certain sewers, sewage systems and treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any city except cities of the first class borough incorporated town or township shall hereafter consruct any sewer or sewage system or sewage treatment works either wholly or partially at public expense or shall have acquired the same either wholly or partially at public expense such city borough incorporated town or township may provide by ordinance or resolution for the collection of an annual rental or charge fo rthe use of such sewer sewage system or sewage treatment works from the owners of the property served by it whether such property is located within or without the corporate limits of such city borough town or township either wholly or partially at public expense or shall have acquired the same either wholly or partially at public expense such city borough incorporated town or township may provide by ordinance or resolution for the collection of an annual rental or charge for the use of such sewer sewage system or sewage treatment works from the owners of the property served by it whether such property is located within or without the corporate limits of such city borough town or township

Section 2 Any such annual rental or charge shall be sufficient to mee (a) the amount expended annually by the city borough incorporated town or township in the operation maintenance repair alteration inspection depreciation or other expenses in relation to such sewer sewage system or sewage treatment works together with (b) such annual amount as may be necessary to provide for the amortization of the indebtedness incurred by the city borough incorporated town or townshi pin the construction or acquisition of such sewer sewage system or sewage treatment works and interest thereon in order that said improvement may become self-liquidating and (c) suffcient to establish a margin of safety of ten per centum Any unusual surplus from any preceding year shall be paid into the fund accruing from said rentals or charges and whenever the amount in said fund exceeds the said margin of safety of ten per centum the excess shall be paid into the sinking fund The amount required for sinking fund and interest shall be paid into the sinking fund and the amount so paid including any excess as above provided shall not be used for any other purpose The said annual rental or whatever charge shall be decided upon by the city borough incorporated town or township shall be apportioned equitably among the properties served by the said sewer sewage system or sewage treatment works

Section 3 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 4 This act shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Fay,	Miller,	Scott,
Aron,	Frazier,	Norton,	Shapiro,
Batchelo.,	Gelder,	Owlett,	Snyder,
Baumer,	Graff,	Parkinson,	Sones,
Bell,	Harris,	Pethick,	Sordoni,
Bennett,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,	Salus,	Boyd,
Einstein,	McClure,		Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 890 (House Bill 1681), as follows:

An Act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined providing for the licensing of the manufacture sale transportation and distribution of such beverages imposing taxes and license fees and providing for collection and distribution of revenues therefrom restricting ownership and interest in licensed places providing penalties and repealing existing acts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That This act shall be known and may be cited as the "Mild Beverage Law"

Section 2 DEFINITIONS The following words and terms as used in this act shall be construed as defined in this section

(a) The word "beverages" means any and all malt or brewed vinous liquids or fruit juices having an alcoholic content in excess of one-half of one per centum by volume the manufacture and sale of which and traffic in which for beverage purposes is not prohibited by the laws of the United States

(b) The word "person" means and includes natural persons associations partnerships and corporations

(c) The word "manufacturer" means and includes all persons associations partnerships and corporations licensed to engage in the brewing and manufacture of all malt or brewed beverages or the fermenting and production of vinous or fruit juices beverages for sale

(d) The term "wholesale distributor" means and includes persons associations partnerships and corporations licensed to engage in the purchase and resale of beverages in the ori-

inal sealed packages as prepared for the market by the manufacturer but not for consumption on the premises where sold

(e) The term "retail distributor" means and includes persons associations partnerships and corporations licensed to engage in the retail sale of beverages where the consumption thereof is upon the premises of such vendor with the privilege of selling its quantities not exceeding seventy-two ounces to be carried from the premises by the purchaser thereof only however in the original containers

(f) The term "original container" means and includes bottles casks kegs or other containers that have been securely capped or corked by the manufctcurer with the name and address of the manufacturer permanently affixed to the bottle cask keg or other container or to the cap or cork used in sealing same

(g) The term "license" means and includes both the person making the application therefor and the premises upon which the privileges of the license are to be exercised and includes manufacturers' wholesale distributors' retail distributors' licenses and public service licenses

(h) The term "licensing power" means the court of quarter sessions of the several counties of this Commonwealth given the authority and power hereunder to grant and issue licenses to wholesale and retail distributors In any county where there are three or more judges learned in the law at least "three judges shall constitute the court for the purposes of this act and at least" two judges must agree upon any action taken under this act to grant refuse suspend or revoke any license

(i) As used in this act the singular shall include the plural and the masculine gender shall include the feminine and the neuter

Section 3 LICENSE TO SELL BEVERAGES REQUIRED It shall be unlawful for any person to produce manufacture sell or offer for sale any beverage unless a license therefor shall have first been previously obtained by such person and for the place where the sale is made as hereinafter provided

Section 4 MANUFACTURERS' LICENSE A manufacturer of good repute upon application as hereinafter provided shall be licensed by the State Treasurer of the Commonwealth to produce and manufacture beverages at one or more places of manufacture and to sell and deliver the same anywhere within the Commonwealth and elsewhere but not in prohibited territory but where a manufacturer operates nor conducts more than one place of manufacture he shall obtain a separate manufacturers' license for each place so operated or conducted

The aplication by a manufacturer for such a license shall contain (a) the names and addresses of applicant together with (b) information concerning the size capacity and equipment of all plants to be used for the purpose of such license and (c) the name of the applicant and where applicant is a partnership or association the names of the partners or members and where the applicant is a corporation the names and addresses of all officers and directors of the corporation

All such licenses to manufacture beverages shall be granted for the calendar year and where a license runs for less than the full calendar year the license fee shall be reduced one-twelfth for each full month such license was not in force during the then calendar year

Section 5 SUSPENSION AND REVOCATION APPEALS If the State Treasurer from information in his possession or that may come into his possession by remonstrance or otherwise is of the opinion that any manufacturer is conducing his or its business in an unlawful manner he shall have power to suspend for anytime or revoke the license of such manufacturer after granting a hearing Any manufacturer aggrieved by the decision of the State Treasurer in refusing suspending, or revoking a license may within thirty days thereafter appeal to the court of quarter sessions of the County where the manufacturing plant is situate which shall fix a time for hearing of which notice shall be given to the State Treasurer as the court may provide The court shall hear the appeal de novo and shall make such order affirming modifying or reversing the order of the State Treasurer as to it shall appear just The action of the court shall be final

Section 6 PUBLIC SERVICE LICENSES The State Treasurer is hereby directed to issue licenses to persons operating and conducting restaurant or dining services on railroad cars or coaches and to persons operating and conducting passenger service by water provided however that the applicant is a reputable person and the place to be licensed is a fit place or places for such license Such licenses shall permit the consumption of the beverages upon the licensed premises

Section 7 DISTRIBUTORS' LICENSES LICENSE YEAR Licenses to wholesale distributors and retail distributors shall be granted only by the licensing power of the proper county wherein beverages are to be sold and shall be for one year from the date fixed by rule or standing order of the licensing authority The said licensing power shall by rule or standing order fix a time at which applications for such licenses shall be heard at which time all persons applying or making objections to applications for licenses may be heard by evidence petition remonstrance or counsel

Section 8 FILING AND PUBLICATION OF APPLICATIONS FOR WHOLESALE AND RETAIL DISTRIBUTORS' LICENSES Every person intending to apply for a wholesale or retail distributor's license as aforesaid in any city or county of this Commonwealth shall file with the clerk of the licensing power of the proper county his or its petition at least two weeks before the first day for the sessions of such licensing power at which the same is to be heard and shall at the same time pay said clerk twenty-five dollars for the expenses connected therewith Said clerk shall cause to be published two times in two newspapers of general circulation designated by the said clerk a list containing the names of all such applicants their respective residences and the place for which application is made the first publication shall be no less than ten nor more than fourteen days before the time fixed by the licensing power for sessions of the licensing power

Section 9 APPLICATION FOR DISTRIBUTORS LICENSES Application for wholesale and retail distributors' licenses shall contain

(a) The name and residence of the applicant and how long he has resided there and if an individual the residence of such applicant and if an association partnership or corporation the residences of the members officers and directors

(b) The particular place for which the license is desired and a detailed description thereof and a history of any business that may have been conducted there during the past two years

(c) Place of birth of applicant and if a naturalized citizen where and when naturalized and if a corporation when and where incorporated with the names and addresses of each officer and director and that such officers and directors are citizens of the United States and that all stockholders owning ten per centum or more of the capital stock of such corporation are citizens of the United States

(d) Name of owner of premises and his residence

(e) That the applicant is not or in case of a partnership or association that the members or partners are not and in the case of a corporation that the officers and directors are not in any manner pecuniarily interested either directly or indirectly in the profits of any other class of business licensed or taxed under this act except as hereinafter temporarily permitted

(f) That applicant is the only person in any manner pecuniarily interested in the business so asked to be licensed and that no other person shall be in any manner pecuniarily interested therein during the continuance of the license except as hereinafter temporarily permitted

(g) Whether applicant or in case of a partnership or association any member or partner thereof or in caes of a corporation any officer or director thereof has had a license for sale of said beverages revoked during any time preceding this application and whether applicant or any of said persons during the past two years has ever been convicted for any criminal offense and if so a detailed history thereof

(h) A full description of that portion of the premises for which license is asked and if any other business is to be conducted concurrently with the sale and distribution of beverages a full history of such business relating the nature thereof the length of time it has so previously been conducted by the applicant or his predecessor at such location

There shall be annexed to such petition a certificate signed by at least twelve reputable qualified electors of the ward borough or township in which such beverages are to be sold setting forth that they have been acquainted with the applicant or applicants or the members of the association or partnership or the directors and officers of the corporation where the applicant is a corporation that they have good reason to believe that

each and all the statements contained that he prayer of said petitioner be granted and that the license issue

Petition must be verified by affidavit of applicant and by affidavit of owner or his authorized agent as respects information concerning the property and if false statement is made in any part of the petition the affiant shall be deemed guilty of the crime of perjury

Section 10 SUBSTITUTED APPLICATIONS IN CASE OF DEATH Whenever an applicant for a wholesale or retail distributor's license having filed his application in due form and in due time shall die before such application has been acted upon by the licensing power it shall be lawful for said licensing power upon petition setting forth said fact to permit the substitution of another applicant in the form as required for a license to sell such beverages at the same place said licensing power specifying in the order granting such allowance in time not less than two weeks distant for hearing said substituted application Thereupon upon payment to the clerk of said licensing power of the sum of twenty-five dollars a notice of said petition of the order thereon and of the substituted application together with the date and hour of the hearing thereof shall by said clerk be published for two successive weeks in two newspapers of general circulation designated by said clerk On the day specified said licensing power shall hear said substituted application and any remonstrance or objection made to the same in like manner as is required for the original application and thereupon may grant or refuse a license to said substituted applicant

Section 11 HEARINGS TO GRANT LICENSES RESTRICTIONS Said licensing power shall hear the petition from residents of the ward borough or township in addition to that of the applicant in favor of and in remonstrance against the application for any such wholesale or retail distributor's license and in all cases shall refuse the same whenever in the opinion of the said licensing power having due regard to the number and character of the petitioners for and against such application that the applicant or applicants is or are not fit persons to whom such license should be granted or the place applied for is not a fit place without regard to the proximity of other places

A wholesale distributor maintaining operating or conducting more than one place of business where beverages are resold or places of his business where orders are taken for such resale shal lobtain a separate license for each such place of business

Licenses shall be granted only to reputable persons or to associations partnerships and corporations whose members or officers and directors are reputable persons

Licenses shall be granted only to individual citizens of the United States who have been residents of this Commonwealth for at least three years immediately preceding or to corporations organized in or duly authorized to transact business in this Commonwealth

No retail distributor's license shall be granted for the sale of beverages in any drug store or pharmacy or in any grocery store or in any mercantile establishment unless there is conducted in such mercantile establishment a bona fide restaurant or dining room in which case a license may be granted for the sale of beverages in the room or space occupied by such restaurant or dining room

No wholesale distributor's license shall be granted except where the room or rooms to be occupied by such business shall be fully separated by walls from any other room or space where other business is conducted in the same building No other commodities of any kind shall be stored or sold in the room or rooms occupied for the business as a wholesale distributor

Section 12 REVOCATION AND SUSPENSION OF LICENSES After a license has been granted upon sufficient cause being shown or proof being made to the said licensing power that the licensee holding a license or any partners members officers or directors of the licensee has or have violated any of the laws of this Commonwealth relating to the sale of beverages it may upon due notice and proper hearing being given to the person so licensed suspend or revoke the said license The action of the licensing power in suspending or revoking a license shall be final

Section 13 TRANSFER OF LICENSES The said licensing power is hereby authorized to transfer wholesale or retail license from one person to another or from one place to another within the jurisdiction of the licensing power as it may determine Any transfer of such license may be made when the applicant or applicants for said transfer shall have presented a petition seting forth all of the facts necessary for original application for such license In cases where the application is made to transfer from one place to another the application shall be advertised as herein provided for original applications for license and residents of the ward borough or township shall have the same right to remonstrate against such transfer in the same manner as against applications for original licenses

Section 14 APPLICATIONS FOR TRANSFERS Applications for any such transfer shall be filed in the office of the clerk of the licensing power of the proper county ten days before the said petition shall be presented to the licensing power and upon expiration of the said ten days the clerk shall certify that the application for such transfer has been on file in his office for the period of time required Provided however In case of death of the licensee such transfer may be made forthwith on petition without preliminary or interlocutory order and without publication of notice

Section 15 FEE FOR LICENSE TRANSFERS Whenever any license shall hereafter be transferred under the provisions of this act no license or other fees shall be required from the persons to whom such transfer is made for the balance of the then current term except a fee of twenty-five dollars to be paid to the clerk of the licensing power for the uses herein provided

Section 16 RENEWAL OF LICENSES Renewal licenses may be granted by the licensing power upon proper application without the necessity of such applicant appearing with his witnesses before the licensing power at its sessions unless remonstrances are filed Where such remonstrances are filed to the renewal of licenses the same proceedings shall be had as in the case of application for an original license

Section 17 DISPLAY OF LICENSE Every licensee shall frame his or its license under a transparent substance and display the same in a conspicuous space so that it may easily be read in his or its place of business and no license shall authorize sales until this section has been complied with

Section 18 ALL LICENSES TO FURNISH BOND No license shall be issued to any manufacturer wholesale distributor or retail distributor until the licensee shall have first executed a bond to the Commonwealth of Pennsylvania and a warrant of attorney to confess judgment in the penal sum hereinafter prescribed and with sufficient sureties either personal or a surety company authorized to do business in this Commonwealth Such bond shall not be accepted until approved by the State Treasurer as respects manufacturers or approved by some one designated by the licensing power as respects wholesale and retail distributors All such bonds shall be conditioned for the faithful observance of all the laws of this Commonwealth relating to the traffic in and sale of beverages Such bond as respects the manufacturer shall be filed with and retained by the State Treasurer and in the case of wholesale and retail distributors by the clerk of the licensing power The penal sum in such bonds shall be as follows In the case of manufacturer two thousand dollars and in the case of wholesale or retail distributor one thousand dollars

Section 19 LICENSE FEES DISTRIBUTION OF REVENUES No license shall be issued to any manufacturer wholesale distributor or retail distributor until the licensee shall have first paid an annual license fee for such grant as follows

(a) In the case of a manufacturer one thousand dollars for each place of manufacture be paid to the State Treasurer

(b) In the case of a wholesale distributor as follows In counties of the first and second classes five hundred dollars in counties of the third and fourth classes four hundred dollars and in all other counties three hundred dollars

(c) In the case of a retail distributor the license fee shall be graduated according to the population of the municipal unit in which the place of business is located as follows

I In municipalities or townships having a population of less than one thousand five hundred inhabitants seventy-five dollars

II In those having a population of one thousand five hundred and more but less than ten thousand inhabitants one hundred dollars

III In those having a population of ten thousand and more but less than fifty thousand inhabitants one hundred and fifty dollars

IV In those having a population of fifty thousand and more but less than one hundred thousand inhabitants two hundred dollars

V In those having a population of one hundred thousand and more but less than one hundred fifty thousand inhabitants two hundred and fifty dollars

VI In those having a population of one hundred fifty thousand and more than three hundred dollars

(d) In the case of a license for the sale of beverages in dining cars the fee shall be five hundred dollars for each railroad company

(e) In the case of a license to sell the beverages in a passenger boat or water vehicle the fee shall be twenty-five dollars for each such vessel or boat

The licence fees fixed by this section shall be paid within fifteen days after the license is granted and the license shall not be delivered until the license fee is paid

The fees for wholesale and retail distributors' licenses and for manufacturers' licenses shall be paid by the county or the State Treasurer to the municipalities and townships in which the licensed places are located

Section 20 SALES BY MANUFACTURERS MINIMUM QUANTITIES No manufacturer shall sell or deliver any of such beverages except in original containers permanently marked with the name of such manufacturer nor in quantities of less than one hundred and forty-four (144) fluid ounces when in bottles or in casks or kegs of not less than three and one-half (3½) gallons each in the case of malt and brewed beverages or two (2) gallons in the case of vinous or fruit juice beverages

Section 21 SALES BY WHOLESALE DISTRIBUTORS MINIMUM QUANTITIES No wholesale distributor shall purchase receive or resell such beverages except in the original containers permanently marked as prepared for market by the manufacturer and then shall resell the same only in the county wherein he is licensed in no less quantities however than one hundred and forty-four (144) fluid ounces when in bottles or in casks or kegs of not less than three and one-half (3½) gallons each in the case of malt and brewed beverages and two (2) gallons in the case of vinous or fruit juice beverages Provided That no such beverage sold or delivered shall be consumed upon the premises of the wholesale distributor or in any place provided for such purpose by such distributor Provided further That such beverages when legally sold by a wholesale distributor in the county where licensed may be delivered anywhere in the county of sale and its adjacent counties except in prohibited territory

Section 22 SALES BY RETAIL DISTRIBUTORS No retail distributors shall purchase or receive any beverages except in the original containers permanently marked as marketed by the manufacturer and thereafter may break the bulk upon the licensed premises and sell or dispense the same for the use and consumption only however in and upon the premises so licensed Provided however That such retail distributor may sell such beverages in quantities not exceeding seventy-two (72) ounces in the original containers to be carried from the premises by the purchaser thereof and may sell and deliver beverages in any room of a hotel occupied by a bona fide registered guest entitled to purchase the same

No retail distributor shall maintain any bar at which beverages are served to customers and shall serve beverages to customers for consumption only except in the case of railroad cars and boats on the licensed premises in any building upon said premises in which said beverages are served a portion of which building is lawfully used in conducting a restaurant or dining room or said building be lawfully used in the operation of a hotel or inn

Section 23 UNLAWFUL SALES It shall be unlawful for any licenses or his or its servants agents or employes

(a) To sell trade or barter in beverages between the hours of twelve o'clock midnight of any Saturday and six o'clock in the forenoon of the following Monday

(b) To sell furnish or give any beverages to any person visibly intoxicated or to any insane person or to any minor

(c) To sell furnish or give any beverages to any person on any day on which a general municipal special or primary election is being held

(d) To sell or offer to sell any beverages to any person on credit excepting the customary credits between the various classes of licensees and credits extended by an hotel to a bona fide registered guest No right of action shall exist to collect any claims for credit extended contrary to the provisions of this clause

(e) To sell offer to sell or furnish any beverage to any person on a pass-book or store order or to receive from any person any goods wares merchandise or other articles in exchange for beverages

Section 24 THINGS OF VALUE NOT TO BE OFFERED FOR THE RETURN OF CERTAIN ARTICLES It shall be unlawful for any person licensed to sell beverages to offer or give anything of value as a premium for the return of caps stoppers corks stamps or labels taken from any bottle case barrel or package containng such beverages or to offer or gve anythng of value as a premum or present to nduce the purchase of such beverages or for any other purpose whatsoever in connection with the sale of such beverages "provided however that this section shall not apply to the return of any moneys specifically deposited for the return of the original containers to the owners thereof"

Section 25 UNLAWFUL TO FORTIFY ADULTERATE OR CONTAMINATE BEVERAGES It shall be unlawful to fortify adulterate contaminate or in any wise to change the character or purity of the beverages from that as originally marketed by the manufacturer

Section 26 TRANSPORTATION IN ORIGINAL PACKAGES It shall be unlawful to transport any beverages except in the original containers permanently marked as marketed by the manufacturer

Section 27 DELIVERY VEHICLES TO BEAR NAME AND ADDRESS OF LICENSEE It shall be unlawful for a manufacturer or wholesale distributor to deliver any beverages excepting in vehicles bearing the name and address of such license holder on each side of such vehicle in letters no smaller than four inches in height

Section 28 INTERLOCKING BUSINESS PROHIBITED (a) No manufacturer and no officer or director of any manufacturer shall at the same time be a distributor or an officer director or stockholder or creditor of any wholesale distributor or of any retail distributor nor be the owner proprietor or lessor of any place covered by such wholesale or retail distributor's license

(b) No wholesale distributor and no officer or director of any wholesale distributor shall at the same time be a manufacturer or retail distributor or be an officer director stockholder or creditor of a manufacturer or retail distributor or be the owner proprietor or lessor of any place covered by such retail distributor's license

(c) No manufacturer or wholesale distributor or retail distributor licensed under this act shall own any stock of or have any financial interest in any other class of business licensed under this act

(d) Excepting as hereinafter provided No manufacturer or wholesale distributor shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or in any mortgage lien against the same for which a retail license is granted nor shall a manufacturer or wholesale dealer either directly or indirectly lend any moneys credit or equivalent thereof toany retail dealer in quipping fitting out or maintaining and conducting either in whole or in part an establishment or business where such beverages are licensed for sale and consumption upon the premises excepting only the usual and customary commercial credits for beverages sold and delivered

(e) Excepting as hereinafter provided No manufacturer shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or any mortgage lien against the same for which a wholesale license is granted nor shall a manufacturer either directly or indirectly lend any moneys credit or their equivalent to any wholesale dealer in equipping fitting out or maintaining and conducting either in whole or in part an establishment or business where such beverages are licensed for sale at wholesale excepting only the usual and customary commercial credits for beverages sold and delivered

The purpose of this section is to require a separation of the financial and business interests between the various classes of business authorized to be licensed by this act and no person or corporation shall by any device whatever directly or indirectly evade the provisions of this section But in view of existing economic conditions nothing contained in this section shall be construed to prohibit the ownership of property or conflicting interest existing at the date this act takes effect which is contrary to this section but to prohibit the establishment of such ownership or conflicting interest after said date

Section 29 SALE OF IMPORTED BEVERAGES No beverages imported into this Commonwealth shall be delivered in the first instance anywhere in this Commonwealth except to a

licensed wholesale distributor and shall be resold and delivered only in accordance with this act by such wholesale distributor to whom delivered who shall be liable for the tax imposed thereon by this act when such beverages come to rest or storage in this Commonwealth

Section 30 STATE TAX ON BEVERAGES In addition to the license fees imposed by this act each manufacturer shall be subject to pay the State taxes imposed by this section upon all beverages manufactured in this Commonwealth when prepared for market and each wholesale distributor shall be subject to pay the State taxes imposed by this act upon all beverages imported into this Commonwealth when the same come to rest or storage in this Commonwealth Such taxes shall be at the following rates On malt and brewed beverages one dollar ($1) per barrel or equivalent and on vinous or fruit juice beverages three cents (3c) per gallon

Manufacturers and wholesale distributors shall be liable to the Commonwealth as taxpayers for the payment of the taxes imposed by this act

Section 31 MONTHLY REPORTS AND PAYMENT OF TAX PENALTIES For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every manufacturer and wholesale distributor on or before the last day of each month to transmit to the Department of Revenue upon a form prescribed prepared and furnished by the Department a report under oath or affirmation of the beverages prepared for market or which were imported and came to rest or storage at his place of business in this Commonwealth during the preceding month Such report shall show the number of barrels or gallons prepared for market or imported during the period for which it is made and such further information as the department shall prescribe Each manufacturer shall on such report also show the number of barrels or gallons of beverages prepared for market which during such month were exported from this State and shall be entitled to a deduction of the tax on such beverages in computing the tax payable under this act

Each manufacturer and wholesale distributor at the time of making every report required by this section shall compute and pay to the department the tax due to the Commonwealth on the beverages prepared for market or imported into this State The amount of all taxes imposed under the provisions of this act for each month shall be due and payable on the last day of the next succeeding month and shall bear interest at the rate of one per centum per month or fractional part of a month from the day they are due and payable until paid

If any manufacturer or wholesale distributor shall neglect or refuse to make any report and payment as herein required an additional ten per centum of the amount of the tax shall be added by the department and collected as hereinafter provided and in addition thereto the license of such manufacturer or wholesale distributor may be suspended by the State Treasurer or the licensing power at the request of the department

Section 32 DETERMINATION AND REDETERMINATION OF TAX PENALTIES AND INTEREST (a) If the department is not satified with the report and payment of the tax made by a manufacturer or wholesale distributor it is authorized to make a determination of the tax due based upon the facts contained in the report or upon any information within its possession or that shall come into its possession

(b) Promptly after the date of any such determination the department shall send by registered mail a copy thereof to such manufacturer or wholesale distributor Within thirty days after the date of any such determination such manufacturer or wholesale distributor may file with the department a petition for redetermination of such tax Every petition for redetermination shall state specifically the reason which the petitioner believes entitles him to such redetermination and shall be supported by affidavit that it is not made for the purpose of delay and that the facts set forth therein are true It shall be the duty of the department within ninety days after the date of any determination to dispose of any petition for redtermination Notice of the action taken upon any petition for redetermination shall be given to the petitioner promptly after the date of redetermination by the department

(c) Within thirty days after notice by the department of the action taken on any such petition for redetermination filed with it the manufacturer or wholesale distributor against whom such determination was made may by petition require the Board of Finance and Revenue to review such action Every petition for review shall state specifically the reason upon which the petitioner relies and shall be in such form as the Board of Finance and Revenue shall prescribe The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true The Board of Finance and Revenue shall dispose of each such petition filed with it within ninety days after it shall have been received and in the event of the failure of said board to dispose of any such petition within ninety days the action taken by the department upon the petition for redetermination shall be deemed sustained The Board of Finance and Revenue may sustain the action taken on the petition for redetermination or it may redetermine the tax upon such basis as it shall deem to be according to law and equity Notice of the action of the Board of Finance and Revenue shall be given by mail or otherwise to the department and to the petitioner

(d) The department or any person aggrieved by the decision of the Board of Finance and Revenue or by the Board's failure to act on said petition within ninety days may within sixty days appeal to the Court of Common Pleas of Dauphin County from the decision of the Board of Finance and Revenue or from the decision of the department as the case may be in the manner provided by law for appeals in the case of tax settlements

(e) If any manufacturer or wholesale distributor shall neglect or refuse to make any report and payment of the tax required by this act the department shall estimate the tax due by such corporation and determine the amount due by him for taxes penalties and interest therein from which determination there shall be no right of review or appeal Upon any such neglect or refusal the license of the manufacturer or wholesale distributor may be suspended or revoked by the State Treasurer or licensing power at the request of the department

Section 33 EXAMINATION OF RECORDS AND EQUIPMENT The Department of Revenue or any agent appointed in writing by it is authorized to examine the books papers records plant and equipment of any manufacturer or wholesale distributor to verify the accuracy of any report of payment made under this act or to ascertain whether or not the tax imposed by this act has been paid But any information gained by the department as the result of the reports investigations or verifications herein required to be made shall be confidential and any person divulging such information shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than one thousand dollars ($1,000) and costs of prosecution or to undergo imprisonment of not more than one year or both

Section 34 RECORDS OF MANUFACTURERS AND WHOLESALE DISTRIBUTORS Each manufacturer and wholesale distributor shall maintain and keep for a period of two years such record or records of beverages manufactured or imported together with invoices bills of lading and other pertinent papers as may be required by the department

Section 35 LIEN OF TAXES All taxes penalties and interest imposed by this act due by any manufacturer or wholesale distributor shall be a lien upon the franchises and property both real and personal of such manufacturer or wholesale distributor from the date said taxes are due and payable and shall have priority over any subsequent liens or encumbrances whatsoever except the lien of other State taxes having priority by law and except also that such taxes penalties and interest shall have priority over a mortgage only if the statements thereof were filed of record as hereinafter provided prior to the recording of the mortgage

Statements of all taxes herein imposed due and unpaid together with penalties and interest therein certified by the Secretary of Revenue or his agents may at any time be transmitted to the prothonotaries of the respective counties to be by them entered of record upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgment and executive in the same manner as such writs are ordinarily employed

Section 36 DISTRIBUTION OF REVENUES FROM TAX All taxes collected under the provisions of this act shall be paid by the Department of Revenue into the State Treasury and fifty per centum (50%) of such tax shall be for the use of the Commonwealth The remaining [ninety] fifty per centum (50%) of such tax shall be paid into the Beverage Fund which is hereby created and shall be paid by the State Treasurer quarterly to the county treasurers of the various counties of this Commonwealth for the use of such counties on a ratio that the population of a county bears to the total population of the Commonwealth Any moneys in the Beverage Fund from

time to time are hereby appropriated for payment over to the several counties as herein provided except interest earned on moneys in such Fund which shall be for the use of the General Fund

Section 37 PENALTY Any person copartnership association or corporation violating any of the provisions of this act for which a specific penalty is not provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding three hundred dollars ($300) for the first offense and for any second or subsequent offense shall be sentenced upon conviction to pay a fine not exceeding five hundred dollars ($500) Any such person or the members agents servants or employes of any partnerships or association or the officers directors agents servants or employes of any corporation responsible for any violation of any of the provisions of this act may upon a second or subsequent conviction be sentenced to imprisonment for a term not exceeding six months or by both such fine and imprisonment in the discretion of the court

Section 38 RULES It shall be the duty of the licensing power in the several counties and districts promptly after the passage of this act to fix by rule or otherwise the times and places when applications for wholesale and retail distributors' licenses may be presented so that such licenses may be promptly obtainable by all applicants meeting the necessary requirements and qualifications This provision is intended to meet such emergency as may arise promptly to regulate and license the sale and distribution of the said beverags which may have been legalized by action of Congress of the United States which become automatically legal in this Commonwealth

Section 39 CONSTITUTIONALITY The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 40 EFFECTIVE DATE This act shall become effective immediately upon final enactment

Section 41 REPEAL The following acts are hereby repealed as respectively indicated

The act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-seven) entitled "An act authorizing the transfer by the judges of the several courts of the Commonwealth of licenses for the wholesale or retail of vinous spirituous malt or brewed liquors from one person to another and from one place to another" absolutely

The act approved the thirtieth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws four hundred sixty-four) entitled "An act to provide revenue and regulate the sale of malt brewed vinous and spiritous liquors or any admixture thereof by requiring and authorizing licenses to be taken out by brewers distillers wholesalers bottlers rectifiers compounders storekeepers and agents having a store office or place of business within this Commonwealth prescribing the amount of license fees to be paid in such cases and by imposing an additional license fee on retail dealers in intoxicating liquors" and the amendments thereto so far as the same relate to beverages licensed under this act

The act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled "An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws" and the amendments thereto so far as the same relate to beverages the manufacture sale distribution and transportation of which is regulated and licensed under this act

The act approved the nineteenth day of February One thousand nine hundred and twenty-six (Pamphlet Laws sixteen) entitled "A supplement to the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled 'An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverages purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws' providing for the registering of Federal permits also regulating under permit through a Pennsylvania Alcohol Permit Board created in the Department of Welfare the manufacture production distillation development use in manufacture denaturization redistillation recovery reuse holding in bond holding in storage by bailees for hire sale at wholesale and transportation for hire any alcohol or alcoholic liquid by certain persons also providing for fees and the disposition thereof also authorizing the inspection of the records of the permittees and purchasers of said alcohol or alcoholic liquid also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" in so far as the same relates to or requires permits for the manufacture production distillation development use in manufacture denaturization redistillation recovery reuse holding in bond holding in storage by bailees for hire sale at wholesale and transportation for hire beverages the manufacture and sale of which is regulated and licensed under this act

All other acts and parts of acts inconsistent with this act are hereby repealed But nothing contained in this act shall be construed to repeal any law relating to the purity or adulteration of beverages or any law relating to sanitation or any local or special law

Nothing contained in this act shall be construed to repeal or in any manner to impair the provisions of the act approved the second day of June one thousand eight hundred and ninety-one (Pamphlet Laws one hundred seventy-three) entitled "An act to permit the growers of grapes in this Commonwealth to manufacture wine from grapes of their own raising that are not first class or marketable and sell such wine to licensed dealers without taking out or paying a license for such manufacture or sale"

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. CHAPMAN. On this bill I would like to speak just a word. With the advent upon the scene of the Volstead Act, and the enactment of the Snyder-Armstrong measure, we hear much of the pros and cons concerning depression and prosperity

The sponsors of this measure we have before us would make us believe that its enactment will be a panacea, or a cure-all, for economic ills. This is all bunk.

Another aspect, more important than all the rest, is that of the effect of beer and wine upon the physical health and well-being of the individual. As a physician of nearly thirty years of experience I have failed to observe a single instance of benefit derived from the use of wine or beer in my patients. I find that beer is a mocker. Both wine and beer are poisons, and whosoever is deceived thereby is not wise.

Neither do I recall an inveterate beer and wine drinker who has lived to three-score-and-ten in life's span. They all die early.

With the enactment of this measure, and its Executive approval, I read in the dawn the doom of our American youth.

I care not what others may think, but for myself, give me good health and I will give you all the rest—prosperity, wealth, happiness, contentment.

Mr. SALUS. Mr. President, I do not think there is much use answering the Senator who just spoke, because I think we have all made up our minds as to what we want to do on this bill. The question as to whether or not liquor is beneficial to the youth of this community or to the people of the community is a question that has long since passed over the dam.

The national House of Congress has passed the act allowing beer to be sold throughout the United States. Now the only question involved is, shall the sale of liquor be regulated or shall we allow liquor to be sold in every nook and corner of this Commonwealth? Possibly someone may open a beer saloon directly next door to the Senator's home, and I do not believe that he would like that very much. I do not think that I would.

Now that we are on the beer question, and on the liquor question, I would like to go back a little in its history and pay my respects to a couple of men who were at the Chigaco Convention. At the Chicago Convention Senator McClure, a member of this body, was on the platform committee, and worked for two days and nights trying to get together or agree with members of the platform committee whereby we would get some legislation that would be satisfactory to all the people in Pennsylvania. He found that he was up against what might be called stacked cards, because that committee, apparently, in its beginning was a one hundred per cent. dry committee. Senator McClure and General Martin, who was chairman at the time, tried to see if it was not possible that in some way a platform might be reached whereby all the people of Pennsylvania might be pleased with what would appear in that platform. The rabid wets and rabid drys were in a head-on collision; nothing could be accomplished in the form of a compromise; and I want to pay, at this time, my respects to both General Martin and Senator McClure for their ardent effort to try to please both factions in Pennsylvania. As a result they put themselves in the position of the peacemaker. Both sides tried to jump down their throats. They could not please one side, they could not please the other side, and it seemed as though a combination of both sides proceeded to trample both of them to death. But the final result was that we had a very poor platform, so far as the Republican organization was concerned, in Chicago. And I want to say, right here, that it was not the fault of Senator McClure nor the fault of General Martin. They both tried the best they knew how to get something in that platform that might please both sides on this question.

I want, also, to go back, in a small degree, in the history of this liquor legislation. The Republicans of the United States are now being blamed for everything imaginable with regard to the question of prohibition. Prohibition was born in the Democratic south. It was a Democratic baby, and when that baby got unruly they tried to unload it on the Republican doorstep, and, as a result of the recent election, the Republicans were blamed for prohibition—that was born in a Democratic home, in the Democratic South and a few rabid states o fthe West; and we Republicans of the United States had to bear a burden that was unjustly placed on our shoulders.

It is not a question now as to whether beer is good or bad: The question now is, shall beer be regulated? And that is the only question we have before us now. I am extremely glad that this prohibition question has come to an issue, because it is high time that this matter should be taken out of politics. At no time was it a political question; but it seemed, in the last election, it was made the political question. I think everybody ought to be happy that the question of liquor is to be taken out of politics, and we can go ahead and run our country without any more fraud. And we ought to be very happy in Pennsylvania at this time. The people seem to be very anxious to enjoy themselves. They are going to have their own way, I hope,—a majority of them. We are going to have Sunday baseball; we are going to have beer; and, I hope less baloney.

Mr. BUCKMAN. Mr. President, I agree with the Senator from Philadelphia, Mr. Salus, with reference to this beer bill, in that it is not a question of wet or dry but a question of whether or not the sale of beer shall be regulated and the Commonwealth of Pennsylvania get some revenue therefrom. It seems to me it is a shame that there is no law upon the subject today. I am not sure that this bill is one hundred per cent as it should be; I am not sure it is all that I would like it to be; but as it is the only law in sight, I am willing to vote for it at this time, in order that there may be some legislation upon the subject and some restrictions upon the sale of beer.

Mr. HARRIS. Mr. President, I am indeed sorry that I was not recognized before Senator Buckman, because he has expressed my sentiments. I yield to no one in my position on prohibition. I am absolutely opposed to it, opposed to the Eighteenth Amendment, and will enthusiastically work for the repeal of the Eighteenth Amendment. And I say that, ladies and gentlemen, with the pardonable pride that I have never touched a drop of intoxicating liquor in my life.

Mr. President, like Senator Buckman I am not satisfied with this bill. I am opposed to having the judges grant liquor licenses. But it is the only bill before this body. Thousands of barrels of beer are being sold without a bit of revenue being returned to the State. That revenue could well be used for the relief of the unemployed. I am for the first bill that will bring a return to the State, that has any decency to it at all. It is a crying shame that no legislation exists now that will bring a return to the State.

As I said before, I am not satisfied with the bill, but I will vote for it tonight. I reserve the right, however, that if any better bill is presented, some bill that meets with my approval more than this does, to vote for that bill also. I shall cast my vote for this bill, and I sincerely hope everybody in the Senate does the same, because I cannot view it as a wet and dry question, but as a matter of regulation and a matter of bringing revenue to this State.

Mr. SNYDER. Mr. President, I happen to have had a slight connection with this bill that is now before us, and this is not the first time I have had to speak as a partisan. I want to remind my distinguished colleague, the Senator from Philadelphia, Mr. Salus, that in my humble opinion prohibition was never born in the Democratic south but in the Republican State of Maine. And I also want to say that the time has come when I cannot with equanimity look upon this matter, even though some members of the Senate it may seem unimportant, being further delayed; for it seems, to my mind, almost inconceivable that any member of the Senate should bring up the question of wet or dry on this issue. I am a little suspicious of the activities even of the Governor of this Commonwealth in trying to delay the matter of submitting the question of repeal to a convention; and I look with suspicion on any attempt that is made to delay the passing of this bill. I think the time is far past when there should be any question of delay.

Very obviously there has been an opportunity even on this bill, to present various views upon the subject. I doubt not that as a pure matter of mathematics, there being fifty Senators here, it is entirely possible there may be fifty different views upon this subject. I want to say to my colleague, the Senator from Warren, Mr. Chapman, that I will not even go so far as to heed this warning that there may be danger of my dying young if I drink some beer. The people whom I represent do not agree with him; and, as the other Senators

have said, there is no time for delay. This bill, in my humble opinion, should pass this Senate and should be signed by the Governor, because even in measures of this kind the people of the Commonwealth want action, and this is thoroughly understood to be a matter which must necessarily demand our immediate attention.

The State of Pennsylvania needs this revenue. The people of this State want to know what it is all about. And I, for one, want to join those members who have already arisen, and said they will vote for the bill, by adding to their declaration the statement that I cannot do otherwise.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Armstrong,	Fay,	Mansfield,	Salus,
Aron,	Frazier,	McClure,	Shapiro,
Batchelor,	Graff,	Miller,	Snyder,
Baumer,	Harris,	Pethick,	Sordoni,
Bell,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Howell,	Quigley,	Trainer,
Buckman,	Hunsicker,	Reed,	Woodward,
Coyne,	Krause,	Rice,	Ziesenheim,
Einstein,	Lanius,	Roberts,	Boyd, Pres. Pro. Tem.

NAYS—14

Bennett,	Ealy,	Norton,	Scott,
Chapman,	Gelder,	Owlett,	Sones,
Clark,	Homsher,	Parkinson,	Thompson,
		Prince,	Williamson,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the Chair.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1, entitled:

An Act authorizing counties of the second class and cities of the second class to appropriate sums of money to aid in defraying the expenses of entertaining the stated convention of the National Encampment of the United Spanish War Veterans in the year one thousand nine hundred and thirty-four.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 206, on third reading, entitled:

An Act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, division and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds and certain State departments, commissions and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations.

be recommitted to the Committee on Corporations.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 221, entitled:

An Act to amend sections one, two, three, four and five of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 1215), entitled "An act authorizing the filing of notices of liens for taxes payable to the United States of America, and certificates discharging such liens; and to make uniform the law relating thereto," providing for the filing of notices of liens in the office of the recorder of deeds.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Aron,	Frazier,	Norton,	Scott,
Batchelor,	Gelder,	Owlett,	Shapiro,
Baumer,	Graff,	Parkinson,	Snyder,
Bell,	Harris,	Pethick,	Sones,
Bennett,	Harvey,	Pierson,	Sordoni,
Boyd,	Homsher,	Prince,	Staudenmeier,
Buckman,	Howell,	Quigley,	Thompson,
Chapman,	Hunsicker,	Reed,	Trainer,
Clark,	Krause,	Rice,	Williamson,
Ealy,	Lanius,	Roberts,	Woodward,
Einstein,	Mansfield,	Salus,	Ziesenheim,
Fay,	McClure,		

NAYS—4

Armstrong,	Brandt,	Coyne,	Miller,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS RECOMMITTED

Mr. BUCKMAN. Mr. President, I move that Senate Bill No 262, on third reading entitled:

An Act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaires of such courts, recorders of deeds, and certain State departments, commissions and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties and repealing certain acts and parts of acts relating to corporations.

be recommitted to the Committee on Corporations.

Mr. OWLETT. Mr. President, I second the motion.

The motion was agreed to.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 315, on third reading entitled:

An Act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercise supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons and appropriating the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions, with supervised corporations, associations or persons; prescribing and limiting the powers and duties of certain courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; autnorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts.

be recommitted to the Committee on Banks and Building and Loan Associations.

Mr. EALY: Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. ARON. Mr. President, I desire to interrogate the Senator from Bucks, Mr. Buckman.

The PRESIDENT. Will the Senator from Bucks, Mr. Buckman, permit himself to be interrogated?

Mr. BUCKMAN. Mr. President, I am not particular about it, but I suppose I have to do it.

Mr. ARON. Mr. President, I would ask the Senator from Bucks, Mr. Buckman, what the purpose is of recommitting the bill?

Mr. BUCKMAN. Mr. President, I did so at the request of the sponsor of the bill, the Senator from Luzerne, Mr. Sordoni, who has left the chamber.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

BILL POSTPONED

Mr. FAY. Mr. President, I move that the question together with the further consideration of (Senate Bill No. 431), entitled:

An Act suspending the provisions of the laws requiring school districts to pay minimum salaries to district superintendents teachers, supervisors and principals, and providing for continuing contracts; requiring boards of school directors to fix salaries of district superintendents, teachers, supervisors and principals for the school years beginning the first day of July, one thousand nine hundred and thirty-three and the first day of July, one thousand nine hundred and thirty-four; and providing for State aid to be given to school districts during said years.

be postponed for the present.

Mr. WILLIAMSON. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 434, entitled:

An Act making an appropriation to the trustees of the Pennsylvania Military College, Chester, Pennsylvania, for the training and education of students.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32

Aron,	Einstein,	Krause,	Pierson,
Batchelor,	Fay,	Lanius,	Quigley,
Bell,	Frazier,	Mansfield,	Reed,
Boyd,	Gelder,	McClure,	Salus,
Buckman,	Graff,	Miller,	Scott,
Clark,	Harris,	Owlett,	Sordoni,
Coyne,	Howell,	Parkinson,	Staudenmeier,
Ealy,	Hunsicker,	Pethick,	Trainer,

NAYS—18

Armstrong,	Harvey,	Roberts,	Thompson,
Baumer,	Homsher,	Shapiro,	Williamson,
Bennett,	Norton,	Snyder,	Woodward,
Brandt,	Prince,	Scnes,	Ziesenheim,
Chapman,	Rice,		

Less than two-thirds of all the Senators having voted "no" the question was determined in the negative.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 446, on third reading, entitled:

An Act relating to the business of banking and to the exercise of fiduciary powers by corporations; providing for the organization of banking corporations, with or without fiduciary powers, including the conversion of national banks into state banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers of private bankers, and of the officers, directors, trustees, shareholders, attorneys,, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts.

be recommitted to the Committee on Banks and Building and Loan Associations.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 459, entitled:

An Act to authorize cities of the third class to sue out writs of scire facias on certain municipal claims, where more than five years have elapsed since said claims were filed, and to reduce such claims to judgment; and providing for the revival and collection of such judgments.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Armstrong,	Einstein,	Miller,	Scott,
Aron,	Fay,	Norton,	Shapiro,
Batchelor,	Frazier,	Owlett,	Snyder,
Baumer,	Gelder,	Parkinson,	Sones,
Bell,	Graff,	Pethick,	Sordoni,
Bennett,	Harris,	Pierson,	Staudenmeier,
Boyd,	Homsher,	Prince,	Thompson,
Brandt,	Howell,	Reed,	Trainer,
Buckman,	Hunsicker,	Rice,	Williamson,
Chapman,	Lanius,	Roberts,	Woodward,
Clark,	Mansfield,	Salus,	Ziesenheim,
Ealy,	McClure,		

NAYS—4

Coyne,	Harvey,	Krause,	Quigley,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 478, as follows:

An Act to amend paragraph two of section four as amended and paragraph two of section six as amended and paragraph one and five of section eight as amended and to add paragraph nine to section eight of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for the payment of administrative expenses from excess interest earnings making an appropriation therefor and providing for the reduction in the rate of payment to State Annuity Reserve Account Number Two

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That paragraph two of section four of the act approved the eighteenth day of July one thousand nine hundred seventeen (Pamphlet Laws one thousand forty-three) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by the act approved the fourteenth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand seven hundred thirty-eight) be and the same is hereby further amended to read as follows

2 The expenses of the administration of this act by the retirement board exclusive of the payment of retirement allowances and of the other benefits provided for in this act shall be paid from interest earnings on the funds in excess of four per centum except that if in any year such earnings are not sufficient the balance required shall be paid by the Commonwealth by biennial appropriations from the General Fund made on the basis of estimates submitted by the retirement board Under the direction of the board there shall be paid from such excess earnings and charged to the Administration Expense Account salaries wages or other compensation of the officers and employes of the Public School Employes' Retirement Board contingent expenses traveling expenses postage incidental and other expenses including telegram and telephone toll charges necessary for the proper conduct of the work of the Public School Employes' Retirement Board So much of such interest earnings on the investments of the School Employes' Retirement Fund in excess of four per centum as shall be credited to the Administration Expense Account in the manner provided in this act from time to time are hereby specifically appropriated to the Public School Employes' Retirement Board and may be expended for the purposes hereinbefore enumerated Estimates of the amounts to be expended under this act from time to time by the Public School Employes' Retirement Board shall be submitted to the Department of Public Instruction and after approval thereof by the Department of Public Instruction shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations made to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition for the expenditure of any moneys out of this appropriation by the Public School Employes' Retirement Board in excess of the estimates approved by the Governor Subject to the foregoing provisions the Auditor General shall from time to time upon requisition of the Public School Employes' Retirement Board draw his warrant on the State Treasurer for the amount specified in such requisition not exceeding however the amount in such fund at the time of making such requisition All amounts credited to the Administration Expense Fund which remain unexpended and uncommitted at the end of the biennium shall be credited to State Annuity Reserve Account Number Two The members of the retirement board shall serve without compensation but shall be reimbursed from the aforesaid appropriations for any necessary expenditures and no contributor shall suffer loss of salary or wages through serving on the retirement board

Section 2 That paragraph 2 of Section 6 of the said act as amended by the act approved the fourteenth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred thirty-eight) be and the same is hereby further amended to read as follows

2 (a) The retirement board shall annually allow regular interest on the mean amount for the preceding year to the credit of each of the accounts created in accordance with the provisions of this act The amount so allowed shall be annually credited thereto by the retirement board

(b) The retirement board shall annually credit to the State Annuity Reserve Account Number Two all interest on the investments of the fund created by this act in excess of four per centum and the expenses of administration as determined in the manner provided in this act

Section 3 That paragraph one of section eight of said act as amended by the act approved the Fourteenth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred thirty-eight) be and the same is hereby further amended to read as follows

The fund and accounts hereby created are the School Employes' Retirement Fund the contingent reserve account State annuity reserve account State annuity reserve account number two the employes' annuity savings account [and] the employes' annuity reserve account [.] and the administration expense account

Section 4 That paragraph five of section eight of said act as amended by the act approved the twenty-eighth day of April one thousand nine hundred twenty-five (Pamphlet Laws three hundred fifty-four) and the act approved the fourteenth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred thirty-eight) be and the same is hereby further amended to read as follows

5 Beginning with the month of July nineteen hundred nineteen and continuing until the accumulated reserve equals the present value as computed by the actuary of the retirement board of all State annuity payments thereafter payable by the Commonwealth on account of present employes then retired or to be retired on State annuities as provided in this act the said Commonwealth shall pay semi-annually into the fund created by this act through the Department of Revenue an amount equal to two and eight-tenths (2.8) per centum of the total compensation paid to all contributors for service during the preceding school year and in every case an amount at least three per centum greater than the second preceding semi-annual payment which amount shall be credited by the retirement board to a ledger account to be known as State annuity reserve account number two Beginning with the month of July nineteen hundred twenty-five the Commonwealth shall pay semi-annually into the fund created by this act as aforesaid to the credit of State annuity reserve account two an amount equal to two (2) per centum of the total compensation paid to all contributors for service during the preceding school year Beginning with the month of July nineteen hundred thirty-three the Commonwealth shall pay semi-annually into the fund created by this act as aforesaid to the credit of State annuity reserve account number two an amount equal to one and six-tenths (1.6) per centum of the total compensation paid to all contributors for service during the preceding school year Provided That in every case the amount shall be sufficient when combined with that in the fund to the credit of said account to provide the pensions payable by the Commonwealth during the half-year then current to present employes then retired or to be retired as provided in this act Upon the retirement of a present employe his or her State annuity shall be charged to the State annuity reserve account number two and paid from the fund created by this act

Section 5 That section eight of said act as amended by the act approved the seventh day of April one thousand nine hundred twenty-five (Pamphlet Laws one hundred sixty-two) the act approved the twenty-eight day of April one thousand nine hundred twenty-five (Pamphlet Laws three hundred fifty-four) and the act approved the fourteenth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred thirty-eight) be and the same is hereby further amended by adding the following paragraph

9 There shall be credited by the retirement board to a ledger account to be known as the Administration Expense Account the amount of the estimate of amounts to be expended from time to time by the Department of Public Instruction for expenses of administration

Section 6 This act shall take effect immediately upon its passage and approval by the Governor

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. SHAPIRO. Mr. President, I move that Senate Bill No. 481 (House Bill No. 265), on third reading, entiled:

An Act to validate certain proceedings for municipal improvements, municipal assessments, municipal claims and municipal liens, in the several boroughs of this Commonwealth, and validating such improvements, assessments, claims and liens; providing for the filing of claims and liens therefor; and the proceedings for the collection of such assessments and claims.

be recommited to the Committee on Municipal Affairs for the purpose of combining three similar bills.

Mr. REED. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, this bill, together with Senate Bill No. 570, validates certain suits for municipal improvements; and there is another bill, probably in the House, relating to similar subject matter. At the request of the Department of Justice I ask that this bill be recommited to the Committee on Municipal Affairs, for the purpose of combining the bills into one covering all subjects.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 492, entitled:

An Act to amend section one thousand one hundred and forty of the act approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs"; changing the term of office of borough managers.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were ase follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 531 (House Bill No. 1099), entitled:

An Act authorizing counties, cities, boroughs, townships of the first and second class and school districts to issue and sell bonds for certain purposes and for a certain period of time providing for a trust fund and a sinking fund for the payment thereof and defining the duties of the officers and governing bodies of the said municipalities in relation to said funds and fixing a penalty for the violation thereof.

And said bill having been read at length the third time and the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. MANSFIELD. Mr. President, I ask unanmious consent to amend section 1, page 1, line 6, by striking out the word "unlawful" and insert in lieu thereof "lawful"

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 532 (House Bill No. 421), entitled:

An Act validating ratifying and confirming certain assessments by boroughs of sewage taxes against property outside the limits of such boroughs benefited by sewers constructed by such boroughs and all municipal claims filed and entered pursuant to such assessments.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Clark,	Krause,	Reed,	Williamson,
Coyne,	Lanius,	Rice,	Woodward,
Ealy,	Mansfield,	Roberts,	Ziesenheim,
Einstein,			

NAYS—1

Chapman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS RECOMMITTED

Mr. SHAPIRO. Mr. President, I move that Senate Bill No. 570 (House Bill No. 131), on third reading, entitled:

An Act to validate certain proceedings for municipal improvements municipal assesments municipal claims and municipal liens in the several boroughs of this Commonwealth and validating such improvements assessments claims and liens providing for the filing of claims and liens therefor and the proceedings for the collection of such assessments and claims.

be recommitted to the Committee on Municipal Affairs.

Mr. REED. Mr. President, I second the motion.

The motion was agreed to.

Mr. REED. Mr. President, I move that Senate Bill No. 583 (House Bill No. 750), on third reading, entitled:

An Act to amend section one thousand nine hundred and two of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" permitting cities temporarily to construct and reconstruct highways and sewers without contract.

be recommitted to the Committee on Municipal Affairs for the purpose of a hearing.

Mr. HARVEY. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. ARON. Mr. President, I ask unanimous consent that Senate Bill No. 603 (House Bill No. 320), on third reading, entitled:

An Act to amend clause (b) of section four, article two, of the act approved the twenty-fifth day of June, one thousand nine hundred and nineteen (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth; as amended, changing the order in which officers of such cities shall act as mayor in case of a vacancy or disability of the mayor to act.

go over on its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 604 (House Bill No. 451), entitled:

An Act to amend section one of the act approved the twenty-sixth day of August, one thousand nine hundred and thirty-two (P. L. 101), entitled "An act authorizing collectors of delinquent taxes, except in cities of the first class, to accept payments of delinquent taxes or water-rents or rates in installments;" extending the provisions thereof to county taxes, other than county taxes in counties of the second class, and clarifying the term "delinquent tax collector."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. FAY. Mr. President, I ask unanimous consent that Senate Bill No. 617, on third reading, entitled:

An Act to amend section twenty-five of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions, debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies; including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devisd at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents"; as amended, so as to limit the duration of the lien of legacies unless proceedings are brought to enforce their payment within ten years after the probate of the testator's will, or after said legacies become due and payable.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 625, on third reading, entitled:

An Act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities and immunties of such associations and their offcers, drectors, shareholders, attorneys and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposig duties upon the courts, recorders of deeds, and certain State departments, commissions and officers; establishing limitations of actions; imposing penalties and repealing certain acts and parts of acts.

be recommitted to the Committee on Banks and Building and Loan Associations.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 672 (House Bill No. 720), entitled:

An Act to amend section one thousand seven hundred and sixteen of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof that are or may be inconsistent therewith"; as added, by further defining the term "cost of tuition" or "cost of tuition, text book and school supplies."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 690, entitled:

An Act providing for the assessment of costs for the acquiring and adopting of or connecting with existing sewers of adjacent municipalities by townships or boroughs and the maintenance thereof, and providing for filling of liens therefor.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 699, entitled:

An Act to amend clause five of section three of the act approved the thirteenth day of May, one thousand nine hundred and nine (P. L. 520), entitled "An act relating to food; defining food; providing for the protection of the public health; and the prevention of fraud and deception, by prohibiting the manufacture or sale, the offering for sale or exposing for sale, or the having in possession with intent to sell, of adulterated misbranded or deleterious foods; prescribing certain duties of the Dairy and Food Commissioner in reference thereto; and providing penalties for the violation thereof," as amended, further regulating the use of sulphur dioxide in the preparation of dried fruits and molasses.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. SHAPIRO. Mr. President, I move that Senate Bill No. 715 (House Bill No. 1325), on third reading, entitled:

An Act providing that the lien of any tax or municipal claim assessed upon or with respect to real property and of any judgment entered therefor and any execution to enforce such lien or judgment shall be limited to the property against which said tax has been assessed and shall not impose personal liability upon the owner of such property

be recommitted to the Committee on Judiciary General.

Mr. WOODWARD. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, this bill exempts property owners from personal liability for taxes, and changes the law of Pennsylvania as it has existed for years. With the consent of the sponsor of the bill I move that it be recommitted to the Committee on Judiciary General.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 726 (House Bill No. 1219), entitled:

An Act to amend sections eight and sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight)), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended by providing for the payment of all damages due to the change of width grades lines and locations of State highways in boroughs towns and townships including the removal of structures by the Commonwealth.

And said bill having been read at length the third time, and agreed to,

On the question.

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 728, entitled:

A Supplement to act number fifteen-A, approved the eleventh day of June, one thousand nine hundred thirty-one (Appropriation Acts of One Thousand Nine Hundred Thirty-one, page sixteen), entitled "An act to provide for the ordinary expense of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for two years beginning June first, one thousand nine hundred and thirty-one; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-one," providing for a deficiency in the appropriation to the Department of Forests and Waters for the extinction and control of forest fires for the fiscal biennium ending May thirty-first, one thousand nine hundred thirty-three.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmatiye.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 51

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate

Resolved (if the House of Representatives concur), That Senate Bill No. 51, entitled:

An Act to amend the act approved the twenty-second day of April one thousand nine hundred and nine (Pamphlet Laws one hundred twenty-two) entitled "An act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired and to validate the conveyances and other instruments of said corporations" as amneded extending said validating provisions to January first one thousand nine hundred and thirty-three

be recalled from the Governor for the purpose of amendment.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 730, entitled:

An Act to ratify, confirm and validate, as debts of the municipality, bonds and obligations issued by municipal corporations for the payment of the cost of a public improvement which were to rest alone for their security and payment upon assessments for benefits.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL SIGNED

The PRESIDENT (Lieutenant Governor Edward C. Shannon), announced that the Chief Clerk having reported that the following bill has passed both Houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 948, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue to meet interest and Sinking Fund requirements on the State debt

Whereupon,

The PRESIDENT (Lieutenant-Governor Edward C. Shannon) in the presence of the Senate signed the same.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 737 (House Bill No. 1220), entitled:

An Act to amend section ten of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioners and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats; prinicipal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioners; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and porviding that existing contracts are not affected by provisions of this act," as amended relieving boroughs and incorporated towns from the responsibility for maintenance of highways and bridges under the control of the Department of Highways of the Commonwealth of Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 756, entitled:

An Act making an appropriation to the Department of Military Affairs for the use of the State Armory Board for the partial payment of an arbitration award to the general contractors for services rendered in connection with the construction of the Wilkes-Barre Artillery Armory.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 762, entitled:

An Act to amend the act approved the twenty-fifth day of February, one thousand eight hundred and seventy-five (P. L. 4), entitled "A supplement to the act, approved March thirty-first, one thousand eight hundred and sixty, entitled 'An act to consolidate, revise and amend the penal laws of this Commonwealth,' further defining the offence of kidnapping, and affixing additional penalties thereto," by increasing the penalty for kidnapping with intent to extort money for restoration.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. PRINCE. Mr. President, this bill prescribes death or life imprisonment for the crime of kidnapping with intent to extort money for ransom. My strong preference is for the death penalty, but the extraordinarily able Director of the Legislative Reference Bureau, whose counsel I usually find it advantageous to follow, advises life imprisonment as an alternative, for the reason that the Legislature probably would not agree with the view that kidnaping is on a par with first

degree murder. If I felt that both Houses would see it as I do, I would offer an amendment eliminating the alternative of life imprisonment.

This bill was inspired by the dastardly crime which horrified the world, committed in New Jersey over a year ago, and which has since been repeated with appalling frequency. Charles Lindbergh is the finest type of young American manhood, and yet the country which idolizes him could not protect the inviolability of his home, and he has been obliged to purchase a residence in France; and the kidnappers and slayers of his child for fifteen months have succeeded in defying the police of three States and the Federal Secret Service, and are still at large.

Kidnapping is the most dastardly crime in the catalogue of human delinquencies. It combines three of the worst incentives and vices of human nature: cupidity, avarice and cruelty—aggravated by cold deliberation; and, unlike murder in occasional instances, it has no extenuating circumstances, and therefore deserves no mercy.

I think it might be well to borrow a feature or two from the experience and practice of the Middle Ages. They are sometimes called hard. Maybe they were. There is only one thing worse than hardness, and that is softness in the treatment of crime. It is certain they didn't coddle their criminals, or send bonbons and flowers to jailbirds, or pray the Board of Pardons to commute the sentence of convicted wife-murderers, or beg the President of the United States to release a fianancial pirate from a Federal Penitentiary because the prison air or prison fare does not agree with his pampered constitution, or railroad a degenerate homicide through the empty forms of a mock trial and a fake committal to the sublime eminence of the moving picture screen, or hire an expert humbug to establish the insanity of some ruthless killer whose mental balance is disturbed only by the terrifying prospect of suffering the same fate that he meted out, without mercy, to his helpless victim.

They had their murderers, robbers and kidnappers, just as we have, but with this difference—they hanged theirs. The Middle Ages realized, as did the ancient Hebrew law-givers, that the way to prevent crime is to make its punishment swift and certain, and the method formidable. A gold ring hung on a tree in Normandy for a whole year, and nobody dared touch it. Nowadays they hold up the sheriff or chief of police, and steal his badge of office besides.

The Middle Ages proceeded upon the simple, but now apparently obsolete, principle that crime is crime, and the object of punishment is to punish crime and not to reward it. They were not educated, you see, in the modern school of gush, by sociologists and magazine reformers who view crime as a misfortune or a disease, and define the villainies of crooks and moral perverts as freaks of double personality or misdirected genius. They acquitted a man in this State on the ground that cigarette smoking,—and no reflections are implied on the habits or present company,—had impaired his mind, and therefore it was the cigarettes that were guilty and not the man. In New York State a young foreigner killed his school teacher, under circumstances of unparalleled atrocity indicating a hopelessly depraved mind. He was acquitted on the ground of mental irresponsibility. In Oklahoma two men ran in a primary for the nomination of Governor. One was an ex-train robber and the other an ex-bank embezzler; and both had served time in the penitentiary.

There is not a judge in the country who will not tell you that crime is appallingly on the increase. And no wonder! Why should it not be? The most petted and pampered member of modern society is the crook and the moral pervert. He knows perfectly well that even if he is caught, which he probably will not be, or convicted, which is less likely, the worst thing that can happen is a temporary residence in a comfortable hotel run by the State, an apology from the judge for restricting his liberty, tears of maudlin sympathy from drolling sentimentalists, and the chance to run for office when he gets out.

Mr. President, we totally exaggerate the sanctity of mere physical existence. The value of a human life is determined not by its duration, but by its content, its quality, its direction. What actual or potential worth to society has the physical existence of a kidnapper? I believe the Pennsylvania Legislature will receive the applause of a just and enlightened public opinion from ocean to ocean if it enacts this bill into law.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the afirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 769, entitled:

An Act authorizing and empowering certain public officers, boards, commissions, departments and other bodies to enter into contracts, and to provide the moneys for the payment of service rendered thereunder, for the photographic reproduction of papers, documents, instruments, indexes and volumes and other public records within their jurisdiction.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Roberts,
Aron,	Fay,	McClure,	Salus,
Batchelor,	Frazier,	Miller,	Scott,
Baumer,	Gelder,	Norton,	Snyder,
Bell,	Graff,	Owlett,	Sones,
Bennett	Harris,	Parkinson,	Sordoni,
Boyd,	Harvey,	Pethick,	Staudenmeier,
Brandt,	Homsher,	Pierson,	Thompson,
Buckman,	Howell,	Prince,	Trainer,
Chapman,	Hunsicker,	Quigley,	Williamson,
Clark,	Krause,	Reed,	Woodward,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,			

—NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 793, as follows:

An Act to amend Section Two of the Act approved the twenty-second day of June A D one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the costs of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purpose of this act" by changing certain routes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following routes established by Section Two of the Act approved the twenty-second day of June One thousand nine hundred thirty-one (Pamphlet Laws Seven hundred twenty) entitled "An Act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" are hereby amended to read as follows

Beginning at a point on the Butler Township-Butler City line thence northeasterly and easterly on Roosevelt Boulevard to South Main Street and continuing northerly on South Main Street to an intersection at East Jefferson Street until such time as a new street shall be opened by relocation from the Butler Township-Butler City line to an intersection with the Roosevelt Boulevard west of South Main Street when this route shall follow the relocated street in the city of Butler a distance of about 1.16 miles

Beginning at a point on the intersection of Ninth Street and Tenth Street and running south over the Quentin Road to the intersection with the Colebrook Road thence west and southwest over the Colebrook Road [Tenth Street] to the North Cornwall Township-Lebanon City line in the city of Lebanon a distance of about .169 of a mile

Beginning at a point on the intersection of Ninth Street and Cumberland Street and running south over Ninth Street to the intersection of Ninth Street and Tenth Street thence over the Cornwall Pike to the North Cornwall Township-Lebanon City line in the city of Lebanon a distance of about .622 of a mile

Beginning at a point on the Hickory Township-New Castle City line and running in a generally southwesterly direction on Croton Avenue to an intersection on East Washington Street also from the intersection of Croton Avenue and Eastbrook Road in a northeasterly direction along Eastbrook Road to the Hickory Township-New Castle City line in the city of New Castle a distance of about [1.5] 1.96 miles

Beginning at a point on Frankstown Road at the easterly city line of Pittsburgh thence along Frankstown Road to Frankstown Avenue thence along Frankstown Avenue to [Hale Street] the east end of Bennett Street [thence along Hale Street to Kelly Street] thence along [Kelly] Bennett Street to North Dallas Street thence along North Dallas Street to an intersection at Penn Avenue thence along Penn Avenue to South Beatty Street thence along South Beatty Street to Baum Boulevard thence along Baum Boulevard to Bigelow Boulevard thence along Bigelow Boulevard to Seventh Avenue thence along Seventh Avenue to Liberty Avenue thence along Liberty Avenue to the Boulevard of the Allies in the City of Pittsburgh a distance of about [2.15] 8.32 miles

[Beginning at a point on West Carson Street at the south end of the Point Bridge thence along West Carson Street to Smithfield Street thence along East Carson Street to Arlington Avenue thence along Arlington Avenue to the [Liberty Tunnel approach thence by way of the Liberty Tunnels and West Liberty Avenue to the Saw Mill Run Boulevard] Beginning at a point at the intersection of South Main Street and West Carson Street thence along South Main Street to its intersection with Alexander Street along Alexander Street to its intersection with Neptune Street thence along Neptune Street to Wabash Street thence along Wabash Street to its intersection with Independence Street thence along Independence Street to its intersection with Woodville Street thence along Woodville Street to its intersection with the Saw Mill Run Boulevard thence along the Saw Mill Run Boulevard to its intersection with Nobles Lane and the Library Road thence along the Library Road to the line dividing the City of Pittsburgh and the Borough of Castle Shannon in the City of Pittsburgh a distance of about [5.56] 6.3 miles

Beginning at a point on Allegheny Avenue at the intersection of Manchester Avenue and Ridge Avenue thence along Allegheny Avenue to Columbus Avenue Bridge thence across the Columbus Avenue Bridge to California Avenue as relocated [the intersection of California Avenue and Island Avenue] thence along California Avenue to its intersection with the Ohio River Boulevard thence along the Ohio River Boulevard to the line dividing the City of Pittsburgh and Bellview Borough in the City of Pittsburgh a distance of about [1.89] 1.14 miles

Beginning at a point on Hazle Avenue on the dividing line between the City of Wilkes-Barre and the township of Hanover thence over Hazle Avenue to the intersection of Hazle Avenue and Park Avenue thence over Park Avenue to the intersection of Park Avenue and South Street thence over South Street to the intersection of South Street and South Washington Street thence over South Washington Street and North Washington Street to the intersection of North Washington and Butler Streets also from the intersection of Washington and East Market Streets over East Market Street through the Public Square and over West Market Street to the Wilkes-Barre city line in the city of Wilkes-Barre a distance of about [2.9] 3.19 miles

Beginning at a point on the Farrell City-Hickory Township line and running in a southwesterly direction on Mercer Avenue to a point on the Farrell City-Hickory Township line in the City of Farrell a distance of about .84 of a mile

Beginning at a point on the Farrell City-Hickory Township line and running in a northwesterly direction on Division Street to a point on the Farrell City-Sharon City line in the City of Farrell a distance of about 1.24 miles

Beginning at a point on the intersection of Haywood Street and Broadway Street and running in an easterly direction on Haywood Street to the intersection of Haywood Street and Division Street in the City of Farrell a distance of about 1.37 miles

Beginning at a point on the Farrell City-Wheatland Borough line and running in a northwesterly and northerly direction on Broadway Stret to a point on the Farrell City-Sharon City line in the City of Farrell a distance of about 1.48 miles

Beginning at a point on the Farrell City-Sharon City line and running in a northerly direction on South Dock Street to the intersection of State Street and South Dock Street in the City of Sharon a distance of about .87 of a mile

Section 2 This act shall become effective upon its final approval by the Governor

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 794, entitled:

An Act establishing certain public roads and streets, in the City of Pittsburgh and County of Allegheny as a State highway, and providing for their construction and maintenance by the Department of Highways, subject to certain terms and conditions.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 812 (House Bill No. 876), entitled:

An Act to amend sections one hundred ten four hundred seven four hundred eight five hundred thirty six hundred twelve six hundred twenty-one six hundred twenty-two eight hundred eight one thousand seven hundred and fifteen one thousand eight hundred and six two thousand sixty-three two thousand seventy-two thousand three hundred and one two thousand three hundred and two and three thousand two hundred and one to repeal sections two thousand seventy-one two thousand seventy-two two thousand seventy-three two thousand seventy-four two thousand seventy-five three thousand two hundred and two three thousand two hundred and three three thousand two hundred and four three thousand two hundred and five and three thousand two hundred and six and to add sections two hundred nine two hundred nine a three thousand two hundred and two and three thousand two hundred and three to the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand two hundred six) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" regulating advertising fixing the voting powers at county conventions of township officers correcting certain section headings providing the security to be given by depositories prescribing penalties for delinquent taxes permitting certain municipal claims to be embraced in one claim and providing that the width of sidewalks may be fixed by resolution regulating the carrying of Workmen's Compensation Insurance providing for the laying out and ordaining of sidewalks for the removal of shrubbery and obstructions within highways for the filling of vacancies in office for the reestablishment of a first class township as a second class township and defining the powers and duties of the planning commission.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. SCOTT. Mr. President, I move that Senate Bill No. 819 (House Bill No. 1543), on third reading, entitled:

An Act to amend section five of the act approved the nineteenth day of August one thousand nine hundred and thirty-two (P. L. 92), entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors as herein defined prescribing the method and manner of collecting such tax and providing penalties" extending the period for payment of part of the tax

be recommitted to the Committee on Finance.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 820, entitled:

An Act relating to seated lands purchased by county commissioners at county treasurer's sale of seated lands for collection of taxes; authorizing the county commissioners to sell the same at private sale under the circumstances.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Fay,	McClure,	Salus,
Aron,	Frazier,	Miller,	Scott,
Batchelor,	Gelder,	Norton,	Shapiro,
Baumer,	Graff,	Owlett,	Snyder,
Bell,	Harris,	Parkinson,	Sones,
Bennett,	Harvey,	Pethick,	Sordoni,
Boyd,	Homsher,	Pierson,	Staudenmeier,
Brandt,	Howell,	Prince,	Thompson,
Buckman,	Hunsicker,	Quigley,	Trainer,
Chapman,	Krause,	Reed,	Williamson,
Clark,	Lanius,	Rice,	Woodward,
Coyne,	Mansfield,	Roberts,	Ziesenheim,
Einstein,			

NAYS—1

Ealy,

A majority of all the Senators having voted "aye" the the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. WILLIAMSON. Mr. President, I move that Senate Bill No. 825, on third reading, entitled:

An Act to amend the act, approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended; authorizing the officers of school districts to prepare, sign and make payment upon certain orders before approval of the orders by the board; relating to the payment of temporary indebtedness from current revenue; permitting the refunding of certain indebtedness, and the depositing of collateral security by depositories, secretaries, treasurers and tax collectors of school districts in lieu of surety bonds; removing the right of certain boards of school directors to make agreements concerning the tuition of non-resident pupils; relieving certain school districts of the duty of providing special education for feebleminded children and placing such obligation upon the Department of Welfare; allowing certain pupils to attend schools in other districts; empowering the State Council of Education to regulate the issuance of certificates to students and graduates of State teachers colleges; authorizing boards of trustees of State teachers colleges to charge their pupils certain fees; designating certain persons as auditors of financial matters of certain school districts; relating to the filing of reports of audits; discontinuing teachers institutes and providing for meetings of teachers, the payment of the expenses thereof by the counties, and the compensation for the teachers in attendance; and repealing certain sections and parts of sections.

be recommitted to the Committee on Education.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 833, entitled:

An Act to amend section five hundred and fifteen of the act approved, the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," requiring approval of court to agreements by counties for the payment of land taken, injured or destroyed.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVAL OF RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 51

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 10, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor Senate Bill No. 51, Printer's No. 5, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF SENATE BILL No. 51

Mr. BELL. Mr. President, I move to reconsider the vote by which Senate Bill No. 51, passed finally.

The PRESIDENT. How did the Senator vote?

Mr. BELL. Mr. President, I voted "aye".

Mr. ARMSTRONG. I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. ARMSTRONG. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. BELL. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. BELL. Mr. President, I voted "aye".

Mr. ARMSTRONG. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. ARMSTRONG. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. BELL. Mr. President, I ask unanimous consent to amend section 1, page 2, line 14 by inserting after the word "any" and before the word "corporation" the word: "manufacturing"; also amend section 1, page 2, line 14 by inserting after the word "corporation" and before the word "of" the following: "or land company"

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended.

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 856, entitled:

An Act authorizing cities of the third class to provide, by ordinance, for the payment for public work or improvements heretofore made for or furnished to the city, where no legal or valid contract was entered into as required by law

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 863 (House Bill No. 664), entitled:

An Act making an appropriation for the purpose of maintaining the public roads through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 866 (House Bill No. 1146), entitled:

An Act to repeal section three of the act approved the eighth day of April, one thousand eight hundred and fifty-two (P. L. 296), entitled, "An act relative to county offices of Clarion County; to certain streets in the borough of Brookville, and to hawkers and peddlers in Bedford County."

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 867 (House Bill No. 1163), entitled:

A Supplement to the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five hundred thirty) entitled "An act relating to the erection of a dam at the outlet of Pymatuning Swamp and the establishment of a reservoir for the flood control of the Shenango and Beaver rivers conferring and continuing certain powers and duties on the Department of Forests and Waters in relation to the establishment and maintenance of such reservoir providing for the acquisition of necessary lands therefor and the necessary agreements and releases relating thereto and the disposition of surplus land and materials" and making an appropriation to the Department of Forests and Waters to carry into effect the provisions of said act.

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 878, entitled:

An Act to amend section fifty-one of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," as amended, regulating the holding of the office of district attorney where no person is elected or the elected district attorney fails to qualify.

And said bill having been read at length the third time, and agreed to.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 888, entitled:

An Act making an appropriation to the Department of Welfare to pay for the care, treatment, removal and maintenance of the indigent insane in Dixmont Hospital, at Dixmont, Allegheny County.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 889, entitled:

An Act making an appropriation to the Department of Welfare to pay for the care, treatment, removal and maintenance of the indigent insane in county and poor district hospitals.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. NORTON. Mr. President, I ask unanimous consent that Senate Bill No. 892, on third reading, entitled:

An Act to amend section one of the act approved the fourteenth day of April, one thousand eight hundred and eighty-one (P. L. 10), entitled "An act granting power to counties, cities (except cities of the first and second classes) boroughs, municipalities and school districts in this Commonwealth, which have issued bonds or other interestbearing evidences of indebtedness, to redeem the same and issue new bonds therefor, with or without interest coupons attached," as amended, by extending the provisions of the said act to cities of the first and second classes and providing that the refunding bonds, issued under the provisions thereof may bear interest at a rate of six per centum per annum and providing further that said bonds shall be payable at any time not exceeding twenty years after the date thereof.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 895 (House Bill No. 810), entitled:

An Act to amend section thirteen of the act approved the seventeenth day of May one thousand nine hundred and seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge of the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality and purity" as amended removing liver products from the provision which prohibits the sale of medicines containing substances of glandular origin except by registered pharmacists and assistants.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No 898, entitled:

An Act authorizing municipalities and townships to provide work for unemployed persons by removing, repairing and replacing sidewalks.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 962, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the various political divisions of the Commonwealth, for the maintenance of certain streets and roads, and in townships of the second class, for the maintenance and replacement of certain bridges during the calendar years one thousand nine hundred and thirty-four and one thousand nine hundred and thirty-five, and suspending the power of townships of the second class to levy taxes for road purposes during such years.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. PARKINSON. Mr. President, I ask unanimous consent to amend title, page 1, line 3 of title, by striking out the word "divisions" and inserting in lieu thereof: "subdivisions"; also by adding at the end of the title, after the word "years" the

following: "providing for certification of mileage of public roads and streets by municipal authorities to the Department of Highways, and providing for the use and maintenance of road building machinery and equipment belonging to such political subdivisions by the Department of Highways in carrying out the purposes of this act"; also page 2, line 2, by inserting after the word "cities" the word "incorporated"; also line 23, by inserting after the word "class" the following: "in the repair and maintenance of streets and roads therein not repaired and maintained under the provisions of any other law"; also section 3, page 3, line 2, by inserting after the word "the" the words "repair and"; also line 4, by striking out the word "existing" and inserting in lieu thereof: "any other"; also lines 4 and 5, by striking out the word "subject" in line 4 and all the words in line 5; also line 8, by inserting after the word "towns" the words "and"; also lines 9 and 10, by striking out the following; "and townships of the second class"; also line 11, by inserting after the word "subdivisions" the following: "for the repair and maintenance of streets and roads therein not repaired and maintained by the Department of Highways under the provisions of any other law"; also line 15, by striking out the word "now"; also line 16, by inserting after the word "highway" the following: "under the provisions of any other law"; also lines 25 and 26, by striking out the words "before any allocation is" in line 25 and all the words in line 26; also line 28 by striking out the words "equitably apportioned and"; also page 4, line 1 by striking out the words "in case of casualty"; also line 3 by striking out the word "now"; also line 4 by striking out the word "existing" and inserting in lieu thereof: "the provisions of any other"; also page 4 by inserting between lines 4 and 5 the following sections: "Section 6. Nothing in this act shall be construed to relieve any of the municipal subdivisions from any obligation they may have occurred under any contract or agreement entered into prior to January first, one thousand nine hundred thirty-four, for the construction or repair of any highway or structure now under their jurisdiction; section 7 All unexpended balances of appropriations made to cities of the third class, boroughs, incorporated towns, townships of the first class and townships of the second class which have not been obligated or expended prior to January first, one thousand nine hundred and thirty-six, shall revert to and become a part of the Motor License Fund; section 8 It is the intent and purpose of this act that all moneys appropriated to the several municipalities exclusive of cities of the first class, second class and second class A shall include all items of expense necessary to properly maintain the designated highways except only overhead incurred by the Department of Highways. Such overhead to be paid by the Department of Highways from funds available for the construction and maintenance of State highways; section 9 In making the allocations provided under this act to the several subdivisions of the State, the Department of Highways shall be governed by certifications from such municipalities as to the amount of mileage of public roads and streets, exclusive of ways, courts and alleys in such municipality. Said certification shall be attested and sworn to by the proper municipal officials, and when received shall be filed of record in the Department of Highways; section 10 The several municipalities are hereby authorized and directed to turn over to the Department of Highways for use on the maintenance of any road or street within the limits of such municipality any road building machinery or equipment now owned by such municipality. Where the Department of Highways uses any equipment as herein provided, no charge shall be made by the municipality for such use. In case of any necessary repairs to said equipment while in the possession of the Department of Highways, said repairs shall be made only with the consent and upon the approval of the municipal authorities and the costs incurred by such repairs shall be paid out of the funds herein allocated to such municipality"; also section 6, page 4, line 5, by striking out the figure "6" and inserting in lieu thereof: "11."

The PRESIDENT. Is there objection? The chair hears none.

The amendments were agreed to.

On the question.

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON FINAL PASSAGE

Mr. GELDER. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 514 (House Bill No. 456), entitled:

An Act to amend the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety, regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensng the operators thereof, upon payment of prescrbed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposton of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by requiring certain motor vehicles to be equipped with safety glass; fixing penalties; and providing for the suspension or revocation by the Public Service Commission of certificates of public convenience of common carriers for violations of the provisions of this act.

Mr. FRAZIER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 514 (House Bill No. 456) as follows:

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent opera-

tion of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring certain motor vehicles to be equipped with safety glass fixing penalties and providing for the suspension or revocation by the Public Service Commission of certificates of public convenience of common carriers for violation of the provisions of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That article eight of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumberances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended by adding thereto the following new section to read as follows

Section 816.1 Safety Glass

(a) The term "safety glass" as used in this section shall be construed to mean any glass or transparent product approved by the Department of Revenue manufactured or fabricated in such manner as substantially to prevent shattering and flying of the glass or transparent product when struck or broken

(b) It shall be unlawful on and after the first day of January one thousand nine hundred and thirty-four to operate on any public highway or street in this Commonwealth a motor vehicle manufactured or assembled after said date designed or used for the purpose of carrying passengers for hire or as a public conveyance to transport school children or others unless such vehicle be equipped with safety glass whenever glass is used in doors windows or windshields

(c) It shall be unlawful on and after the first day of January one thousand nine hundred and thirty-five to operate on any public highway or street in this Commonwealth any motor vehicle manufactured or assembled after said date unless such vehicle be equipped with safety glass whenever glass is used in doors windows or windshields

(d) The secretary shall maintain a list of types of safety glass approved by him as conforming to the specifications and requirements for safety glass as set forth in this section and shall not issue a license for or relicense any motor vehicle subject to the provisions of subsections (b) or (c) of this section after the effective date of each subsection unless said motor vehicle is equipped as therein provided with such approved type of safety glass

Penalty The owner and operator of any motor vehicle operated in violation of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five dollars ($25.00) and costs of prosecution and in default thereof shall undergo imprisonment for not more than (10) days

In case of the violation of this act by any common carrier or person operating under a certificate of public convenience issued by the Public Service Commission such certificate shall be revoked or in the discretion of the commission suspended until the provisions of this section are satisfactorily complied with

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Armstrong,	Einstein,	Mansfield,	Salus,
Aron,	Fay,	McClure,	Scott,
Batchelor,	Frazier,	Miller,	Shapiro,
Baumer,	Gelder,	Norton,	Snyder,
Bell,	Graff,	Owlett,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,			

NAYS—1

Parkinson,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered That the Clerk return said bill to the House of Representative with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL INTRODUCED

Mr. ROBERTS. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none. Mr. ROBERTS read in his place and presented to the Chair Senate Bill No. 995, entitled:

A Supplement to the act approved the eighth day of May, one thousand nine hundred and nineteen (P. L. 148), entitled "An act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New Jersey of certain toll bridges over the Delaware River" and its amendments, authorizing the commission created under said act to borrow money from the Reconstruction Finance Corporation for the purpose of constructing toll bridges to charge tolls thereon and to repay loans from tolls collected.

Which was committed to the Committee on Finance.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 996, entitled:

An Act to prevent fraud and deception in the sale and offering for sale of rebuilt electric storage batteries, and prescribing penalties for violation thereof.

Which was committed to the Committee on Judiciary General.

REPORTS FROM COMMITTEE

Mr. SONES. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SONES, from the Committee on Judiciary General reported as committed, Senate Bill No. 660 (House Bill No. 177), entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a further section.

Mr. PETHICK. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PETHICK, from the Committee on New Counties and County Seats re-reported as committed, Senate Bill No. 108, entitled:

An Act establishing a centralized system in counties of the sixth, seventh and eighth classes for the collection of all county, borough, town, township, school and poor taxes through the county treasurer as county tax collector; defining the powers and duties of county tax collectors, and of counties, boroughs, towns, townships and school and poor districts; permitting cities of the third class and school districts coextensive therewith to accept the provisions of this act and become subject thereto; and repealing existing laws.

MEMORIALIZING CONGRESS TO AUTHORIZE THE IMMEDIATE IMPROVEMENT OF THE BEAVER AND MAHONING RIVERS

Mr. BATCHELOR offered the following resolution which was twice read and referred to the Committee on Federal Relations.

In the Senate, April 10, 1933.

Resolved (if the House of Representatives concur), That, Whereas, the Public Works Program of the President of the United States for the relief of the unemployed is restricted to public works that are essential to the people of the community, and

Whereas, the Rivers and Harbors Committee of the House of Representatives of the United States have under consideration a project for improving the Beaver and Mahoning Rivers from the junction of the Beaver River with the Ohio River at the Borough of Rochester, northward in Pennsylvania, by making these rivers navigable to barge traffic, and

Whereas, The improvement of the Beaver and Mahoning Rivers would be one of the most useful and outstanding public works that the government could find in any community, and

Whereas, This improvement would make available large quantities of raw material and render more secure the continuation of the industries along said rivers, in which hundreds of thousands of people depend for employment and support, and

Whereas, Be it resolved that the General Assembly of the Commonwealth of Pennsylvania hereby memorialize and request the Congress of the United States to authorize the immediate improvement of the Beaver and Mahoning Rivers, both for the unemployment relief which would thereby be furnished, and for the permanent continuation of the industries located in Western Pennsylvania, which are dependent upon these rivers being navigable.

Be it further resolved that copies of this resolution be transmitted by the Clerk of the Senate to the President of the United States, to both United States Senators and each Member of Congress from the Commonwealth of Pennsylvania.

HOUSE MESSAGE

HOUSE NON-CONCURS IN AMENDMENTS TO HOUSE BILL No. 1681

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that it has non-concurred in amendments made by the Senate to House Bill No. 1681, entitled:

An Act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined creating a commission for each of several districts defining their powers and the powers of the courts of districts of the first class providing for the licensing of the manufacture sale transportation and distribution of such beverages imposing taxes and license fees and providing for collection and distribution of revenues therefrom restricting ownership and interest in licensed places making appropirations providing penalties and repealing existing acts

Mr. McCLURE. Mr. President, I move that the Senate insist upon its amendments.

Mr. SORDINI. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

RECONSIDERATION OF SENATE BILL No. 434

Mr. ROBERTS. Mr. President, I move to reconsider the vote by which Senate Bill No. 434, entitled:

An Act making an appropriation to the trustees of the Pennsylvania Military College, Chester, Pennsylvania, for the training and education of students.

was defeated.

The PRESIDENT. How did the Senator vote?

Mr. ROBERTS. Mr. President, I voted "no."

Mr. BAUMER. I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. BAUMER. Mr. President, I voted "no."

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YAES—47

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Sones,
Bell,	Graff,	Parkinson,	Sordoni,
Boyd,	Harris,	Pethick,	Staudenmeier,
Brandt,	Homsher,	Pierson,	Thompson,
Buckman,	Howell,	Prince,	Trainer,
Chapman,	Hunsicker,	Quigley,	Williamson,
Clark,	Krause,	Reed,	Woodward,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,	Mansfield,	Roberts,	

NAYS—3

Bennett,	Harvey,	Snyder,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

APPROPRIATION BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 80, entitled:

An Act making an appropriation to the Children's Home of Bethlehem, Salisbury Township, Lehigh County, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,

Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 81, entitled:

An Act making an appropriation to Saint Luke's Hospital located at Bethlehem, Lehigh County, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 82, entitled:

An Act making an appropriation to the Allentown Hospital, Allentown, Lehigh County, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 110, entitled:

An Act making an appropriation to the Board of Managers of the Seamen's Church Institute of Philadelphia, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 177, entitled:

An Act making an appropriation to the Home of Industry for Discharged Prisoners of the City of Philadelphia and State of Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 184, entitled:

An Act making an appropriation to the Hahneman Medical College and Hospital of Philadelphia, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 191, entitled:

An Act making an appropriation to the Columbia Hospital, at Columbia, Lancaster County, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 198, entitled:

An Act making an appropriation to the Pennsylvania Association for the Blind, Incorporated, at Pittsburgh, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 199, entitled:

An Act making an appropriation to the Boy's Industrial Home of Western Pennsylvania, located at Oakdale, Allegheny County.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 226, entitled:

An Act making an appropriation to the Pennsylvania Epileptic Hospital and Colony Farm, Chester County, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 227, entitled:

An Act making an appropriation to the Chester County Hospital, West Chester, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 229, entitled:

An Act making an appropriation to the Florence Crittenton Circle of Wilkes-Barre, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 232, entitled:

An Act making an appropriation to the Lancaster General Hospital, Lancaster, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. SCOTT. Mr. President, I move that Senate Bill No. 233, on third reading entitled:

An Act making an appropriation to the New Future Association located on Sherman Avenue, North Side, Pittsburgh, Pennsylvania.

be recommitted to the Committee on Appropriations.

Mr. KRAUSE. Mr. President, I second the motion.

The motion was agreed to.

APPROPRIATION BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 238, entitled:

An Act making an appropriation to the Hospital of the University of Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. SCOTT. Mr. President, I move that Senate Bill No. 239, on third reading, entitled:

An Act making an appropriation to the Graduate Hospital of the University of Pennsylvania.

be recommitted to the Committee on Appropriations.

Mr. KRAUSE. Mr. President, I second the motion.

The motion was agreed to.

APPROPRIATION BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 240, entitled:

An Act making an appropriation to the Union Home for Old Ladies of West Philadelphia, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 241, entitled:

An Act making an appropriation to the Friends' Home for Children of the city of Philadelphia, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 242, entitled:

An Act making an appropriation to the Western Temporary Home of Philadelphia, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 245, entitled:

An Act making an appropriation to the Rush Hospital for Consumption and Allied Diseases of Philadelphia.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 247, entitled:

An Act making an appropriation to the George F. Geisinger Memorial Hospital, Danville, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 254, entitled:

An Act making an appropriation to the Wills Eye Hospital, Philadelphia, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 255, entitled:

An Act making an appropriation to the Home for the Aged, located at one thousand eight hundred nine Mount Vernon Street, Philadelphia, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 259, entitled:

An Act making an appropriation to the Reading Hospital, Reading, Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 269, entitled:

An Act making an appropriation to the Homeopathic Medical and Surgical Hospital, of Reading, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 271, entitled:

An Act making an appropriation to the Lee Homeopathic Hospital, Johnstown, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 272, entitled:

An Act making an appropriation to the Conemaugh Valley Memorial Hospital at Johnstown, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 276, entitled:

An Act making an appropriation to the St. Luke's and Children's Homeopathic Hospitals of Philadelphia, Pennsylvania, for the maintenance of said hospitals.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 303, entitled:

An Act making an appropriation to the Bloomsburg Hospital, Bloomsburg, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 304, entitled:

An Act making an appropriation to the Berwick Hospital, Berwick, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 305, entitled:

An Act making an appropriation to the American Ontologic Hospital, at Philadelphia, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 306, entitled:

An Act making an appropriation to the Women's Hospital, of Philadelphia, Preston and Parrish Streets, Philadelphia, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 307, entitled:

An Act making an appropriation to the Citizens General Hospital, New Kensington, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 309, entitled:

An Act making an appropriation to the Easton Hospital, at Easton, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 310, entitled:

An Act making an appropriation to the National Stomach Hospital, of Philadelphia, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 326, entitled:

An Act making an appropriation to the Williamsport Hospital of the City of Williamsport, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 327, entitled:

An Act making an appropriation to the Aged Colored Women's Home at Williamsport, Lycoming County, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 328, entitled:

An Act making an appropriation to the Home for the Friendless of the City of Williamsport, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 329, entitled:

An Act making an appropriation to the Florence Crittenton Mission of the City of Williamsport, Lycoming County, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Lanius,	McClure,	Salus,
Aron,	Einstein,	Miller,	Scott,
Batchelor,	Fay,	Norton,	Shapiro,
Baumer,	Frazier,	Owlett,	Snyder,
Bell,	Gelder,	Parkinson,	Sones,
Bennett,	Graff,	Pethick,	Sordoni,
Boyd,	Harris,	Pierson,	Staudenmeier,
Brandt,	Harvey,	Prince,	Thompson,
Buckman,	Homsher,	Quigley,	Trainer,
Chapman,	Howell,	Reed,	Williamson,
Clark,	Hunsicker,	Rice,	Woodward,
Coyne,	Krause,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 335, entitled:

An Act making an appropriation to the Greenville Hospital Greenville, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made therto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 342, entitled:

An Act making an appropriation to the Northeastern Hospital of Philadelphia, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 354, entitled:

An Act making an appropriation to the Elizabeth Steel Magee Hospital, Pittsburgh, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made therto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 355, entitled:

An Act making an appropriation to the Montefiore Hospital Association of Western Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 378, entitled:

An Act making an appropriation to the Allegheny General Hospital, Pittsburgh, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made therto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 379, entitled:

An Act making an appropriation to the Curtis Home for Destitute Women and Children, Pittsburgh, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Woodward,
Clark,	Krause,	Rice,	Williamson,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 380, entitled:

An Act making an appropriation to the Home for Colored Children, Termon Avenue, Twenty-seventh Ward, Pittsburgh, Pennsylvania, or its successors.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 382, entitled:

An Act making an appropriation to the Robert Wood's Industrial Home and Day Nursery for Colored Boys and Girls of Philadelphia, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 383, entitled:

An Act making an appropriation to the Philadelphia Home for Infants located at 4618 Westminster Avenue, Philadelphia, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,

Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 418, entitled:

An Act making an appropriation to the Germantown Dispensary and Hospital, Germantown, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 419, entitled:

An Act making an appropriation to the Children's Aid Society of Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 423, entitled:

An Act making an appropriation to the Coudersport General Hospital.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 429, entitled:

An Act making an appropriation to the Wilkes-Barre General Hospital, Wilkes-Barre, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,

Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 437, entitled:

An Act making an appropriation to the Carlisle Hospital, Carlisle, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 441, entitled:

An Act making an appropriation to the Lying-in Charity Hospital, Philadelphia, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,

Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 443, entitled:

An Act making an appropriation to the Maternity Hospital, Philadelphia, Pa.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Woodward,
Clark,	Krause,	Rice,	Williamson,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. SCOTT. Mr. President, I ask unanimous consent that Senate Bill No. 444, on third reading, entitled:

An Act making an appropriation to the Contributors to the Pennsylvania Hospital of Philadelphia, Pennsylvania, for the maintenance of its Department for the Sick and Injured.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

APPROPRIATION BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 445, entitled:

An Act making an appropriation to the Pennsylvania Society to Protect Children from Cruelty, Philadelphia, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Woodward,
Clark,	Krause,	Rice,	Williamson,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 451, entitled:

An Act making an appropriation to the Home for the Aged and Infirm Colored Women of Pittsburgh, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Woodward,
Clark,	Krause,	Rice,	Williamson,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 452, entitled:

An Act making an appropriation to the McKeesport Day Nursery at McKeesport, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Woodward,
Clark,	Krause,	Rice,	Williamson,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 485, entitled:

An Act making an appropriation to the Beulah Anchorage of Reading, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Woodward,
Clark,	Krause,	Rice,	Williamson,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 493, entitled:

An Act making an appropriation to the Woods Run Settlement House of Allegheny County.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Woodward,
Clark,	Krause,	Rice,	Williamson,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 551, entitled:

An Act making an appropriation to the Greene County Memorial Hospital, of Waynesburg, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 589, entitled:

An Act making an appropriation to the Charleroi-Monessen Hospital, at Charleroi, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 597, entitled:

An Act making an appropriation to the Annie M. Warner Hospital, Gettysburg, Adams County, Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 628, entitled:

An Act making an appropriation to the American Hospital for Diseases of the Stomach, of Philadelphia, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Woodward,
Clark,	Krause,	Rice,	Williamson,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 635, entitled:

An Act making an appropriation to the Memorial Hospital Association of Monongahela City, Washington County, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Woodward,
Clark,	Krause,	Rice,	Williamson,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 636, entitled:

An Act making an appropriation to the Washington Hospital Association of Washington, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 637, entitled:

An Act making an appropriation to the Canonsburg General Hospital Association at Canonsburg, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 667, entitled:

An Act making an appropriation to the Home for Widows and Single Women of Reading, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,

Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. SCOTT. Mr. President, I move that Senate Bill No. 669, on third reading, entitled:

An Act making an appropriation to the Somerset Community Hospital, at Somerset, Pennsylvania.

be recommitted to the Committee on Appropriations.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

APPROPRIATION BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 704, entitled:

An Act making an appropriation to the Philadelphia Orthopaedic Hospital and Infirmary for Nervous Diseases of Philadelphia.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 733, entitled:

An Act making an appropriation to the South Side Hospital of Pittsburgh, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 766, entitled:

An Act making an appropriation to the Chester Hospital, in the City of Chester, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 795, entitled:

An Act making an appropriation to the Home for Friendless Children in the City of Reading, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 874, entitled:

An Act making an appropriation to the Clearfield Hospital, Clearfield, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 891, entitled:

An Act making an appropriation to the First Allegheny Day Nursery, of Pittsburgh, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 926, entitled:

An Act making an appropriation to the Old Ladies' Home located at Wissinoming, Philadelphia.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 927, entitled:

An Act making an appropriation to the Almira Home Association, New Castle, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 930, entitled:

An Act making an appropriation to the Chestnut Hill Hospital of Philadelphia, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 931, entitled:

An act making an appropriation to the Florence Crittenton Home, Germantown, Philadelphia, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constiution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 935, entitled:

An Act making an appropiration to the Industrial Home for Crippled Children at Pittsburgh, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constiution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No 936, entitled:

An Act making an appropriation to the Children's Aid Society of Western Pennsylvania at Pittsburgh, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constiution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 937, entitled:

An Act making an appropriation to the Colored Women's Relief Assocaition of Western Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constiution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett,	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Pierson,	Staudenmeier,
Brandt,	Homsher,	Prince,	Thompson,
Buckman,	Howell,	Quigley,	Trainer,
Chapman,	Hunsicker,	Reed,	Williamson,
Clark,	Krause,	Rice,	Woodward,
Coyne,	Lanius,	Roberts,	Ziesenheim,
Ealy,	Mansfield,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 938, entitled:

An Act making an appropriation to the Ladies of the Grand Army of the Republic Home, Department of Pennsylvania, at Hawkins Station, Allegheny County, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constiution, and were as follows, viz:

YEAS—50

Armstrong,	Einstein,	McClure,	Salus,
Aron,	Fay,	Miller,	Scott,
Batchelor,	Frazier,	Norton,	Shapiro,
Baumer,	Gelder,	Owlett,	Snyder,
Bell,	Graff,	Parkinson,	Sones,
Bennett.	Harris,	Pethick,	Sordoni,
Boyd,	Harvey,	Parkinson,	Staudenmeier,
Brandt,	Homsher,	Pierson,	Thompson,
Buckman,	Howell,	Prince,	Trainer,
Chapman,	Hunsicker,	Quigley,	Williamson,
Clark,	Krause,	Reed,	Woodward,
Coyne,	Lanius,	Rice,	Ziesenheim,
Ealy,	Mansfield,	Roberts,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

REPORTS FROM COMMITTEE

Mr. SCOTT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT, from the Committee on Appropriations, reported as amended, Senate Bill No. 189, entitled:

An Act making an appropriation to the Uniontown Hospital, Uniontown, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 190, entitled:

An Act making an appropriation to the Brownsville General Hospital, Brownsville, Pennsylvania.

Also from the Committee on Appropriations, re-reported as amended, Senate Bill No. 239, entitled:

An Act making an appropriation to the Graduate Hospital of the University of Pennsylvania.

Also from the Committee on Appropriations, re-reported as amended, Senate Bill No. 452, entitled:

An Act making an appropriation to the McKeesport Day Nursery at McKeesport, Pennsylvania.

Also from the Committee on Appropriations, re-reported as amended, Senate Bill No. 669, entitled:

An Act making an appropriation to the Somerset Community Hospital, at Somerset, Pennsylvania.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 674, as follows:

An Act to repeal section three of the act approved the nineteenth day of August one thousand nine hundred and thirty-two (Pamphlet Laws ninety-eight) entitled "A supplement to the act approved the eleventh day of June one thousand nine hundred and thirty-one (Act Number Fifteen-A) entitled 'An act to provide for the ordinary expenses of the Executive Legislative Judicial Departments of the Commonwealth interest on the public debt and the support of the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-one and for the payment of bills incurred and remain-

ing unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-one' making additional appropriations to the Department of Military Affairs and to the Department of Property and Supplies and an appropriation to the Senate Committee for the Investigation of The Public Service Commission" lapsing the appropriation made by said act to the Senate committee for the investigation of the Public Service Commission

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assemly met and it is hereby enacted by the authority of the same That section three of the act approved the nineteenth day of August one thousand nine hundred and thirty-two (Pamphlet Laws ninety-eight) entitled "A supplement to the act approved the eleventh day of June one thousand nine hundred and thirty-one (Act Number Fifteen-A) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-one' making additional appropriations to the Department of Military Affairs and to the Department of Property and Supplies and an appropriation to the Senate Committee for the Investigation of the Public Service Commission" be and the same is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 796, as follows:

An Act defining and regulating the practice of photography providing for the licensing and registration of persons to carry on the practice of photography and the promulgation and enforcement of rules for the conduct thereof by the Department of Public Instruction

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Practice of Photography Without a License Prohibited No person shall practice or attempt to practice photography except under a license issued in accordance with the provisions of this act

Section 2 Photography Defined "Photography" is defined to be (a) the production of pictures by the action of light on prepared sensitive surfaces (b) the processes of projecting and registering images by means of lens and camera upon sensitized materials development and fixation of the latent image to render same visible and permanent and the subsequent reproduction or transfer of such image either negative or positive upon other sensitized material by aid of light and chemical action The practice of photography is defined to be the business or profession occupation or avocation of taking or producing photographs or any part thereof for hire

"Department" when used in this act shall mean the Department of Public Instruction of the Commonwealth

Section 3 Department to Provide for Examination The department shall provide for the examination of applicants who desire to practice photography in the Commonwealth and collect fees for such examinations and issue certificates of registration and license to practice photography to men or women who shall qualify as to competency ability and integrity The department shall make certain rules whereby a temporary certificate may be issued to practice photography until such time as the department shall hold an examination Such temporary certificate shall be null and void after the next examination held by the department In order to further the advancement of the profession the department shall also provide for temporary certificates to be issued to apprentices

In making examinations testimony shall be taken under oath which any person appointed by the department shall have authority to administer as to technical qualifications and business record of the applicant and the department may at its discretion grant license to practice or withhhold said license for sufficient cause

Section 4 Forms of Examination The department shall provide three forms of technical examinations covering three branches of photography namely portrait commercial work and kodak or amateur finishing and shall provide separate certificates for each branch A certificate for any one branch shall not permit practicing photography in other branches although any photographer may hold certificates in all three branches if qualified under this act All applicants may take the examination in any one or all three branches of photography and the examination fee as herein set forth shall cover the entire set if taken at the same meeting of the department

Section 5 Application Examination Fees Every person desiring to commence the practice of photography in the Commonwealth from and after the passage of this act shall file his or her name together with an application for a license to so practice with the department At the time of making such application applicant shall deposit with the department an examination fee of twenty-five dollars ($25.00) and must appear for examination within six months and present such references and credentials as the department may require and shall give satisfactory evidence as to their competency and fitness to conduct the practice of photography based on their technical knowledge and their record for business integrity

Every applicant successfully passing such examination shall be registered in department records as a qualified photographer and shall receive a license signed by the Superintendent of Public Instruction authorizing said applicant to practice photography in the Commonwealth

Such license shall not be transferable nor shall it be issued to any person copartnership association or corporation designed to operate under an assumed or fictitious name

Nor shall any person copartnership association or corporation practice photography under an assumed or fictitious name unless the name of the concern together with the names of each and every person working under such name or who shall be in any way associated with the concern so named and all of whom shall be residents of the Commonwealth shall be conspicuously printed on a card in plain type in the English language the card to be not less than twelve by fourteen inches same to be framed under glass and prominently and continually displayed in their place of business

Fees paid for examinations shall in no case be refunded but in case the applicant fails in the first examination he may take a subsequent examination in branches in which he failed and the fee for such examination shall be ten dollars ($10.00)

Should the applicant again fail and desire to again come before the department for a third examination he may make application as at first same to be accompanied by a fee of twenty-five dollars ($25.00)

Examinations shall be held by the department at least once a year or as often as may be deemed necessary by the said department The department shall call to its aid any person or persons of established reputation and known ability in the practice of photography for the purpose of conducting examinations of any and all applicants for examination Such person shall receive for his or her services the sum of ten dollars ($10.00) for each day actually employed in the discharge of his or her duties and necessary expenses payable in the same manner as other employes of said department

Section 6 Recording and Displaying of License Each recipient of a license to practice photography as herein provided shall present same for recording to the prothonotary in the county in which he or she may practice photography and shall keep such license conspicuously displayed in his camera room

Section 7 Annual Licenses All photographers who are licensed to practice photography under this act and who maintain an established place of photographic business or who are not employes of some such established place of business shall be required to pay an annual license fee of five dollars ($5.00) (called an establishment license) All photographers who are licensed to practice photography under this act but who are employes of an established place of photographic business as above stated shall be required to pay an annual license fee as follows Those employed in the portrait or commercial branch of photography three dollars ($3.00) those employed in kodak or amateur finishing two dollars ($2.00) All such fees are to be paid to the department on or before the first day of January of each year The department shall give a receipt for the

same The annual establishment fee of five dollars ($5.00) shall include the issuance of certificates covering portrait commercial and kodak or amateur finishing when issued to the same person provided he or she is qualified as provided in this act to hold the same In the case of the annual employe fee of three dollars ($3.00) same shall cover issuance of all three certificates if applicant is qualified as provided by this act to hold same

The department shall notify every photographer at his last known address who holds a license to practice that his license fee is due on the first day of January of each year and that his license will be revoked unless said fee is paid in full on or before February first of the same year Provided That the department shall send a second notice thirty days in advance of that date to those who have failed to comply with the first notice

Any photographer whose license shall have been revoked under this section may make application to the department for reinstatement said application to be accompanied by a fee of ten dollars ($10.00) and if the department shall find the applicant to be guilty of no violation of this act other than default in payment of annual dues he may be immediately reinstated

Section 8 Revocation of Licenses Issue of Licenses to Present Practititioners The department shall have power to revoke any license granted by it to any photographer found guilty of fraudulent practices or of willful misrepresentations or after conviction by a court of this Commonwealth for commission of any crime involving moral turpitude or for professional inactivity within the Commonwealth for a period of four months or more unless further time is granted by the department

Provided that before any license shall be so revoked the holder thereof shall have notice in writing mailed to his or her last known address advising of charges against him or her and at a date and place specified in said notice at least ten days after service thereof he or she upon receipt shall be given a public hearing and have opportunity to produce testimony be represented by counsel and in all ways enter a defense The department in such hearing shall be governed by the usual rules of evidence and all testimony shall be duly taken and a record of the hearing shall be made and filed with the department

The department shall issue a license certificate to every photographer engaged in legal practice of photography in the Commonwealth at the time of passage of this act provided such application is accompanied by a fee as set forth in section seven of this act which original fee shall be considered as payment in full to January first one thousand nine hundred and thirty-five Evidence of being engaged in legal practice of photography shall be proven by such evidence as the department may require Resident photographers thus entitled to certifciates must make application for their certificates accompanied with the aforesaid fee within thirty (30) days after being notified by the department Failure to do so shall forfeit their right to certificate without examination

Section 9 Time to Qualify Thirty (30) days from and after this act becomes effective and notification by the department of the requirement for filing application for license it shall be unlawful for any person copartnership association or corporation not licensed to practice photography in the Commonwealth either directly or indirectly or by his or its agents or employes or for any person or persons representing themselves to be qualified to practice photography in the Commonwealth

Any person shall be regarded as a practicing photographer who is a manager proprietor or conductor of a place in which photographs are made and offered for sale

Section 10 Penalty Any person who shall practice or attempt to practice photography in the Commonwealth without first having complied with the provisions of this act or who shall violate any provision of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined for each offense not less than fifty dollars ($50.00) nor more than two hundred dollars ($200.00) or may be imprisoned for not less than thirty (30) days nor more than one year or both fine and imprisonment

Section 11 Exceptions to Application of Act Nothing in this act shall be construed to apply to any person or persons in the employ of any newspaper or periodical publication provided such negatives or photographs are not sold or offered for sale or otherwise disposed of in this Commonwealth for profit

Nor to any person who shall make negatives or photographs for experimental purposes or for his or her own personal use or pleasure if such negatives or photographs are not sold or offered for sale in this Commonwealth

Nor to any person who is in the employ of any school State college or State institution who shall make negatives or any reproduction therefrom solely for the use of said school college or institution for educational or scientific purposes

Nor to any duly licensed medical or dental practitioner who shall make negatives or photographs for clinical purposes

Nor to motion picture operators in making motion pictures

Section 12 Appeal from Actions of Department An appeal may be taken from any actions of the said Department of Public Instruction to the court of common pleas of Dauphin County The judgment of the common pleas court may be reviewed by the Superior Court on appeal

Section 13 Effect of Partial Invalidity of Act Each section of this act and every part of each section is hereby declared to be independent of every other and the holding of any section or part thereof to be void or ineffective for any cause shall not be deemed to affect any other section or part thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 896 (House Bill No. 1374), as follows:

An Act relating to the minimum salaries and annual increments of the teaching and supervisory staffs of the public schools granting power to the Superintendent of Public Instruction to permit as to certain school districts temporary reductions in the salary schedules authorizing Superintendent of Public Instruction to suspend mandatory provisions of the act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintaining the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" and of its amendments and supplements prohibiting school districts from demanding requesting or accepting gifts or donations from members of the teaching and supervisory staffs and empowering the Superintendent of Public Instruction to forfeit certain State subsidies for violations thereof relating to the effect of payment of salaries which are less than those prescribed by salary schedules granting certain options to the members of the School Employes' Retirement System and temporarily superseding any inconsistent acts and parts of acts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Definitions. The following terms shall be construed in this act to have the following meanings

1 "Employe" Any teacher principal supervisor or supervising principal county superintendent district superintendent assistant superintendent any members of the staff of the State Teachers' Colleges of the Cheyney Training School for Teachers of the staff of the Department of Public Instruction or of the staff of the State Council of Education or any clerk stenographer janitor attendance officer or other person engaged in any work concerning or relating to the public schools of this Commonwealth or in connection therewith or under contract or engagement to perform one or more of these functions No person however shall be deemed an employe within the meaning of this act who is not regularly engaged in performing one or more of these functions as a full-time occupation outside of vacation periods In all cases of doubt the School Employes' Retirement Board shall determine whether any person is an employe as defined in this act

2 "Employer" The Commonwealth school district State Teachers' Colleges Cheyney Training School for Teachers board or other committee by which the employe is paid

3 "Teacher or supervisor" A member of the teaching or supervisory staff or other appointee of any school district to whom any statutory minimum salary schedule shall be applicable

4 "Salary schedule" A schedule of minimum basic salaries plus required increments prescribed by any Act of Assembly for the payment of salaries of teachers or supervisors

Section 2 Re-employed Teachers and Supervisors During the period in which this act shall be in effect no school district shall be required to pay to any teacher or supervisor who during the year preceding the effective date of this act shall have been in its employ or who during such year shall have been in the employ of any school district whose territory shall wholly or in part comprise such district any salary or compensation at a rate greater than ninety per centum of the minimum amount which such teacher or supervisor would have been entitled to receive under the salary schedule if he or she had entered the employ of such district immediately prior to the effective date of this act

Section 3 New Teachers and Supervisors During the period in which this act shall be in effect no school district shall be required to pay to any teacher or supervisor who during the year preceding the effective date of this act was not employed by such school district or by a district whose territory shall wholly or in part comprise such district any salary or compensation at a rate greater than ninety per centum of the minimum amount which such teacher or supervisor would have been entitled to receive under the salary schedule if he or she had entered the employ of such district immediately prior to the effective date of this act

Section 4 Additional Reductions

In lieu of or in addition to thus reducing the above percentage the Superintendent of Public Instruction may as to any such district and for such period suspend any provisions of the act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" and of its amendments and supplements when such provisions require and make mandatory any action by the school district or its board of school directors

Section 5 Retirement Options During the year which shall begin on July first one thousand nine hundred thirty-three and close June thirtieth one thousand nine hundred thirty-four each employe who is a member of the School Employes' Retirement System shall have the option of contributing to the School Employes Retirement Fund either on the basis of the total salary which he or she will receive during such year or on the basis of the salary which he or she received during the year which began July first one thousand nine hundred thirty-two and ended June thirtieth one thousand nine hundred thirty-three Each such employe shall notify in writing his employer on or before September first one thousand nine hundred thirty-three upon which salary he or she elects to contribute

During the year which shall begin July first one thousand nine hundred thirty-four and close June thirtieth one thousand nine hundred thirty-five each employe who is a member of the School Employes' Retirement System shall have the option of contributing to the School Employes' Retirement Fund either on the basis of the total salary he or she will receive during such year or on the basis of the total salary which he or she received during the year which began July first one thousand nine hundred thirty-two and close June thirtieth one thousand nine hundred thirty-three Each such employe shall notify in writing his employer on or before September first one thousand nine hundred thirty-four upon which salary he or she elects to contribute Each employer shall notify the School Employes' Retirement Board in writing on or before September fifteenth one thousand nine hundred thirty-three and on or before September fifteenth one thousand nine hundred thirty-four of the option elected by each such employe for the then current year

During each of such years which begin on July first one thousand nine hundred thirty-three and July first one thousand nine hundred thirty-four the employer shall contribute on the basis of the salary upon which each of such employes shall have thus elected to contribute

Each new member who comes into the School Employes' Retirement System during the period beginning July first one thousand nine hundred thirty-three and ending on June thirtieth one thousand nine hundred thirty-five shall contribute on the basis of the salary actually received The employer shall contribute upon the same basis

The salary upon which each such employe elects to contribute for each of the years beginning July first one thousand nine hundred thirty-three and July first one thousand nine hundred thirty-four shall be used as the salary for each such year in the determination of any final salary upon which a retirement allowance will be computed

Section 6 Effect of Payment of Salaries Which Are Less Than Those Prescribed by Salary Schedule There shall be no deduction from the amount to be paid by the Commonwealth to a school district as a partial reimbursement for the salary or compensation of any teacher or supervisor because the district pays such person any time during the biennium beginning on the first day of June one thousand nine hundred thirty-three a smaller salary or compensation than is prescribed for such person by the salary schedule so long as the amount which the district pays is not less than the amount permitted by the provisions of this act or than that allowed by the Superintendent of Public Instruction in pursuance of the provisions of this act

Section 7 Prohibition Against Demanding Requesting or Accepting Gifts or Donations During the period in which this act shall be in effect it shall be unlawful for any board of school directors to demand request or accept directly or indirectly any gift or donation from any teacher or supervisor within its employ

Section 8 Forfeiture of Subsidies When during the period during which this act shall be in effect the Superintendent of Public Instruction shall be of the opinion that any school district shall have violated the provisions of this act by demanding requesting or accepting any gift or donation from one or more teachers or supervisors he shall subject to the restrictions herein provided have the power to declare forfeited for the then current school year any State subsidy which is to be paid to the district as a partial reimbursement of the salary of each such teacher or supervisor

Before declaring any such forfeiture as to any school district the Superintendent of Public Instruction shall mail to the board of school directors of the district a statement setting forth the alleged violations and the names of the one or more teachers or supervisors from whom the gifts or donations are alleged to have been demanded requested or accepted The statement shall be accompanied by a notice stating that unless a denial of such allegations verified by the affidavit of the president or secretary of the board is received by the Superintendent of Public Instruction within fifteen days he will declare a forfeiture as to such subsidy for each such teacher or supervisor If such a denial shall not be received within such fifteen days the Superintendent of Public Instruction may declare such one or more forfeitures

If such a denial shall be received the Superintendent of Public Instruction shall conduct a hearing to determine whether or not there have been any such violations He shall give reasonable notice of the time and place of the hearing to the board of school directors of the district and at the hearing shall give the board the right to be heard and to be represented by counsel

If after the hearing the Superintendent of Public Instruction shall be of the opinion that one or more of the violation set forth in the statement which he shall have sent to the board as herein provided did actually occur he may as herein provided forfeit the subsidies to be paid to the district as a partial reimbursement for the salary of each teacher or supervisor listed in such statement from whom in his opinion the district or its representatives shall have demanded requested or accepted a gift or donation

Section 9 Impairment of Contracts Nothing in this act shall be construed as impairing the obligation of any contract made before the effective date of this act

Section 10 Constitutional Construction The Provisions of this act shall be severable and if any of its provisions shall be

held to be unconstitutional the decisions of the court as to those provisions shall not affect the validity of the remaining provisions of this act It is hereby declared as a legislative intent that this act would have been adopted by the General Assembly had such unconstitutional provisions not been included herein

Section 11 Effective Date Period During which Act Shall be Effective This act shall become effective immediately upon its passage by the General Assembly and its approval by the Governor and shall remain in effect until the first day of July one thousand nine hundred thirty-five

Section 12 Inconsistent Provisions All acts and parts of acts inconsistent with the provisions of this act are hereby superseded for the period during which this act shall be in effect

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 914 (House Bill No. 1800), entitled:

An Act providing for the control and eradication of white pine blister rust; providing for the destruction of trees, plants and bushes infected with the white pine blister rust; authorizing the Department of Forests and Waters to remove, appraise and pay for healthy host plants necessarily destroyed; declaring certain plants and bushes to be a public nuisance; authorizing the Department of Forests and Waters to set aside fruiting current and gooseberry and white pine growing districts as control areas; authorizing the collection of the expense of destroying the plants from owners failing to destroy; and providing penalties for its violation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 929, entitled:

An Act making a deficiency appropriation to the Department of the Auditor General

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of the Auditor General for the payment of the deficiency in the salaries wages or other compensation of deputies directors superintendents bureau or division chiefs assistant directors assistant superintendents assistant chiefs experts scientists engineers surveyors draftsmen accountants secretaries auditors inspectors examiners statisticians marshals clerks stenographers bookkeepers messengers and other assistants and employes for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone rentals telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage and incidental expenses for the payment of rentals of patented leased office devices for the purpose of automobiles furuniture furiishings and equipment and for the purchase of supplies printing binding patent indices records law books and other books necessary for the proper conduct of the work of the department incurred or to be incurred to May thirty-first one thousand nine hundred and thirty-three

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 932, as follows:

An Act to amend sections one two three and four of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred twenty-nine) entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption conferring powers and imposing duties on the Secretary of Health and the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" limiting the status of an approved inspector changing the requirements for holders of milk permits and imposing additional duties on such permit holders or applicants therefore granting additional powers to the Secretary of Health in the enforcement of the act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections one two three and four of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred twenty-nine) entitled "An act to safeguard human health and life by providing for the licensing and regulation of persons and entities dealing in milk for human consumption conferring powers and imposing duties on the Secretary of Health and the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" are hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purpose and within the meaning of this act the following definitions shall obtain

"Milk" means milk skimmed milk cream sour milk sour cream buttermilk and all other fluid derivatives of milk for human consumption except condensed milk and evaporated milk

"Persons" includes masculine and feminine and any firm copartnership institution association or corporation and any agent servant assistant employe or representatives thereof

"To sell" "for sale" or "sold" and similar terms means the selling exchanging delivering or having in possession care control or custody with intent to sell exchange or deliver or to offer or to expose for sale

"Dairy farm" is a place or premise where one or more cows are kept and part of all of the milk from which is sold or delivered to any person

"Milk plant" is any place or premise or establishment where milk is collected processed stored bottled pasteurized or prepared for distribution

"Approved inspector" is one who has proven to the satisfaction of the secretary to be a person of good character trained by school and experience to carry on dairy farm and milk plant inspection in a capable and efficient manner and has received a certificate of approval from the secretary Such certificate shall not constitute an approved inspector an official or employe of the Department of Health nor shall he represent himself so to be

"Secretary" means the Secretary of Health of this Commonwealth or his authorized representative

"Municipality" includes any city borough town or township in this Commonwealth

Section 2 Except as hereinafter provided no person shall sell milk for human consumption within this Commonwealth without first having obtained a permit from the secretary nor otherwise than in accordance with the requirements of this act Each person desiring a permit to sell milk shall annually make an application therefor on a form to be secured from the secretary Such application shall set forth

(a) The name and address of applicant

(b) The designation of the milk to be offered for sale

(c) The name of the municipality or municipalities in which the applicant desires to sell milk

(d) An accurate record of each milk plant owned or operated by the applicant for a permit which receives or handles milk for human consumption

[(d)] (e) Such other information as may be required by the secretary

[Every applicant for or holder of a permit shall within thirty (30) days after demand by the secretary submit for approval the results of a sanitary inspection of each dairy farm from which the applicant desires or expects to receive milk and of the milk as delivered from the dairy farm to a milk plant The sanitary inspection shall be made by an approved inspector and the results recorded upon forms satisfactory to the secretary

Permits shall be issued only to persons who are prepared to conform or who are conforming with the requirements of this act Every permit shall expire annually

The secretary may refuse to grant or may suspend or revoke a permit if in his judgment the requirements of this act are not being complied with by the person making an application for a permit or to whom a permit has already been issued]

Every applicant for or holder of a permit to sell raw milk desiring to purchase milk for resale as raw milk shall receive permission from the secretary before accepting milk from any source other than that given in the application for a permit All sources of raw milk shall be inspected and approved by the secretary

Every applicant for or holder of a permit to sell pasteurized milk or milk for pasteurization shall keep an accurate record of the names and addresses of the owners or operators of all dairy farms from which milk is received This record shall be kept on file in the milk plant where the milk is received and shall be available at all times for the inspection of the secretary

An accurate report of a sanitary inspection on all dairy farms from which milk is received and of the milk as delivered to the milk plant shall be kept on file in the milk plant The sanitary inspection shall be made semi-annually by an approved inspector at the expense of the applicant for or holder of a permit Such inspections may be made by the secretary Within thirty days after demand by the secretary additional inspections shall be made of any or all farms and reports thereon filed in the milk plant Inspection reports shall be made upon forms satisfactory to the secretary

No applicant for or holder of a permit to sell pasteurized milk or milk for pasteurization shall receive milk from a dairy farm until the report of the sanitary inspection made by an approved inspector shall have been placed on file in the milk plant where the milk is received for the inspection and approval of the secretary nor shall he receive milk from any milk plant owned or operated by another person who is not in lawful possession of a permit

Permits shall be issued only to persons whose entire milk supply the farms where it is produced and the plants in which the milk is handled have been approved by the secretary Every permit shall expire annually

Permits may be refused suspended or revoked by the secretary if in his judgment the requirements of this act are not complied with by the person making an application for a permit or to whom a permit has already been issued

Before refusal to grant a permit or before a permit is suspended or revoked the secretary shall afford the applicant or holder of the permit an opportunity to be heard and shall give at least five (5) days written notice of the hearing to the applicant or the holder of the permit by registered letter sent to the address given in the application

When an application for a renewal of a permit has been regularly made and no notification of a hearing as above described has been sent the applicant by the secretary the permit of the preceding year shall continue in full force until renewed or revoked in accordance with this section

The secretary may constitute as his agent for the purpose of issuing permits for the sale of milk a department of health board of health or health officer of any municipality and shall accept permits issued by municipalities under the terms of municipal ordinances equally as stringent as the requirements of this act and enforced by such municipalities as the only permit required for the sale of milk in such municipalities

This section shall not apply to a person selling or delivering milk directly from a dairy farm to a milk plant

Unless the secretary shall require a permit this section shall not apply to a person selling milk from a store when such milk is purchased from a person already in lawful possession of a permit to sell milk

This section shall not apply to persons in charge of hotels restaurants soda fountains boarding houses or other places where milk is served when such milk is to be consumed on the premises thereof and is purchased from one already in lawful possession of a permit to sell milk

The secretary may in his discretion exempt a person selling milk from not more than one cow from such requirements of this act as he may deem in each instance to be unnecessary for the protection of the public health

Section 3 Every person having made an application for a permit to sell milk or holding a permit for the sale of milk shall at any time allow the secretary to inspect the milk plants herds stables and dairy farms from which milk is obtained handled or prepared for sale and to inspect the pasteurizing bottles and handling of milk in any manner whatsoever and to take such samples of milk as may be deemed necessary upon payment therefor at the usual market price when payment is demanded

The secretary shall have the right to exclude from sale any part of a milk supply which may be considered unsafe for human consumption or milk which is produced on dairy farms or handled in milk plants which fail to meet the requirements of this act

Non-compliance with the provisions of this section by a permit holder is hereby specifically declared to be a violation of this act and subject to the penal provisions hereof and shall be sufficient grounds for the revocation of the permit of such permit holder

Section 4 No person shall sell milk that does not bear prominently the designation "Certified Milk" or "Raw Milk" or "Pasteurized Milk" or "Milk for Pasteurization" which final term shall mean milk which meets all the requirements set forth in section seven hereof but has not as yet been pasteurized Such designations as "A" "B" "Inspected" "Homogenized" or "Viscolized" may be used with the designation of "Raw Milk" or "Pasteurized Milk" provided the definition of such designation is filed with and approved by the secretary

Section 2 This act shall take effect immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 951 (House Bill No. 1933), entitled:

An Act to amend section two of an act approved the twenty-first day of April, one thousand nine hundred twenty-seven (Pamphlet Laws, three hundred twenty-seven), entitled "An act relating to the extradition of persons charged with crime and to make uniform the law with reference thereto," by giving the Governor of this State authority to deliver up certain imprisoned persons, for the purpose of trial for murder in the demanding state, under certain conditions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 957, as follows:

An Act making an appropriation to the Grand View Institution for the Care and Treatment of Poor Consumptives Oil City Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of

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